

Cynulliad Cenedlaethol Cymru
Y Pwyllgor Busnes

Adolygiad o'r Rheolau Sefydlog i baratoi
ar gyfer y Pedwerydd Cynulliad

Mawrth 2011



Cynulliad Cenedlaethol Cymru yw'r corff sy'n cael ei ethol yn ddemocrataidd i gynrychioli buddiannau Cymru a'i phobl, i ddeddfu ar gyfer Cymru ac i ddwyn Llywodraeth Cymru i gyfrif.

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Y Pwyllgor Busnes

Mae'r Pwyllgor Busnes yn rhoi cyngor am sut y caiff busnes y Cynulliad ei reoli ac am weithdrefnau ac arferion cyffredinol y Cynulliad. Y Llywydd sy'n cadeirio'r Pwyllgor, a'i aelodau yw'r Gweinidog sy'n gyfrifol am fusnes y Llywodraeth, a Rheolwr Busnes pob un o grwpiau gwleidyddol eraill y Cynulliad. Disgrifir ei bwerau yn Rheolau Sefydlog Cynulliad Cenedlaethol Cymru, yn enwedig yn Rheol Sefydlog 11. Mae'r rhain ar gael yn www.cynulliadcymru.org.

Aelodau'r Pwyllgor

<i>Aelod Pwyllgor</i>	<i>Plaid</i>	<i>Etholaeth neu Ranbarth</i>
Dafydd Elis-Thomas (Cadeirydd)	Plaid Cymru	Dwyfor Meirionnydd
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Jocelyn Davies	Plaid Cymru	Dwyrain De Cymru
Jane Hutt, (y Gweinidog dros Fusnes a'r Gyllideb)	Llafur	Bro Morgannwg
Nick Ramsay	Y Ceidwadwyr Cymreig	Mynwy

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Rhagair y Cadeirydd

Rydym bellach yn ail ddegawd datganoli yng Nghymru, ac mae canlyniad diweddar y refferendwm, a oedd o blaid rhoi pwerau deddfu ehangach i'r Cynulliad, yn bleidlais o hyder yn y Cynulliad fel deddfwrfa, yn ein gweithdrefnau craffu ac yn ein rôl fel eiriolwyr dros bobl Cymru.

Fodd bynnag, ar drothwy'r Pedwerydd Cynulliad, mae angen inni sicrhau bod gweithdrefnau'r Cynulliad yn dal i weithio'n effeithiol er mwyn gwasanaethu pobl Cymru.

Mae'n ddyletswydd arnom i sicrhau bod ein ffyrdd o weithio'n dal i fod yn arloesol, yn effeithiol ac yn hygyrch. Wrth adolygu ein Rheolau Sefydlog, cytunwyd mai'r nod y dylid ei osod yw sicrhau bod ein gweithdrefnau'n hwyluso trefniadau sydd er budd gorau'r Cynulliad drwyddo draw ac sy'n ei alluogi i gyflawni ei swyddogaethau statudol a chyfansoddiadol ac yntau'n gorff a etholir yn ddemocrataidd i gynrychioli buddiannau Cymru a'i phobl, i ddeddfu ar gyfer Cymru ac i ddwyn Llywodraeth Cymru i gyfrif.

Felly, mae ein hargymhellion i ail-wneud ein Rheolau Sefydlog yn cynnwys mân-newidiadau a newidiadau sylweddol, gan sicrhau bod y Cynulliad, sy'n ddeddfwrfa gymharol fechan, yn ddigon hyblyg i addasu'r ffordd y mae'n cynnal ei fusnes yn ôl yr amgylchiadau.

Mae'r rhan fwyaf o'r newidiadau'n adlewyrchu arferion a chonfensiynau sydd wedi bwrw gwreiddiau yn y Trydydd Cynulliad. Mewn manau eraill, rydym wedi ceisio galluogi'r Cynulliad i wneud rhagor, gan ddileu cyfyngiadau diangen a chan gryfhau ein prosesau craffu, drwy gyflwyno darpariaethau newydd er mwyn inni allu craffu'n well ar gyfreithiau'r Cynulliad, Biliau Senedd y DU neu ddeddfwriaeth Ewrop sy'n effeithio ar Gymru.

Rydym hefyd wedi ceisio creu mwy o gyfleoedd i Aelodau unigol roi cychwyn ar fusnes a dylanwadu arno, cyfle yr wyf yn gobeithio y bydd Aelodau sy'n dychwelyd ac Aelodau newydd, ill dau, yn ceisio manteisio arnynt yn y Pedwerydd Cynulliad.

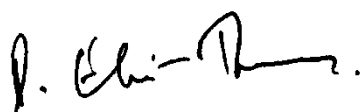
Mae'n werth dweud mai dyma'r tro cyntaf i'r Pwyllgor Busnes adolygu ein gweithdrefnau o'u cwr. Mae'r broses hon wedi bod yn un adeiladol,

a'r Rheolwyr Busnes wedi pwyso ar eu profiad hwy eu hunain wrth gytuno i'r newidiadau egwyddorol a phragmatig yr ydym yn eu hargymell. Drwy ein trafodaethau cyhoeddus, rydym wedi sicrhau consensws trawsbleidiol o blaid ffyrdd newydd o weithio yn y dyfodol.

Dyma'r tro cyntaf hefyd inni gael tystiolaeth ysgrifenedig ynghylch dulliau gweithio'r Cynulliad. Ar ran y Pwyllgor, hoffwn ddiolch i bawb sydd wedi'n cynghori ac sydd, wrth ymateb i'n cais am dystiolaeth, wedi rhannu gyda ni eu profiadau o weithio gyda'r Cynulliad. Er nad oedd modd adlewyrchu rhai o'r materion a godwyd yn y diwygiadau i'n Rheolau Sefydlog, bydd pob un o'r cyflwyniadau a gawsom yn goleuo'r ffordd y bydd Aelodau, pwyllgorau a'r Cynulliad drwyddo draw'n gweithredu yn y dyfodol.

Y Rheolau Sefydlog yw'r rheolau sylfaenol sy'n llywodraethu'r ffordd y byddwn yn cynnal ein busnes yn y Cynulliad Cenedlaethol. Dylent fod yn ddealladwy yn hytrach nag yn ddirgelwch. Dylent agor drysau yn hytrach na'u cau. Dylent fod o gymorth yn hytrach nag yn rhwystr. Felly, rydym yn argymhell mai un o dasgau cyntaf Llywydd a Phwyllgor Busnes y Cynulliad nesaf ddylai fod cyhoeddi canllawiau ategol i'r Aelodau, i'w staff ac i'r cyhoedd er mwyn iddynt ddeall ein prosesau'n well ac er mwyn esbonio sut y gellir defnyddio'r arfau a gynigir ganddynt i wasanaethu pobl Cymru.

Cymeradwyaf y set newydd o Reolau Sefydlog i'r Cynulliad.



Y Gwir Anrh. yr Arglwydd Elis-Thomas AC, y Llywydd
Cadeirydd y Pwyllgor Busnes

Argymhellion y Pwyllgor

Argymhelliad cyffredinol

Mae'r Pwyllgor yn argymhell bod y Cynulliad yn ail-wneud y Rheolau Sefydlog fel y'u gwelir yn Atodiad 4.

Crynodeb o'r prif newidiadau

Rhestrir y prif newidiadau i'r Rheolau Sefydlog isod, yn y drefn y maent yn ymddangos yn yr adroddiad hwn. Ewch i'r tudalennau perthnasol yn yr adroddiad i weld y dystiolaeth a'r casgliadau sy'n cyd-fynd â'r argymhellion:

Swyddi a Phenodiadau'r Cynulliad

- Cyflwyno mecanwaith symlach i'r Llywydd roi canllawiau i'r Aelodau ynglŷn â chynnal busnes y Cynulliad (diwygio RhS 2.17).
(Tud 16)
- Cynnwys darpariaeth newydd sy'n caniatáu i'r Llywydd a'r Dirprwy pleidleisio pan fydd deddfwriaeth yn mynnu bod pleidlais ar benderfyniad yn dibynnu ar gyfran o gyfanswm Aelodau'r Cynulliad (40 o blith 60 Aelod) yn hytrach na dim ond dwy ran o dair o'r rheini sy'n pleidleisio (RhS 2.20A newydd).
(Tud 16)
- Cynnwys Rheol Sefydlog newydd yn egluro gweithdrefn gyson ar gyfer penodi (a diswyddo) deiliaid swyddi allanol nad oes cyfeiriad atynt yn y Rheolau Sefydlog, er enghraifft Archwilydd Cyffredinol Cymru, y Comisiynydd Safonau a'r Ombwdsmon Gwasanaethau Cyhoeddus (RhS 33A newydd).
(Tud 17)

Y Cyfarfod Llawn a Threfn Busnes

- Cyflwyno mwy o hyblygrwydd o ran amseru a strwythur diwrnodau Cyfarfodydd Llawn (RhS 7.5A newydd). Byddai fframwaith dyrannu amser Cyfarfodydd Llawn rhwng gwahanol fathau o fusnes yn cael ei bennu gan y Pwyllgor Busnes yn amserlen amlinellol y Cynulliad (diwygio RhS 6.1).
(Tud 19)

- Cynnwys darpariaethau'n dweud sut y trefnid busnes cynnar ar ôl etholiad Cynulliad (RhS 7.5B-G newydd).
(Tud 20)
- Rhoi mwy o gyfleoedd i Aelodau unigol, ar wahân i aelodau'r llywodraeth, gyflwyno dadleuon am gynigion a gyflwynir yn eu henw (RhS 7.18A a 7.22B newydd).
(Tud 22)

Pwyllgorau

- Cael un dull o sefydlu pwyllgorau yn lle'r ystod o fecanweithiau a ddefnyddir ar hyn o bryd. Byddai hwnnw'n caniatáu i bob Cynulliad newydd benderfynu ar strwythur sy'n gweddu orau iddo o dan amgylchiadau penodol (diwygio RhS 12 a 21).
(Tud 26)
- Dileu'r cyfeiriadau at bwyllgorau penodol sydd yn y Rheolau Sefydlog (ac eithrio'r Pwyllgor Cyfrifon Cyhoeddus, sy'n ofynnol o dan y Ddeddf, a'r Pwyllgor Busnes) ac yn lle hynny, ei gwneud yn ofynnol i'r Pwyllgor Busnes sicrhau darpariaeth ar gyfer y prif swyddogaethau a restrir yn y Rheolau Sefydlog, megis craffu ar gyllidebau a deddfwriaeth, wrth gynnig y strwythur pwyllgorau (diwygio RhS 13 - 20 a RhS 28).
(Tud 27)

Deddfwriaeth

- Estyn y cyfnod a ganiateir ar gyfer cyflwyno Mesur arfaethedig Aelod yn Rheolau Sefydlog 23.98 (ar ôl gwneud y Gorchymyn Cymhwysedd Deddfwriaethol a gynigiwyd gan yr Aelod hwnnw) a 23.105 (ar ôl cael ei ddethol yn y balot a chael cytundeb y Cynulliad i'w gyflwyno), o chwe mis i naw mis er mwyn i'r Aelod gael rhagor o amser i baratoi.
(Tud 30)
- Cynnwys darpariaeth sy'n galluogi trosglwyddo deddfwriaeth arfaethedig Aelod a Phwyllgor i Lywodraeth Cymru (RhS 21.4A(iii) newydd, diwygio RhS 21A.9, RhS 21A.16, RhS 21A.17).
(Tud 31)

- Cyflwyno Rheol Sefydlog newydd i ganiatáu cyfnod o bythefnos rhwng gosod Gorchymyn Cymhwysedd Deddfwriaethol drafft a'r ddadl amdano mewn Cyfarfod Llawn (RhS 22.34A newydd).
(Tud 31)
- Egluro a chryfhau'r gofyniad am amcangyfrifon o'r costau yn y Memorandwm Esboniadol sy'n mynd gyda Mesur arfaethedig (diwygio RhS 23.18(vi)(a)).
(Tud 32)
- Cyflwyno cyfnod diwygio dewisol newydd ar gyfer Mesurau ar ôl gwaredu'r holl welliannau yng Nghyfnod 3, a gelwid hynny'n "y Cyfnod Adrodd" (RhS 23.57A a RhS23.57B newydd).
(Tud 33)
- Diwygio'r Rheolau Sefydlog sy'n ymwneud â memoranda cydsyniad deddfwriaethol er mwyn caniatáu gwell craffu ar ddarpariaethau perthnasol ym Miliau Senedd y DU, cyn gwahodd y Cynulliad i gydsynio iddynt (RhS 26.3A, RhS 26.3B a RhS 26.6 newydd).
(Tud 34)
- Cynnwys Rheol Sefydlog newydd sy'n ei gwneud yn ofynnol rhoi hysbysiad ffurfiol ac esboniad ynghylch Biliau Senedd y DU sydd naill ai'n cynnwys darpariaethau (ac eithrio'r rheini y cyfeirir atynt yn Rheol Sefydlog 26) sydd y tu allan i gymhwysedd deddfwriaethol y Cynulliad ond sy'n effeithio'n sylweddol ar swyddogaethau Gweinidogion Cymru neu'r Cwnsler Cyffredinol, neu sy'n effeithio ar gymhwysedd deddfwriaethol y Cynulliad (RhS 26A newydd).
(Tud 35)
- Cyflwyno mecanwaith ffurfiol o fewn y Rheolau Sefydlog i dywys y Cynulliad wrth iddo ystyried cymhwyso egwyddorion sybsidiaredd a chymesuredd fel y'u ceir ym Mhrotocol Cytuniad Lisbon (RhS 15.9 - 15.11 newydd).
(Tud 36)

Cyllid

- Ei gwneud yn ofynnol i'r Pwyllgor Busnes gyhoeddi amserlen bob blwyddyn ar gyfer ystyried cyllideb ddrafft y llywodraeth, yn

hytrach na phennu'r dyddiadau mewn Rheolau Sefydlog (RhS 27.0D newydd).

(Tud 37)

- Fel rhan o'r amserlen honno, gwarantu cyfnod o 5 wythnos o leiaf i'r pwyllgor cyfrifol graffu ar gyllideb ddrafft Llywodraeth Cymru.

(Tud 37)

Adroddiadau ar y Trafodion

- Diwygio Rheol Sefydlog 30 sy'n ymwneud â'r trefniadau ar gyfer cofnodi penderfyniadau (cofnodion) ac adrodd ar gyfarfodydd cyhoeddus, yn unol ag argymhellion yr Adolygiad Annibynnol o Wasanaethau Dwyieithog, gan ddarparu ar gyfer dilyn yr un drefn wrth gofnodi ac adrodd ar drafodion pwyllgorau a thrafodion Cyfarfodydd Llawn (diwygio RhS 30).

(Tud 39)

Buddiannau Ariannol a Buddiannau Eraill yr Aelodau

- Cyflwyno Rheol Sefydlog newydd sy'n ei gwneud yn ofynnol i'r Aelodau roi gwybod tua faint o amser y byddant yn ei dreulio'n gwneud gweithgarwch cofrestradwy, yn unol ag argymhellion y Panel Adolygu Annibynnol ar Gyflogau a Threuliau ACau ac yn unol ag argymhellion y Pwyllgor Safonau Ymddygiad (RhS 31B newydd).

(Tud 41)

- Dileu Rheol Sefydlog 33 sy'n ymwneud â'r Comisiynydd Safonau, oherwydd bod honno wedi'i disodli yn sgîl pasio Mesur Comisiynydd Safonau Cynulliad Cenedlaethol Cymru 2009 (dileu RhS 33).

(Tud 41)

Argymhellion i Bwyllgor Busnes y Pedwerydd Cynulliad

Arloesi ym musnes y Cyfarfod Llawn

- Mae'r Pwyllgor Busnes yn argymhell y dylai'r Pedwerydd Cynulliad ystyried opsiynau ar gyfer gwneud busnes Cyfarfodydd Llawn yn fwy amserol.

(Tud 23)

Canllawiau a gwybodaeth gefndir

- Mae'r Pwyllgor Busnes yn argymhell mai un o dasgau cyntaf Llywydd a Phwyllgor Busnes y Cynulliad nesaf ddylai fod cyhoeddi canllawiau ategol i'r Aelodau, i'w staff ac i'r cyhoedd er mwyn iddynt ddeall ein prosesau'n well ac er mwyn esbonio sut y gellir defnyddio'r arfau y maent yn eu cynnig i wasanaethu pobl Cymru.

(Tud 42)

Refferendwm ar bwerau deddfu'r Cynulliad

- Caiff unrhyw newidiadau i'r Rheolau Sefydlog sy'n angenrheidiol yn sgîl dod â Rhan 4 Deddf Llywodraeth Cymru 2006 i rym eu cyflwyno i'r Pedwerydd Cynulliad eu hystyried a chytuno arnynt ar ôl yr etholiad ym mis Mai 2011.

(Tud 43)

- Fodd bynnag, er mwyn i Reolau Sefydlog y Cynulliad allu darparu ar gyfer y pwerau a geir yn Rhan 4 y Ddeddf yn syth, cynhwyswyd diwygiad dros dro i'r adran sy'n ymwneud â "Dehongli". Mae'r diwygiad yn darparu y dylid dehongli unrhyw gyfeiriadau at "Mesurau" a "Mesurau arfaethedig" fel pe baent yn cynnwys cyfeiriadau at "eddfau'r Cynulliad" ac at "Biliau ar gyfer Deddfau" yn eu trefn, a chyfeiriadau at "Gymeradwyaeth Frenhinol (yn y Cyfrin Gyngor)" fel cyfeiriadau at "Gydsyniad Brenhinol", a hynny ar ôl i Ran 4 ddod i rym ond cyn i'r Rheolau Sefydlog gael eu diwygio yn ôl yr angen.

(Tud 44)

Cyflwyniad

1. Ar 11 Mai 2010, cytunodd y Pwyllgor Busnes i adolygu Rheolau Sefydlog Cynulliad Cenedlaethol Cymru ar gyfer y Pedwerydd Cynulliad.
2. Mae Rheol Sefydlog 11.7(iv) yn dweud mai rhan o gylch gwaith y Pwyllgor Busnes yw gwneud argymhellion ar arferion a gweithdrefnau cyffredinol y Cynulliad wrth iddo gynnal ei fusnes, gan gynnwys unrhyw gynigion ar gyfer ail-wneud neu ddiwygio'r Rheolau Sefydlog. Bydd unrhyw newid i'r Rheolau Sefydlog yn dod i rym drwy benderfyniad y Cynulliad os bydd dwy ran o dair o'r Aelodau sy'n pleidleisio yn ei gefnogi (Rheol Sefydlog 35.3).

Cefndir

3. Mae'r Rheolau Sefydlog yn ymwneud â phob agwedd ar drafodion y Cynulliad, er enghraifft: sut mae'r busnes yn cael ei drefnu mewn Cyfarfodydd Llawn, faint o amser sydd ar gael ar gyfer busnes y llywodraeth a'r gwrthbleidiau; sut y caiff yr Aelodau holi'r Gweinidogion; y broses ddeddfwriaethol; a sut y bydd yr Aelodau'n ysgwyddo'u rôl craffu mewn pwyllgorau.
4. Cytunwyd ar set bresennol y Rheolau Sefydlog¹ ddiwedd yr Ail Gynulliad a'u gwneud gan yr Ysgrifennydd Gwladol, fel oedd yn ofynnol o dan ddarpariaethau trosiannol Deddf Llywodraeth Cymru 2006. Wedi hynny, fodd bynnag, mae'r broses yn wahanol: cyfrifoldeb y Cynulliad yw ail-wneud a diwygio'r Rheolau Sefydlog ar sail cynigion gan y Pwyllgor Busnes (Rheol Sefydlog 35).
5. Mae'r Rheolau Sefydlog wedi'u rhoi ar brawf yn drwyadl yn ystod y Trydydd Cynulliad. Nid oes anawsterau mawr wedi codi yn eu sgîl ac ychydig o newidiadau y mae'r Cynulliad wedi'u gwneud iddynt er 2007. Serch hynny, mae nifer o ffactorau'n awgrymu bod angen adolygu'r Rheolau Sefydlog cyn diwedd y Cynulliad hwn:
 - mae ambell faes lle y byddai gwelliannau "technegol" yn gwneud y Rheolau Sefydlog yn eglurach;
 - mewn meysydd eraill, mae'r drefn a ddilynir mewn gwirionedd wedi ymwahanu oddi wrth y Rheolau Sefydlog ac ers hynny wedi datblygu'n gonfensiwn sy'n cael ei dderbyn; a

¹ [Rheolau Sefydlog y Trydydd Cynulliad](#)

- gellid ystyried newidiadau er mwyn caniatáu ar gyfer arloesi neu wella, er enghraifft, er mwyn ymateb i argymhellion pwyllgorau eraill a chyrrff allanol.

Cylch Gorchwyl

6. Cytunodd y Pwyllgor y byddai'r Adolygiad yn ystyried newidiadau i'r Rheolau Sefydlog er mwyn:

- gwneud y Rheolau Sefydlog yn eglurach;
- eu cysoni â'r confensiynau ac â'r dulliau gweithio sydd wedi cael eu derbyn yn y Trydydd Cynulliad;
- caniatáu ar gyfer arloesi a gwella.²

7. Penderfynodd y Pwyllgor y dylai'r egwyddorion a ganlyn fod yn sail i'r adolygiad:

Dylai gweithdrefnau'r Cynulliad hwyluso trefniadau sydd er budd gorau'r Cynulliad drwyddo draw ac sy'n ei alluogi i gyflawni ei swyddogaethau statudol a chyfansoddiadol fel y corff a etholir yn ddemocrataidd i gynrychioli buddiannau Cymru a'i phobl, i ddeddfu ar gyfer Cymru ac i ddwyn Llywodraeth Cymru i gyfrif.³

8. Yn benodol, cytunodd y Pwyllgor y dylai'r Rheolau Sefydlog wneud y canlynol:

- caniatáu i'r Cynulliad ystyried unrhyw fater sy'n berthnasol i Gymru neu i'r Cynulliad Cenedlaethol ei hun;
- rhoi'r cyfle i'r Llywodraeth gyflawni ei busnes, ar yr amod bod y Cynulliad yn cael craffu'n ddigonol ac yn briodol arno a'i gymeradwyo;
- rhoi'r cyfle i grwpiau'r gwrthbleidiau, pwyllgorau, Comisiwn y Cynulliad ac Aelodau unigol gychwyn busnes a dylanwadu arno;
- rhoi'r cyfle i'r cyhoedd ymgysylltu â gwaith y Cynulliad;
- bod yn addas ar gyfer unrhyw fodel o lywodraeth - lleiafrifol, mwyafrifol neu glymblaid; a
- bod mor hyblyg a dealladwy â phosibl gyda chynsail a chonfensiwn yn gefn iddynt.⁴

² [Galwad am Dystiolaeth.](#)

³ Ibid.

⁴ [Galwad am Dystiolaeth.](#)

Sut yr aeth y Pwyllgor ati

9. Ar 26 Mai 2010, galwodd y Pwyllgor am dystiolaeth i lywio'i adolygiad.⁵ Daeth yr ymgynghoriad i ben ar 23 Gorffennaf 2010. Gwahoddwyd Cadeiryddion y Pwyllgorau hefyd i gyfrannu at yr adolygiad, gan ganolbwyntio'n benodol ar eu profiadau wrth iddynt weithio gyda'r Rheolau Sefydlog presennol a'r hyblygrwydd yr oeddent yn ei gynnig neu'r cyfyngiadau y daethant ar eu traws.

10. Ochr yn ochr â'r ymgynghoriad, cynhaliwyd trafodaeth yn y Pierhead ar 2 Gorffennaf 2010 gyda phanel o arbenigwyr. Rhoesant hwythau eu barn am sut y gellid datblygu'r Rheolau Sefydlog er mwyn gwireddu prif swyddogaethau'r Cynulliad.

11. Yn ystod tymor yr hydref, ystyriodd y Pwyllgor Busnes gyfres o bapurau yn amlinellu'r cynigion ar gyfer newid. Ystyriodd yr Aelodau y papurau cychwynnol yn breifat gan ymgynghori â'u grwpiau cyn cynnal y trafodaethau dilynol yn gyhoeddus.

12. Ystyriwyd hefyd yr ymatebion a gafwyd fel rhan o'r ymgynghoriad cyhoeddus a chyfeirir atynt yn yr Adroddiad hwn lle bo hynny'n berthnasol. Serch hynny, roedd llawer o'r sylwadau a gafwyd yn ymwneud â dulliau a phrosesau gweithio'r Cynulliad ac nid oes angen newid y Rheolau Sefydlog er mwyn rhoi'r rheini ar waith. Bydd y Pedwerydd Cynulliad yn ystyried awgrymiadau o'r fath. Mae rhestr o'r holl ymatebion i'r ymgynghoriad cyhoeddus a nodyn am y digwyddiad yn y Pierhead i'w gweld yn y 'Rhestr o'r Dystiolaeth Ysgrifenedig' ar ddiwedd yr adroddiad.

Cynigion ar gyfer newid

13. Mae'r adroddiad hwn yn rhestru'r prif gynigion y cytunodd y Pwyllgor Busnes arnynt. Fe'u trafodir yn unol â'r themâu a ganlyn:

- Swyddi a Phenodiadau'r Cynulliad;
- Y Cyfarfod Llawn a Threfn Busnes;
- Pwyllgorau;
- Deddfwriaeth;
- Cyllid;
- Adroddiadau ar y Trafodion;

⁵ [Galwad am Dystiolaeth.](#)

- Buddiannau Ariannol a Buddiannau Eraill yr Aelodau;
- Canllawiau a gwybodaeth gefndir; a
- Refferendwm ar bwerau deddfu'r Cynulliad.

14. Fel rhan o'r adolygiad, mae'r Pwyllgor wedi cytuno y dylid aildrefnu'r Rheolau Sefydlog yn sgîl creu'r Rheolau Sefydlog ychwanegol ac er mwyn ei gwneud yn haws llywio drwyddynt.

15. Mae adran 'Dehongli' y Rheolau Sefydlog wedi'i diwygio er mwyn egluro'r derminoleg a ddefnyddir yn y Rheolau Sefydlog. Mae hefyd yn darparu trefniadau trosiannol sy'n ymwneud â gweithredu Rhan 4 o Ddeddf Llywodraeth Cymru 2006.

16. Mae ieithwedd y Rheolau Sefydlog Cymraeg wedi'i newid hefyd er mwyn sicrhau bod yr iaith a ddefnyddir yn gyson â'r derminoleg a gymeradwyir ac a argymhellir gan banel safoni termau Bwrdd yr Iaith Gymraeg.

17. Dyma sut y cyflwynir y newidiadau i'r Rheolau Sefydlog:

- Yn Atodiad 1, rhestrir yr holl bapurau a'r dogfennau cefndir a ystyriwyd gan y Pwyllgor Busnes, ynghyd â chofnod o benderfyniadau'r Pwyllgor;
- Yn Atodiad 2, mae pob newid i'r Rheolau Sefydlog y cytunodd y Pwyllgor Busnes arnynt wedi'i farcio, ynghyd ag esboniad manwl am bob gwelliant. Mae rhai Rheolau Sefydlog sydd heb eu cynnwys yn Atodiad 2 oherwydd na chynigir yr un newid iddynt, ac eithrio gwelliannau canlyniadol;
- Yn Atodiad 3, ceir tabl trosi sy'n rhestru cyfeiriadau'r hen Reolau Sefydlog a chyfeiriadau'r rhai newydd; ac
- Yn Atodiad 4, ceir y set newydd o Reolau Sefydlog y gwahoddir y Cynulliad i gytuno arnynt (h.y. y Rheolau Sefydlog diwygiedig).

18. Cofiwch fod y cyfeiriadau at Reolau Sefydlog yng nghorff yr adroddiad yn cyfeirio at y cyfeiriadau yn Atodiad 2, nid at y set newydd o Reolau Sefydlog sydd yn Atodiad 4.

Swyddi a Phenodiadau'r Cynulliad

19. Yn Rheolau Sefydlog 2 i 5, eglurir y gweithdrefnau ar gyfer penodi neu enwebu pobl i Swyddi'r Cynulliad: y Llywydd a'r Dirprwy, Comisiynwyr y Cynulliad, y Prif Weinidog a'r Cwnsler Cyffredinol.

Y Llywydd a'r Dirprwy

20. Mae Rheol Sefydlog (RhS) 2 yn egluro'r gweithdrefnau ar gyfer ethol y Llywydd a'r Dirprwy Lywydd, yn ogystal â manylu ar eu swyddogaethau. Mae'r Pwyllgor wedi awgrymu mân-newidiadau i'r Rheolau Sefydlog sy'n ymwneud â swyddogaethau'r Llywydd.

21. Mae'r Pwyllgor yn argymhell cyflwyno mecanwaith symlach i'r Llywydd roi canllawiau i'r Aelodau ynglŷn â chynnal busnes y Cynulliad (diwygio RhS 2.17).

22. Byddai'r cynnig yn ei gwneud yn ofynnol i'r Llywydd ymgynghori â'r Pwyllgor Busnes cyn rhoi canllawiau, yn hytrach na'r drefn gymysg bresennol, pan fydd angen i'r Cynulliad gadarnhau rhai mathau o ganllawiau ond heb fod angen gwneud hynny yng nghyswllt mathau eraill. Byddai'r mecanwaith symlach felly yn berthnasol pryd bynnag y bydd cyfeiriad yn y Rheolau Sefydlog at y Llywydd yn rhoi canllawiau.

23. Mae'r Pwyllgor yn argymhell cynnwys darpariaeth newydd sy'n caniatáu i'r Llywydd a'r Dirprwy bleidleisio pan fydd deddfwriaeth yn gofyn am gyfran o holl Aelodau'r Cynulliad (40 o blith 60 Aelod) i bleidleisio o blaid cynnig yn hytrach na dim ond dwy ran o dair o'r rheini sy'n pleidleisio (RhS 2.20A newydd).

24. Ar hyn o bryd, mae'r Rheolau Sefydlog yn dweud na chaiff y Llywydd na'r Dirprwy bleidleisio mewn Cyfarfod Llawn oni bai pan fyddant yn defnyddio pleidlais fwrw. Os oes gofyn cael cytundeb 40 o blith y 60 Aelod mewn pleidlais, ac os na chaiff y Llywydd a'r Dirprwy bleidleisio, mae'n dilyn bod hynny'n cael yr un effaith â phe baent yn pleidleisio yn erbyn y cynnig.

25. Byddai'r ddarpariaeth newydd yn caniatáu i'r Llywydd a'r Dirprwy ddefnyddio'u rhyddid i bleidleisio o dan amgylchiadau eithriadol, er enghraifft, mewn pleidlais ar ddiswyddo'r Archwilydd Cyffredinol.

26. Mae'r Pwyllgor hefyd yn argymhell y dylai swyddogaethau'r Llywydd gynnwys rôl cynrychioli'r Cynulliad er mwyn adlewyrchu'r arferion sydd wedi bwrw gwreiddiau (gwelliant RhS 2.15). Byddai hyn

yn cynnwys rôl "llysgennad" y Cynulliad ym maes cysylltiadau allanol a rhyngwladol, er enghraifft yn CALRE (Cynhadledd Cynullïadau Deddfwriaethol Rhanbarthol Ewrop). Byddai hefyd yn ei gwneud yn glir i'r rheini y mae'n ddyletswydd arnynt i ymgynghori â'r Cynulliad at bwy y dylent fynd yn y lle cyntaf.

27. Mae'r Rheolau Sefydlog diwygiedig sy'n ymwneud â swyddi'r Cynulliad ac esboniad o'r diwygiadau i'w gweld yn Atodiad 2. Cynigir mân-newidiadau hefyd i Reolau Sefydlog 3 a 4, sy'n ymwneud â Chomisiwn y Cynulliad a Gweinidogion Cymru a Dirprwy Weinidogion Cymru, yn y drefn honno. Mae'r newidiadau hyn hefyd i'w gweld yn Atodiad 2.

Penodiadau eraill

28. Ar wahân i swyddi'r Cynulliad a restrir uchod, mae'r Cynulliad ar hyn o bryd hefyd yn penodi neu'n enwebu ar gyfer swyddi eraill, gan gynnwys: Archwilydd Cyffredinol Cymru;⁶ y Comisiynydd Safonau;⁷ a'r Ombwdsmon Gwasanaethau Cyhoeddus.⁸ Caiff y Cynulliad derfynu penodiadau i'r Bwrdd Taliadau hefyd (drwy benderfyniad a gynigir gan y Comisiwn).⁹

29. Casgliad y Pwyllgor oedd y dylid cael Rheol Sefydlog newydd yn egluro gweithdrefn gyson ar gyfer penodi (a diswyddo) deiliaid swyddi allanol nad oes cyfeiriad atynt fel arall mewn Rheolau Sefydlog (RhS 33A newydd).

30. Byddai'r Rheol Sefydlog (gweler Atodiad 2) hefyd yn galluogi pwyllgorau i gynnal gwrandawiadau cyn penodi, cyn gofyn yn ffurfiol i'r Cynulliad benodi rhywun - arfer sydd wedi'i dreialu gan y Pwyllgor Cyfrifon Cyhoeddus a'r Pwyllgor Safonau wrth benodi'r Archwilydd Cyffredinol a'r Comisiynydd Safonau, yn y drefn honno. Byddai hyn yn cynnig ffordd agored a thryloyw o graffu ar yr ymgeisydd yn ogystal â chynnig sicrwydd ychwanegol i'r Cynulliad wrth iddo benderfynu.

⁶ [Deddf Llywodraeth Cymru 2006](#), Atodlen 8, para 14 (Saesneg).

⁷ [Mesur Comisiynydd Safonau Cynulliad Cenedlaethol Cymru](#), adran 1.

⁸ [Deddf Ombwdsmon Gwasanaethau Cyhoeddus \(Cymru\) 2005](#), Atodlen 1, para 1 (Saesneg).

⁹ [Mesur Cynulliad Cenedlaethol Cymru \(Taliadau\) 2010](#), adran 5.

Y Cyfarfod Llawn a Threfn Busnes

31. Mae'r Rheolau Sefydlog a ganlyn yn ymwneud â'r Cyfarfod Llawn ac â threfn busnes: trefn busnes yn y Cynulliad (RhS 6), busnes yn y Cyfarfodydd Llawn (RhS 7), trefn yn y Cyfarfodydd Llawn (RhS 8), cwestiynau ysgrifenedig (RhS 9), y Pwyllgor Busnes (RhS 11) a gweithdrefnau gosod a chyflwyno (RhS 29). Mae a wnelo'r prif newidiadau o sylwedd â Rheolau Sefydlog 6 a 7.

Categoriâu Busnes

32. Mae Rheol Sefydlog 7 yn cyfeirio at dri chategori busnes mewn Cyfarfodydd Llawn: "busnes y llywodraeth", "busnes y Cynulliad" a "busnes heblaw busnes y llywodraeth". Diffinnir yn eithaf manwl yr hyn sy'n dod o dan bob categori, ac mae'r un peth yn wir am y darpariaethau sy'n penderfynu pryd y dylid ymdrin â'r eitemau busnes hyn (trafodir hyn isod). Ceir darpariaethau hefyd sy'n pennu bod yn rhaid trafod rhai eitemau busnes penodol bob blwyddyn.

33. **Mae'r Pwyllgor yn argymhell cwtdogi ar nifer categorïau busnes y Cyfarfodydd Llawn a symleiddio'u diffiniadau (diwygio RhS 6.5, 6.6 a 7.10 - 7.12).**

34. Cynigir y dylid cael dau gategori busnes yn unig yn y dyfodol: "busnes y llywodraeth" a "busnes y Cynulliad". Byddai "busnes y Cynulliad" yn cwmpasu'r holl gategoriâu busnes a elwir ar hyn o bryd yn fusnes "heblaw busnes y llywodraeth" neu'n fusnes "y Cynulliad".

35. Gwarchodir y gymhareb 3:2 o ran yr amser a neilltuir ar gyfer busnes y llywodraeth a busnes heblaw busnes y llywodraeth yn ystod blwyddyn y Cynulliad, er y byddai'n awr yn berthnasol i'r gymhareb rhwng yr amser a neilltuir ar gyfer busnes y "llywodraeth" a'r categori newydd, sef "busnes y Cynulliad".

36. Yn ddarostyngedig i'r Rheolau Sefydlog, y llywodraeth fydd yn parhau i reoli'r gwaith o drefnu ei busnes ei hun, tra bo trefnu holl "fusnes y Cynulliad" mewn Cyfarfodydd Llawn (h.y. a ddylid neilltuo amser i un o eitemau busnes y "Cynulliad" neu pryd y dylid gwneud) yn ddarostyngedig i bleidlais addasedig wedi'i phwysoli¹⁰ yn y Pwyllgor

¹⁰ Bydd gan Aelodau'r Pwyllgor Busnes un bleidlais ar gyfer pob aelod o'r grŵp gwleidyddol y maent yn ei gynrychioli. Gelwir hyn yn "bleidleisio wedi'i bwysoli". Ystyr pleidleisio addasedig wedi'i bwysoli yw bod nifer y pleidleisiau sydd ganddynt yn cael ei ostwng yn ôl nifer yr Aelodau yn y grŵp gwleidyddol sydd hefyd yn aelodau o'r llywodraeth (RhS 11.5).

Busnes, sef pleidlais nad yw ond yn berthnasol ar hyn o bryd i fusnes "heblaw busnes y llywodraeth". Byddai penderfyniadau eraill yn y Pwyllgor Busnes yn parhau i fod yn ddarostyngedig i bleidlais lawn wedi'i phwysoli (diwygio RhS 11.7(ii)).

37. Mae'r Rheolau Sefydlog presennol yn ei gwneud yn ofynnol cynnal nifer o ddadleuon blynyddol, megis dadl ynghylch adroddiad blynyddol Ombwdsmon Gwasanaethau Cyhoeddus Cymru neu adroddiad Comisiynydd Plant Cymru.

38. Mae'r Pwyllgor yn argymhell y dylai'r gofynion ar gyfer cynnal dadleuon blynyddol fod yn llai penodol, er na fyddai hyn yn cyfyngu ar allu'r Cynulliad i drafod adroddiadau blynyddol pe bai'r Llywodraeth yn cynnig hynny neu pe bai'r Pwyllgor Busnes yn cytuno (diwygio RhS 7.61 - 7.63).

39. Byddai hyn hefyd yn golygu y gallai gwaith craffu pwyllgorau ar adroddiadau o'r fath sbarduno'r mathau hyn o ddadleuon, os dyna'u dymuniad. Byddai hyn yn ymateb i faterion a godwyd gan yr Ombwdsmon Gwasanaethau Cyhoeddus¹¹ a'r Comisiynydd Plant¹² yn eu tystiolaeth i'r Pwyllgor.

Amseru hyblyg

40. Cred y Pwyllgor y dylid diwygio'r darpariaethau ynghylch strwythur diwrnodau Cyfarfodydd Llawn er mwyn ymateb i ofynion busnes, er enghraifft, drwy allu bod yn hyblyg i benderfynu pryd i gynnal busnes, yn ystod y prynhawn a hefyd rhwng diwrnodau.

41. Mae'r Pwyllgor yn argymhell cyflwyno mwy o hyblygrwydd o ran amseru a strwythur diwrnodau Cyfarfodydd Llawn (RhS 7.5A newydd). Byddai fframwaith ar gyfer dyrannu amser Cyfarfodydd Llawn rhwng gwahanol fathau o fusnes yn cael ei bennu gan y Pwyllgor Busnes yn amserlen amlinellol y Cynulliad (diwygio RhS 6.1).

42. Byddai'r newid hwn yn dileu'r cyfyngiadau sydd, yn eu hanfod, yn golygu na ellir trafod dim byd ond busnes y "llywodraeth" ar ddydd Mawrth, ac, fel rheol, na ellir trafod dim byd ond busnes y "llywodraeth" rhwng 1.30 a 2.30pm ar ddydd Mercher, a dim ond busnes y "Cynulliad" (yn ôl y diffiniad newydd ohono uchod) ar ôl 2.30pm

¹¹ [SOR1 \(Ombwdsmon Gwasanaethau Cyhoeddus\)](#)(Saesneg).

¹² [SOR14 \(Comisiynydd Plant Cymru\)](#) (Saesneg).

43. Byddai felly yn rhoi'r hyblygrwydd i'r Pwyllgor Busnes gytuno ar batrwm gwahanol i'r hyn a welwyd yn y Cynulliad hwn, (er y byddai'r patrwm hwnnw'n un rheolaidd) ynteu gynnal y drefn bresennol. Serch hynny, ni fyddai'r amser a neilltuir drwyddo draw i fusnes y Llywodraeth a busnes y Cynulliad yn newid. Dros gyfnod, byddai'n rhaid glynu o hyd at y gymhareb 3:2 sy'n ofynnol o dan Reol Sefydlog 7.6.

44. At hynny, fel rheol, byddai gofyn ymdrin ag eitemau'r llywodraeth yn gyntaf, fel sy'n wir yn awr. I gloi, byddai rhai mathau o fusnes yn dal i gael eu blaenoriaethu oherwydd y byddai modd ymdrin â hwy heb rybudd (mae'r eitemau busnes hyn yn debyg i'r hyn a ddiffinnir ar hyn o bryd yn fusnes "y Cynulliad") (RhS 7.15).

45. Er mwyn hwyluso'r gwaith o gynllunio busnes y Cyfarfodydd Llawn, caiff patrwm rheolaidd ar gyfer busnes y Cyfarfodydd Llawn ei gytuno a'i gyhoeddi gan y Pwyllgor Busnes mewn amserlen amlinellol o leiaf chwe mis ymlaen llaw (diwygio RhS 6.1).

46. Serch hynny, byddai gan y Pwyllgor Busnes yr hyblygrwydd o hyd i addasu'r amserlen hon yn ystod y tymor pe bai angen er mwyn ymateb i ofynion busnes Cyfarfodydd Llawn ac er mwyn eu rheoli'n effeithiol.

Busnes cynnar Cynulliad newydd

47. Ar ddechrau'r Trydydd Cynulliad, defnyddiwyd Rheol Sefydlog dros dro er mwyn trefnu'r busnes cynnar cyn penodi'r Pwyllgor Busnes.

48. Casgliad y Pwyllgor oedd y dylid cynnwys darpariaethau tebyg yn y Rheolau Sefydlog yn dweud sut y bydd busnes cynnar yn cael ei drefnu. Byddai'r rheini'n berthnasol ar ôl pob etholiad Cynulliad (RhS 7.5B - 7.5G newydd).

49. Mae'r darpariaethau newydd hyn yn dweud pwy sy'n penderfynu ar ddyddiadau ac amserau'r cyfarfodydd cynnar hyn, gan gynnwys sut mae hysbysu'r Aelodau, a pha fath o fusnes y ceir ymdrin ag ef yn y Cyfarfodydd Llawn hyn. Ni chaiff pleidlais ar enwebu rhywun ar gyfer swydd y Prif Weinidog ei chynnal oni fydd y Cynulliad yn cytuno i hynny drwy benderfyniad.

Arloesi ym Musnes y Cyfarfod Llawn

50. Yn unol ag egwyddorion yr adolygiad, mae'r Pwyllgor wedi cynnig nifer o newidiadau er mwyn sicrhau bod busnes y Cyfarfodydd Llawn yn dal yn rhan berthnasol a gwerthfawr o drafodion y Cynulliad.

Cwestiynau

51. Ar hyn o bryd caiff pob Aelod gyflwyno 2 gwestiwn ar y mwyaf i bob un o Weinidogion Cymru neu i'r Cwnsler Cyffredinol (1 cwestiwn i'r Prif Weinidog) a dewisir 15 cwestiwn ar hap i'w hateb. Bydd unrhyw gwestiwn a gyflwynir ar gyfer y sesiwn honno nad yw'n cyrraedd y 15 uchaf yn methu ac ni chaiff ei ateb. Gall hyn olygu bod yr Aelodau a'r staff yn gwastraffu eu hamser.

52. Mae'r Pwyllgor yn argymhell newid y weithdrefn a bod y Llywydd yn gyntaf yn dewis enwau'r Aelodau hynny a gaiff gyflwyno cwestiynau llafar. Wedyn, ni fyddai ond angen i'r Aelodau hynny sydd yn y '15 uchaf' gyflwyno cwestiynau. Byddai hyn yn symleiddio'r broses ac yn rhoi rhagor o gyfle i'r Aelodau ystyried ffocws eu cwestiynau a pha mor amserol ydynt (RhS 7.52A a 7.52B newydd, diwygio 7.53).

Y Ddadl Fer

53. Cynhelir y Ddadl Fer bob wythnos. Dewisir Aelod mewn balot wythnosol a rhoddir 15 munud iddo siarad am ei ddewis bwnc yr wythnos wedyn. Caiff y Gweinidog ymateb. Cred y Pwyllgor fod rhoi rhagor o rybudd rhwng dyddiad y balot a'r dyddiad cau ar gyfer cyflwyno dewis bwnc Aelodau yn rhoi mwy o amser iddynt ystyried y pwnc hwnnw, ymgysylltu ag eraill a chreu mwy o ddiddordeb allanol yn eu dewis dadl. Mae hyn yn adlewyrchu cynigion a gyflwynwyd gan Gyngor Gweithredu Gwirfoddol Cymru¹³ a Materion Cyhoeddus Cymru.¹⁴

54. Mae'r Pwyllgor yn argymhell dileu'r gofyniad yn y Rheolau Sefydlog i gynnal y dadl fer bob wythnos (diwygio RhS 7.64). Yn hytrach, byddai amserlen amlinellol busnes Cyfarfodydd Llawn y Cynulliad yn cynnwys manylion am amllder y dadleuon (gweler paragraff 41 uchod). Mae a wnelo hyn â dymuniad y Pwyllgor i roi mwy o amrywiaeth o gyfleoedd i'r Aelodau gyflwyno dadleuon mewn Cyfarfodydd Llawn, a sonnir am hyn yn yr adran a ganlyn.

¹³ [SOR10 \(Cyngor Gweithredu Gwirfoddol Cymru\)](#) (Saesneg).

¹⁴ [SOR7 \(Materion Cyhoeddus Cymru\)](#) (Saesneg).

Cyfleoedd i Aelodau unigol

55. Un o'r egwyddorion sy'n sail i'r adolygiad yw y dylai Aelodau unigol gael y cyfle i gychwyn busnes a dylanwadu arno. Cafwyd ceisiadau hefyd mewn tystiolaeth a gyflwynwyd i'r ymgynghoriad cyhoeddus¹⁵ ac yn ystod y drafodaeth yn y Pierhead¹⁶ am gynyddu'r cyfleoedd i Aelodau unigolgychwyn busnes, ar wahân i aelodau'r llywodraeth.¹⁷

56. Ymateb y Pwyllgor yw ei fod yn argymhell rhoi mwy o gyfleoedd i Aelodau unigol, ar wahân i aelodau'r llywodraeth, gyflwyno dadleuon am gynigion a gyflwynir yn eu henw (RhS 7.18A newydd, diwygio RhS 7.19 a RhS 7.22B newydd).

57. Cynhelir dadleuon yr wrthblaid bob wythnos mewn Cyfarfodydd Llawn. Serch hynny, ar gyfer Aelodau unigol, dim ond dau fecanwaith sydd ar gael iddynt ar gyfer sbarduno dadl mewn Cyfarfod Llawn: yn gyntaf, os byddant yn ddigon ffodus o gael eu dewis yn y balot ar gyfer Dadl Fer; ac yn ail, caiff Aelodau unigol gyflwyno cynnig heb ddyddiad trafod¹⁸ gan geisio cael y Pwyllgor Busnes i gytuno i neilltuo amser i'w drafod mewn Cyfarfod Llawn. Yn ystod y Trydydd Cynulliad, dim ond tri chynnig o'r fath sydd wedi'u cyflwyno ac wedi llwyddo i gael neilltuo amser iddynt mewn Cyfarfod Llawn. Cyflwynwyd y tri chynnig gyda chefnogaeth drawsbleidiol.

58. Byddai Rheol Sefydlog newydd yn galluogi Aelodau i ychwanegu eu henwau at gynigion neu welliannau a gyflwynwyd pe baent yn dymuno dangos eu cefnogaeth. Yn y dyfodol, gellid defnyddio'r mecanwaith hwn i adeiladu momentwm y tu ôl i gynnig a gyflwynwyd gan Aelod unigol (yn debyg i'r dull a ddefnyddir ar gyfer Datganiad Barn). Yna, gallai'r Pwyllgor Busnes neilltuo amser i drafod cynnig o'r fath, ar sail meini prawf a bennwyd gan y Pwyllgor Busnes (e.e. faint o gefnogaeth y mae'r cynnig wedi'i ddenu neu pa mor amserol yw'r pwnc o'i gymharu â phynciau eraill).

¹⁵ [SOR8 \(yr Athro Laura McAllister a'r Dr Diana Stirbu\)](#) (Saesneg).

¹⁶ [Adolygu'r Rheolau Sefydlog: Nodyn am y digwyddiad yn y Pierhead \(Gorffennaf 2010\)](#).

¹⁷ Ystyr Aelod unigol yw Aelod nad sy'n Brif Weinidog, yn Weinidog Cymreig, yn Gwnsler Cyffredinol neu'n Ddirprwy Weinidog.

¹⁸ Bydd cynnig yn cael ei gyflwyno gerbron y Cynulliad ar gyfer dadl gan wahodd y Cynulliad i gytuno arno. Gellir cynnig gwelliannau i'r cynnig hefyd. Cynnig nad oes slot wedi'i ddyrannu iddo ar agenda un o gyfarfodydd llawn y dyfodol yw cynnig heb ddyddiad trafod.

59. Gellid neilltuo amser i drafod cynigion a gyflwynwyd gan Aelodau unigol yn rheolaidd. Gellid pennu'r slotiau hyn yn amserlen amlinellol busnes y Cyfarfodydd Llawn a gyhoeddir gan y Pwyllgor Busnes (gweler paragraff 41 uchod).

60. At hynny, mae'r Pwyllgor yn argymhell cynnwys ail lwybr ar gyfer neilltuo amser i ddadleuon Aelodau unigol. Byddai Rheol Sefydlog 7 yn cynnwys darpariaethau fel y gallai'r Llywydd, ar y cyd â'r Pwyllgor Busnes, gynnal balotau achlysurol i ddethol unrhyw Aelod nad yw'n aelod o'r llywodraeth i gyflwyno cynigion i'w trafod mewn Cyfarfod Llawn a'r rheini'n gynigion y caniateir cynnig gwelliannau iddynt. Byddai hyn yn cynnig llwybr i'r Aelodau gyflwyno mater i'w drafod heb orfod ceisio cytundeb y Pwyllgor Busnes a heb gwrdd ag unrhyw feini prawf a bennir o dan drefn safonol cynigion heb ddyddiad trafod.

Cyfleoedd i godi busnes amserol mewn Cyfarfodydd Llawn

61. Roedd y rhai a ymatebodd i'r ymgynghoriad cyhoeddus¹⁹ a'r rhai a gymerodd ran yn nhrafodaeth y Pierhead yn galw hefyd am fwy o gyfleoedd i drafod busnes amserol yn y Siambr. Cynigiwyd amrywiaeth o opsiynau i'r Pwyllgor ar gyfer gwneud pethau'n fwy amserol, gan gynnwys mecanweithiau a ddefnyddir mewn deddfwrfeydd eraill megis:

- cyflwyno cwestiynau amserol, gydag amrywiol opsiynau ar gyfer cyflwyno a dethol Aelodau i ofyn cwestiynau;
- caniatáu i unrhyw Aelod wneud datganiad byr yn y Cyfarfod Llawn am fater amserol neu fater sydd o ddiddordeb i'w etholwyr a/neu i'r cyhoedd yn gyffredinol.

62. Mae'r Pwyllgor yn argymhell, oherwydd bod yr amser sydd ar gael i gynnal yr adolygiad yn brin, y dylid cyfeirio'r opsiynau ar gyfer cyflwyno busnes amserol i'r Pedwerydd Cynulliad eu hystyried yn fanylach.

Newidiadau eraill

63. Yn ogystal â'r prif gynigion a grybwyllir uchod, mae'r Pwyllgor wedi gwneud nifer o argymhellion i symleiddio a gwella'r Rheolau Sefydlog, neu i ffurfioli arferion sydd wedi bwrw gwreiddiau. Dyma'r cynigion hynny:

¹⁹ [SOR11 \(y Dr Ruth Fox, Cymdeithas Hansard\)](#).

- diwygio'r darpariaethau pleidleisio i adlewyrchu'r arferion sydd wedi bwrw gwreiddiau yn y Trydydd Cynulliad (diwygio RhS 6.8, RhS 7.30A - 7.35A newydd);
- egluro'r darpariaethau ar gyfer cynigion a gwelliannau (diwygio RhS 7.17 - 7.19A);
- cyflwyno darpariaethau newydd ar gyfer datganiadau llafar mewn Cyfarfodydd Llawn er mwyn gwneud y weithdrefn yn fwy tryloyw (RhS 7.41A newydd).

64. Mae darpariaethau Rheol Sefydlog 11 ynglŷn â'r Pwyllgor Busnes, a'r darpariaethau sy'n ymwneud â chategorïau busnes o fewn Rheol Sefydlog 7, i'w cynnwys yn Rheol Sefydlog 6, er mwyn grwpio'r holl Reolau Sefydlog sy'n ymwneud â sut y trefnir busnes y Cynulliad gyda'i gilydd.

65. Esbonnir yr holl newidiadau a gynigir sy'n ymwneud â'r Cyfarfodydd Llawn ac â threfn busnes yn Atodiad 2.

Pwyllgorau

66. Ar hyn o bryd, mae'r darpariaethau sy'n ymwneud â busnes pwyllgorau wedi'u cynnwys yn Rheolau Sefydlog 10, 12 i 21 a 28. Mae Rheol Sefydlog 10 yn ymwneud â sut mae'r pwyllgorau'n gweithio ac mae'n disgrifio'r gweithdrefnau sy'n berthnasol i'w cyfarfodydd, i'w busnes ac i'w haelodau. Mae Rheolau Sefydlog 12 a 21 yn ymwneud â sefydlu pwyllgorau a'u cylch gwaith. Enwir pwyllgorau penodol a'u swyddogaethau yn Rheolau Sefydlog 13 i 20. Mae Rheol Sefydlog 28 yn disgrifio'r gweithdrefnau ar gyfer prosesu ac ystyried deisebau gan y cyhoedd.

67. Yn y bennod hon, sonnir am y prif newidiadau i'r Rheolau Sefydlog hyn. Ceir esboniad manwl o'r holl welliannau sy'n ymwneud â phwyllgorau yn Atodiad 2.

Sefydlu pwyllgorau a'u cylch gwaith

68. Yn y Trydydd Cynulliad, sefydlwyd pwyllgorau a neilltuwyd cylch gwaith a swyddogaethau iddynt, drwy gyfrwng amrywiaeth o fecanweithiau:

- ymdrinnir â nifer o bwyllgorau mewn Rheolau Sefydlog penodol gan ddiffinio'u cylch gwaith a'u gofynion (e.e. y Pwyllgor Cyfrifon Cyhoeddus, y Pwyllgor Craffu ar y Prif Weinidog, a'r Pwyllgor Materion Ewropeaidd ac Allanol);
- mae gan rai pwyllgorau Reol Sefydlog sy'n ymwneud â hwy'n benodol ac maent yn cyflawni swyddogaethau neu gyfrifoldebau a ddisgrifir mewn man arall yn y Rheolau Sefydlog (e.e. y Pwyllgor Cyllid a'r Pwyllgor Materion Cyfansoddiadol);
- nid yw'r rhan fwyaf o'r pwyllgorau'n cael eu rhestru yn y Rheolau Sefydlog. Yn hytrach, fe'u sefydlwyd o dan Reol Sefydlog 12 a 21 i gyflawni swyddogaethau penodol a ddisgrifir, i wahanol raddau, mewn Rheolau Sefydlog (e.e. y Pwyllgor Deisebau, y Pwyllgorau Deddfwriaeth, a'r Pwyllgorau Craffu);
- mae rhai pwyllgorau wedi'u sefydlu o dan Reol Sefydlog 21, drwy gytundeb y Cynulliad, i gyflawni rôl nad yw'n un o ofynion y Rheolau Sefydlog (e.e. y Pwyllgor Plant a Phobl Ifanc, a'r Pwyllgor Darlledu gynt).

69. Roedd rhai a ymatebodd i'r ymgynghoriad cyhoeddus yn poeni am strwythur a chapasiti'r system pwyllgorau. Dadleuai nifer o

ymatebwyr fod y gallu'n cael ei gyfyngu oherwydd bod nifer Aelodau'r Cynulliad mor fach.²⁰ Roeddent yn awgrymu bod lle i symleiddio'r system drwy gael rhesymwaith eglurach dros eu bodolaeth²¹ neu, fel arall, drwy gael pwyllgorau yn seiliedig ar bynciau i ysgwyddo'r gwaith craffu ar bolisi ac ar ddeddfwriaeth.²²

70. Soniodd Cadeiryddion Pwyllgorau hefyd am y ffordd yr eir ati ar hyn o bryd, ac awgrymodd rhai eu bod yn croesawu ei bod yn fwriad gan y Pwyllgor Busnes gynnwys hyblygrwydd yn y Rheolau Sefydlog.²³ Er nad oedd y rhan fwyaf o'r Cadeiryddion yn gweld y Rheolau Sefydlog presennol yn ddiangen o gyfyngol, dywedodd un Cadeirydd y gallai fod angen adolygu rôl a gweithrediad pwyllgorau ar gyfer y Cynulliad nesaf gyda golwg ar roi sylw i'r gorgyffwrdd posibl o ran craffu ar rai materion.²⁴ Dadleuwyd hefyd y dylid mynd i'r afael â'r canfyddiad bod trefn hierarchaidd i'r pwyllgorau, am fod rhai pwyllgorau penodol yn cael eu henwi yn y Rheolau Sefydlog ac eraill heb.²⁵

71. Mae'r Pwyllgor yn argymhell cael un dull o sefydlu pwyllgorau yn lle'r ystod o fecanweithiau a ddefnyddir, a hwnnw'n caniatáu i'r Pwyllgor Busnes gynnig strwythur sy'n gweddu orau i'r Cynulliad o dan amgylchiadau penodol, ar yr amod bod y Cynulliad yn cymeradwyo'r strwythur hwnnw mewn Cyfarfod Llawn (diwygio RhS 12 a 21).

72. Er y byddai'r cynnig hwn yn rhoi'r rhyddid i'r Cynulliad ddewis strwythur ar gyfer ei bwyllgorau drwy ddileu'r cyfeiriadau presennol at bwyllgorau penodol, byddai gofyn hefyd i'r Pwyllgor Busnes sicrhau bod y prif swyddogaethau a restrir yn y Rheolau Sefydlog yn cael eu cyflawni. O safbwynt ymarferol, byddai hyn yn golygu system a oedd yn sicrhau cydbwysedd cyffredinol rhwng dwyn y llywodraeth i gyfrif a chraffu ar ddeddfwriaeth yn ogystal â chyflawni swyddogaethau craidd yng nghyswllt:

- archwilio cyfrifon cyhoeddus (diwygio RhS 13);
- craffu ariannol (diwygio RhS 14);

²⁰ [SOR3 \(Cymdeithas MS\)](#), [SOR8 \(yr Athro Laura McAllister a'r Dr Diana Stirbu\)](#) a [SOR10 \(Cyngor Gweithredu Gwirfoddol Cymru\)](#) (Saesneg).

²¹ [SOR8 \(yr Athro Laura McAllister a'r Dr Diana Stirbu\)](#) (Saesneg).

²² [SOR3 \(Cymdeithas MS\)](#).

²³ [SOR17 \(y Pwyllgor Cymunedau a Diwylliant\)](#) a [SOR15 \(y Pwyllgor Plant a Phobl Ifanc\)](#).

²⁴ [SOR23 \(y Pwyllgor Cynaliadwyedd\)](#) Saesneg.

²⁵ [SOR15 \(y Pwyllgor Plant a Phobl Ifanc\)](#) Saesneg.

- craffu ar ddeddfwriaeth a materion cyfansoddiadol eraill, gan gynnwys materion sy'n ymwneud â sybsidiaredd Ewrop (diwygio RhS 15);
- safonau ymddygiad (diwygio RhS 16); ac
- ystyried deisebau cyhoeddus (diwygio RhS 28).

73. Awgrymodd Cadeiryddion y Pwyllgorau newidiadau penodol i'r swyddogaethau craidd y mae'n rhaid i strwythur y pwyllgorau eu cyflawni.²⁶ Yn sgîl hynny, mae'r Rheolau Sefydlog sy'n ymwneud â chraffu ar gyfrifon cyhoeddus, cyllid, materion cyfansoddiadol a deddfwriaethol a deisebau cyhoeddus wedi'u diwygio. Ceir esboniad manwl o'r newidiadau hyn yn Atodiad 2.

74. O dan y Rheolau Sefydlog diwygiedig, felly, ni fyddai dim i rwystro'r Pwyllgor Busnes rhag cynnig strwythur sydd yn union yr un fath â'r trefniant presennol. Fodd bynnag—ac mae hyn yn hollbwysig—byddai'n rhydd i gynllunio'r system mewn ffordd wahanol er mwyn adlewyrchu blaenoriaethau ac amgylchiadau'r dydd. Ym mhob achos, byddai'n rhaid i'r Cynulliad gymeradwyo mewn Cyfarfod Llawn y strwythur pwyllgorau a gynigiwyd gan y Pwyllgor Busnes.

75. Mae'r Pwyllgor yn argymhell dileu'r cyfeiriadau penodol at swyddogaethau'r pwyllgorau sydd yn y Rheolau Sefydlog (ac eithrio'r Pwyllgor Cyfrifon Cyhoeddus, sy'n ofynnol o dan y Ddeddf, a'r Pwyllgor Busnes) ac, yn lle hynny, ei gwneud yn ofynnol i'r Pwyllgor Busnes sicrhau bod y prif swyddogaethau a restrir yn y Rheolau Sefydlog, megis craffu ar gyllidebau a deddfwriaeth, yn cael eu cyflawni wrth gynnig y strwythur pwyllgorau (diwygio RhS 13 - 20 a RhS 28).

Gweithrediad y pwyllgorau

76. Cynigir hefyd y dylid diwygio'n benodol y Rheol Sefydlog sy'n disgrifio sut mae pwyllgorau'n gweithredu, sef Rheol Sefydlog 10. Pwrpas y newidiadau hyn yw gwneud pethau'n fwy clir, adlewyrchu'r dulliau o weithio sydd wedi bwrw gwreiddiau yn y Trydydd Cynulliad a chaniatáu ar gyfer hyblygrwydd neu wella.

77. Mae'r Rheolau Sefydlog presennol yn ei gwneud yn ofyniad ffurfiol i bwyllgorau ethol eu cadeiryddion eu hunain gan sicrhau bod

²⁶ [SOR21 \(y Pwyllgor Cyfrifon Cyhoeddus\)](#), [SOR18 \(Y Pwyllgor Materion Cyfansoddiadol\)](#), [SOR20 \(y Pwyllgor Cyllid\)](#), [SOR24 \(y Pwyllgor Materion Ewropeaidd ac Allanol\)](#) a [SOR19 \(y Pwyllgor Deisebau\)](#).

cydbwysedd y cadeiryddion ar draws pwyllgorau'n adlewyrchu'r grwpiau gwleidyddol y mae'r Aelodau'n perthyn iddynt. O safbwynt ymarferol, drwy gydol oes y Cynulliad Cenedlaethol, mae'r grwpiau gwleidyddol wedi sicrhau cytundeb ymlaen llawn o ran dewis cadeiryddion sy'n sicrhau cydbwysedd rhwng y pleidiau ac wedi neilltuo Aelodau i bwyllgorau'n unol â hynny.

78. Er mwyn adlewyrchu'r drefn hon sydd wedi bwrw gwreiddiau, mae'r Pwyllgor yn argymhell, yn lle'r mecanwaith sy'n caniatáu i bwyllgorau ethol cadeirydd, y dylid cael mecanwaith lle bydd grwpiau'r pleidiau'n rhoi gwybod i'r Pwyllgor Busnes pwy y maent yn ei enwebu ar gyfer unrhyw gadair a neilltuwyd iddynt. Yna, byddai'r Cynulliad yn cytuno mewn Cyfarfod Llawn ar y sawl a gynigiwyd i fod yn gadeirydd ar gyfer unrhyw bwyllgor, fel sy'n wir ar gyfer aelodau pwyllgorau'n fwy cyffredinol (diwygio RhS 10.3, 10.8, 10.12A a 10.18).

79. Argymhellir hefyd y dylid newid pethau er mwyn gwneud busnes y pwyllgorau'n fwy effeithlon ac yn fwy hyblyg. Dyma rai o'r rhain:

- **gwneud darpariaeth er mwyn i bwyllgorau allu pleidleisio:**
 - **'drwy amneidio' (hynny yw heb orfod cynnal pleidlais ffurfiol drwy godi llaw) oni fydd unrhyw aelod yn gwrthwynebu (RhS 10.31A newydd);**
 - ***en bloc* (hynny yw, grwpio pleidleisiau sy'n ymwneud â chwestiynau tebyg lle y tybir bod hynny'n briodol) oni fydd unrhyw aelod yn gwrthwynebu (RhS 10.32A newydd);**
- **caniatáu mwy o hyblygrwydd i'r cadeirydd ohirio cyfarfod os nad oes cworwm (diwygio RhS 10.30).**

80. Er mwyn ei gwneud yn fwy clir bod deunydd ysgrifenedig a gyhoeddir gan bwyllgor - er enghraifft tystiolaeth ysgrifenedig i ymchwiliad pwyllgor - yn cael ei warchod o dan y gyfraith cynhwysir Rheol Sefydlog newydd. Pan gyhoeddir ddeunydd ysgrifenedig a gyflwynwyd iddo gan y cyhoedd ar ran y pwyllgor, byddai'r Rheol Sefydlog hon yn sicrhau ei fod wedi'i warchod at ddibenion cyfraith difenwi ac nad yw'n ddarostyngedig i reol atebolrwydd caeth cyfraith dirmyg llys (RhS 10.36A newydd).

81. Mae'r Pwyllgor yn argymhell diwygio Rheolau Sefydlog sy'n ymwneud â gweithrediad pwyllgorau yn unol â'r newidiadau manwl yn Atodiad 2, er mwyn eu gwneud yn fwy clir, er mwyn iddynt adlewyrchu'r dulliau gweithio sydd wedi bwrw gwreiddiau yn y Trydydd Cynulliad ac er mwyn sicrhau hyblygrwydd.

Deddfwriaeth

82. Mae gweithdrefnau deddfwriaeth y Cynulliad i'w gweld yn y Rheolau Sefydlog a ganlyn: RhS 22 (Gorchmynion Cymhwysedd Deddfwriaethol), RhS 23 (Mesurau), RhS 24 (Is-ddeddfwriaeth), RhS 25 (Gweithdrefn Cynulliad Arbennig) a RhS 26 (Cydsyniad mewn Perthynas â Biliau Senedd y DU).

83. Mae'r Pwyllgor yn argymhell nifer o welliannau sy'n ymwneud â phrif egwyddorion yr adolygiad, a gwelliannau eraill gyda'r bwriad o adlewyrchu'r gweithdrefnau sydd eisoes wedi bwrw gwreiddiau neu o'u gwneud yn fwy eglur. Ceir esboniad manwl o'r holl welliannau sy'n ymwneud â deddfwriaeth yn Atodiad 2.

Yr Aelod sy'n Gyfrifol

84. Mae'r diffiniad o'r "Aelod sy'n gyfrifol" neu o bwy sy'n cael bod yn Aelod o'r fath i'w gael deirgwaith mewn gwahanol rannau o'r Rheolau Sefydlog yng nghyswllt Gorchmynion arfaethedig, Gorchmynion drafft a Mesurau arfaethedig. Mae'r Pwyllgor yn argymhell y dylid cael un Rheol Sefydlog benodol i'w cwmpasu i gyd (RhS 21A newydd).

Deddfwriaeth arfaethedig Aelodau a Phwyllgorau

Cyflwyniad

85. Mae Rheol Sefydlog 23.98 yn darparu fel y gall yr Aelod sy'n gyfrifol am Orchymyn arfaethedig, a hwnnw'n llwyddo i gwblhau ei hynt ddeddfwriaethol ac yn dod yn Orchymyn yn y Cyfrin Gyngor a wneir gan Ei Mawrhydi, gyflwyno un Mesur arfaethedig Aelod sy'n ymwneud â'r Gorchymyn hwnnw o fewn chwe mis i adeg gwneud y Gorchymyn.

86. Yn yr un modd, mae Rheol Sefydlog 23.105 yn rhoi chwe mis i Aelod sydd wedi'i ddethol drwy'r balot ac sydd wedi sicrhau cytundeb y Cynulliad i gyflwyno Mesur arfaethedig Aelod.

87. Mae'r Pwyllgor yn argymhell estyn y cyfnodau a ganiateir ar gyfer cyflwyno Mesur arfaethedig Aelod yn Rheolau Sefydlog 23.98 a 23.105 o chwe mis i naw mis er mwyn i'r Aelod gael rhagor o amser i baratoi.

Trosglwyddo

88. Ar hyn o bryd, nid yw'r Rheolau Sefydlog yn caniatáu i'r Llywodraeth ysgwyddo'r cyfrifoldeb am deddfwriaeth arfaethedig Pwyllgor neu Aelod. Teimlai'r Pwyllgor y gallasai darpariaeth o'r fath fod o gymorth yng nghyswllt rhywfaint o'r deddfwriaeth a gynigiwyd gan Aelodau yn y Trydydd Cynulliad.

89. Mae'r Pwyllgor yn argymhell cynnwys darpariaeth sy'n galluogi trosglwyddo deddfwriaeth arfaethedig Aelod a Phwyllgor i Lywodraeth Cymru ar gais yr Aelod neu'r pwyllgor (RhS 21.4A(iii) newydd, diwygio RhS 21A.9, 21A.10, 21A.16, a 21A.17).

90. O ran deddfwriaeth arfaethedig Pwyllgor, byddai gofyn cael cytundeb unfrydol y pwyllgor er mwyn caniatáu i'r Llywodraeth ysgwyddo'r cyfrifoldeb amdani.

Gorchmynion Cymhwysedd Deddfwriaethol

91. Mae'r Pwyllgor yn cynnig nifer o welliannau i Reol Sefydlog 22, sy'n ymwneud â Gorchmynion Cymhwysedd Deddfwriaethol. **Yn gyntaf, mae'r Pwyllgor yn argymhell y dylid diwygio Rheol Sefydlog 22.33 er mwyn sicrhau bod yr Aelod sy'n gyfrifol, wrth osod y Memorandwm Esboniadol gyda Gorchymyn drafft, yn ymateb i'r holl argymhellion a wnaed gan y pwyllgorau perthnasol a fu'n craffu ar y Gorchymyn arfaethedig.**

92. Roedd ymateb Cadeiryddion y Pwyllgorau Deddfwriaeth a'r ymatebion i'r ymgynghoriad yn tynnu sylw at y bwlch canfyddedig ym mhrosesau craffu'r Cynulliad yng nghyswllt Gorchmynion cymhwysedd deddfwriaethol, gan awgrymu y dylai fod amser ar gael rhwng gosod Gorchymyn drafft a chynnal dadl mewn Cyfarfod Llawn.

93. Mae'r Pwyllgor yn argymhell cyflwyno Rheol Sefydlog newydd i ganiatáu pythefnos rhwng gosod Gorchymyn drafft a dadl mewn Cyfarfod Llawn, oni fydd y Pwyllgor Busnes yn cytuno'n wahanol drwy ymgynghori â'r pwyllgor sy'n gyfrifol (RhS 22.34A newydd).

94. Byddai'r Rheol Sefydlog newydd yn rhoi cyfle i'r pwyllgor ystyried unrhyw wahaniaethau rhwng Gorchymyn arfaethedig a Gorchymyn drafft er mwyn llywio penderfyniad Cyfarfod Llawn y Cynulliad o ran cymeradwyo'r Gorchymyn drafft.

Mesurau'r Cynulliad

Memorandwm Esboniadol sy'n cyd-fynd â Mesur arfaethedig

95. Wrth ymateb i'r ymgynghoriad, cododd y Pwyllgor Cyllid bryderon ynghylch y diffyg gwybodaeth am 'gyfanswm costau' Mesurau arfaethedig, gan ddweud bod sawl Memorandwm Esboniadol wedi rhestru'r costau ychwanegol yn unig, sef y costau ar ben yr hyn sy'n cael ei wario ar gynlluniau polisi neu wasanaethau sy'n bodoli eisoes.²⁷ Roedd Cadeiryddion Pwyllgorau Deddfwriaeth yn poeni am hyn hefyd.²⁸

96. Mae'r Pwyllgor yn credu y dylid gwneud y gofyniad sy'n ymwneud â'r amcangyfrif o'r costau y mae'n rhaid ei gynnwys yn y Memorandwm Esboniadol gyda Mesur arfaethedig yn eglurach ac yn gryfach (diwygio RhS 23.18(vi)(a)).

Craffu'n derfynol ar Fesurau

97. Ar hyn o bryd, ar ôl gwaredu holl welliannau Cyfnod 3, yr unig ffordd y gellir ystyried gwelliannau pellach yw os bydd yr Aelod sy'n gyfrifol yn cynnig rhagor o drafodion Cyfnod 3 o dan Reol Sefydlog 23.52. Yn y cyswllt hwn, yr unig welliannau y gellir eu hystyried yw newidiadau technegol gan yr Aelod sy'n gyfrifol neu newidiadau sy'n galluogi'r Aelod hwnnw i gyflawni ymrwymadau a wnaed yn nhrefodion cynharach Cyfnod 3.

98. Fel arall, caiff yr Aelod sy'n gyfrifol gynnig ar unwaith bod y Mesur arfaethedig yn cael ei dderbyn (Cyfnod 4: Cyfnod Terfynol). Mae'r Rheolau Sefydlog yn caniatáu ystyried y cynnig Cyfnod 4 hwn ar ddiwrnod gwahanol os na fydd yr Aelod sy'n gyfrifol yn ei gynnig ar ddiwedd trafodion Cyfnod 3.

99. Roedd ymatebion i'r ymgynghoriad, gan gynnwys ymatebion Cymdeithas MS Cymru²⁹ a Chanolfan Llywodraethiant Cymru³⁰ yn awgrymu y dylid ystyried rhoi rhagor o amser i'r Aelodau ystyried effaith trafodion Cyfnod 3 cyn symud ymlaen i ystyried a ddylid cymeradwyo'r Mesur arfaethedig yng Nghyfnod 4.

100. Nid yw'r Rheolau Sefydlog yn caniatáu i hyn ddigwydd, fel yr esbonnir uchod. Serch hynny, nid oedd Cadeiryddion y Pwyllgorau

²⁷ [SOR20 \(y Pwyllgor Cyllid\)](#) (Saesneg).

²⁸ [Nodyn am gyfarfod â Chadeiryddion y Pwyllgorau Deddfwriaeth](#) (Saesneg).

²⁹ [SOR3 \(Cymdeithas MS\)](#) (Saesneg).

³⁰ [SOR5 \(Cymdeithas Llywodraethiant Cymru\)](#) (Saesneg).

Deddfwriaeth³¹ o blaid newid y weithdrefn i wneud hyn yn ofyniad. Serch hynny, roedd y Cadeiryddion yn cytuno y dylid ystyried galluogi cyfnod diwygio pellach dewisol ar ddiwedd Cyfnod 3.

101. Felly, mae'r Pwyllgor yn argymhell sefydlu cyfnod diwygio dewisol newydd ar ôl gwaredu'r holl welliannau yng Nghyfnod 3, i'w alw'n "y Cyfnod Adrodd" (RhS 23.57A a 23.57B newydd).

102. Ni fwriedir i'r Cyfnod Adrodd ddisodli trafodion pellach Cyfnod 3. Yn hytrach, ei fwriad yw:

- rhoi mwy o hyblygrwydd i'r broses graffu er mwyn i'r Cynulliad allu dychwelyd at faterion penodol os yw'n dymuno; a
- cryfhau'r broses graffu drwy sicrhau, os oes angen, fod y Cynulliad yn gallu manteisio ar gyfnod diwygio ychwanegol, yn enwedig os cytunwyd ar newidiadau sylweddol neu bwysig yn ystod Cyfnod 3.

103. Ni fyddai'r Cyfnod Adrodd ychwanegol hwn yn digwydd fel mater o drefn, ac ni fyddai'n digwydd oni bai y câi gytundeb y Cynulliad. Byddai angen i'r Aelod sy'n gyfrifol gynnig bod y Cynulliad yn ystyried gwelliannau yn y Cyfnod Adrodd drwy gyflwyno cynnig heb rybudd mewn Cyfarfod Llawn. Pe bai'r Cynulliad yn derbyn y cynnig, byddai'r Cyfnod Adrodd yn dechrau a byddai gweithdrefnau arferol Cyfnod 3, yng nghyswllt cyflwyno gwelliannau, yn berthnasol wedi hynny (Rheolau Sefydlog 23.42 i 23.57).

Cydsyniad yng nghyswllt Biliau Senedd y DU

104. Pan fydd Senedd y DU am ddeddfu ar bwnc sydd eisoes wedi'i ddatganoli i'r Cynulliad Cenedlaethol, yn ôl y confensiwn, mae gofyn iddi gael cydsyniad y Cynulliad cyn pasio'r ddeddfwriaeth dan sylw. Rhoddir cydsyniad o'r fath drwy Gynnig Cydsyniad Deddfwriaethol (LCM). Yn unol â Rheol Sefydlog 26, gosodir memorandwm cydsyniad deddfwriaethol ochr yn ochr ag LCM sy'n rhoi gwybodaeth am y Bil Senedd y DU perthnasol. Rhaid i femorandwm cydsyniad deddfwriaethol:

- grynhoi amcanion polisi'r Bil Senedd y DU,
- dweud i ba raddau y byddai'r Bil yn darparu ar gyfer unrhyw bwrpas o fewn cymhwysedd deddfwriaethol y Cynulliad³² neu'n

³¹ [Nodyn am y gyfarfod â Chadeiryddion y Pwyllgorau Deddfwriaeth](#) (Saesneg).

cael effaith negyddol ar gymhwysedd deddfwriaethol y Cynulliad;

- esbonio a ystyrir ei bod yn briodol gwneud y ddarpariaeth honno a'i gwneud drwy gyfrwng y Bil Senedd y DU (RhS 26.3).

Craffu ar femoranda cydsyniad deddfwriaethol

105. Codwyd pryder yn yr ymgynghoriad cyhoeddus³³ ac yn ymateb y Pwyllgor Materion Cyfansoddiadol³⁴ i'r adolygiad am y diffyg cyfle i bob golwg i graffu'n briodol ar femoranda cydsyniad deddfwriaethol cyn bod y cynnig i gydsynio'n cael ei ystyried a chyn i neb bleidleisio arno mewn Cyfarfod Llawn.

106. Er mwyn mynd i'r afael â'r pryderon hyn, cynigir diwygio Rheol Sefydlog 26 i ddarparu mecanwaith sy'n caniatáu i'r Pwyllgor Busnes, lle bo hynny'n briodol, gyfeirio unrhyw femorandwm cydsyniad deddfwriaethol at bwyllgor perthnasol i'w ystyried, cyn i'r Cynulliad ei drafod.

107. Mae'r Pwyllgor yn argymhell diwygio'r Rheolau Sefydlog sy'n ymwneud â memoranda cydsyniad deddfwriaethol er mwyn caniatáu gwell craffu ar ddarpariaethau perthnasol ym Miliâu Senedd y Deyrnas Unedig (RhS 26.3A, 26.3B a 26.6 newydd).

Hysbysu yng nghyswllt Biliau Senedd y DU

108. Yn ei ymateb i'r adolygiad, cyfeiriodd y Pwyllgor Materion Cyfansoddiadol at fwch canfyddedig yn y craffu ar Filiau Senedd y DU sy'n rhoi pwerau i'r Cynulliad.³⁵ Roedd ymateb y Pwyllgor yn gofyn hefyd am ddiwygio'r Rheolau Sefydlog er mwyn ei gwneud yn ofynnol i Weinidogion Cymru hysbysu pwyllgorau pan fydd gan Filiau Senedd y DU oblygiadau ar gyfer pwerau Gweinidogion Cymru neu'r Cynulliad.³⁶

109. Yn yr ymateb a gafwyd drwy'r ymgynghoriad cyhoeddus, ailadroddwyd y pryderon a godwyd gan y Pwyllgor Materion Cyfansoddiadol gan ddadlau mai ychydig o le sydd i graffu ar bwerau fframwaith (h.y. pwerau gwneud Mesurau) a gynhwysir yn

³² Ar wahân i ddarpariaethau achlysurol, dilyniannol, trosiannol, dros dro, atodol neu ddarpariaethau ynghylch arbedion sy'n ymwneud â materion nad ydynt yn dod o fewn cymhwysedd deddfwriaethol y Cynulliad.

³³ [SOR5 \(Canolfan Llywodriaethiant Cymru\)](#), [SOR7 \(Materion Cyhoeddus Cymru\)](#), [SOR10 \(Cyngor Gweithredu Gwirfoddol Cymru\)](#) a [SOR12 \(Cymdeithas Llywodraeth Leol Cymru\)](#) (Saesneg).

³⁴ [SOR18 \(y Pwyllgor Materion Cyfansoddiadol\)](#).

³⁵ Ibid.

³⁶ Ibid.

neddfwriaeth San Steffan ar hyn o bryd.³⁷ Roedd nifer sylweddol o'r rhai a gyflwynodd dystiolaeth i'r adolygiad yn galw ar y Pwyllgor Busnes i ystyried darparu mecanweithiau i'r Cynulliad allu craffu'n well ar Filiau'r DU a oedd naill ai'n rhoi pwerau deddfu i'r Cynulliad neu'n rhoi pwerau gweithredol i Weinidogion Cymru.³⁸

110. Er mwyn mynd i'r afael â'r pwyntiau a wnaed yn yr ymatebion i'r ymgynghoriad, cyflwynir Rheol Sefydlog 26A newydd i adeiladu ar sail darpariaeth Rheol Sefydlog 26. Byddai'r Rheol Sefydlog newydd hon yn cynnig mecanwaith systematig i'r Cynulliad gael ei hysbysu ynghylch Biliau eraill Senedd y DU sy'n effeithio ar swyddogaethau Gweinidogion Cymru neu ar gymhwysedd deddfwriaethol y Cynulliad.

111. Byddai gofyn i Lywodraeth Cymru gyhoeddi datganiad ysgrifenedig yn rhoi gwybod am Filiau Senedd y DU sy'n cynnwys darpariaethau (ac eithrio'r rheini a elwir yn "ddarpariaeth berthnasol" o dan Reol Sefydlog 26.1) sydd naill ai:

- yn effeithio'n sylweddol ar swyddogaethau Gweinidogion Cymru neu swyddogaethau'r Cwnsler Cyffredinol; neu
- yn effeithio ar gymhwysedd deddfwriaethol y Cynulliad (byddai hyn felly'n bennaf yn ymwneud â darpariaeth ym Miliau Senedd y DU sy'n trosglwyddo pwerau fframwaith i'r Cynulliad).

112. Cyhoeddir y datganiad ysgrifenedig er gwybodaeth yn unig, ac nid yw'n sail ar gyfer penderfynu ar gynnig gan y Cynulliad. Ni fyddai datganiadau o'r fath yn cael eu cyfeirio gan y Pwyllgor Busnes at bwyllgorau i'w hystyried. Serch hynny, gallai unrhyw bwyllgor ddewis ystyried y datganiad pe bai'n dewis gwneud hynny.

113. Mae'r Pwyllgor yn argymhell cynnwys Rheol Sefydlog newydd sy'n ei gwneud yn ofynnol hysbysu ynghylch Biliau Senedd y DU sy'n cynnwys darpariaethau (ac eithrio'r rheini y cyfeirir atynt yn Rheol Sefydlog 26) sy'n effeithio'n sylweddol ar swyddogaethau Gweinidogion Cymru (gan gynnwys y Prif Weinidog) neu'r Cwnsler Cyffredinol, neu sy'n effeithio ar gymhwysedd deddfwriaethol y Cynulliad (RHS 26A newydd).

³⁷ [SOR12 \(Pwyllgor Llywodraeth Leol Cymru\)](#), [SOR10 \(Cyngor Gweithredu Gwirfoddol Cymru\)](#), [SOR7 \(Materion Cyhoeddus Cymru\)](#) a [SOR5 \(Canolfan Llywodraethiant Cymru\)](#) (Saesneg).

³⁸ Ibid.

Mecanwaith sybsidiaredd Ewrop

114. Mae erthygl 6 Protocol Cytuniad Lisbon ar gymhwyso egwyddorion sybsidiaredd a chymesuredd yn caniatáu i unrhyw Senedd genedlaethol, o fewn wyth wythnos i ddyddiad cyhoeddi Deddf deddfwriaethol ddrafft, anfon barn resymedig at sefydliadau'r Undeb Ewropeaidd yn dweud pam mae o'r farn nad yw'r drafft dan sylw yn cydymffurfio ag egwyddor sybsidiaredd. Yn ôl yr erthygl hon hefyd, gwaith pob Senedd genedlaethol, lle bo hynny'n briodol, yw ymgynghori â seneddau rhanbarthol a chanddynt bwerau deddfu.

115. Yn ymateb y Pwyllgor Materion Ewropeaidd ac Allanol i'r adolygiad, dadleuwyd y dylid cael darpariaeth yn y Rheolau Sefydlog sy'n cydnabod rôl y Cynulliad o ran ystyried cymhwyso egwyddor sybsidiaredd fel y'i ceir ym Mhrotocol Cytuniad Lisbon.³⁹ Roedd ymateb y Pwyllgor hefyd yn cynnwys cais am fecanwaith ffurfiol fel y gallai'r Pwyllgor gyflwyno'i farn gerbron Senedd y Deyrnas Unedig os na fydd deddfwriaeth yr Undeb Ewropeaidd yn cydymffurfio ag egwyddorion sybsidiaredd.

116. Gan ymateb i gais y Pwyllgor, cyflwynir Rheolau Sefydlog 15.9, 15.10 a 15.11 newydd. Fe'u drafftir mewn termau cyffredinol er mwyn i Gynulliadau'r dyfodol allu cytuno ar fanylion y gweithdrefnau, gan ddibynnu ar yr amgylchiadau ar y pryd. Byddai'r Rheolau Sefydlog newydd yn caniatáu i'r pwyllgor sy'n gyfrifol gyflwyno sylwadau ysgrifenedig i Senedd y Deyrnas Unedig ar ran y Cynulliad er mwyn cynnwys y rheini mewn barn resymedig i awdurdodau perthnasol yr Undeb Ewropeaidd, yn unol â'r protocol. Maent hefyd yn cynnwys opsiwn lle y gallai pwyllgor sy'n gyfrifol ddirprwyo'r swyddogaethau sy'n ymwneud â chyflwyno sylwadau ysgrifenedig ar ran y Cynulliad i gadeirydd y pwyllgor hwnnw yn ystod toriad.

117. Mae'r Pwyllgor yn argymhell cynnwys mecanwaith ffurfiol yn y Rheolau Sefydlog i egluro rôl y Cynulliad o ran ystyried cymhwyso egwyddor sybsidiaredd fel y'i ceir ym Mhrotocol Cytuniad Lisbon ar gymhwyso egwyddorion sybsidiaredd a chymesuredd (RhS 15.9 - 15.11 newydd).

³⁹ [SOR24 \(y Pwyllgor Materion Ewropeaidd ac Allanol\)](#).

Cyllid

Proses flynyddol y gyllideb

118. Mae Rheol Sefydlog 27 yn rhestru'r gweithdrefnau, gan gynnwys y dyddiadau a'r amserau, ar gyfer cytuno ar gyllidebau'r Llywodraeth, Comisiwn y Cynulliad, Archwilydd Cyffredinol Cymru ac Ombwdsmon Gwasanaethau Cyhoeddus Cymru.

119. Sawl tro yn ystod y Trydydd Cynulliad, bu angen atal Rheolau Sefydlog neu gytuno ar Reol Sefydlog dros dro er mwyn addasu'r amseru. Mae'r Rheol Sefydlog bresennol yn gosod cyfyngiadau penodol mewn blwyddyn pan gynhelir Adolygiad Cynhwysfawr o Wariant.

120. Rhoddodd y Pwyllgor Cyllid sylw i hyn yn ei ymateb⁴⁰ i'r Pwyllgor Busnes. Roedd yn argymhell y dylai'r Rheolau Sefydlog restru'r egwyddorion sy'n berthnasol i graffu ar yr amrywiol gyllidebau a'r amser a ganiateir. Fodd bynnag, gallai'r Pwyllgor Busnes bennu'r dyddiadau penodol yng ngoleuni'r amgylchiadau sy'n berthnasol ar y pryd.

121. Yn unol ag argymhelliad y Pwyllgor Cyllid, casgliad y Pwyllgor oedd y dylai'r Pwyllgor Busnes gyhoeddi amserlen bob blwyddyn ar gyfer ystyried cyllideb ddrafft y Llywodraeth (RhS 27.0 - 27.6 newydd neu ddiwygiedig).

122. Er mwyn cyflawni hyn, byddai pob dyddiad penodol ar gyfer gosod cyllideb ddrafft y Llywodraeth ac ar gyfer cyflwyno cynnig cyllideb blynyddol yn cael eu dileu o'r Rheolau Sefydlog. Yn hytrach, byddai'r Pwyllgor Busnes yn cyhoeddi amserlen cyn toriad yr haf, gan ymgynghori â'r Llywodraeth ac â'r pwyllgor sy'n gyfrifol am gyflawni'r swyddogaeth craffu ariannol.

123. Er mai'r Pwyllgor Busnes a fyddai'n cyhoeddi'r amserlen, y Llywodraeth a fyddai'n gyfrifol am bennu'r dyddiadau ar gyfer gosod ei chyllideb ddrafft a chyflwyno'r cynnig cyllideb blynyddol (RhS 27.0B). Yna, byddai'r Pwyllgor Busnes, o fewn yr amserlen hon, yn pennu'r dyddiad cau ar gyfer cyflwyno adroddiad ar y gyllideb ddrafft i'r Llywodraeth gan y pwyllgor sy'n gyfrifol.

124. Mae'r Pwyllgor yn argymhell bod y Rheolau Sefydlog yn gwarantu cyfnod o 5 wythnos o leiaf i'r pwyllgor sy'n gyfrifol

⁴⁰ [SOR20 \(y Pwyllgor Cyllid\)](#) (Saesneg).

gyflwyno adroddiad am y gyllideb ddrafft i Lywodraeth Cymru (RhS 27.0E newydd).

Cyllideb Comisiwn y Cynulliad

125. Mae'r Pwyllgor yn argymhell y dylai fod mwy o hyblygrwydd o ran amseru cyllideb Comisiwn y Cynulliad. Byddai hyn yn cynnwys diwygio'r dyddiad cau ar gyfer gosod cyllideb ddrafft y Comisiwn a hefyd yn rhoi wythnos ychwanegol ar gyfer cytuno ar y gyllideb derfynol. Byddai hefyd yn caniatáu i'r Comisiwn benderfynu pryd i osod ei gyllideb derfynol o fewn y dyddiad cau (diwygio RhS 27.7 a 27.9).

126. Fel na fyddai angen cyflwyno Rheol Sefydlog dros dro mewn blwyddyn pan gynhelir Adolygiad Cynhwysfawr o Wariant gan Lywodraeth y Deyrnas Unedig neu gan Lywodraeth Cymru, byddai Rheol Sefydlog newydd yn caniatáu i'r Comisiwn gynnig newidiadau i amserlen ei gyllideb, ar yr amod bod y Pwyllgor Busnes yn cytuno (RhS 27.12A newydd).

Amcangyfrifon yr Archwilydd Cyffredinol a'r Ombwdsmon

127. Mae'r Pwyllgor yn nodi bod y dyddiadau cau ar gyfer cyflwyno amcangyfrifon i'r Cynulliad gan yr Archwilydd Cyffredinol ac Ombwdsmon Gwasanaethau Cyhoeddus Cymru wedi'u cynnwys mewn Deddfau Seneddol ac felly nad oes modd eu diwygio drwy'r Rheolau Sefydlog.

Cynigion cyllideb atodol

128. Mae'r Pwyllgor Busnes hefyd yn argymhell gofyniad newydd ar gyfer unrhyw gynigion cyllideb atodol sy'n amrywio cyllideb y Comisiwn, yr Archwilydd Cyffredinol neu'r Ombwdsmon. Byddai'n rhaid i'r Comisiwn ac Ombwdsmon Gwasanaethau Cyhoeddus Cymru osod neu gyflwyno memoranda esboniadol i'r pwyllgor sy'n gyfrifol yn esbonio pam maent yn gwneud cais am gyllideb atodol, i oleuo adroddiad y pwyllgor sy'n gyfrifol (RhS 27.22A newydd, diwygio RhS 27.26). Yn yr un modd, byddai'n rhaid i'r Archwilydd Cyffredinol gyflwyno memorandwm esboniadol i'r Pwyllgor Cyfrifon Cyhoeddus (diwygio RhS 27.25).

129. Mae'r Rheol Sefydlog ddiwygiedig am weithdrefnau cyllid ac esboniad llawn o'r holl newidiadau a gynigir i'w gweld yn Atodiad 2.

Adroddiadau ar y Trafodion

130. Mae Rheol Sefydlog 30 yn rhestru'r gofynion ar gyfer cyhoeddi adroddiadau ar drafodion y Cynulliad. Ym mis Mai 2010, yn yr Adolygiad Annibynnol o Wasanaethau Dwyieithog Cynulliad Cenedlaethol Cymru, cafwyd yr argymhellion a ganlyn ynghylch sut yr adroddir ar drafodion y Cynulliad:

"Rydym yn argymhell bod y Cofnod testun gair am air o drafodion ond yn cael ei gyhoeddi yn yr iaith / ieithoedd gwreiddiol a draddodwyd, ynghyd â chofnod o'r cyfieithu ar y pryd o'r Gymraeg i'r Saesneg, fel y'i traddodwyd yn y Siambr ar y pryd. (paragraff 68)"⁴¹

131. Cytunodd Comisiwn y Cynulliad ar yr argymhellion hyn ym mis Mai 2010 ac maent wedi'u rhoi ar waith ers mis Medi 2010.

132. Mae'r Pwyllgor yn argymhell diwygio Rheol Sefydlog 30 sy'n ymwneud â'r trefniadau ar gyfer cofnodi penderfyniadau (cofnodion) ac adrodd ar gyfarfodydd cyhoeddus yn unol ag argymhellion yr Adolygiad Annibynnol o Wasanaethau Dwyieithog, gan ddarparu y dylid dilyn yr un drefn wrth gofnodi ac adrodd ar drafodion pwyllgorau a thrafodion Cyfarfodydd Llawn (diwygio RhS 30).

133. Dylai'r Rheol Sefydlog ddiwygiedig adlewyrchu'n fwy clòs hefyd ddarpariaethau Deddf Llywodraeth Cymru 2006, sy'n ei gwneud yn glir mai Comisiwn y Cynulliad sy'n gyfrifol am bennu'r trefniadau ar gyfer cofnodi, adrodd a chyhoeddi trafodion yn unol â'r Ddeddf.

⁴¹ [Adolygiad Annibynnol o Wasanaethau Dwyieithog Cynulliad Cenedlaethol Cymru, Mai 2010, t.7.](#)

Buddiannau Ariannol a Buddiannau Eraill

134. Mae'r gofynion sy'n berthnasol i gofrestru a datgan buddiannau ariannol a buddiannau eraill yr Aelodau i'w gweld yn Rheol Sefydlog 31. Rhestrir y gofynion sy'n berthnasol i gofnodi sefyllfaoedd lle bydd Aelodau'n cyflogi aelodau o'u teulu gyda chymorth cronfeydd y Comisiwn yn Rheol Sefydlog 31A; nodir y ddyletswydd i gofnodi eu haelodaeth o gymdeithasau yn Rheol Sefydlog 32. Ni chynigir dim newidiadau o sylwedd i'r Rheolau Sefydlog hyn ar hyn o bryd.

Cofnodi'r amser y mae'r Aelodau'n ei dreulio'n gwneud gweithgarwch cofrestradwy

135. Ym mis Gorffennaf 2009, adolygwyd y trefniadau ar gyfer rhoi cymorth ariannol i Aelodau'r Cynulliad gan y Panel Adolygu Annibynnol ar Gyflogau a Threuliau ACau o dan gadeiryddiaeth Syr Roger Jones.⁴² Dywedodd argymhelliad 15 yn adroddiad y panel adolygu annibynnol:

"Yn ogystal â chofnodi gwybodaeth am gyflogaeth arall ar y Gofrestr Buddiannau, dylai fod yn ofynnol i Aelodau'r Cynulliad nodi manylion yr amser y maent yn ei dreulio yn y gyflogaeth ychwanegol hon."⁴³

136. Derbyniwyd argymhellion y Panel yn llawn gan Gomisiwn y Cynulliad ar 7 Gorffennaf 2009. Wrth fwrw ymlaen â'r argymhellion, gofynnodd Comisiwn y Cynulliad i'r Pwyllgor Safonau Ymddygiad ystyried sut orau y gellid rhoi'r argymhelliad ar waith. Ystyriodd y Pwyllgor Safonau Ymddygiad yr argymhelliad, cyflwynodd ei farn i'r Pwyllgor Busnes ynglŷn â sut orau i gyflawni hyn, gan ofyn iddo gael ei ystyried fel rhan o'r Adolygiad o'r Rheolau Sefydlog.⁴⁴

137. Yn unol â barn y Pwyllgor Safonau Ymddygiad, cynigir y dylid rhoi argymhelliad 15 ar waith drwy Reol Sefydlog newydd annibynnol. Byddai Rheol Sefydlog 31B newydd yn ei gwneud yn ofynnol i'r Aelodau roi amcan o'r amser a dreuliwyd yn gwneud gweithgarwch cofrestradwy o fewn bandiau amser eang. Enghreifftiau o weithgareddau y mae gofyn eu cofrestru fyddai gwaith cyfarwyddwr sy'n derbyn tâl, neu unrhyw gyflogaeth, swydd, crefft, proffesiwn neu alwedigaeth y mae gan yr Aelod unrhyw fuddiant ariannol ynddynt.

⁴² Panel Adolygu Annibynnol, [Yn Gywir i Gymru](#), Gorffennaf 2009, Argymhelliad 15, t.62.

⁴³ Ibid.

⁴⁴ Llythyr gan Gadeirydd y Pwyllgor Safonau at y Pwyllgor Busnes, [Argymhelliad 15 Yn Gywir i Gymru](#), 18 Mehefin 2010.

138. Byddai'r Rheol Sefydlog yn ei gwneud yn ofynnol i'r Aelodau roi gwybod tua faint yr oeddent yn ei dreulio'n gwneud gweithgarwch y mae gofyn ei gofrestru ar yr un pryd ag y maent yn cofrestru eu buddiannau'n unol â Rheol Sefydlog 31.2. Byddai cofnod o'r hysbysiadau hyn yn cael ei gyhoeddi a byddai'n ddyletswydd barhaus ar yr Aelodau i sicrhau bod y cofnod yn cynnwys yr wybodaeth gywir ynghylch y gweithgarwch cofrestradwy.

139. Mae'r Pwyllgor yn argymhell cyflwyno Rheol Sefydlog newydd sy'n ei gwneud yn ofynnol i'r Aelodau roi gwybod tua faint o amser y byddant yn ei dreulio'n gwneud gweithgarwch cofrestradwy, yn unol ag argymhellion y Panel Adolygu Annibynnol ac yn unol ag argymhellion y Pwyllgor Safonau Ymddygiad (Rheol Sefydlog newydd 31B).

Y Comisiynydd Safonau

140. Nid yw Rheol Sefydlog 33, sy'n ymwneud â'r Comisiynydd Safonau, yn berthnasol bellach yn sgîl cymeradwyo Mesur Comisiynydd Safonau Cynulliad Cenedlaethol Cymru 2009.⁴⁵ Gan fod y Mesur yn disgrifio swyddogaethau statudol y rôl, nid oes angen Rheol Sefydlog 33 ac felly fe'i dilëir. Mae Rheol Sefydlog 16 fel y'i diwygiwyd yn ei gwneud yn ddyletswydd i sicrhau bod safonau ymddygiad yr Aelodau'n dal i fod o fewn cylch gwaith un o bwyllgorau'r Cynulliad.

141. Mae'r Pwyllgor yn argymhell dileu Rheol Sefydlog 33 sy'n ymwneud â'r Comisiynydd Safonau, gan fod pasio Mesur Comisiynydd Safonau Cynulliad Cenedlaethol Cymru wedi ei disodli.

⁴⁵ [Mesur Comisiynydd Safonau Cynulliad Cenedlaethol Cymru 2009](#).

Canllawiau a dogfennau cefndir

142. Wrth i'r Pwyllgor drafod adolygu'r Rheolau Sefydlog, dywedodd y Rheolwyr Busnes eu bod o'r farn y dylid darparu rhagor o wybodaeth ynghylch sut mae'r Rheolau Sefydlog yn cael eu rhoi ar waith. Gallai gwybodaeth o'r fath amrywio o ganllawiau manwl ynghylch Rheolau Sefydlog penodol⁴⁶ i ganllawiau mwy cynhwysfawr sy'n esbonio'n gyffredinol sut mae'r Rheolau Sefydlog yn gweithio, sut maent wedi cael eu dehongli a sut mae'r Aelodau'n gallu eu defnyddio i gynrychioli eu hetholwyr, i wneud cyfreithiau ac i ddwyn y llywodraeth i gyfrif.⁴⁷

143. Yn sgîl yr ymateb i'r ymgynghoriad cyhoeddus⁴⁸ a'r trafodaethau yn nigwyddiad y Pierhead hefyd, awgrymwyd mai'r consensws cyffredinol oedd bod angen gwybodaeth well i esbonio'r hyn y mae'r Cynulliad yn ei wneud a sut y gall pobl ymgysylltu ag ef.⁴⁹

144. Bydd argymhelliad y Pwyllgor i gyflwyno mecanwaith symlach i'r Llywydd roi cyfarwyddyd i Aelodau, drwy ymgynghori â'r Pwyllgor Busnes, ynghylch sut y cynhelir busnes y Cynulliad o gymorth yn hyn o beth.

145. Mae'r Pwyllgor y argymell mai un o dasgau cyntaf Llywydd a Phwyllgor Busnes y Cynulliad ddylai fod cyhoeddi canllawiau ategol i'r Aelodau, i'w staff ac i'r cyhoedd er mwyn iddynt ddeall ein prosesau yn well ac er mwyn esbonio sut y gellir defnyddio'r arfau y maent yn eu cynnig i wasanaethu pobl Cymru.

⁴⁶ Cofnod y Trafodion, tudalennau 17, 19 a 20, 7 Rhagfyr 2010.

⁴⁷ Cofnod y Trafodion, t.15, 1 Chwefror 2011.

⁴⁸ [SOR10 \(Cyngor Gweithredu Gwirfoddol Cymru\)](#) (Saesneg).

⁴⁹ [Adolygiad o Reolau Sefydlog: Nodyn am y digwyddiad yn y Pierhead \(Gorffennaf 2010\)](#)

Goblygiadau'r Refferendwm o ran pwerau deddfu'r Cynulliad

146. Ers i Ddeddf Llywodraeth Cymru 2006 ("y Ddeddf") ddod i rym ar ddechrau'r Trydydd Cynulliad, mae'r Cynulliad wedi gallu llunio cyfreithiau i Gymru mewn ugain maes a elwir yn feysydd polisi. Roedd modd i bob un o'r meysydd gael eu his-rannu yn feysydd llai, a alwyd yn faterion. Cyn i'r Cynulliad allu llunio cyfraith yn unrhyw un o'r 20 maes, roedd yn rhaid bod Senedd y DU yn San Steffan wedi cytuno iddo allu gwneud hynny mewn perthynas â'r mater perthnasol.

147. Roedd y Ddeddf hefyd yn cynnwys model amgen o ran pwerau deddfu'r Cynulliad, a deuai'r model hwnnw i rym dim ond pe bai pobl Cymru yn cytuno i hynny mewn refferendwm.

148. Cynhaliwyd y refferendwm ar 3 Mawrth 2011, a gofynnodd a oedd pobl Cymru yn meddwl y dylai San Steffan bellach awdurdodi'r Cynulliad i lunio cyfreithiau ar draws pob un o'r 20 maes polisi, yn hytrach na'r drefn bresennol o orfod gofyn am bob pŵer, neu eu cael fesul dipyn.

149. Canlyniad cadarnhaol oedd i'r refferendwm, ac felly caiff Gweinidogion Cymru weithredu'r model amgen drwy wneud Gorchymyn i ddod â rhan berthnasol Deddf 2006 i rym (cyfeirir ati fel darpariaethau Deddfau'r Cynulliad, sydd i'w cael yn Rhan 4 y Ddeddf). Felly, ni ddaw'r pwerau hynny i rym tan ar ôl etholiad y Cynulliad ym mis Mai 2011.

150. Mae'r Pwyllgor yn cydnabod y bydd angen adolygu'r Rheolau Sefydlog er mwyn cyfleu'r newidiadau a ddaw yn sgîl Rhan 4 y Ddeddf (y darpariaethau hynny sy'n ymwneud â deddfwriaeth a Mesurau'r Cynulliad yn enwedig).

151. Mae'r Pwyllgor yn cynnig y dylid cyflwyno unrhyw ddiwygiadau sy'n angenrheidiol yn sgîl cychwyn Rhan 4 o Ddeddf Llywodraeth Cymru 2006 i'r Pedwerydd Cynulliad i'w hystyried a'u cytuno, a hynny wedi etholiad y Cynulliad ym mis Mai 2011.

152. Yn ei hanfod, ni ragwelir y bydd y weithdrefn ar gyfer craffu ar Filiau o dan Ran 4 yn wahanol i honno ar gyfer craffu ar Fesurau o dan Ran 3. Newidiadau i'r derminoleg a ddefnyddir fydd mwyafrif y diwygiadau, felly.

153. Fodd bynnag, er mwyn i Reolau Sefydlog y Cynulliad allu darparu ar gyfer y pwerau a geir yn Rhan 4 y Ddeddf yn syth, cynhwyswyd diwygiad dros dro i'r adran sy'n ymwneud â "Dehongli". Mae'r diwygiad yn darparu y dylid dehongli unrhyw gyfeiriadau at "Mesurau" a "Mesurau arfaethedig" fel pe baent yn cynnwys cyfeiriadau at "Deddfau'r Cynulliad" ac at "Biliau ar gyfer Deddfau" yn eu trefn, a chyfeiriadau at Gymeradwyaeth Frenhinol (yn y Cyfrin Gyngor) fel cyfeiriadau at Gydsyniad Brenhinol, a hynny ar ôl i Ran 4 ddod i rym ond cyn i'r Rheolau Sefydlog gael eu diwygio yn ôl yr angen.

154. Cyfeirir at bob math o "Biliau", boed yn Filiau Cynulliad neu'n Filiau Senedd y DU ('Mesurau seneddol' yn flaenorol), fel "Biliau" drwy gydol y Rheolau Sefydlog Cymraeg.

Amserlen Cyfarfodydd Cyhoeddus

Dyddiad / Amser	Dolen i'r Trawsgrifiadau
2 Tachwedd 2010 9.00 - 10.00am	Trawsgrifiad, 2 Tach
9 Tachwedd 2010 9.00 - 10.00am	Trawsgrifiad, 9 Tach
16 Tachwedd 2010 9.00 - 10.00am	Trawsgrifiad, 16 Tach
23 Tachwedd 2010 9.00 - 10.00am	Trawsgrifiad, 23 Tach
7 Rhagfyr 2010 8.45 - 10.30am	Trawsgrifiad, 7 Rhag
25 Ionawr 2011 8.45 - 10.00am	Trawsgrifiad, 25 Ion
1 Chwefror 2011 8.45 - 9.15am	Trawsgrifiad, 1 Chwe

Rhestr o'r dystiolaeth ysgrifenedig

155. Rhoddodd y bobl a'r sefydliadau a ganlyn dystiolaeth ysgrifenedig i'r Pwyllgor. Mae'r holl dystiolaeth ysgrifenedig i'w gweld yn llawn ar dudalennau gwe'r Pwyllgor Busnes yn:

http://www.cynulliadcymru.org/bus-home/bus-committees/bus-committees-other-committees/bus-committees-third-bc-home/bc-review_of_standing_order_consultation_responses.htm.

156. Mae cofnod o'r digwyddiad a gynhaliwyd yn y Pierhead i drafod adolygu'r Rheolau Sefydlog gyda rhanddeiliaid allanol i'w weld yma:

<http://www.cynulliadcymru.org/bus-home/bus-committees/bus-committees-other-committees/business-pierhead-discussion.htm>

Enw/Sefydliad	Cyfeirnod
Ombwdsmon Gwasanaethau Cyhoeddus Cymru	SOR 1
G Morgan	SOR 2
Cymdeithas Sglerosis Ymledol Cymru	SOR 3
Cymdeithas Athrawon a Darlithwyr Cymru (ATL Cymru)	SOR 4
Canolfan Llywodraethiant Cymru	SOR 5
RSPB Cymru	SOR 6
Materion Cyhoeddus Cymru (PAC)	SOR 7
Yr Athro Laura McAllister a'r Dr Diana Stirbu	SOR 8
Nick Ramsay, AC	SOR 9
Cyngor Gweithredu Gwirfoddol Cymru (WCVA)	SOR 10
Cymdeithas Hansard	SOR 11
Cymdeithas Llywodraeth Leol Cymru (WLGA)	SOR 12, Canllawiau Pen-y-bont ar Ogwr, Canllawiau Caerffili

Coleg Nyrzio Brenhinol Cymru	SOR 13
Keith Towler, Comisiynydd Plant Cymru	SOR 14
Helen Mary Jones Ac, Cadeirydd y Pwyllgor Plant a Phobl Ifanc	SOR 15
Ann Jones AC, Cadeirydd y Pwyllgor Cyfle Cyfartal	SOR 16
Sandy Mewies AC, Cadeirydd y Pwyllgor Cymunedau a Diwylliant	SOR 17
Dai Lloyd AC, Cadeirydd Dros Dro y Pwyllgor Materion Cyfansoddiadol	SOR 18
Christine Chapman AC, Cadeirydd y Pwyllgor Deisebau	SOR 19 , Tystiolaeth Ychwanegol
Angela Burns, AC, Cadeirydd y Pwyllgor Cyllid	SOR 20
Jonathan Morgan AC, Cadeirydd y Pwyllgor Cyfrifon Cyhoeddus	SOR 21 , Tystiolaeth Ychwanegol
Gareth Jones AC, Cadeirydd y Pwyllgor Menter a Dysgu	SOR 22
Kirsty Williams AC, Cadeirydd y Pwyllgor Cynaliadwyedd	SOR 23
Y Gwir Anrh Rhodri Morgan AC, Cadeirydd y Pwyllgor Ewropeaidd a Materion Allanol	SOR 24
Nodyn o'r trafodaethau gyda Chadeiryddion y Pwyllgorau	BC(3)33-10- Papur 4 Atodiad C

Atodiad 1 - Rhestr o Ddogfennau Atodol

Rhestrir yr holl bapurau a ystyriwyd gan y Pwyllgor Busnes, y dogfennau cefndir a chofnodion penderfyniadau'r Pwyllgor isod, a'u trefnu fel a ganlyn:

- Papurau Cefndir – gan gynnwys y prif newidiadau a gynnigir a'r dystiolaeth sy'n gefn iddynt;
- Atodiad A yn olrhain yr holl newidiadau ac yn rhoi esboniad manwl am bob gwelliant;
- Atodiad B - yma, ceir fersiwn lân o'r Rheolau Sefydlog perthnasol wedi'u diwygio;
- Cofnodion Cyhoeddus - yn cofnodi penderfyniadau'r Pwyllgor Busnes (gellir gweld trawsgrifiadau pob cyfarfod cyhoeddus hefyd yn y 'Rhestr o'r Cyfarfodydd Cyhoeddus' ar ddiwedd yr adroddiad).

	Papur Cefndir	Atodiad A: Tabl o'r Rheolau Sefydlog a'r newidiadau wedi'u marcio	Atodiad B: Fersiwn lân o'r Rheolau Sefydlog	Cofnodion Cyhoeddus
1. Swyddi'r Cynulliad	BC(3)31-10: Papur 1 BC(3)33-10: Papur 1	BC(3)31-10: P1, Atodiad A BC(3)33-10: P1, Atodiad A	BC(3)31-10: P1, Atodiad B BC(3)33-10: P1, Atodiad B	BC(3)31-10: Cofnodion BC(3)33-10: Cofnodion
2. Penodiadau	BC(3)31-10: Papur 1 BC(3)33-10: Papur 1	BC(3)31-10: P1, Atodiad A BC(3)33-10: P1, Atodiad A	BC(3)31-10: P1, Atodiad B BC(3)33-10: P1, Atodiad B	BC(3)31-10: Cofnodion BC(3)33-10: Cofnodion
3. Y Cyfarfod Llawn a Threfn Busnes	BC(3)28-10: Papur 2 BC(3)29-10: Papur 1 BC(3)03-11: Papur 1 BC(3)03-11: Papur 2	BC(3)28-10: P2, Atodiad A BC(3)29-10: P1, Atodiad A BC(3)03-11: P1, Atodiad A BC(3)03-11: P2, Atodiad A	BC(3)28-10: P2, Atodiad B BC(3)29-10: P1, Atodiad B BC(3)03-11: P1, Atodiad B BC(3)03-11: P2, Atodiad B	BC(3)28-10: Cofnodion BC(3)29-10: Cofnodion BC(3)03-11: Cofnodion BC(3)04-11: Cofnodion

	BC(3)04-11: Papur 1	BC(3)04-11: P1, Atodiad A	BC(3)04-11: P1, Atodiad B	
4. Pwyllgorau	BC(3)29-10: Papur 2 BC(3)30-10: Papur 1 BC(3)03-11: Papur 3	BC(3)29-10: P2, Atodiad A BC(3)30-10: P1, Atodiad A BC(3)03-11: P3, Atodiad A	BC(3)29-10: P2, Atodiad B BC(3)30-10: P1, Atodiad B BC(3)03-11: P3, Atodiad B	BC(3)29-10: Cofnodion BC(3)30-10: Cofnodion BC(3)03-11: Cofnodion
5. Cyllid	BC(3)33-10: Papur 2 BC(3)03-11: Papur 6	BC(3)33-10: P2, Atodiad A BC(3)03-11: P6, Atodiad A	BC(3)33-10: P2, Atodiad B BC(3)03-11: P6, Atodiad B	BC(3)33-10: Cofnodion BC(3)03-11: Cofnodion
6. Deddfwriaeth	BC(3)33-10: Papur 4 BC(3)03-11: Papur 4 BC(3)03-11: Papur 5 BC(3)04-11: Papur 2	BC(3)33-10: P4, Atodiad A BC(3)03-11: P4, Atodiad A BC(3)03-11: P5, Atodiad A BC(3)04-11: P2, Atodiad A	BC(3)33-10: P4, Atodiad B BC(3)03-11: P4, Atodiad B BC(3)03-11: P5, Atodiad B BC(3)04-11: P2, Atodiad B	BC(3)33-10: Cofnodion BC(3)03-11: Cofnodion BC(3)04-11: Cofnodion
7. Adroddiadau ar y Trafodion	BC(3)33-10: Papur 5	BC(3)33-10: P5, Atodiad A	BC(3)33-10: P5, Atodiad B	BC(3)33-10: Cofnodion
8. Aelodau	BC(3)28-10: Papur 1 BC(3)33-10: Papur 3	BC(3)33-10: P3, Atodiad A	BC(3)28-10: P1, Atodiad B BC(3)33-10: P3, Atodiad B	BC(3)28-10: Cofnodion BC(3)33-10: Cofnodion

Atodiad 2 - Newidiadau wedi'u Marcio a Grid Esbonio (Saesneg yn unig)

INTERPRETATION	
<p>In these Standing Orders:</p> <p>“the Act” means the Government of Wales Act 2006;</p> <p>“an Assembly” means the period from an Assembly election to dissolution;</p>	<p>No amendment necessary</p>
<p>“Assembly election” means a general election held under the Act or the 2007 ordinary election held under the Government of Wales Act 1998;</p>	<p>Amend interpretation</p> <p>No longer relevant</p>
<p>“Assembly proceedings” means any proceedings of the Assembly, any committee of the Assembly or a sub-committee of such a committee;</p> <p>“Assembly year” means the period from 1 May in one year to 30 April in the following year;</p> <p>“Auditor General” means the Auditor General for Wales appointed under paragraph 1 of Schedule 8 to the Act;</p> <p>“Clerk” means the Clerk of the Assembly appointed under section 26(1) of the Act;</p> <p>“the Commission” means the Assembly Commission as defined in section 27 of the Act;</p>	<p>No amendment necessary</p>

<p>“Counsel General” means the Counsel General to the government appointed under section 49 of the Act;</p> <p>“Deputy” means the Deputy Presiding Officer elected under section 25(1)(b) of the Act;</p> <p>“Deputy Welsh Minister” means a Member appointed under section 50(1) of the Act;</p> <p>“First Minister” means the Member appointed under section 46(1) of the Act;</p> <p>“government” means Welsh Assembly Government, as defined in section 45(1) of the Act;</p>	
<p>“laid” means laid in the table office in accordance with Standing Order 29;</p>	<p>Amend interpretation</p> <p>This needs to be updated as Standing Order 29 now only refers to “the Clerk”, not the “Table Office”. In practice, the Table Office will still be responsible for receiving documents to be laid or business to be tabled. Any guidance to Members would make it clear that they should be sent to the Table Office.</p>
<p>“legislative competence order” means an Order in Council under section 95 of the Act;</p> <p>“Member” means an Assembly Member returned either for an Assembly constituency or for an Assembly electoral region;</p> <p>“member of the government” means the First Minister, a Welsh Minister, the Counsel General or a Deputy Welsh Minister;</p>	<p>No amendment necessary</p>

<p><u>“non-sitting week” means a week in which the Assembly does not sit in plenary;</u></p>	<p>Insert new interpretation</p> <p>This relates to the definition of “sitting week” below. It is helpful to have a short definition of a “non-sitting week” as it is currently described in full each time i.e. “a week in which the Assembly does not sit in plenary”.</p>
<p>“Ombudsman” means the Public Services Ombudsman for Wales appointed under the Public Services Ombudsman (Wales) Act 2005;</p> <p>“published” means publication on the Assembly website as a minimum requirement;</p> <p>“sitting week” means a week in which the Assembly sits in plenary;</p> <p>“subordinate legislation” means an Order in Council, order, rule, regulation, scheme, warrant, bye-law and other instrument made or to be made under any Act of the UK Parliament or Assembly Measure, or made or to be made under subordinate legislation;</p>	<p>No amendment necessary</p>
<p>“the Supreme Court” means the Supreme Court of the United Kingdom established under section 23(1) of the Constitutional Reform Act 2005; but until the coming into force of section 23(1) of that Act, references in the Standing Orders to “the Supreme Court” are to be read as references to the Judicial Committee of the Privy Council;</p>	<p>Amend this interpretation</p> <p>No longer relevant</p>
<p>“Welsh Minister” means any Member appointed as a Welsh Minister under section 48(1) of the Act;</p> <p>“the Welsh Ministers” is to be construed in accordance with section 45(2) of the Act;</p> <p>“working day” means any day unless it is:</p>	<p>No amendment necessary</p>

<ul style="list-style-type: none"> (i) a Saturday or a Sunday; (ii) Christmas Eve, Christmas Day, Maundy Thursday or Good Friday; (iii) a day which is a bank holiday in Wales under the Banking and Financial Dealings Act 1971; or (iv) a day appointed for public thanksgiving or mourning. 	
<p><u>Transitional arrangements</u></p> <p><u>At any time after the coming into force of the Assembly Act provisions (contained in Part 4 of the Act) and until the coming into force of revisions to these Standing Orders consequential on that event:</u></p> <ul style="list-style-type: none"> (i) <u>references in these Standing Orders to Measures and Proposed Measures are to be interpreted as including references to Acts of the Assembly and Bills for Acts; and</u> (ii) <u>the reference in Standing Order 26.75 to the approval of an Assembly Measure by Her Majesty in Council is to be interpreted as a reference to Royal Assent to a Bill.</u> (iii) <u>references in these Standing Orders to sections 99, 100 and 101 of the Act are to be interpreted as including, in relation to Bills for Acts, references to sections 112, 113 and 114.</u> 	<p>Insert new interpretation</p> <p>Following the “yes” vote in the Referendum on the Assembly’s law-making powers, the Standing Orders will need to be reviewed to reflect the changes introduced by Part 4 of the Act (mostly the provisions relating to legislation and Assembly Measures in particular).</p> <p>Part IV will not commence until after the 2011 Assembly election. Any changes necessary to Standing Orders will therefore be presented to the Fourth Assembly for their consideration and agreement post May 2011.</p> <p>It is not anticipated that the fundamental procedure for legislative scrutiny of Bills under Part 4 will differ from that of Measures under Part III. The majority of changes necessary would, therefore, relate to terminology.</p> <p>However, to ensure that there is nothing to prevent legislation being introduced in the meantime, this transitional arrangement will be included in the interpretation section of the Standing Orders. It</p>

<u>respectively.”</u>	allows any references to Measures to be interpreted as a reference to Acts of the Assembly and proposed Measures as a reference to Bills.
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STANDING ORDER 1 - Members	
Oath or Affirmation of Allegiance	
1.1 When the oath of allegiance is taken, or the corresponding affirmation made, under section 23 of the Act, it must be taken or made before the Clerk, in public or in private.	No amendment necessary
1.2 When a member of the government takes: <ul style="list-style-type: none"> (i) the official oath, or makes the corresponding affirmation; (ii) the oath of allegiance, or makes the corresponding affirmation, under section 55 of the Act, he or she must, within one working day, notify the Clerk in writing that he or she has done so.	No amendment necessary
Political Groups	
1.3 For the purposes of the Act, a political group is:	No amendment necessary

<ul style="list-style-type: none"> (i) a group of Members belonging to the same registered political party having at least three Members in the Assembly; or (ii) three or more Members who, not being members of a registered political party included in Standing Order 1.3(i), have notified the Presiding Officer of their wish to be regarded as a political group. 	
<p>1.4 The Presiding Officer must decide any question as to whether any Member belongs to a political group or as to which political group he or she belongs.</p>	<p>No amendment necessary</p>
<p>1.5 The Assembly is from time to time to determine, on a motion proposed by the Commission, the payments to be made to political groups under section 24 of the Act.</p>	<p>Delete this Standing Order</p> <p>This Standing Order is redundant as a consequence of the passing of the National Assembly for Wales (Remuneration) Measure 2010.</p> <p>The duty specified in SO 1.5 is now set out in the Measure.</p>
<p>1.6 The Commission must publish:</p> <ul style="list-style-type: none"> (i) every determination made under section 24 of the Act; and (ii) for each financial year, information about the sums paid to political groups in that financial year under section 24 of the Act. 	<p>Delete this Standing Order</p> <p>This Standing Order is redundant as a consequence of the passing of the National Assembly for Wales (Remuneration) Measure 2010.</p> <p>The duty specified in SO 1.6 is now the responsibility of the National Assembly for Wales Remuneration Board, not the Assembly Commission.</p>

<p>Salaries, Allowances and Pensions <u>Remuneration</u></p>	<p>Amend this title Replace “Salaries, Allowances and Pensions” with “Remuneration”</p>
<p>1.7 The Commission must, from time to time, determine and pay any the amount of the reduction in the salary of a Member required, allowance, pension, gratuity or other payment or amount mentioned in, or in accordance with, by sections 20, 21 or 53 of the Act.</p>	<p>Amend this Standing Order</p> <p>Following the passing of the National Assembly for Wales (Remuneration) Measure 2010, responsibility for the payment and determination of allowances, pensions, gratuity or other payments to Members now falls to the National Assembly for Wales Remuneration Board, not the Assembly Commission.</p> <p>The only remaining duty on the Commission is to determine the amount of the reduction in the salary of an Assembly member required by section 21 of the Government of Wales Act 2006.⁵⁰ This duty is retained in the revised SO 1.7.</p>
<p>1.8 The Commission must lay before the Assembly and publish any determination made under Standing Order 1.7 as soon as reasonably practicable after it has been made.</p>	<p>No amendment necessary</p>
<p>1.9 The Commission must publish information for each financial year concerning the amounts as salaries and allowances paid by the Commission to each Member and former Member, and</p>	<p>Delete this Standing Order</p> <p>This Standing Order is redundant as a consequence of the passing of</p>

⁵⁰ This section requires the Assembly to reduce the salary of any Assembly Member who also receives a salary as a Member of Parliament or a Member of the European Parliament.

concerning the total amount so paid.	the National Assembly for Wales (Remuneration) Measure 2010. The duty to publish is set out in the Measure.
1.10 The Assembly must, on a motion proposed by the Commission, elect Trustees to the National Assembly for Wales Members' Pension Scheme in accordance with the Scheme Rules.	No amendment necessary
Resignations and Vacancies	
1.11 A Member may resign his or her seat in the Assembly by giving notice in writing to the Presiding Officer.	No amendment necessary
1.12 For the purposes of section 10 of the Act, a vacancy occurs when the Presiding Officer receives a notice of resignation in accordance with Standing Order 1.11, or otherwise when the Presiding Officer declares that the seat has become vacant.	No amendment necessary
Different Roles and Responsibilities of Constituency Members and Regional Members	
1.13 The Assembly must make a code or protocol, to be drafted by the <u>committee responsible for the functions specified in Standing Order 16</u> Committee on Standards of Conduct , in accordance with section 36(6) of the Act, about the different roles and responsibilities of constituency Members and regional Members. The code or protocol must include provision in line with the following five key principles and the Annex to Standing Order 1:	<p>Amend this Standing Order</p> <p>Replace “Committee on Standards of Conduct” with “the committee responsible for the functions specified in Standing Order 16” - this amendment gives effect to the replacement of named committees in Standing Orders with function-based Standing Orders.</p> <p>Rather than stating that there must be a specific Committee on Standards of Conduct, the Business Committee must ensure that functions specified in Standing Order 16 (Standards of Conduct) are</p>

<ul style="list-style-type: none"> (i) all Members have a duty to be accessible to the people of the areas for which they have been elected to serve and to represent their interests conscientiously; (ii) in approaching the Member of their choice, the wishes of constituents and/or the interests of a constituency or locality are of paramount importance; (iii) all Members have equal status; (iv) Members should not misrepresent the basis on which they are elected nor the area they serve; and (v) no Member should deal with a constituency case or constituency issue that is not within his or her constituency or region (as the case may be), unless by prior agreement. 	<p>undertaken by a committee.</p> <p>The committee responsible for the functions specified Standing Order 16 would also be the responsible committee in relation to the functions currently undertaken by the Committee on Standards of Conduct under Standing Order 1.</p>
STANDING ORDER 1 – Members: Annex	
<p>Provision to be included in the code or protocol prepared under Standing Order 1.13 and in accordance with section 36(6) of the Act</p> <p>Describing Members</p> <p>1. Provision for regional and constituency Members to describe themselves accurately and for requirements regarding the use of Assembly resources, for example, stationery.</p> <p>Dealing with Constituency/Regional Issues</p>	<p>Amend paragraph 9 of the Annex</p> <p>As above</p>

2. Provision for Members to be able to take up a matter affecting the constituency or region for which they were elected whilst ensuring that courtesy is shown on matters affecting more than one constituency.

Individual Constituents' Cases

3. Provision to protect the right of a constituent to approach his or her constituency Member, and/or any of the four regional Members elected in his or her region.

Raising Matters with a Member of the Government

4. Provision to ensure that any Member is entitled to raise with the relevant member of the government a matter on behalf of a constituent in the area (constituency or region) for which they were elected.

Members Operating in their Areas

5. Provision reflecting the expectation that Members will work throughout the area (constituency or region) for which they were elected.

School Visits

6. Provision for notifying Members about official school visits to the Assembly organised by the Commission.

Telephone Enquiries

7. Provision to guide the way in which telephone enquiries from members of the public to the Assembly's switchboard, seeking

<p>to contact a Member, are dealt with.</p> <p>Members' Staff</p> <p>8. Provision that Members should ensure that staff working for them, both within the Assembly and locally, including others working on their behalf with constituents, are aware of and act in accordance with Standing Order 1.13 and any code or protocol drawn up as a result of it.</p> <p>Enforcement</p> <p>9. Provision for any complaint against a Member in respect of the code or protocol to be referred to the Committee on Standards of Conduct <u>committee responsible for the functions specified in Standing Order 16.</u></p>	
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STANDING ORDER 2 - Presiding Officer and Deputy		
Election of Presiding Officer and Deputy		
2.1	At its first meeting after an Assembly election, the Assembly must elect from its Members a Presiding Officer and a Deputy.	No amendment necessary
2.2	If the office of the Presiding Officer or that of the Deputy becomes vacant, the Assembly must, as soon as possible,	No amendment necessary

<p>elect a Member to fill the vacancy. The election of a Presiding Officer takes precedence over all other business.</p>	
<p>2.3 Subject to Standing Order 2.4, the proceedings for the election of a Presiding Officer at the first meeting after an Assembly election are to be chaired by the Presiding Officer who held office immediately before the Assembly election (“the former Presiding Officer”), except that following the 2007 Assembly election the Clerk shall chair the proceedings.</p>	<p>Amend this Standing Order</p> <p>The reference at the end to the procedure following the 2007 Assembly election is now redundant and can be removed.</p>
<p>2.4 If:</p> <ul style="list-style-type: none"> (i) at the first meeting after a general <u>an Assembly</u> election the former Presiding Officer is unwilling or unable to act; or (ii) at any election of a Presiding Officer at any other time the Deputy is unwilling or unable to act, or there is no Deputy in office, <p>the proceedings for the election of a Presiding Officer are to be chaired by the Clerk.</p>	<p>Amend this Standing Order</p> <p>2.4(i) - Wording amended for consistency with Standing Order 7.</p>
<p>2.5 No Member who chairs proceedings for the election of a Presiding Officer may be nominated for election as Presiding Officer in those proceedings.</p>	<p>No amendment necessary</p>
<p>2.6 At the election of a Presiding Officer or a Deputy, the chair must invite nominations. A nomination is, in the first instance, valid only if seconded by a Member who is not a member of the political group to which the nominating Member belongs.</p>	<p>No amendment necessary</p>

<p>2.7 If it appears that no Member is likely to be nominated and seconded by members of different political groups, the chair must adjourn the proceedings and may, on their resumption, accept nominations which are seconded by members of the same political group as the nominating Member.</p>	<p>No amendment necessary</p>
<p>2.8 If there is only one nomination, the chair must propose that the Member nominated be elected as Presiding Officer (or Deputy as the case may be). If that is opposed, or if there are two or more nominations, the chair must make arrangements for the election to take place by secret ballot.</p>	<p>No amendment necessary</p>
<p>2.9 If two Members have been nominated, the chair must declare elected the Member who has secured the greater number of votes cast in the ballot.</p>	<p>No amendment necessary</p>
<p>2.10 If more than two Members have been nominated and no Member receives more than half of the votes cast in a ballot, the candidate who has received the smallest number of votes is excluded and further secret ballots held until one candidate obtains more than half of the votes cast; and if there is an equality of votes between the two remaining candidates (or the only two candidates) a further secret ballot must take place.</p>	<p>No amendment necessary</p>
<p>2.11 The Member elected as Presiding Officer must immediately take the oath or make an affirmation if he or she has not already done so, and then take the chair.</p>	<p>No amendment necessary</p>
<p>2.12 The Assembly must not elect a Presiding Officer and a Deputy who belong to:</p>	<p>No amendment necessary</p>

<ul style="list-style-type: none"> (i) the same political group; (ii) different political groups both of which have an executive role; or (iii) different political groups neither of which has an executive role. 	
<p>2.13 Standing Order 2.12 may be disapplied by a resolution of the Assembly (provided that, if the motion for the resolution is passed on a vote, it has no effect unless at least two-thirds of those voting support it); and any Member may, without notice, propose a motion for such a resolution immediately before the Assembly proceeds to the election of a Presiding Officer or Deputy.</p>	<p>No amendment necessary</p>
<p>2.14 If in the course of an Assembly, the Presiding Officer and Deputy become members of:</p> <ul style="list-style-type: none"> (i) the same political group; (ii) different political groups both of which have an executive role; or (iii) different political groups neither of which has an executive role, <p>and neither resigns from office, then any Member may, without notice, propose a motion at the next plenary meeting that the Presiding Officer and Deputy may remain in office. If no such motion is proposed, or the motion is not passed on a vote supported by at least two-thirds of those voting, then</p>	<p>No amendment necessary</p>

<p>both the Presiding Officer and Deputy must resign from office.</p>	
<p>Functions of Presiding Officer</p>	
<p>2.15 The functions of the Presiding Officer are:</p> <ul style="list-style-type: none"> (i) to chair plenary meetings; (ii) to determine questions as to the interpretation or application of Standing Orders; and <u>(iiA) to represent the Assembly in exchanges with any other bodies, whether within or outside the United Kingdom, in relation to matters affecting the Assembly;</u> (iii) such other functions conferred by any enactment, by the Assembly or by these Standing Orders. 	<p>Amend this Standing Order</p> <p>We are proposing that the functions of the Presiding Officer should include the role of representing the Assembly, to reflect established practice and to give it a clear footing in Standing Orders. This would include his role as the “ambassador” of the Assembly when it comes to external and international relations. It would also provide clarity to those who have a duty to consult the Assembly, whom they should address in the first instance, and give the Presiding Officer the authority to speak on behalf of the Assembly in matters affecting the Assembly.</p>
<p>2.16 The Presiding Officer’s determinations as to the interpretation or application of Standing Orders are final.</p>	<p>No amendment necessary</p>
<p>2.17 The Presiding Officer, having consulted the Business Committee, may issue written guidance to Members for the proper conduct of Assembly proceedings. Guidance issued under Standing Order 2.17 only has effect if the Assembly so resolves.</p>	<p>Amend this Standing Order</p> <p>During consideration of the plenary Standing Orders on 2 November 2010, Business Managers agreed in principle to introduce a simplified mechanism for the Presiding Officer to issue guidance to Members on the conduct of Assembly business.</p> <p>SO 2.17 is amended to reflect this agreement in principle. This would</p>

	require that the Presiding Officer must consult Business Committee before issuing the guidance rather than the current mixed system where some guidance requires the endorsement of the Assembly and some not (amend Standing Order 2.17). This provision would then generally apply whenever there is reference to the Presiding Officer issuing guidance.
2.18 In the absence or at the request of the Presiding Officer, the Deputy must exercise the functions of the Presiding Officer, so far as permitted by the Act.	No amendment necessary
2.19 In carrying out the functions of the Presiding Officer, the Presiding Officer and Deputy must demonstrate impartiality at all times.	No amendment necessary
2.20 <u>Subject to Standing Order 2.20A</u> the Presiding Officer or Deputy may vote in plenary proceedings only when exercising a casting vote. Where there is an equality of votes a casting vote must be given: (i) in the affirmative where further discussion of the matter before the Assembly is possible; and (ii) in the negative where further discussion is not possible or where there is a vote on an amendment.	Amend this Standing Order Reference added for clarity.
<u>2.20A The Presiding Officer and Deputy may vote in plenary proceedings where legislation requires a resolution or motion to be passed on a vote in which the number of Members voting in favour of it is not less than two-thirds of the total number of Assembly seats.</u>	Insert new Standing Order It is proposed that the Presiding Officer and Deputy should be allowed to vote, exceptionally, when legislation, such as the Government of Wales Act, requires that a vote on a resolution depends on a proportion of the total membership of the Assembly

	<p>(40 out of 60 Members) rather than just two thirds of those voting. This normally applies to significant resolutions only, such as the vote on whether to request a referendum on Part IV of the Government of Wales Act, and the removal of the Auditor General from Office.</p> <p>When 40 out of 60 Members must agree a resolution, it follows that if the Presiding Officer and Deputy may not vote, it has the same effect as if they were to vote against the motion.</p> <p>By inserting a new provision allowing them to vote in these circumstances, it would allow the Presiding Officer or Deputy to decide whether to exercise their freedom to vote on this exceptional occasion.</p>
<p>Temporary Chair of Plenary Meetings</p>	
<p>2.21 Any Member other than a member of the government may, at the request of the Presiding Officer or Deputy when either is chairing a plenary meeting of the Assembly, temporarily chair for not more than fifteen minutes on any one occasion.</p>	<p>Amend this Standing Order</p> <p>Amendment to reflect established practice.</p> <p>This restriction is not always applied in practice and should be relaxed to accord with what actually happens.</p>
<p>2.22 A Member acting as chair must not exercise any of the functions of the Presiding Officer except those contained in Standing Order 8, except that if the Member believes that the conduct of a Member is such as to warrant his or her withdrawal, the Member must suspend the meeting until the Presiding Officer or Deputy has returned.</p>	<p>No amendment necessary</p>

Temporary Presiding Officer	
2.23 On each occasion that both the Presiding Officer and the Deputy Presiding Officer are unable to act (other than under Standing Order 2.21), the Clerk must take the chair solely in order to arrange for the election of a Member to act as temporary Presiding Officer and a Member so elected must exercise the functions of the Presiding Officer until either the Presiding Officer or Deputy becomes able to act.	No amendment necessary
Resignation or Removal from Office of Presiding Officer or Deputy	
2.24 The Presiding Officer or the Deputy may resign by giving notice in writing to the Clerk.	No amendment necessary
<p>2.24A 7.42 If a motion:</p> <p>(i) <u>that the Presiding Officer be removed from office; or</u></p> <p>(ii) <u>that the Deputy be removed from office,</u></p> <p><u>is tabled by at least six Members, time must be made available as soon as possible for the motion to be debated; and in any event such a debate must take place within five working days of the motion having been tabled.</u></p>	<p>Move this Standing Order</p> <p>This is moved from SO 7.42 to SO 2, as it is more clear to explain how SO 2.25 would operate here, as agreed during consideration of the plenary Standing Orders on 2 November 2010.</p>
2.25 If the Assembly resolves that the Presiding Officer or Deputy be removed from office, the office of Presiding Officer or Deputy, as the case may be, is immediately vacant.	No amendment necessary

STANDING ORDER 3 - The Assembly Commission	
Appointment of Members	
3.1 As soon as reasonably practicable after an Assembly election, but no later than 10 days after the appointment of members of the Business Committee, the Assembly must consider a motion tabled by the Business Committee proposing the names of the four Members to be appointed as members of the Commission under section 27(2)(b) of the Act.	No amendment necessary
3.2 So far as is reasonably practicable, not more than one of the members of the Commission (other than the Presiding Officer) may belong to any one political group.	No amendment necessary
3.3 If there are four or more political groups in the Assembly, it is for the leader of each of the four largest political groups to inform the Business Committee of the name of a member of his or her <u>its</u> political group who is to be included in the motion tabled under Standing Order 3.1.	<p>Amend this Standing Order</p> <p>During discussions on Standing Order 10 in Business Committee, it was suggested that Standing Orders should not be so specific in referring to the leader of the political groups and could alternatively state that “Business Managers” should notify Business Committee – leaving the issue as to who makes the decisions to each group.</p> <p>Accordingly, Business Managers are requested to consider whether a change should be made to Standing Order 3.3 and 3.4.</p>
3.4 If there are fewer than four political groups in the Assembly:	Amend this Standing Order

<p>(i) it is for the leader of each of the political groups to inform the Business Committee of the name of a member of its his or her political group; and</p> <p>(ii) it is for the Business Committee to determine the name of any additional Member or Members,</p> <p>who are to be included in the motion tabled under Standing Order 3.1.</p>	<p>As above.</p>
<p>3.5 For the purposes of Standing Order 3.3, if there are two or more political groups with the same number of members, the Presiding Officer, having regard to the level of electoral support of each of the political groups in question, must determine which of those political groups is to be regarded as the larger (or largest, as the case may be).</p>	<p>No amendment necessary</p>
<p>3.6 No amendment may be tabled to a motion under Standing Order 3.1.</p>	<p>No amendment necessary</p>
<p>Resignation or Removal from Office</p>	
<p>3.7 A member of the Commission resigns from the Commission by giving notice in writing to the Clerk. The Presiding Officer cannot resign from the Commission.</p>	<p>No amendment necessary</p>
<p>3.8 Any Member may table a motion proposing that a particular Member (other than the Presiding Officer) be removed from the Commission and, if any such motion is agreed to in a plenary meeting, that Member is removed from the</p>	<p>No amendment necessary</p>

Commission with immediate effect.	
3.9 When a member of the Commission ceases to be a Member (otherwise than by dissolution), or resigns from or is removed from the Commission, the Assembly must consider a motion tabled by the Business Committee proposing the name of a Member to replace that Member as a member of the Commission.	No amendment necessary
<u>3.9A No amendment may be tabled to a motion under Standing Order 3.9.</u>	Insert new Standing Order To mirror the provision in SO 3.6 (rectifying its omission).
Special or General Instructions <u>Directions</u> to the Commission	Amend this title This is a technical correction to mirror the wording of SO3.10.
3.10 Any Member may table a motion to give special or general directions to the Commission. The Business Committee must report on whether time should be made available to debate such a motion.	No amendment necessary

STANDING ORDER 4 - Welsh Ministers and Deputy Welsh Ministers	
Nomination of First Minister	No amendment necessary
4.1 Subject to section 47(3) of the Act, the Assembly must, within	No amendment necessary

<p>28 days of an event specified in section 47(2) of the Act, nominate a Member for appointment as First Minister (“the nominee”).</p>	
<p>4.2 The Presiding Officer must invite nominations. If only one nomination is made, the Presiding Officer must declare that Member to be the nominee. If more than one nomination is made, the Presiding Officer must, by roll call in alphabetical order of the membership, invite each Member present to vote for a candidate (except that neither the Presiding Officer nor the Deputy may vote). If two Members have been nominated, the Presiding Officer must declare the candidate who received the greater number of votes cast to be the nominee. If there is an equality of votes between the two candidates a further vote by roll call must take place.</p>	<p>No amendment necessary</p>
<p>4.3 If more than two Members have been nominated and no Member receives more than half of the votes cast by roll call, the candidate who has received the smallest number of votes must be excluded and further votes by roll call taken until one candidate obtains more than half of the votes cast; and the Presiding Officer must declare that Member to be the nominee. If there is an equality of votes between the two remaining candidates a further vote by roll call must take place.</p>	<p>No amendment necessary</p>
<p>Resignation etc. of First Minister or another Member of the Government</p>	
<p>4.4 When the Presiding Officer is notified that the First Minister has tendered his or her resignation to Her Majesty, the Presiding Officer must, if the resignation is accepted, notify the Assembly.</p>	<p>No amendment necessary</p>

<p>4.5 When the Presiding Officer is notified that any other member of the government has resigned, the Presiding Officer must notify the Assembly.</p>	<p>No amendment necessary</p>
<p>4.6 If the Presiding Officer designates a person to exercise the functions of the First Minister under section 46 of the Act, he or she must notify the Assembly.</p>	<p>No amendment necessary</p>
<p>4.6A 7.43 <u>If a motion that the Welsh Ministers no longer enjoy the confidence of the Assembly is tabled by at least six Members, time must be made available as soon as possible for the motion to be debated; and in any event such a debate must take place within five working days of the motion having been tabled.</u></p>	<p>Move Standing Order 7.43 to Standing Order 4</p> <p>This has been moved from SO7.43 to SO 4, as it is more clear to explain how Welsh Ministers may be removed in SO4 than in SO7, as agreed during consideration of the plenary Standing Orders on 2 November 2010.</p>

STANDING ORDER 6 – Organisation of Business	
<u>Title: Business Committee</u>	<p>Insert new title and sub-section (move Standing Order 11 to here)</p> <p>It is proposed that the provisions of Standing Order 11 on the Business Committee will be incorporated into Standing Order 6, in order to group all the Standing Orders which relate to how Assembly business is organised (see Standing Order 11 below).</p>
Title: Periodic <u>Assembly</u> Timetable	<p>Amend this title</p> <p>Replace ‘Periodic timetable’ with ‘Assembly Timetable’.</p>
6.1 From time to time, the Business Committee must table a motion proposing to <u>publish a timetable</u> , for periods of not less	Amend this Standing Order

<p>than six months, <u>which must include the following</u>:</p> <ul style="list-style-type: none"> (i) outline timetables of plenary meetings; (ii) times available for committee meetings; (iii) <u>times available for</u> meetings of political groups; (iv) recesses; and (v) dates for questions for oral answer by the First Minister, Welsh Ministers, the Counsel General and the Commission. 	<p>Standing Order 6.1 has not been implemented in the Third Assembly, the established practice has been for the Business Committee to publish timetable for certain items. However, it is proposed that the Standing Order should be amended to reflect this practice and implemented in full in future, rather than by way of a motion tabled by the Business Committee.</p> <p>This should provide underpinning certainty about the organisation of plenary business, in view of the proposed change to SO 7.5A.</p>
<p>6.2 Motions under Standing Order 6.1 must have regard to the family and constituency or electoral region responsibilities of Members and their likely travel arrangements; and should normally seek to avoid timetabling business before 9.00am or after 6.00pm on any working day.</p>	<p>No amendment necessary</p>
<p>Weekly Business</p>	
<p>6.3 In each week that the Assembly meets in plenary, the Minister with responsibility for government business must:</p> <ul style="list-style-type: none"> (i) make a statement about the organisation of government business in plenary; and (ii) at the same time, announce the organisation of non-government and Assembly business in plenary, 	<p>Amend this Standing Order</p> <p>A new “Assembly business” category would capture all business currently defined as “Assembly” or “non-government” business.</p> <p>“Assembly business” would encompass all categories of business currently defined as “non-government” or “Assembly” business. There would therefore only be two categories of business in future: “Government” and “Assembly” business.</p>

	for the first week after the week when the statement is made, together with the provisional organisation of business for the two subsequent weeks.	
6.4	The organisation of government business in plenary must be determined by the government.	No amendment necessary
6.5	The organisation of Assembly non-government business in plenary must be determined by the Business Committee, in accordance with Standing Order 11.7(ii).	Amend this Standing Order The organisation of all “Assembly business” would be subject to qualified weighted voting in the Business Committee as currently applies to “non-government business”; other decisions in the Business Committee would remain subject to full weighted voting (see also amendments to 11.7).
6.6	The organisation of Assembly business in plenary must be determined by the Business Committee, in accordance with Standing Order 11.7 (iii).	Delete this Standing Order Unnecessary provision as a consequence of changing the definition of “Assembly business”. It is now captured by 6.5.
6.7	Every item of business referred to in the statement and announcement must have an allotted time assigned to it.	No amendment necessary
6.8	An item of business referred to in the statement or announcement (other than any item of business when amendments to legislation are to be considered) may be designated (by the government if it is government business or by the Business Committee if it is non-government or Assembly business) as an item of business where any vote necessary to dispose of the business is to be deferred to a specified time later on the same day.	Amend this Standing Order The voting provisions have been changed to reflect established practice. 6.8(i) this is a new provision which reflects the established practice that the Business Committee agrees a ‘Voting Time’ in Committee for all items which are not agreed “on the nod” during the course of the plenary session (voting on the nod is now covered by SO 7.30A).

<p><u>In relation to any item of business referred to in the statement or announcement (other than any item of business when amendments to legislation are to be considered), the government (if it is government business) or the Business Committee (if it is Assembly business) may:</u></p> <p>(i) <u>specify a time or point during the same day's plenary business no earlier than which any vote(s) necessary to dispose of the business is to be taken, unless the business is decided in accordance with Standing Order 7.30A; or</u></p> <p>(ii) <u>decide that Standing Order 7.30A should not apply to an item of business and specify a time or point during the same day's plenary business at which any vote necessary to dispose of that item of business is to be taken.</u></p>	<p>Business Managers could either agree a time or a point on the agenda, for example, "at the end of item 4". It would have to take place on the same day.</p> <p>6.8(ii) This is a simplified version of the current SO 6.8 which enables the Government or the Business Committee to agree a specific voting time for any particular item of business - any vote necessary would be deferred to the specified time (or a point on the agenda) on the same day. A recorded vote would have to be taken.</p>
<p>6.9 The Presiding Officer may permit questions to be asked of the Minister with responsibility for government business for not longer than 30 minutes after the statement has been made, but no vote may be taken on the statement or announcement.</p>	<p>Delete this Standing Order</p> <p>It is not possible to vote on a statement, therefore there is no need to state that no vote may be taken on the business statement announcement.</p> <p>There is now a new general provision on statements, which would cover this (see SO 7.41A and 7.42B).</p>
<p>6.10 The statement and announcement constitute the timetable for business in plenary for the first week after the week when the statement and announcement were made.</p>	<p>No amendment necessary.</p>

<p>Title: <u>Categories of Plenary Business</u></p>	<p>Insert new title and sub-section (move relevant Standing Orders from 7 to here)</p> <p>All Standing Order provisions relating to categories of business would be moved from Standing Order 7 to the revised Standing Order 6: Organisation of Business (move SO 7.6, 7.11 - 7.13, 7.61 - 7.63 as amended).</p>
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<p>Title: Business <u>Notice of Business</u></p>	<p>Amend this title</p> <p>Delete 'Business' and add 'of Business' after 'Notice'.</p>
<p>6.11 As soon as possible after each plenary meeting, theThe Clerk must publish <u>and maintain details of a forthcoming business notice</u> which must include the notice of plenary and committee agendas, together with information about any of the following which have been tabled or laid before the Assembly since the last business notice:</p> <ul style="list-style-type: none"> (i) oral and written questions; (ii) motions and amendments to motions; (iii) proposed and draft legislative competence orders; (iv) proposed Measures and amendments to proposed Measures; (v) subordinate legislation or draft subordinate legislation; and 	<p>Amend this Standing Order</p> <p>The Standing Order currently requires the publication of a "Business notice". There is no "business notice" as such, however all the information it has to include is published as soon as possible. Therefore the concept of a "Business Notice" is replaced by a duty to publish notice of business, reflecting established practice.</p>

(vi) any documents laid before the Assembly.	
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STANDING ORDER 7 - Business in Plenary Meetings	
Plenary Meetings	
7.1 Plenary meetings of the Assembly must take place in public and broadcasting access must be permitted in accordance with such arrangements as the Commission may from time to time agree.	Amend this Standing Order Remove “from time to time” as it is unnecessary – for drafting consistency across Standing Orders
7.2 The Assembly must meet in plenary in accordance with Standing Orders 6 and 7.	No amendment necessary
7.3 If no <u>plenary</u> meeting is timetabled for a particular date or time, the Presiding Officer may, at the request of the First Minister, summon the Assembly to consider a matter of urgent public importance.	Amend this Standing Order Insert “plenary” for clarity
7.4 So far as is reasonably practicable, any documents provided for business taken in plenary meetings must be made publicly available.	No amendment necessary
7.5 Any documents referred to in Standing Order 7.4 must be made available to the Secretary of State for Wales at the same	No amendment necessary

time as they are to Members.	
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<p><u>7.5A Plenary meetings must usually:</u></p> <p><u>(i) be held on Tuesdays and Wednesdays and start at 1.30pm;</u></p> <p><u>(ii) take government business first.</u></p>	<p>Insert new Standing Order</p> <p>This would replace the following Standing Orders: 7.7, 7.8 and 7.9. 7.5A would still be subject to the requirement of SO 6.2 which requires business hours to be “family friendly.”</p> <p>(i) This would allow more flexibility as to Plenary days and start times.</p> <p>(ii) This would allow more flexibility on when “government” or “Assembly” items can be taken in plenary, however government items “must usually” be taken first as is our current practice.</p>
<p><u>Title: Plenary Meetings following an Assembly Election</u></p>	<p>Insert new section</p> <p>It is proposed that there should be a new sub-section to Standing Order 7 making provisions for how business is organised in plenary meetings following an Assembly election until a Business Committee is appointed. The proposal is based on the provisions which were set out in the temporary Standing Order for the Third Assembly (Standing Order 36). This new sub-section would specify:</p> <p>(i) who determines the dates and times of these plenary meetings and how Members are to be notified;</p> <p>(ii) what type of business may be taken at these plenary meetings.</p>

<p><u>7.5B</u> The first plenary meeting following an Assembly election is to take place at a time specified by the Presiding Officer, having consulted with political groups, (or if the Presiding Officer is unwilling or unable to act, the Clerk must specify the time), in accordance with sections 3 or 5 of the Act.</p>	<p>Insert new Standing Order</p> <p>Under section 25 of the Government of Wales Act, the Presiding Officer holds office until the conclusion of an election for a new Presiding Officer following an Assembly election. The Presiding Officer appointed in the previous Assembly would therefore be responsible for determining the time and date of the first meeting following an Assembly election (this must be within 7 days of the Assembly election, subject to certain exclusions, in accordance with section 3 of the Act), following consultation with all political groups.</p> <p>However, if the Presiding Officer is for any reason unwilling or unable to undertake this role, provision is made for the Clerk of the Assembly to act in his or her absence.</p>
<p><u>7.5C</u> Subsequent plenary meetings must be on a day and time specified by the Presiding Officer, having consulted with political groups, until the first meeting for which a statement and announcement has been made under Standing Order 6.3.</p>	<p>Insert new Standing Order</p> <p>Once a new Presiding Officer has been elected, he or she would be responsible for specifying the day and time of subsequent plenary meetings, in consultation with all political groups, until such time as the Business Committee has been established and the Minister with responsibility for business makes the first business statement and announcement under Standing Order 6.3.</p>
<p><u>7.5D</u> The Clerk must notify all Members of the date and time of the plenary meetings arranged under Standing Order 7.5B and 7.5C not less than 24 hours before the meeting.</p>	<p>Insert new Standing Order</p> <p>This would place a duty on the Clerk to give Members at least 24 hours' notice of these plenary meetings.</p>
<p><u>7.5E</u> The only business to be taken at plenary meetings arranged under Standing Order 7.5B and 7.5C is:</p> <p>(i) any business under Standing Order 7.15;</p>	<p>Insert new Standing Order</p> <p>This would limit the type of business which may be taken at the first and any subsequent plenary meetings until the plenary meeting at</p>

(ii) such other business as the Assembly may by resolution agree.

which the first business statement announcement is made.

It would allow the following business to be taken without notice during these early plenary meetings:

7.5E(i) - Standing Order 7.15 covers:

- elections, nominations or appointments by the Assembly (SO 7.15(iv)A): this would cover the election of the PO and DPO; the nomination of the First Minister; the election of the Business Committee membership; the appointment of members of the Commission; the resolution to approve the First Minister's recommendation for Counsel General;
- statements by the Presiding Officer, a member of the government or by the Commission about any matter within the responsibilities of the Commission (SO 7.15(i)A);
- introduction of new Members; obituary tributes to former Members and others; personal statements (7.15(ii)A, (iii)A, (v)A);
- any urgent debate proposed by a member under Standing Order 7.58(SO 7.15(vi)A);
- procedural motions and points of order (SO 7.15(vii)A and (viii)A);
- any other matters as the Presiding Officer considers appropriate (SO 7.15(ix)A).

7.5E(ii) - it is proposed that the Assembly should be able to resolve to consider any other business as it may by resolution agree.

<p><u>7.5Ea Nominations under Standing Order 4 can take place at plenary meetings arranged under Standing Order 7.5B and 7.5C only if the Assembly, by resolution, agrees.</u></p>	<p>Insert new Standing Order</p> <p>The Assembly would be required to signify its assent to allow the process for nominating a First Minister to proceed.</p>
<p><u>7.5F Standing Orders 6.4 and 6.5 do not apply to plenary meetings arranged under Standing Order 7.5B and 7.5C.</u></p>	<p>Insert new Standing Order</p> <p>Standing Orders 6.4 and 6.5 state that the government determines its business and the Business Committee determines Assembly Business. This Standing Order makes it clear that any plenary meetings arranged in accordance with SO 7.5B or 7.5C would not be subject to the provisions of SO 6.4 and 6.5 as:</p> <ul style="list-style-type: none"> (i) the government would only be able to determine its business subject to SO 7.15; (ii) there would be no Business Committee to make decisions. in relation to Assembly Business.
<p><u>7.5G The periods of notice for motions and amendments under Standing Orders 7.18 and 7.19 shall not apply to any motions proposed for business to be taken at plenary meetings arranged under Standing Order 7.5B or 7.5C, or to any amendments proposed to such motions.</u></p>	<p>Insert new Standing Order</p> <p>Matters under Standing Order 7.15 may be taken without notice, however, this Standing Order makes it clear that any business as set out in Standing Order 7.5E (i) and (ii) would not be subject to the usual 5 days notice period for motions and amendments.</p>
<p>Title: Categories and Order of Plenary Business</p>	<p>Amend this title</p> <p>All Standing Order provisions relating to categories of business would be moved to the revised Standing Order 6: Organisation of Business. All that would remain in Standing Order 7 would be those relating to the order of business in plenary.</p>

<p>7.6 The aggregate of time allocated as between government and non-government <u>Assembly</u> business in plenary meetings in an Assembly year must, so far as is reasonably practicable, be in the proportion of 3:2.</p>	<p>Move to revised Standing Order 6: Organisation of Business and amend this Standing Order</p> <p>As explained above, as this relates to Organisation of Business, it would be moved to Standing order 6.</p> <p>It also requires amending as a consequence of changing the definition of “Assembly business”.</p>
<p>7.7 Plenary meetings are normally to be held on Tuesdays and Wednesdays when the allocation of sitting time must be in accordance with Standing Orders 7.8 and 7.9.</p>	<p>Delete this Standing Order</p> <p>This is replaced by SO 7.5A read with SO 7.6.</p>

<p>7.8 Tuesday plenary meetings must usually:</p> <ul style="list-style-type: none"> (i) start at 1.30pm; (ii) consider Assembly business under Standing Order 7.10(i) to 7.10(vii) and government business only; and (iii) subject to Standing Order 7.16 or any procedural motion under Standing Order 7.28, finish no later than 6pm. 	<p>Delete this Standing Order</p> <p>This is replaced by SO 7.5A – see above.</p>
<p>7.9 Wednesday plenary meetings must:</p> <ul style="list-style-type: none"> (i) usually start at <u>1.30pm</u>; 	<p>Delete this Standing Order</p> <p>This is replaced by SO 7.5A – see above.</p>

<p>(ii) usually consider government business from 1.30pm to 2.30pm, and Assembly and non-government business from 2.30pm; and</p> <p>(iii) subject to Standing Order 7.16 or any procedural motion under Standing Order 7.28, finish no later than 6pm.</p>	
<p>7.10—For the purposes of Standing Orders 6, 7 and 11, Assembly business includes proceedings on:</p> <ul style="list-style-type: none"> (i)—motions under Standing Order 7.42 or 7.43; (ii)—statements by the Presiding Officer; (iii)—introduction of new Members; (iv)—obituary tributes to former Members and others; (v)—elections, nominations or appointments by the Assembly; (vi)—personal statements; (vii)—motions to remake or revise Standing Orders; (viii)—any urgent debate proposed by a member of the Commission, which relates to the Commission’s functions, under Standing Order 7.58; (ix)—oral questions to the Commission; (x)—statements by the Commission about any matter 	<p>Delete this Standing Order</p> <p>Assembly business and non-government business are now all captured by a new “Assembly” business category as defined in the amended SO 7.12</p>

<p>coming within the responsibilities of the Commission;</p> <p>(xi) any matter under Standing Order 7.61; and</p> <p>(xii) debates on reports submitted by the Committee on Standards of Conduct.</p>	
<p>7.11 For the purposes of Standing Orders 6, 7 and 11, government business includes proceedings on:</p> <p>(i) oral questions (other than oral questions to the Commission);</p> <p>(ii) any urgent debate proposed by a member of the government under Standing Order 7.58;</p> <p>(iii) statements by a member of the government;</p> <p>(iv) any budget motion;</p> <p>(v) legislation where the Member in charge of the legislation is a member of the government;</p> <p>(vi) any motion under Standing Order 24.4;</p> <p>(vii) any matter under Standing Order 7.62;</p> <p>(viii) a legislative consent motion under Standing Order 26.4; and</p> <p>(ix) any other motion moved <u>tabled</u> by a member of the government (other than a motion relating to</p>	<p>Move to revised Standing Order 6: Organisation of Business and amend this Standing Order</p> <p>As explained above, as this relates to Organisation of Business, it would be moved to Standing order 6.</p> <p>The definition of “government business” is simplified by deleting any unnecessary provisions. The category is too prescriptive as it stands.</p> <p>(iv) This is covered by 7.11(ix)</p> <p>(vi) This is covered by 7.11(ix)</p> <p>(vii) This is covered by 7.11(ix)</p> <p>(viii) This is covered by 7.11(ix)</p> <p>(x) This is corrected to reflect established practice (i.e. if the Business Minister moves a motion tabled by the Presiding Officer, it is not “government business”, it would still be “Assembly business”).</p>

<p style="text-align: center;">Assembly or non-government business):</p>	
<p>7.12 For the purposes of Standing Orders 6, 7 and 11, non-government <u>Assembly</u> business includes proceedings on: all items of business except for those listed under Standing Order 7.11.</p> <ul style="list-style-type: none"> (i) any urgent debate proposed by a Member, who is not a member of the government, under Standing Order 7.58; (ii) legislation where the Member in charge of the legislation is not a member of the government; (iii) any motion under Standing Order 24.2; (iv) any matters under Standing Order 7.63; (v) Short Debates under Standing Order 7.64; and (vi) any other motion moved by a Member who is not a member of the government (other than a motion relating to Assembly or government business): 	<p>Move to revised Standing Order 6: Organisation of Business and amend this Standing Order</p> <p>As explained above, as this relates to Organisation of Business, it would be moved to Standing Order 6.</p> <p>This defines the new category of “Assembly business” – it captures all business previously listed under Standing Orders 7.10 and 7.12. The definition is simplified by reference to what is defined as “Government business” i.e. everything else will be considered “Assembly business”. The categories are otherwise too prescriptive.</p>
<p>7.13 The Presiding Officer must determine any question as to whether a matter is Assembly, government or <u>Assembly non-government</u> business.</p>	<p>Move to revised Standing Order 6: Organisation of Business and amend this Standing Order</p> <p>As explained above, as this relates to Organisation of Business, it would be moved to Standing order 6.</p>

	This also requires amending as a consequence of changing the definition of “Assembly business”.
7.14 Business must be called by the Presiding Officer and taken in the order in which it appears in the plenary agenda, subject to Standing Order 7.15.	No amendment necessary
7.33 7.14A If proceedings on an item of business conclude before the end of the time allotted to it, the next business (if any) must then be taken.	Move existing Standing Order 7.33 to this position This Standing Order has been moved from SO 7.33 to the appropriate section on “Order of Plenary Business” which sets out how the Presiding Officer manages the business on the agenda. At the moment it is listed under the section on voting. Standing Order 7.33 therefore becomes SO 7.14A.
7.15 The categories of business that may be taken at a plenary meeting without notice, <u>with the agreement of the Presiding Officer</u> , include: (i) business under Standing Orders 7.10(ii), (iii), (iv), (vi), (viii), (x); (ii) business under Standing Orders 7.11(ii), (iii); (iii) business under Standing Order 7.12(i); (iv) procedural motions under Standing Order 7.25; and (v) points of order relating to the conduct of business. <u>(i)A statements by the Presiding Officer, by a member of the government or by the Commission about</u>	Amend this Standing Order This is amended to include “with the agreement of the Presiding Officer” as is the established practice. The cross-references have been deleted as they no longer exist but replaced by the explanatory list, so all items previously included under 7.15 would still be covered: Current 7.15 (i) - now covered by 7.15(i)A, , (ii)A, (iii)A, (v)A, (vi)A. Current 7.15 (ii) - now covered by 7.15 (i)A, (iii)A Current 7.15 (iii) - now covered by 7.15 (vi)A Current 7.15 (iv) - replicated as (vii)A Current 7.15 (v) - replicated as (viii)A

<p style="text-align: center;"><u>any matter within its responsibility;</u></p> <p><u>(ii)A introduction of new Members;</u></p> <p><u>(iii)A obituary tributes to former Members and others;</u></p> <p><u>(iv)A elections, nominations or appointments by the Assembly;</u></p> <p><u>(v)A personal statements;</u></p> <p><u>(vi)A any urgent debate proposed by a Member under Standing Order 7.58;</u></p> <p><u>(vii)A procedural motions under Standing Order 7.25;</u></p> <p><u>(viii)A points of order relating to the conduct of business; and</u></p> <p><u>(ix)A any other matters as the Presiding Officer considers appropriate.</u></p>	<p>Also added to the list are:</p> <p><u>(iv)A elections, nominations or appointments by the Assembly – this would be used exceptionally. However it would allow, for example, for any Committee membership changes (where groups replace their Members) to be taken at the next plenary session without having to suspend Standing Orders as is currently the case.</u></p> <p><u>(ix)A any other matters as the Presiding Officer considers appropriate. – this is a catch-all provision to allow greater flexibility.</u></p>
<p>7.16 If an item of business is taken without notice, the<u>The</u> Presiding Officer may make any necessary arrangements to adjust the timetable for business on that day (including by extending the length of the sitting), <u>in order to facilitate the effective conduct of business.</u></p>	<p>Amend this Standing Order</p> <p>This is made into a more general provision to reflect established practice.</p>
<p>8.15<u>7.16A</u> <u>In any circumstance where he or she thinks it appropriate to do so, the Presiding Officer may adjourn proceedings without putting any proposition to the vote, or may suspend proceedings for a specified time.</u></p>	<p>Move an amended Standing Order 8.15 to this position</p> <p>No material change. SO 8.15 is a general provision and can be applied “in any circumstance”. It would therefore be useful to have</p>

	<p>the general provision listed under the appropriate section on “Order of Plenary Business” which sets out how the Presiding Officer manages the business on the agenda. At the moment it is listed under “Maintenance of Order” (SO 8.15), and an adjournment or suspension may be necessary for reasons other than to maintain order.</p>
<p>Motions</p>	
<p>7.17 Business in plenary meetings must proceed on the basis of motions proposed, except for:</p> <ul style="list-style-type: none"> (i) statements by the Presiding Officer; (ii) introduction of new Members; (iii) obituary tributes to former Members and others; (iv) oral questions; (v) <u>any urgent debates matters the Assembly resolves to consider</u> under Standing Order 7.58; <u>and</u> (vi) where a Member proposes a topic for a Short Debate under Standing Order 7.64. 	<p>Amend this Standing Order</p> <p>7.17 (i) - technical correction.</p> <p>7.17 (v) - revised wording for the sake of clarity – no material change.</p>
<p>7.18 Except where Standing Orders provide otherwise, a motion</p> <ul style="list-style-type: none"> (i) must be tabled at least five working days before it is to be debated; <u>and</u> (ii) may be proposed by any Member; <u>and</u> 	<p>Amend this Standing Order</p> <p>7.18 (i) This makes it clear that it is not necessary to have an item of business scheduled in the business statement (i.e. an agreed date for the debate) before Members may table a motion.</p>

<p>(iii) <u>must be tabled in accordance with Standing Order 29.</u></p>	<p>7.18 (iii) this is a signposting provision - Standing Order 29 sets out the rules about how to table motions.</p>
<p><u>7.18A Any Member may add his or her name to a motion by notifying the Clerk at any time until the end of the working day before it is due to be considered in the plenary meeting.</u></p>	<p>Insert new Standing Order</p> <p>This is a new provision to enable Members to add their names to tabled motions or amendments if they wish to indicate their support (it follows practice which currently applies only to legislative amendments). If the Business Committee in future wished to pursue the option of introducing backbench time on the basis of motions tabled, this would be one way for them to gauge the level of support from other Members (see also 7.19 below).</p>
<p>7.19 Except where Standing Orders provide otherwise:</p> <p>(i) amendments may be proposed to any motion and must be tabled at least three working days before the motion is to be debated; <u>and</u></p> <p>(ii) <u>any Member may add his or her name to an amendment by notifying the Clerk at any time until the end of the working day before it is due to be considered in the plenary meeting.</u></p>	<p>Amend this Standing Order</p> <p>7.19(i) – this is amended for consistency with 7.18 (see above),</p> <p>7.19 (ii) - Add a new provision - as for legislative amendments- other Members can add their names to indicate their support for amendments (see also 7.18A above).</p> <p>A presentational change has been made to this Standing Order. The provisions on selection of amendments by the Presiding Officer has been separated and now appear in 7.19A.</p>
<p><u>7.19A</u> The Presiding Officer may:</p> <p>(i) group related amendments and require them to be proposed as a group;</p> <p>(ii) determine the order in which amendments which</p>	<p>Move part of Standing Order 7.19 to create new Standing Order 7.19A</p> <p>No material change. SO 7.19 has been divided into two Standing Orders as a consequence of the amendment to 7.19 above.</p>

<p>arise in the same place in the motion are taken; and</p> <p>(iii) decline to select an amendment where he or she considers that the proper conduct of business makes it appropriate to do so.</p>	
<p>7.20 The Presiding Officer may propose that motions be debated together, but if any Member objects to the proposal, the motions must be debated separately.</p>	<p>No amendment necessary</p>
<p>7.21 A motion or amendment which refers to any document may not be tabled unless the document is available to all Members.</p>	<p>No amendment necessary</p>
<p>7.22 If it appears to the Presiding Officer that a motion or amendment has been tabled in breach of the requirements of Standing Order 7.21, the Presiding Officer must not permit it to be debated until the document has been made available to all Members and such further time has elapsed as the Presiding Officer considers appropriate.</p>	<p>No amendment necessary</p>
<p><u>7.22A A motion or amendment which has been moved may be withdrawn only if no Member objects.</u></p>	<p>Insert new Standing Order</p> <p>This is a well-established convention. It is set out in Standing Order 23.77 in relation to legislative amendments, but there is no explicit provision in relation to amendments or motions in general. It is helpful to have it set out in Standing Orders for transparency.</p>
<p><u>7.22B The Presiding Officer, having consulted the Business Committee, may hold a ballot to determine the name of the Member or Members, other than a member of the government,</u></p>	<p>Insert new Standing Order</p> <p>This would provide an additional formal mechanism by which</p>

<p><u>who may be allocated time for a motion tabled in their name to be debated.</u></p>	<p>backbench Members are selected to bring forward a topic for debate. It is proposed that a new Standing Order is inserted allowing the Llywydd to hold a ballot from time to time to select any backbench Member who would be allocated plenary time for a debate on a motion which they would need to table. Details on the frequency of the ballot would be agreed in consultation with the Business Committee.</p> <p>This would be in addition to the existing ability for any Member to table a motion (and any other Member to note their support for that motion) and request that the Business Committee allocate time for it to be debated [SO 7.18(ii) and new SO 7.18A].</p>
<p>Procedural Motions</p>	
<p>7.23 Procedural motions take precedence over other business and the provisions of Standing Order 7.18 relating to the notice period for tabling motions do not apply.</p>	<p>No amendment necessary</p>
<p>7.24 The Presiding Officer may permit a Member to speak briefly in favour of any procedural motion, and another Member to speak briefly against, and must then put the motion to the vote.</p>	<p>No amendment necessary</p>
<p>7.25 The following matters may be proposed in procedural</p>	<p>No amendment necessary</p>

<p>motions:</p> <ul style="list-style-type: none"> (i) the postponement of an item of business in accordance with Standing Order 7.26; (ii) the referral of a matter to a committee; (iii) the closure of debate in accordance with Standing Order 7.27; (iv) the extension of the time allotted to an item of business in accordance with Standing Order 7.28; (v) the adjournment of an item of business in accordance with Standing Order 7.29; and (vi) such other matters as the Presiding Officer considers appropriate. 	
<p>7.26 A motion to postpone an item of business may be proposed by:</p> <ul style="list-style-type: none"> (i) the Member in charge of the item of business; (ii) another Member nominated to the Presiding Officer in advance by the Member in charge of the item of business; or (iii) in the case of government business, a member of the government. <p>If the motion is agreed to, the Presiding Officer must make arrangements for the adjustment of the timetable for business</p>	<p>No amendment necessary</p>

<p>as he or she considers appropriate.</p>	
<p>7.27 At any time after a motion or an amendment has been proposed, a Member may move that the motion or amendment should be voted on immediately; but the Presiding Officer may put that motion to the vote only if at least ten Members express support and if he or she is satisfied that to do so would not be an abuse of the Assembly's procedures or an infringement of the rights of minorities in the Assembly.</p>	<p>No amendment necessary</p>
<p>7.28 A motion to extend the time allotted to an item of business by a specified period may be proposed by:</p> <ul style="list-style-type: none"> (i) the Member in charge of the item of business; (ii) another Member nominated to the Presiding Officer in advance by the Member in charge of the item of business; or (iii) in the case of government business, a member of the government. <p>If the motion is agreed to, the whole of the business day is deemed to have been extended by the specified amount of time.</p>	<p>No amendment necessary</p>
<p>7.29 A motion to adjourn an item of business (either to a specified day or to no named day) may be proposed by:</p> <ul style="list-style-type: none"> (i) the Member in charge of the item of business; 	<p>No amendment necessary</p>

<ul style="list-style-type: none"> (ii) another Member nominated to the Presiding Officer in advance by the Member in charge of the item of business; or (iii) in the case of government business, a member of the government. 	
<p>Decisions on Motions and Amendments</p>	<p>Amend this section</p> <p>This section sets out how voting should be conducted. They have been changed to reflect the established practice of the Business Committee deciding on a “voting time” and decisions either being made “on the nod” or deferred to “voting time”. See also SO 6.8 above which is how the Business Committee determines when voting time should take place.</p>
<p>7.30 At the end of the time allotted to any item of business, the Presiding Officer must interrupt the business and:</p> <ul style="list-style-type: none"> (i) if the business has been designated under Standing Order 6.8, proceed to the next item of business; or (ii) in any other case, invite the Assembly to vote on any questions necessary to dispose of the business. 	<p>Delete this Standing Order</p>
<p><u>7.30A Subject to Standing Order 6.8(ii), at the end of proceedings on an item of business, the Presiding Officer must invite the Assembly to agree any question necessary to dispose of the business. If no Member objects, the motion or amendment is deemed agreed by the Assembly.</u></p>	<p>Insert new Standing Order</p> <p>Revised to reflect current practice of a motion being “agreed on the nod” under the current Standing Order 7.35 (as designated under SO 6.8).</p>

<p><u>7.30B If any Member objects under Standing Order 7.30A, a vote(s) on any questions necessary to dispose of the business must be deferred until a time or point, if any, which has been specified under Standing Order 6.8(i).</u></p>	<p>Insert new Standing Order</p> <p>If there is an objection to a motion or amendment relating to an item of business, then all votes relating to that item of business are deferred to the “voting time” (a time or point on the agenda), in accordance with any decisions taken by Business Committee under Standing Order 6.8.</p>
<p>7.31 If business has been designated at any day’s sitting under Standing Order 6.8, at <u>At the specified time (or times point) specified under Standing Order 6.8, the Presiding Officer must interrupt the business and invite the Assembly to vote on any questions necessary to dispose of the any business which has been deferred under Standing Order 7.30B or any business to which Standing Order 6.8(ii) applies so designated.</u></p>	<p>Amend this Standing Order</p> <p>This Standing Order has been amended as a consequence of amending Standing Order 6.8 and 7.30.</p>
<p>7.32 If the Presiding Officer interrupts the business at a specified time under Standing Order 7.31, the time taken to vote on the questions necessary at that specified time does not count against the time allotted to the business which has been interrupted.</p>	<p>No amendment necessary</p>
<p>7.33 If proceedings on an item of business conclude before the end of the time allotted to it, the next business (if any) must then be taken.</p>	<p>Move this Standing Order</p> <p>This Standing Order has been moved from SO 7.33 to the appropriate section on “Order of Plenary Business” which sets out how the Presiding Officer manages the business on the agenda. SO 7.33 therefore becomes SO 7.14A.</p>
<p><u>7.33A For the purposes of voting, the Presiding Officer may propose that votes on motions or amendments be grouped, and that</u></p>	<p>Insert new Standing Order</p>

<p><u>they be subject to a single vote. If any Member objects, each motion and amendment must be voted on separately.</u></p>	<p>This has been inserted to reflect the established practice of “en bloc” voting – thereby formally enabling it. It is useful for legislative proceedings in particular.</p>
<p>7.34 Members must cast their votes individually and in person (but are not obliged to vote).</p>	<p>No amendment necessary</p>
<p>7.35 Where the Presiding Officer is satisfied that no Member wishes a recorded vote to take place on any motion or amendment, he or she may announce a provisional decision in respect of that motion or amendment. If any Member objects, a recorded vote must be taken in accordance with Standing Order 7.36. If no Member objects, that provisional decision becomes the decision of the Assembly on that motion or amendment is deemed agreed by the Assembly.</p>	<p>Delete this Standing Order Replaced by SO 7.30A</p>
<p>7.35A <u>Where legislation requires a resolution or motion to be passed on a vote in which the number of Members voting in favour of it is not less than two-thirds of the total number of Assembly seats, a recorded vote must be taken.</u></p>	<p>Insert new Standing Order This is to ensure that a recorded vote take place where legislation requires a majority of 40 out of 60 votes.</p>
<p>7.36 Subject to Standing Order 7.35;7.30A, the Presiding Officer must put a motion or an amendment to a vote by electronic means; or failing that, either:</p> <ul style="list-style-type: none"> (i) if the Presiding Officer so decides, by show of hands, provided no more than two Members object to the Presiding Officer's decision; or (ii) by roll call, in alphabetical order, of the Membership. 	<p>Amend this Standing Order Consequential change to cross-referencing</p>

<p>7.37 When at least three Members, bBefore a vote is taken, <u>when at least three Members</u>; so request, the bell must be rung. If votes are to be taken immediately after one another, the bell need not be rung more than once. Five minutes after the bell began ringing, the vote or votes must be taken.</p>	<p>Amend this Standing Order Wording amended for clarity.</p>
<p><u>7.37A If all items of business for the day have been concluded before the time (or times) specified under Standing Order 6.8 and items have been deferred to this time (or these times), the bell must be rung (unless the Presiding Officer is satisfied that all Members are present). Five minutes after the bell began ringing, the vote or votes must be taken.</u></p>	<p>Insert new Standing Order This is a new provision which would force the bell to be rung, if business for the day has been concluded before the agreed voting time. This is to protect all Members from a vote being taken before voting time without having been notified. However, if the Presiding Officer is satisfied that all Members are present, there is no need to ring the bell. This would provide the flexibility to avoid the provision being interpreted literally if it were known that a Member is unable to attend.</p>
<p>7.38 A vote is not valid unless at least ten Members participate. If fewer than ten Members participate, that business must be held over (and the Presiding Officer must make arrangements for the adjustment of the timetable for business as he or she considers appropriate) and the Assembly must proceed to the next item of business.</p>	<p>No amendment necessary</p>
<p>7.39 In determining the number of Members participating in a vote, those recording an abstention are to be regarded as participating.</p>	<p>No amendment necessary</p>
<p>7.40 The names of Members voting, including those recording an</p>	<p>Amend Standing Order</p>

<p>abstention, must be included in the record <u>any report of</u> plenary proceedings.</p>	<p>This has been amended to reflect the provisions of the revised Standing Order 30.</p>
<p>7.41 A report of the vote must be made available as soon as possible after the vote has taken place.</p>	<p>No amendment necessary</p>
<p>Title: Motions of No-Confidence etc.</p>	<p>Delete this section and move Standing Orders to Standing Order 2 and 4</p> <p>These Standing Orders provide for the removal of the Presiding Officers or motions of no-confidence in the Welsh Ministers. It would be more appropriate to place these provisions under Standing Orders relating to these offices, so that the provisions about their appointment, resignation and how they may be removed from office are all found in one place.</p>
<p>7.42—If a motion:</p> <p style="padding-left: 40px;">(iii)—that the Presiding Officer be removed from office; or</p> <p style="padding-left: 40px;">(iv)—that the Deputy be removed from office,</p> <p>is tabled by at least six Members, time must be made available as soon as possible for the motion to be debated; and in any event such a debate must take place within five working days of the motion having been tabled.</p>	<p>Move this Standing Order to the end of Standing Order 2: Presiding Officer and Deputy</p> <p>As above.</p>
<p>7.43—If a motion that the Welsh Ministers no longer enjoy the confidence of the Assembly is tabled by at least six Members, time must be made available as soon as possible for the motion to be debated; and in any event such a debate must</p>	<p>Move this Standing Order to Standing Order 4: Welsh Ministers and Deputy Welsh Ministers</p> <p>As above.</p>

<p>take place within five working days of the motion having been tabled.</p>	
<p><u>Title: Statements</u></p>	<p>Insert new sub-heading</p> <p>New provisions on statements: there are very few provisions in Standing Orders at the moment which relate to statements. Inserting a section on statements would help transparency of procedures.</p>
<p><u>7.41A Statements may be made by:</u></p> <ul style="list-style-type: none"> (i) <u>the Presiding Officer;</u> (ii) <u>a member of the government;</u> (iii) <u>a member of the Commission about any matter coming within the responsibilities of the Commission;</u> (iv) <u>any other Member, where the subject matter of the statement relates to a function of the Assembly for which they are responsible, with the agreement of the Presiding Officer.</u> 	<p>Insert new Standing Order</p> <p>The list captures all those who may make statements under the current Standing Orders (7.41A (i), (ii) and (iii)).</p> <p>7.41A(iv) – this enables for example, a request by a backbench Member to make a statements on the introduction of their legislation.</p>
<p><u>7.41B The Presiding Officer may permit questions to be asked of a Member making a statement.</u></p>	<p>Insert new Standing Order</p> <p>This is to accompany the new provision above.</p>
<p>Personal Statements</p>	
<p>7.44 The Presiding Officer may allow a Member to make a personal statement, following notice in writing to him or her.</p>	<p>No amendment necessary</p>

7.45 A personal statement must be brief, factual and must not be subject to debate.	No amendment necessary
Oral Questions	
7.46 Members may table oral questions to the First Minister, to each Welsh Minister or to the Counsel General, about any matters relating to his or her responsibilities (except that oral questions may be tabled to the Minister with responsibility for government business only about matters relating to his or her responsibilities other than for government business (if any)).	No amendment necessary
7.47 Members may table oral questions to the Commission about any matter relating to the Commission's responsibilities.	No amendment necessary
7.48 Time must be made available in plenary meetings for: <ul style="list-style-type: none"> (i) the First Minister to answer oral questions once, and for a maximum of 45 <u>60</u> minutes, in each week that the Assembly meets in plenary; (ii) each Welsh Minister and the Counsel General to answer oral questions in relation to his or her responsibilities, at least once, and for a maximum of 30 45 minutes, in every four weeks that the Assembly meets in plenary (except that the Minister with responsibility for government business is only to answer questions under Standing Order 7.48(ii) if he or she has responsibilities for matters other than government business); and 	Agreed to amend this Standing Order It is proposed that the maximum timings for questions should be increased to reflect current practice, as follows: <ul style="list-style-type: none"> (i) a maximum of 60 minutes for First Minister's Questions; and (ii) a maximum of 45 minutes for Ministers.

<p>(iii) the Commission to answer oral questions at least once, and for a maximum of 30 minutes, in every four weeks that the Assembly meets in plenary.</p>	
<p>7.49 A Deputy Welsh Minister may at the request of the First Minister, a Welsh Minister or the Counsel General, answer any oral question on any matter on which he or she assists the First Minister, a Welsh Minister or the Counsel General (as the case may be).</p>	<p>No amendment necessary</p>
<p>7.50 Where it is not reasonably practicable for the First Minister, a Welsh Minister or the Counsel General to answer oral questions on a day when he or she would normally do so, another Welsh Minister may, after prior notification to the Presiding Officer, answer those questions.</p>	<p>No amendment necessary</p>
<p>7.51 Questions must be tabled at least five, but not more than ten, working days before they are to be answered.</p>	<p>No amendment necessary</p>
<p>7.52 Questions are accepted at the discretion of the Presiding Officer, who must have regard to any written guidance which the Assembly may adopt <u>issued in accordance with Standing Order 2.17.</u></p>	<p>Amend this Standing Order</p> <p>It is proposed that there should be a simplified mechanism for the Presiding Officer to issue guidance to Members on the conduct of Assembly business, which would require that the Presiding Officer must consult the Business Committee before issuing the guidance rather than the current mixed system where some guidance requires the endorsement of the Assembly and some not.</p>
<p><u>7.52A The Presiding Officer must undertake a ballot to select the names of those Members who may table questions in</u></p>	<p>Insert new Standing Order</p>

<p><u>accordance with Standing Order 7.54.</u></p>	<p>7.52A – The purpose of the new SOs is to require the Presiding Officer to first determine the names of those Members who may table oral questions. Once the names of the Members have been selected, those Members may then table their questions in accordance with SO 7.54.</p> <p>The detailed procedures that underpin this process will be included in guidance available to Members - the Presiding Officer’s Principles and Practice.</p>
<p><u>7.52B A ballot under Standing Order 7.52A must be conducted at least one working day before the first day on which questions may be tabled.</u></p>	<p>Insert new Standing Order</p> <p>This new Standing Order will require the Presiding Officer to undertake the initial ballot at least one working day before the first day on which questions may be tabled. In practice this will provide Members at least one full working day’s notice that they have been successful in the ballot and that they need to table their question.</p>
<p>7.53 Each Member may <u>enter their names into the ballot under Standing Order 7.52A</u> table no more than <u>twice for oral questions</u> two oral questions to a particular Welsh Minister or the Counsel General (or, in the case of questions to the First Minister or the Commission, no more than <u>once</u>). one question) for answer at any plenary meeting.</p>	<p>Amend Standing Order</p> <p>Current SO provisions enable Members to table two oral questions to Welsh Ministers and the Counsel General, and one question to the First Minister and Assembly Commission. The change in procedure will mean that the Members’ names are initially selected. However, any proposed change must ensure that Members do not lose the opportunity of tabling two questions.</p> <p>The revised Standing Order would allow Members to enter their names into a relevant ballot twice (where appropriate) ensuring Members still have the opportunity to table two questions.</p>

	The detailed procedures that underpin this process will be included in the Presiding Officer's Principles and Practice.
<p>7.54 The order of oral questions must be determined as follows:</p> <ul style="list-style-type: none"> (i) for questions accepted before a deadline agreed by the Business Committee on the first day on which they may be tabled, by random means; (ii) for questions accepted after the deadline agreed by the Business Committee on the first day on which they may be tabled, by the order in which they are received. 	<p>No amendment necessary</p> <p>NB - Although the Members' names will be initially selected in a ballot, we do not envisage this providing the order of the questions. In practice Members will be informed that they have been selected to table (one or two) questions. Once all the questions for the day have been tabled, the order of the questions will be determined by random means (i.e. the shuffle process currently used).</p>
<p>7.55 The Presiding Officer must call the Member asking the question to ask a supplementary oral question and may then call other Members to ask related supplementary oral questions.</p>	No amendment necessary
<p>7.56 At the end of the period allocated to oral questions or at such other time as the Presiding Officer may determine, the Presiding Officer may call a Member to ask a question for which notice under Standing Order 7.51 has not been given if:</p> <ul style="list-style-type: none"> (i) the Presiding Officer and the member of the government concerned, or the Commission, as the case may be, have been given prior notice of at least two hours before the question is to be asked; and (ii) the Presiding Officer is satisfied that the question is of urgent public importance. 	No amendment necessary

<p>7.56A <u>Where the Presiding Officer has been given prior notice that a request for an urgent question under Standing Order 7.56 relates to the functions of the Commission, the function assigned to the Presiding Officer in Standing Order 7.56(ii) shall be assigned to the Deputy Presiding Officer.</u></p>	<p>Insert new Standing Order</p> <p>To avoid any conflict of interest, the DPO will rule on any urgent questions regarding Commission business.</p>
<p>7.57 Where any oral question is not reached, the Member must receive a written answer on the same day. The written answer must be published in the <u>report record</u> of plenary proceedings.</p>	<p>Amend this Standing Order</p> <p>This has been amended to reflect the provisions of the revised Standing Order 30.</p>
<p>Urgent Debates</p>	
<p>7.58 At any plenary meeting, a Member may move in a speech lasting no longer than three minutes that the Assembly should consider a particular matter, provided that:</p> <ul style="list-style-type: none"> (i) the Member has notified the Presiding Officer of his or her wish to do so, and of the matter, at least one hour before the beginning of the meeting; (ii) where the matter does not relate to the functions of the Commission, if a Member other than a member of the government has given the notification, the Presiding Officer has given a member of the government an opportunity to comment in private to him or her on the matter; (iii) where the matter relates to the functions of the Commission, if a Member other than a member 	<p>Amend this Standing Order</p> <p>7.58 (iv) - To avoid any conflict of interest, the DPO will rule on any urgent debates regarding Commission business.</p>

<p>of the Commission has given the notification, the <u>Deputy</u> Presiding Officer has given the Commission an opportunity to comment in private to him or her on the matter; and</p> <p>(iv) the Presiding Officer (<u>or Deputy Presiding Officer if the debate falls under Standing Order 7.58(iii)</u>) is satisfied that the matter is of urgent public importance and has informed the Member (and, if necessary, the member of the government or the Commission, as appropriate) accordingly.</p>	
<p>7.59 Where the matter does not relate to the functions of the Commission, if a Member other than a member of the government moves the motion, the Presiding Officer must allow a member of the government to reply in a speech lasting no longer than three minutes. The Presiding Officer must put the motion to the vote immediately after it has been moved or, if a member of the government replies, after that reply. If the Assembly resolves to consider the matter, it must do so at that meeting or (if the Presiding Officer so decides) at the one immediately following and the Presiding Officer must make arrangements for the adjustment of the timetable for business as he or she considers appropriate.</p>	<p>No amendment necessary</p>
<p>7.60 Where the matter relates to the functions of the Commission, if a Member other than a member of the Commission moves the motion, the Presiding Officer must allow a member of the Commission to reply in a speech lasting no longer than three minutes. The Presiding Officer must put the motion to the vote immediately after it has been moved or, if a member of the Commission replies, after that reply. If the Assembly</p>	<p>No amendment necessary</p>

<p>resolves to consider the matter, it must do so at that meeting or (if the Presiding Officer so decides) at the one immediately following and the Presiding Officer must make arrangements for the adjustment of the timetable for business as he or she considers appropriate.</p>	
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<p>Provisions Relating to Plenary Business</p>	<p>Move the section to revised Standing Order 6: Organisation of Business and amend the Standing Orders</p> <p>All Standing Order provisions in this section would be moved to the revised Standing Order 6: Organisation of Business.</p> <p>The list of required annual debates has been reduced to make it less prescriptive. This would not restrict the Assembly’s ability to debate any of the annual reports listed if the Government so proposes or the Business Committee agrees to allocate time to these items.</p> <p>This section has also been amended to remove references to the categories of business (“Assembly”, “non-government” or “government”).</p>
<p>7.61 Time must be made available in each Assembly year for debates on the following items of Assembly business:</p> <ul style="list-style-type: none"> (i) the UK Government’s legislative programme (in accordance with section 33 of the Act); (ii) the annual report of the Commission; 	<p>Move to revised Standing Order 6: Organisation of Business and amend this Standing Order</p> <p>See above.</p> <p>The only debate which would be required now would be the debate on the UK government’s annual legislative programme as required by the Government of Wales Act.</p>

<p>(iii) the annual report of the Committee on Standards of Conduct;</p> <p>(iv) the annual report of the Equal Opportunities Commission;</p> <p>(v) the annual report of the Commission for Racial Equality;</p> <p>(vi) the annual report of the Disability Rights Commission; and</p> <p>(vii) the annual report of the Ombudsman.</p>	
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<p>7.62 — Time must be made available in each Assembly year for debates on the following items of government business:</p> <p>(i) the policy objectives and legislative programme of the government; and</p> <p>(ii) the annual report of the Children’s Commissioner for Wales.</p>	<p>Move to revised Standing Order 6: Organisation of Business and amend this Standing Order</p> <p>See above. The only required debate would be a debate on the government’s legislative programme.</p> <p>There would be nothing to prevent the Government (or any other Member) tabling a motion to debate the annual report of the Children’s Commissioner, or the reports published by any other of the Commissioners for Wales.</p>
<p>7.63 — Time must be made available in each Assembly year for the following items of non-government business:</p> <p>(i) motions proposed on behalf of political groups who are not political groups with an executive role (and the time allocated to each political group for motions proposed by it must so far as possible be in proportion to the group’s representation in the Assembly);</p>	<p>Move to revised Standing Order 6: Organisation of Business and amend this Standing Order</p> <p>See above. Two other types of Assembly business have been added to the list:</p> <p>(i)A- this is to ensure that time is protected for debates on motions</p>

<p>(i)A <u>motions proposed by any Member who is not a member of the government;</u></p> <p>(ii) debates on reports <u>laid submitted by any committees, other than a committee established as a consequence of Standing Orders 22.16(i), 22.18, 23.22 or 23.31(ii), or the Committee on Standards of Conduct;</u></p> <p><u>(ii)A Short Debates; and</u></p> <p>(iii) legislation where the Member in charge of the legislation is not a member of the government.</p>	<p>proposed by any Member who is not a Welsh Minister or Deputy Welsh Minister (this could be specifically be for motions selected in the ballot as proposed under Standing Order 7.22B or for any other motions tabled by individual Members, who are not members of the government).</p> <p>(ii)A - in view of the change proposed to Standing Order 7.64 on the Short Debate, by removing the requirement for it to be held on a weekly basis, this ensures that time is nonetheless protected for Short Debates to take place during an Assembly year.</p> <p>Including these new provisions ensures that some time must be made available for backbench and short debates but allows the Business Committee the discretion to decide the detail of when they will occur.</p> <p>This revised Standing Order has also been amended to remove references to the categories of business (“Assembly”, “non-government” or “government”).</p>
<p>Short Debates</p>	
<p>7.64 The Presiding Officer must hold a ballot to determine the name of the Member <u>or Members</u>, other than a member of the government, who may propose a topic for a Short Debate. lasting no more than 30 minutes in each week that the</p>	<p>Amend Standing Order</p> <p>The existing Standing Order requires there to be a short debate in each week that the Assembly meets in Plenary.</p>

Assembly meets in plenary.	The proposed change removes this requirement to allow an element of flexibility. It would also allow the Presiding Officer to select the name of more than one Member at a time, if appropriate.
7.65 The Member who has succeeded in the ballot must notify the Presiding Officer of the topic not later than five working days before it is to be debated.	No amendment necessary
<p>7.66 In the debate:</p> <ul style="list-style-type: none"> (i) the Member who succeeded in the ballot may speak; (ii) a member of the government (or, if the matter is within the responsibilities of the Commission, a member of the Commission) may respond; and (iii) no other Member may speak unless he or she has the permission of the Member who succeeded in the ballot or is permitted to intervene by the Member responding. 	No amendment necessary

STANDING ORDER 8 – Order in Plenary Meetings	
Rules of Debate	
8.1 Members called by the Presiding Officer to speak must address the chair.	No amendment necessary

8.2	Members may speak in English or Welsh, and simultaneous interpretation facilities must be provided for speeches made in Welsh.	No amendment necessary
8.3	The Secretary of State for Wales is entitled to participate in plenary meetings but not to vote. The Presiding Officer may call the Secretary of State to speak in any debate in which the Secretary of State is participating.	No amendment necessary
8.4	Speeches must be relevant to the business before the Assembly, and avoid tedious repetition.	No amendment necessary
8.5	The Presiding Officer may announce a time limit on Members' speeches and may direct a Member who has spoken for too long to stop speaking.	No amendment necessary
8.6	A Member, other than the proposer of a motion or an amendment who is exercising a right of reply, may not speak more than once on any matter except, with leave of the Presiding Officer, for the purpose of briefly explaining some material point of his or her original speech.	No amendment necessary
8.7	A Member who is speaking may allow other Members to intervene for the purposes of clarification before resuming a speech.	No amendment necessary
8.8	A Member may not speak after the proposer of a motion has	No amendment necessary

exercised a right of reply.	
Maintenance of Order	
<p>8.9 The Presiding Officer is to maintain order in plenary meetings and must call to order any Member who:</p> <ul style="list-style-type: none"> (i) is engaging in conduct which would, in the opinion of the Presiding Officer, constitute a criminal offence or contempt of court; (ii) is obstructing the business of the Assembly; (iii) seeks to raise a matter outside the scope of the debate or motion; (iv) is guilty of discourteous or unbecoming conduct; (v) is using disorderly, discriminatory or offensive language or language which detracts from the dignity of the Assembly; (vi) refuses to conform to any Standing Order or other requirement for the conduct of Members; or (vii) disregards the authority of the chair. 	No amendment necessary
<p>8.10 A Member must comply with any directions given by the Presiding Officer about any conduct for which he or she has been called to order.</p>	No amendment necessary

8.11 A Member may be required by the Presiding Officer to withdraw from Assembly proceedings for the remainder of the day if the Presiding Officer considers the conduct such as to warrant withdrawal.	No amendment necessary
8.12 When the Presiding Officer has required a Member to withdraw from Assembly proceedings and the Member has not done so, a motion to exclude the Member from Assembly proceedings must be proposed by the Presiding Officer and must be voted on immediately.	No amendment necessary
8.13 The exclusion of a Member under Standing Order 8.12 has immediate effect and must be: <ul style="list-style-type: none"> (i) on the first occasion during any 12 month period, until the end of the working day immediately following the day of exclusion; (ii) on a second occasion during the same 12 month period, for five working days immediately following the day of exclusion; and (iii) on a third or any subsequent occasion during the same 12 month period, for 20 working days immediately following the day of exclusion. 	No amendment necessary
8.14 During the period of a Member's exclusion under Standing Orders 8.12 and 8.13, he or she is not entitled to receive any salary from the Assembly and is not permitted to attend any Assembly proceedings.	No amendment necessary

<p>8.15 In case of grave disorder arising in plenary meetings or in any other circumstance where he or she thinks it appropriate to do so, the Presiding Officer may adjourn proceedings without putting any proposition to the vote, or may suspend proceedings for a specified time.</p>	<p>Move this amended Standing Order to 7.16A</p> <p>The general provision has been moved to Standing Order 7.16A under the appropriate section - “Order of Plenary Business” which sets out how the Presiding Officer manages the business on the agenda.</p>
<p>Sub Justice</p>	
<p>8.16 Subject to the right of the Assembly to legislate on any matter or to discuss subordinate legislation, a Member must not raise or pursue in plenary meetings any matter <u>which relates to active where court proceedings have been initiated (as defined by Schedule 1 to the Contempt of Court Act 1981) or where notice of appeal has been given in the United Kingdom, or where the Children’s Commissioner for Wales, or the Commissioner for Older People in Wales, or the Public Service Ombudsman for Wales</u> has decided to conduct an examination of a case, until the time when judgement has been given or a report has been made by either Commissioner or Ombudsman, unless the Presiding Officer is satisfied that:</p> <ul style="list-style-type: none"> (i) the matter is clearly related to a matter of general public importance or a ministerial decision is in question; (ii) the matter does not relate to a case which is to be heard, or is being heard, before a criminal court or before a jury or to a case which is to be heard, or is being heard, in family proceedings; and 	<p>Amend this Standing Order</p> <p>The SO does not define when proceedings are “initiated”. The Assembly’s Chief Legal Adviser has advised that the same approach should be taken as that in the Contempt of Court Act 1981 (CCA).</p> <p>CCA does not refer to proceedings being “initiated” but to “active proceedings” (and when defining what this means makes it clear that proceedings that have been initiated can cease to be active if for example they are discontinued).</p> <p>This should also refer to the Public Service Ombudsman for Wales.</p> <p>“Active proceedings” can include active appellate proceedings so a separate reference to appeals is redundant.</p>

<p>(iii) the Member does not, in his or her comments, create a real and substantial risk of prejudice to the proceedings of a court either generally or in respect of a particular case.</p>	
<p>Relations with the Judiciary</p>	
<p>8.17 Unless the matter is the subject of a substantive motion, Members must not in plenary meetings make criticisms of the conduct of judges of the courts of the United Kingdom in the discharge of their judicial office; and (in Standing Order 8.17 “judge” includes persons holding the position of judge, whether full-time or part-time).</p>	<p>Amend this Standing Order</p> <p>Presentational change for clarity.</p>
<p>8.18 The Assembly must not discuss individual judicial appointments.</p>	<p>No amendment necessary</p>

<p>STANDING ORDER 9 - Written Questions, Written Statements and Statements of Opinion</p>	
<p>Written Questions</p>	
<p>9.1 Members may table questions for written answer by:</p> <p>(i) the First Minister, a Welsh Minister or the Counsel General, on any matter relating to his or her responsibilities; or</p>	<p>No amendment necessary</p>

<p>(ii) the Commission on any matter relating to the Commission's responsibilities.</p>	
<p>9.2 A Deputy Welsh Minister may, at the request of the First Minister, a Welsh Minister or the Counsel General, answer any written question on any matter on which he or she assists the First Minister, a Welsh Minister or the Counsel General (as the case may be).</p>	<p>No amendment necessary</p>
<p>9.3 A question must be tabled at least five working days before it is to be answered.</p>	<p>No amendment necessary</p>
<p>9.4 Questions are accepted at the discretion of the Presiding Officer, who must have regard to any written guidance <u>issued in accordance with Standing Order 2.17</u> which the Assembly may adopt.</p>	<p>Amend this Standing Order</p> <p>It is proposed that there should be a simplified mechanism for the Presiding Officer to issue guidance to Members on the conduct of Assembly business, which would require that the Presiding Officer must consult the Business Committee before issuing the guidance rather than the current mixed system where some guidance requires the endorsement of the Assembly and some not.</p>
<p>9.5 The answers to accepted questions must be published in the <u>report record</u> of plenary proceedings.</p>	<p>Amend this Standing Order</p> <p>This has been amended to reflect the provisions of the revised Standing Order 30.</p>
<p>Written Statements</p>	

9.6	The First Minister, a Welsh Minister or the Counsel General may make a written statement on any matter relating to his or her responsibilities.	No amendment necessary
9.7	The Commission may make a written statement on any matter relating to the Commission's responsibilities.	No amendment necessary
9.8	Any written statement must be published in the <u>report record</u> of plenary proceedings.	Amend this Standing Order This has been amended to reflect the provisions of the revised Standing Order 30.
Statements of Opinion		
9.9	A Statement of Opinion not exceeding 100 words on a matter affecting Wales may be tabled by any Member other than a member of the government; and any such Statement may be supported, opposed or otherwise subject to comment in writing by any other Member.	No amendment necessary
9.10	If a Statement of Opinion is deemed by the Presiding Officer to be in order it must be published, together with any expression of support or opposition tabled by any other Member.	No amendment necessary

STANDING ORDER 10 - Committees <u>Operation of committees</u>	<p>Amend this title</p> <p>Delete 'Committees' and replace with 'Operation of committees' for clarity.</p>
General	
10.1 Standing Order 10 applies to every committee of the Assembly other than where disapplied by another Standing Order.	No amendment necessary
10.2 Any Member may table a motion to give specific or general instructions to any committee.	No amendment necessary
Membership of Committees	
10.3 The Assembly must consider a motion tabled by the Business Committee to determine <u>agree</u> the membership <u>and chair</u> of each committee established by any Standing Order or by a resolution of the Assembly <u>on a motion (or motions) tabled by the Business Committee in accordance with Standing Order 12.</u>	<p>Amend this Standing Order</p> <ul style="list-style-type: none"> • Replace “determine” with “agree” – this is amended to reflect the different roles of the Business Committee and political groups in relation to committee memberships and chairs. Political groups <i>determine</i> the names they wish to put forward as members of committees or chairs (where they hold the chair) in accordance with SO 10.8. The Business Committee must then put these names forward in the motion tabled in accordance with SO 12 for plenary to <i>agree</i>. • Remove “any Standing Order” - this change reflects the fact that no committees would be named by Standing Orders, in

	<p>line with the proposed approach.</p> <ul style="list-style-type: none"> • Insert “and chair” - practice in the Third Assembly has been for the political groups to reach agreements on the allocation of chairs in accordance with party balance and allocate them accordingly. Although the committees themselves have always formally elected a chair, in practice, this mechanism has acted as a means by which committees endorse the Member put forward by the relevant political group for the role of chair. To reflect current practice, it is proposed that the mechanism which permits committees to elect a chair is replaced with a mechanism by which a political group provides the name of the member they wish to appoint as the chair of any committee upon which they hold the chair. This would require an amendment to SO 10.3 to provide that the Business Committee, in tabling a motion to determine the membership of each committee, would also have to include the name of the chair (as put forward by the party group in accordance with SO 10.8) in that motion for approval by the Assembly.
<p><u>10.3A In tabling a motion under Standing Order 10.3, the Business Committee must have regard to the need to ensure that the balance of chairs across committees reflects the political groups to which Members belong.</u></p>	<p>Insert new Standing Order</p> <p>Replaces the previous requirement in SO 10.18 for individual committees to have regard to political balance when electing their chair.</p>
<p>10.4 No amendments may be tabled to a motion under Standing Order 10.3.</p>	<p>Amend this Standing Order</p> <p>Grammatical correction – replace ‘amendments’ with ‘amendment’.</p>
<p>10.5 <u>No A motion to determine agree the membership of a committee under Standing Order 10.3 can cannot be passed</u></p>	<p>Amend this Standing Order</p>

<p>unless:</p> <p>(i) the membership reflects (so far as is reasonably practicable) the balance of the political groups to which Members belong; and</p> <p>(ii) (if the motion for it is passed on a vote), at least two-thirds of the Members voting support it.</p>	<ul style="list-style-type: none"> • Replace “A” with “No” and “cannot” with “can” - grammatical correction for consistency of drafting. • Replace “determine” with “agree” - explanation as outlined for SO 10.3.
<p>10.6 If a motion to determine <u>agree</u> the membership of a committee under Standing Order 10.3 is not passed:</p> <p>(i) the Assembly must consider a motion tabled by the Business Committee to determine:</p> <p style="padding-left: 40px;"><u>(a)</u> the size of the committee; <u>and</u></p> <p style="padding-left: 40px;"><u>(b)</u> <u>the political group from which the chair of the committee will be appointed; and</u></p> <p>(ii) places on that committee must be allocated in accordance with the operation of sections 29(3) to (7) of the Act as modified in accordance with Standing Order 10.7.</p>	<p>Amend this Standing Order</p> <ul style="list-style-type: none"> • Replace “determine” with “agree” - explanation as outlined for SO 10.3 and 10.5. • If the mechanism that permits committees to elect a chair is removed, the insertion of new Standing Order 10.6(i)(b) will be necessary. This would provide the mechanism by which committee chairs are appointed in accordance with the balance of political groups in any situation where the D’Hondt formula has to be used to determine the membership of committees.
<p>10.7 If in respect of any place to be allocated on a committee in accordance with section 29(3) to (7) of the Act:</p> <p>(i) the number of Members belonging to two or more political groups is the same and exceeds the number belonging to any other political group; or</p>	<p>No amendment necessary</p>

<p>(ii) the number produced by the operation of section 29(6) of the Act is the same for two or more political groups and is greater than that so produced for any other political group,</p> <p>the Presiding Officer must determine to which political group that place is to be allocated.</p>	
<p>10.8 If places on any committee are to be allocated to a political group in accordance with Standing Order 10.3 or 10.6, it is for the leader of that political group to determine the names of:</p> <p>(i) the Members allocated from his or her <u>the</u> group; and</p> <p>(ii) <u>the chair, where that political group holds the chair.</u></p>	<p>Amend this Standing Order</p> <ul style="list-style-type: none"> • Insert 10.8(ii): if the mechanism that permits committees to elect a chair is removed, provision is required to outline who decides the chair of the committee in the motion tabled by the Business Committee in accordance with either SO 10.3 or 10.6. To reflect current practice, this decision would be taken by the political groups. • Remove “the leader of”: it is proposed that the reference to a group leader is removed to allow political groups the freedom to determine their own internal organisation. This Standing Order, as currently drafted, assumes that all political groups will choose to have a leader, which may not always be the case. The same change is proposed throughout Standing Orders to all references to leaders of political groups.
<p>10.9 Any motion under Standing Order 10.3 or 10.6 must (so far as is reasonably practicable, having regard to the total number of places on committees) ensure that:</p> <p>(i) every Member who does not belong to a political</p>	<p>No amendment necessary</p>

<p>group is offered a place on at least one committee; and</p> <p>(ii) the total number of places on committees allocated to Members belonging to each political group is at least as great as the number of Members belonging to the political group.</p>	
<p>10.10 A vacancy occurs on a committee when a Member:</p> <p>(i) resigns from the committee by notifying the Business Committee;</p> <p>(ii) is removed from the committee by a resolution of the Assembly;</p> <p>(ii) ceases to be a Member; or</p> <p>(iv) ceases to be a member of the committee in accordance with Standing Order 10.11.</p>	<p>No amendment necessary</p>
<p>10.11 A Member ceases to be a member of a committee if he or she joins or leaves a political group.</p>	<p>No amendment necessary</p>
<p>10.12 When a vacancy occurs on a committee, the Business Committee:</p> <p>(i) must consider the effect of that vacancy on the membership of that committee and of any other committee;</p>	<p>Amend this Standing Order</p> <p>10.12(ii) and (iii) – when a vacancy occurs on a committee, there is no need to put the whole membership before the Assembly for its agreement again, only the changes to the membership.</p>

<p>(ii) must, having regard to that consideration, table a motion under Standing Order 10.3 proposing <u>changes to</u> the membership of the committee on which the vacancy occurred; and</p> <p>(iii) may, having regard to that consideration, also table one or more motions under Standing Order 10.3 proposing <u>changes to</u> the membership of any other committee.</p>	
<p><u>10.12A If a political group informs the Business Committee that it wishes to change its representation on a committee, the Business Committee must table a motion to give effect to that proposal.</u></p>	<p>Insert new Standing Order</p> <p>Standing Order 10 does not currently provide clarity on how alterations to a committee’s membership or chair can be made when a group’s representative is being changed, a common occurrence during the course of an Assembly. It is proposed that Standing Orders are amended to reflect the accepted practice by which the Business Committee tables a motion to give effect to a proposal put forward a political group (usually via the group’s Business Manager) to change the group’s representation on a committee.</p>
<p>10.13 If the effect of a motion referred to in Standing Order 10.12(ii) or 10.12A is only to fill the vacancy with a Member from the same political group, then Standing Order 10.5(ii) does not apply.</p>	<p>Amend this Standing Order</p> <p>Consequential amendment – if 10.12A is agreed, this amendment provides that the requirement that 2/3rds of those voting must support the motion is disappplied, reflecting established practice.</p>
<p>10.14 Any question arising under Standing Orders 10.5 and 10.9 must be determined by the Presiding Officer.</p>	<p>No amendment necessary</p>

Sub-committees	
10.15 Any committee may resolve to establish one or more sub-committees. A resolution to establish a sub-committee must set out its membership, <u>chair</u> , remit and duration.	<p>Amend this Standing Order</p> <p>Insert “chair” - if the mechanism that permits committees to elect a chair is replaced by political groups naming the chair in accordance with SO 10.3 or 10.6, the insertion of “chair” here would ensure that the chairing of the sub-committee is a matter for the parent committee, not plenary. This would be consistent with arrangements for the parent committee to be responsible for deciding the membership, remit and duration of a sub-committee.</p>
10.16 No sub-committee may consist only of Members from the political group or groups with an executive role and every sub-committee must contain at least one Member from a political group with an executive role.	No amendment necessary
10.16A <u>A sub-committee must report to the committee which established it.</u>	<p>Insert new Standing Order</p> <p>Standing Order 10 does not currently provide clarity on the procedures for sub-committees to report. Accepted practice in most western legislatures is for a sub-committee to report to the committee which established it. It is proposed that Standing Orders are amended to reflect this.</p>
10.17 A sub-committee is regulated, as appropriate, by the Standing Orders relating to the committee of which it is a sub-committee.	No amendment necessary
Chairs	

<p>10.18 Each committee must, <u>subject to Standing Order 10.19, elect a chair be chaired by the Member appointed to that role in accordance with Standing Orders 10.3, 10.6, 10.8 and 10.12A. In doing so the committee must have regard to the need to ensure that the balance of chairs across committees reflects the political groups to which Members belong.</u></p>	<p>Amend this Standing Order</p> <p>Practice in the Third Assembly has been for the political groups to reach agreements on the allocation of chairs in accordance with party balance and allocate them accordingly. Although the committees themselves have always formally elected a chair, in practice, this mechanism has acted as a means by which committees endorse the Member put forward by the relevant political groups for the role of chair. To reflect current practice, it is proposed that the mechanism which permits committees to elect a chair is replaced with a mechanism by which a political group provides the name of the member they wish to appoint as the chair of any committee upon which they hold the chair.</p> <ul style="list-style-type: none"> • It would then be for the Business Committee to name the chair when tabling the motion under new SO 10.3 that proposes the committee’s membership; • The obligation included in current SO 10.18 to have regard to the need to ensure that the balance of chairs across committees reflects the political groups to which Members belong is contained in SO 10.3A • Any change of chair (a fairly regular occurrence during the Third Assembly) would have to go before plenary for the Assembly’s approval on a motion tabled by the Business Committee on each occasion. <p>References to SO 10.3, 10.6, 10.8 and 10.12A are included here for clarity. They ensure that SO 10.18 covers situations in which:</p> <ul style="list-style-type: none"> • political groups agree on the allocation of chairs and membership and the size of committees without use of D’Hondt (covered by the reference to SO 10.3 and 10.8);
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	<ul style="list-style-type: none"> political groups cannot agree and D'Hondt is invoked (covered by reference to SO 10.6 and 10.8) a political group wishes to swap its chair on a committee upon which it holds the chair (covered by the reference to SO 10.12A) 	
10.19	Each committee has the power to appoint a temporary chair in the absence of its chair.	No amendment necessary
10.20	Except where Standing Orders provide otherwise, the chair of a committee must determine its procedures, having regard to any written guidance which may be issued by the Presiding Officer: <u>in accordance with Standing Order 2.17.</u> after consulting with the Business Committee and the chairs of committees.	<p>Amend this Standing Order</p> <p>It is proposed that there should be a simplified mechanism for the Presiding Officer to issue guidance to Members on the conduct of Assembly business under SO 2.17.</p> <p>To ensure consistency across SOs, this amendment would ensure that mechanisms for issuing guidance detailed under SO 2.17 are applicable to committees.</p>
10.21	In relation to the business of a sub-committee, the chair of the sub-committee has the powers of the chair of the committee of which it is a sub-committee.	No amendment necessary
Behaviour in Committees		
10.22	<p>The chair is to maintain order in committee meetings and must call to order any Member who:</p> <p>(i) is engaging in conduct which would, in the</p>	No amendment necessary

<p>opinion of the chair, constitute a criminal offence or contempt of court;</p> <p>(ii) is obstructing the business of the Assembly;</p> <p>(iii) seeks to raise a matter outside the scope of the issue before the committee;</p> <p>(iv) is guilty of discourteous or unbecoming conduct;</p> <p>(v) is using disorderly, discriminatory or offensive language or language which detracts from the dignity of the Assembly;</p> <p>(vi) refuses to conform to any Standing Order or any other requirement for the conduct of Members; or</p> <p>(vii) disregards the authority of the chair.</p>	
<p>10.23 A Member must comply with any directions given by the chair about any conduct for which he or she has been called to order.</p>	<p>No amendment necessary</p>
<p>10.24 A Member may be required by the chair to withdraw from the remainder of the meeting if the chair considers their conduct such as to warrant withdrawal. If a Member refuses to withdraw when required to do so, the chair may adjourn the meeting <u>or may suspend the meeting for a specified time</u> and report the matter to the Presiding Officer, and <u>with</u> the</p>	<p>Amend this Standing Order</p> <ul style="list-style-type: none"> • Insert “or may suspend the meeting for a specified time” – this addition has been made to ensure that the chair’s power to deal with matters relating to conduct are consistent with Standing Order 10.41A. As the chair is able to suspend the

<p>permission of the Presiding Officer obtained in advance, <u>any</u> Member may <u>move a motion without notice in plenary to</u> propose that the Member be excluded from Assembly proceedings for a period in accordance with Standing Order 8.13.</p>	<p>meeting for a specified time if deemed appropriate to do so under SO 10.41A, the same power should be available to him or her under SO 10.24.</p> <ul style="list-style-type: none"> • Insert “move a motion without notice in plenary” – amended to clarify the mechanism by which a Member would propose that another Member be excluded from Assembly proceedings. This reflects the same mechanism provided in Standing Order 8 for a Member to be excluded if a similar situation occurs in plenary.
<p>10.25 In case of grave disorder arising in a committee meeting or in any other circumstance where he or she thinks it appropriate to do so, the chair may adjourn a meeting or may suspend the meeting for a specified time.</p>	<p>Move this Standing Order to “meetings” sub-heading</p> <p>As currently drafted, Standing Orders provide a committee chair with the power to suspend or adjourn a meeting in the case of grave disorder. To provide the necessary flexibility for a chair to organise the flow of business as effectively as possible (and in line with proposed changes to plenary procedures), it is proposed that the Standing Orders are amended to provide a committee chair with the ability to adjourn or suspend a meeting in any circumstance where he or she thinks it appropriate to do so. The amended standing order would be 10.41A.</p>
<p>Sub judice</p>	
<p>10.26 Subject to the right of the Assembly to legislate on any matter or to discuss subordinate legislation, a Member must not raise or pursue in committee meetings any matter <u>which relates to active where court proceedings (as defined by Schedule 1 to the Contempt of Court Act 1981) have been initiated or where notice of appeal has been given in the United Kingdom, or where the Children’s Commissioner</u></p>	<p>Amend this Standing Order</p> <p>As proposed for plenary SOs, this SO does not define when proceedings are “initiated”. The Assembly’s Chief Legal Adviser, Keith Bush, has advised that the same approach should be taken as that in the Contempt of Court Act 1981 (CCA).</p>

<p>for Wales, or the Commissioner for Older People in Wales <u>or the Public Services Ombudsman for Wales</u> has decided to conduct an examination of a case, until the time when judgement has been given or a report has been made by either Commissioner <u>or the Ombudsman</u>, unless the chair is satisfied that:</p> <ul style="list-style-type: none"> (i) the matter is clearly related to a matter of general public importance or a ministerial decision is in question; (ii) the matter does not relate to a case which is to be heard, or is being heard, before a criminal court or before a jury or to a case which is to be heard, or is being heard, in family proceedings; <u>and</u> (iii) the Member does not, in his or her comments, create a real and substantial risk of prejudice to the proceedings of a court either generally or in respect of a particular case. 	<p>CCA does not refer to proceedings being “initiated” but to “active proceedings” (and when defining what this means makes it clear that proceedings that have been initiated can cease to be active if for example they are discontinued).</p> <p>“Active proceedings” can include active appellate proceedings so a separate reference to appeals is redundant.</p> <p>It is proposed that the Public Service Ombudsman for Wales should also be listed in this Standing Order for completeness</p> <p>An identical change to Standing Order 8.16 (relating to plenary) is proposed.</p>
<p>Relations with the Judiciary</p>	
<p>10.27 Unless the matter is the subject of a substantive motion, Members must not, in committee meetings, make criticisms of the conduct of judges of the courts of the United Kingdom in the discharge of their judicial office; (in Standing Order 10.27 “judge” includes persons holding the position of judge, whether full-time or part-time).</p>	<p>Amend this Standing Order</p> <p>Syntax change</p>
<p>10.28 Committees must not discuss individual judicial appointments.</p>	<p>No amendment necessary</p>

Quorum	
10.29 A committee meeting must be declared inquorate if there are fewer than three Members, or less than one-third of the committee's members, whichever is the higher <u>greater</u> , present.	Amend this Standing Order Grammatical correction
10.30 A committee meeting must be declared inquorate if, at the beginning of the meeting, the Members present represent only one political group.	No amendment necessary
10.31 On declaring a meeting inquorate under Standing Order 10.29 or 10.30 the chair, or in the absence of the chair the clerk to the committee, must suspend the meeting until a quorum is present. But if a quorum is not present within 20 minutes, the meeting will stand adjourned. <u>Where reasonable and appropriate to do so, the chair or, in the absence of the chair the clerk to the committee, may adjourn the meeting before that maximum time if it is clear that the committee will not be quorate within that period.</u>	Amend this Standing Order To allow for greater flexibility in committee proceedings, it is proposed that, where reasonable and appropriate, the chair should be given discretion to adjourn before a maximum time of 20 minutes if it is clear that the committee will not be quorate within that period.
Voting	
10.31A Where a vote is necessary to dispose of the business, the chair must invite the committee to agree any motion or amendment. If: (i) <u>no Member objects, the motion or amendment is deemed agreed by the committee;</u> or (ii) <u>any Member objects, a vote must be taken in</u>	Insert new Standing Order To improve the efficiency of committee business, it is proposed that provision is made within Standing Orders for committees to vote 'on the nod' unless any Member objects (in which case a vote by show of hands will take place), as is allowed in plenary meetings.

<p align="center"><u>accordance with provision in Standing Order 10.32.</u></p>	
<p>10.32 <u>Subject to Standing Order 10.31A(i),</u> voting in committees is by a show of hands and, when any member of the committee requests that the vote be recorded, the names of those voting (including those recording an abstention) must be recorded in the minutes of the committee's proceedings.</p>	<p>Amend this Standing Order</p> <p>This is a consequential amendment if SO 10.31A is adopted.</p>
<p>10.32A <u>For the purposes of voting, the chair may propose that votes on motions or amendments are grouped, and that they are subject to a single vote. If any Member objects, each motion and amendment must be voted on separately.</u></p>	<p>Insert new Standing Order</p> <p>This has been inserted to reflect the established practice of "en bloc" voting in plenary – thereby formally enabling it in committee. It has proved to be useful for legislative proceedings in plenary in particular and could be used by committees examining legislation to dispose of votes "en bloc" where appropriate.</p> <p>This text reflects the same provision for 'en bloc' voting which has been introduced under SO 7.33A for plenary.</p>
<p>10.33 Chairs of committees may vote. If there is an equality of votes, the chair must rule as to the disposal of the business in accordance with Standing Order 2.20.</p>	<p>No amendment necessary</p>
<p>10.34 No vote in any committee is valid if fewer than one-third of its members vote. Members recording an abstention are to be regarded as having voted.</p>	<p>No amendment necessary</p>
<p>10.35 If a vote is not valid under Standing Order 10.34, the chair must adjourn the item of business of which it formed a part to the next meeting of the committee.</p>	<p>No amendment necessary</p>

Openness of Committees	
<p>10.36 Subject to Standing Order 10.37 and 11.9, committees must meet in public and broadcasting access for public meetings must be permitted in accordance with such arrangements as the Commission from time to time agrees.</p>	<p>Amend this Standing Order</p> <ul style="list-style-type: none"> • SO 11.9 currently determines when the Business Committee may meet in private. Under this proposal, the Committee would rely instead on the general provision to meet in private under SO 10.37(ix). • Remove “from time to time” - for drafting consistency across Standing Orders
<p><u>10.36A</u> <u>Written material submitted to a committee by members of the public in relation to proceedings of the committee, including evidence submitted or documents produced in response to an invitation under Standing Order 10.44, published on behalf of the Committee, is to be regarded as published:</u></p> <p>(i) <u>under the authority of the Assembly (for the purpose of section 42(1)(b) of the Act (Defamation); and</u></p> <p>(ii) <u>for the purposes of Assembly proceedings (for the purpose of section 43(1)(b) of the Act (Contempt of Court)).</u></p>	<p>Insert new Standing Order</p> <p>It is proposed that a new Standing Order is inserted here to ensure that a specific reference is made to the publication of documents submitted by the public for consideration by a committee.</p> <p>This change is proposed to bolster the legal protection for the contents of what is published.</p> <p>It is proposed that SO 10.36A explicitly states that, where written material submitted to a committee by the public is published on behalf of that committee, it is covered for the purposes of sections 42 and 43 of the Government of Wales Act 2006. These are the sections of the Act that:</p> <ul style="list-style-type: none"> • confer privilege for the purposes of the law of defamation on any statement made in a publication under the authority of the Assembly; and • disapply the strict liability rule for the purposes of the law of contempt of court to any publication made in, for the purpose of, or for purposes incidental, to Assembly proceedings.

<p>10.37 A committee may resolve to exclude the public from a meeting or any part of a meeting where:</p> <ul style="list-style-type: none"> (i) international relations, national security, the investigation of alleged illegality, the effectiveness of law enforcement or the proper administration of justice requires the proceedings to be held in private; (ii) a particular item of business cannot be discussed without disclosing personal information relating to <u>specifically</u> identified or identifiable individuals which ought not to be disclosed; (iii) discussion in public of a particular item of business would be likely to cause harm to commercial or economic interests; (iv) discussion in public of a particular item of business would be likely to cause harm to the health or safety of an individual, the public, or the environment; (v) a particular item of business cannot be discussed without reference to material which would be likely to be considered defamatory of any person; (vi) the committee is deliberating on the content, conclusions or recommendations of a report it proposes to publish; or is preparing itself to take evidence from any person; (vii) a particular item of business cannot be discussed without disclosing either legal advice supplied in 	<p>Amend this Standing Order – 10.37(ii)</p> <p>Grammatical correction</p>
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<p>confidence, or information supplied in confidence by, or confidential correspondence with, a person or organisation (including a public authority) which was not under any legal obligation to disclose that information and has not consented to its disclosure to the public;</p> <p>(viii) a particular item of business cannot be discussed without reference to a document or documents which would be excluded or exempted from disclosure under legislation; or</p> <p>(ix) any matter relating to the internal business of the committee, or of the Assembly, is to be discussed.</p>	
<p>10.38 A motion proposed under Standing Order 10.37 must identify the grounds <u>on</u> which the Member proposing it believes should give rise to the exclusion of the public.</p>	<p>Amend this Standing Order</p> <p>Grammatical correction</p>
<p>10.39 So far as is appropriate in the circumstances and reasonably practicable, notice of motions and documents relating to business to be taken at any committee must be made available to all members of that committee in English and Welsh at least two working days before the meeting to which they relate.</p>	<p>No amendment necessary</p>
<p>10.40 Members of committees and other persons addressing committees, may speak in English or in Welsh and simultaneous interpretation facilities must be available for proceedings in Welsh. Persons other than Members may address committees in other languages by prior agreement</p>	<p>No amendment necessary</p>

with the chair.	
Meetings	
10.41 A committee chair may, after consulting the Presiding Officer, call a meeting of the committee in a week which is not a sitting week.	No amendment necessary
10.41A <u>The chair may adjourn a meeting or may suspend the meeting for a specified time in any circumstance where he or she thinks it appropriate to do so.</u>	<p>Move from Standing Order 10.25</p> <p>As currently drafted, Standing Orders provide a committee chair with the power to suspend or adjourn a meeting in the case of grave disorder. To provide the necessary flexibility for a chair to organise the flow of business as effectively as possible (and in line with proposed changes to plenary procedures), it is proposed that Standing Orders are amended to provide committee chairs with the ability to adjourn or suspend a meeting in any circumstance where he or she thinks it appropriate to do so.</p>
Substitutions at Meetings	
10.42 A committee member who has given advance notice to the chair may be represented at a meeting, or a part of a meeting, by another Member from the same political group who has been identified in advance. The nominated representative may participate in the meeting of the committee in all respects as if he or she were a member of it. No Member may represent more than one committee member at a meeting.	No amendment necessary
Attendance at Meetings	
10.43 Members who are not members of a committee may, with	No amendment necessary

	the permission of the chair, participate in a committee meeting but may not vote.	
10.44	Committees may invite any person to attend meetings for the purpose of giving evidence, or providing advice and may invite any such person or body to submit evidence and produce documents.	No amendment necessary
10.45	Any committee may, subject to sections 38 and 40 of the Act, exercise the powers in section 37 of the Act, to require persons to attend their proceedings or to produce documents.	No amendment necessary
10.46	Chairs may require a person who has been required to attend a committee to take an oath (or make an affirmation), to be administered by the clerk to the committee.	No amendment necessary
Meetings with Other Committees		
10.47	Committees may meet concurrently with other committees of the Assembly.	No amendment necessary
10.48	Committees may meet concurrently with any committee of either House of Parliament or any joint committee of both Houses <u>any legislature in the UK</u> .	Amend this Standing Order Standing Orders currently provide that Assembly committees may meet concurrently with other committees of the Assembly or with any committee or joint committee of the Houses of Parliament. To provide greater flexibility for committees, it is proposed that this Standing Order is expanded to allow Assembly committees to meet

	concurrently with a committee or joint committee of any legislature in the UK.
Committee Advisers	
10.49 Committees may appoint advisers in accordance with guidelines issued by the Commission for the purposes of providing expert advice.	No amendment necessary
Committee Reports	
10.50 Any committee may report to the Assembly on matters within its remit.	No amendment necessary
Duration of Committees	
10.51 Subject to Standing Order 12.3, committees established by Standing Orders 11 to 19 must be established for the duration of an Assembly. 10.52 The Assembly must, on a motion tabled by the Business Committee, determine the duration of any other committee.	<p>Move these Standing Orders to new Standing Order 12.6</p> <p>It is proposed that a presentational change is made to Standing Orders whereby provisions relating to the duration of committees are moved from the standing order relating to committee procedures (SO 10) to the standing order relating to their establishment and remits (SO 12).</p> <p>As the duration of a committee is required to be noted on its establishment, it would be clearer to include a standing order relating to committee duration under the revised standing order relating to establishment and remit of committees.</p>

STANDING ORDER 11 - Business Committee	
	<p>Move all the provisions of Standing Order 11 as amended to Standing Order 6: Organisation of Business</p> <p>In order to group all the Standing Orders which relate to how Assembly business is organised, it is proposed that the provisions relating to the Business Committee should be moved to be a subsection of Standing Order 6, under the sub-title “Business Committee”</p>
11.1 There is to be a Business Committee, <u>to facilitate the effective organisation of Assembly proceedings.</u>	<p>Amend this Standing Order</p> <p>This is to clarify that the role of the Business Committee is “to facilitate the effective organisation of Assembly proceedings”: this would capture the wider role that the Business Committee plays, for example, in agreeing additional Committee meetings outside the Assembly timetable</p>
11.2 Standing Orders 10.3 to 10.5 do not apply to the <u>Business</u> Committee.	<p>Amend this Standing Order</p> <p>‘Business’ added for clarity.</p>
11.3 As soon as possible after an Assembly election, the Minister with responsibility for government business must table a motion to appoint as members of the Committee, the Presiding Officer, one Member nominated by each leader of the political group represented in the Assembly and (if any three or more Members who are not members of a political group decide to form a grouping for the purposes of Standing	<p>Amend this Standing Order</p> <p>Reference to leader of political group deleted for consistency.</p>

<p>Order 11) a Member nominated by each grouping of Members. No amendments may be tabled to a motion under Standing Order 11.3.</p>	
<p>11.4 A motion under Standing Order 11.3 cannot be passed (if the motion for it is passed on a vote) unless at least two-thirds of the Members voting support it.</p>	<p>No amendment necessary</p>
<p>11.5 If a motion under Standing Order 11.3 is passed:</p> <ul style="list-style-type: none"> (i) the Committee must be chaired by the Presiding Officer (who may vote only in the exercise of a casting vote, <u>subject to Standing Order 11.5(iii)</u>); (ii) each other member of the Committee carries one vote for each member of the political group (or grouping, as the case may be) which he or she represents (including himself or herself and the Presiding Officer and Deputy if they are members of his or her political group or grouping); (iii) where the number of Members who are not members of a political group is such that it is (for that reason only) not possible for them to form a political group or grouping, each such Member is entitled to attend proceedings of the Committee and may vote; (iv) <u>in undertaking the functions under Standing Order 11.7(ii) or 11.7(iii)</u>, a member of the Committee representing a political group with an executive role may use the votes he or she carries 	<p>Amend this Standing Order</p> <p>11.5(i) - to clarify that, if the Presiding Officer were not a member of a political group, (s)he would be entitled to a substantive vote as provided for under Standing Order 11.5(iii), as well as a casting vote.</p> <p>11.5 (iv) and (v) – no material change. They have been merged to make it simpler to understand.</p> <p>11.5 (vi) - method of voting in the Business Committee: currently Standing Order 11.5(vi) provides that Standing Order 10.32 does not apply to the Business Committee (any Member of the Committee may request that the vote is recorded in the minutes of the meeting, and voting would be by show of hands). There is no reason why this should not apply to the Business Committee, it is proposed therefore that SO 10.32 should apply also to the Business Committee.</p>

<p>under Standing Order 11.5(ii), <u>but it shall be reduced by the number equivalent to the number of Members in his or her political group who are also members of the government in determining the organisation of non-government business in plenary under Standing Order 11.7(ii); and</u></p> <p>(v) the number of votes that a member of the Committee, referred to in Standing Order 11.5(iv), carries shall be reduced by the number equivalent to the number of Members who are members of the government and who are members of the political group to which that member belongs; and</p> <p>(v) Standing Orders 10.18, 10.19 and 10.32 <u>10.33</u> to 10.35 do not apply to the Committee.</p>	
<p>11.6 If a motion under Standing Order 11.3 is proposed but not passed, then Standing Orders 10.6 to 10.9 apply to the Committee with the substitution of the words “under Standing Order 11.3 to appoint the members of the Business Committee” in <u>Standing Order 10.6</u> for the words “to <u>agree determine</u> the membership of a committee under Standing Order 10.3”, and of the words “Minister with responsibility for government business” for “Business Committee”.</p>	<p>Amend this Standing Order</p> <p>Drafting changes for clarity and as a consequence of the amendment to Standing Order 10.6.</p>
<p>11.7 The functions of the Committee <u>must</u>:</p> <p>(i) to comment on proposals for the organisation of government business in plenary (which must be determined under Standing Order 6.4) and non-</p>	<p>Amend this Standing Order</p> <p>This requires amending as a consequence of creating the new category of “Assembly business”.</p>

<p>government business in plenary;</p> <p>(ii) to determine the organisation of Assembly business in plenary non-government business in plenary, subject to Standing Order 11.5(iv);</p> <p><u>(ii)A determine the proposal for the titles and remits of committees under Standing Orders 12.2 or 12.3, subject to Standing Order 11.5(iv);</u></p> <p>(iii) to determine the organisation of Assembly business in plenary;</p> <p>(iv) to make recommendations on the general practice and procedure of the Assembly in the conduct of its business (including any proposals for the re-making or revision of Standing Orders, or any part thereof);</p> <p>(v) <u>undertake</u> the functions assigned to the Committee in Standing Orders.</p>	<p>11.7 (i) - amended as it is unnecessary to specify that the Committee must comment on the organisation of Assembly business in plenary.</p> <p>11.7 (ii) - the organisation of all "Assembly" business" will be subject to qualified weighted voting in the Business Committee as currently applies to "non-government" business.</p> <p>11.7(ii)A - this is a new provision and is part of the proposed new approach to the establishing the Assembly's committee structure. It is proposed that any decision taken by the Business Committee on the proposal for the titles and remits of committees would be subject to qualified weighted voting in accordance with SO 11.5(iv), as currently applies to the determination of non-government business in plenary, not full weighted voting.</p>
<p>11.8 The Committee must meet at least once every two sitting weeks.</p>	<p>No amendment necessary</p>
<p>11.9 The Committee may meet in private to discuss matters arising under 11.7(i) to (iii) and 11.7(v).</p>	<p>Delete this Standing Order</p> <p>This determines when the Business Committee may meet in private: the Committee would rely instead on the general provisions to resolve to meet in private under Standing Order 10 .37 (ix) which would give it more flexibility to decide when to meet in private.</p>

STANDING ORDER 12 - Establishment and Remits of Committees (This incorporates STANDING ORDER 21 - Other Committees)	
STANDING ORDER 12 - Scrutiny <u>Establishment and remit of Committees</u>	Amend this title Delete ‘Scrutiny’ and replace with ‘Establishment and remit of’. It is proposed that this Standing Order encompasses the establishment of all types of committee, not scrutiny committees alone as is currently the case. The purpose of this proposal is to allow future Assemblies the flexibility to shape a committee structure that best suits any given set of circumstances they may face. This redrafted SO would allow future Assemblies to adopt a structure identical to the current arrangement. Alternatively, if the Assembly so resolves, it could adopt a different structure whereby there are fewer committees, more committees or committees undertaking both legislative and policy scrutiny.
<u>General</u>	Insert new sub-heading Insert ‘general’ here to retain consistency of use of sub-headings throughout SOs.
12.1 There Assembly must <u>establish</u> be scrutiny committees with power within their remit to: (i) examine the expenditure, administration and policy of the government and associated public bodies;	Amend this Standing Order Current SO 12.1 requires that there must be scrutiny committees with power within their remit to hold the Government to account. It is proposed that this Standing Order is broadened to capture the

<p>(ii) <u>examine legislation;</u></p> <p>(iii) <u>undertake other functions specified in Standing Orders; and</u></p> <p>(iv) <u>consider any matter affecting Wales.</u></p>	<p>establishment of all committees. This amended SO would also include the requirement for the Assembly to establish committees that:</p> <p>(i) examine legislation (this would include pre-legislative, legislative and post-legislative scrutiny);</p> <p>(ii) undertake the Assembly’s duties in relation to representing the people of Wales by:</p> <ul style="list-style-type: none"> • undertaking other statutory and procedural functions outlined in Standing Orders (e.g. Petitions functions, Budget functions, Constitutional and Legislative functions and Standards of Conduct functions); and • considering any matter affecting Wales.
<p>12.2 The Business Committee must, as soon as possible after every Assembly election, determine <u>table a motion or motions in accordance with Standing Order 12.1 proposing the titles and remits of the scrutiny committees</u></p>	<p>Amend this Standing Order</p> <p>Current Standing Order 12.2 provides that the Business Committee determines the titles and remits of scrutiny committees.</p> <p>It is proposed that this Standing Order is amended to provide that:</p> <ul style="list-style-type: none"> • the Business Committee must table a motion or motions proposing the committee structure following agreement in the Business Committee [subject to qualified weighted voting in accordance with SO 11.5(iv)]; and • the proposal is subject to Assembly agreement.
<p>12.3 If it appears necessary to the Business Committee during the course of an Assembly to alter the number, title or remit of one or more scrutiny-committee (including by providing that any existing scrutiny-committee should cease to exist), the Business Committee may table a motion proposing that the alteration take place. No amendment may be tabled to the</p>	<p>Amend this Standing Order</p> <p>References to scrutiny committees should be removed as the revised Standing Order 12 would now apply to all committees.</p> <p>It is proposed that the restriction on Members being able to table an amendment to a motion tabled by the Business Committee to alter</p>

<p>motion. If the motion is agreed, the resolution will constitute a resolution to establish a committee for the purposes of Standing Order 10.3.</p>	<p>the number, title or remit of one or more committee is removed.</p> <p>The final sentence is an unnecessary provision as a consequence of changing the method by which the Business Committee proposes the committee structure.</p>
<p>12.4 In making determinations under Standing Order 12.2, or in tabling any motion under Standing Order 12.2 or 12.3, the Business Committee must ensure that:</p> <ul style="list-style-type: none"> (i) every area of responsibility of the government and associated public bodies is subject to the scrutiny of a <u>scrutiny committee or committees</u>; (ii) <u>all matters relating to the legislative competence of the Assembly and functions of the Welsh Ministers and of the Counsel General are subject to the scrutiny of a committee or committees; and</u> (iii) <u>where reasonably practicable, there is broad balance between the delivery of responsibilities specified in Standing Orders 12.1(i) and 12.1(ii).</u> 	<p>Amend this Standing Order</p> <p>The reference to “making determinations” is now redundant given that the Business Committee is required to table a motion or motions by SO 12.2 and 12.3.</p> <p>12.4 (i) replicates the current requirement on the Business committee under SO 12.4, to ensure that all areas of government responsibility are covered by the committee structure the Business Committee proposes.</p> <p>As the revised Standing Order 12 would apply to legislative committees now as well, a similar provision has been inserted regarding legislative scrutiny in SO 12.4 (ii). When proposing the committee structure therefore, the Business Committee will be required to ensure that all areas of government responsibility and all legislative matters impacting on Wales may be subject to the scrutiny of a committee or committees.</p> <p>12.4(iii) places a requirement on the Business Committee to ensure that, where reasonably practicable, there is balance between the delivery of responsibilities relating to holding the government to account and responsibilities relating to the scrutiny of legislation.</p>
<p>Other Committees</p>	
<p>21.7 <u>12.5</u> The Assembly may establish any <u>other</u> committee; other than those established under the Standing</p>	<p>Move from existing Standing Order 21 and amend the Standing Order</p>

<p>Orders, on a motion tabled by any Member. <u>A motion to establish such a committee must propose its title and remit.</u></p> <p>21.2 A motion to establish such a committee must propose the remit of the committee</p>	<p>This Standing Order has been moved from existing SO 21 to ensure that all information about the establishment and remits of committees is contained in one location in Standing Orders.</p> <p>The SO allows any Member to table a motion to establish a committee; the amendments:</p> <ul style="list-style-type: none"> • reflect the fact that no committees would be named by Standing Orders, in line with the proposed approach; and • merge existing 21.1 and 21.2 for clarity.
<p><u>Duration of Committees</u></p>	<p>Insert new sub-section</p>
<p>12.6 <u>Subject to Standing Order 12.3, all committees established under Standing Order 12 will exist for the duration of the Assembly unless otherwise specified in the motion to establish the committee.</u></p>	<p>Move from existing Standing Order 10.51 - 10.52 and amend the Standing Order</p> <p>This Standing Orders retains the provision in current Standing Orders for committees to exist for a whole Assembly unless:</p> <ul style="list-style-type: none"> • otherwise specified in the motion to establish the committee; or • it appears necessary to the Business Committee to table a motion proposing that the committee should cease to exist.
<p>STANDING ORDER 21 – Other Committees</p>	<p>Delete Standing Order 21 as it is replicated in SO 12.5</p>

<p>STANDING ORDER 13 - Public Accounts Committee:</p>	
<p>STANDING ORDER 13 - Audit <u>Public Accounts</u> Committee</p>	<p>Amend this title</p> <p>Delete 'Audit' and replace with 'Public Accounts'. This is to reflect</p>

	the current name of the Committee and is in accordance with section 30 of the Act, which permits the Assembly to change the name of the Audit Committee if the Assembly so determines.
<u>Responsibilities-General</u>	Amend sub-heading For drafting consistency.
<u>13.0 In proposing the remits of committees under Standing Order 12.2 or 12.3, the Business Committee must ensure that there is a committee (referred to as “the Public Accounts Committee” in accordance with section 30 of the Act) with responsibility for the functions specified in Standing Order 13.</u>	Insert new Standing Order This amendment gives effect to the introduction of function-based Standing Orders, in line with the proposed approach. In order to meet the requirements of section 30 of the Government of Wales Act 2006, the Public Accounts Committee must be named here.
<u>Functions</u>	Insert new sub-title for clarity
13.1 There is to be an Audit Committee to: <u>The Public Accounts Committee (“the Committee”) must:</u> <ul style="list-style-type: none"> (i) exercise the functions set out in paragraph 12 of Schedule 8 to the Act relating to the main estimate of income and expenses submitted by the Auditor General for each financial year; (ii) consider any supplementary budget motions tabled under section 126 of the Act that seek to amend amounts previously authorised by a budget resolution or supplementary budget resolution in respect of the Auditor General; (iii) advise the Assembly in the exercise of its 	Amend this Standing Order Consequential amendment if SO 13.0 is agreed. Remove reference to the Audit Committee in the first sentence and replace with reference to the Public Accounts Committee. 13.1(vi) The Public Accounts Committee has proposed that the requirement to submit an annual report on its work to the Assembly should be removed as there is no legislative requirement for it to do so, little desire to produce an annual report and no significant benefit in doing so.

<p>functions under paragraph 14 of Schedule 8 to the Act relating to the appointment of the auditor of the accounts of the Auditor General;</p> <p>(iv) present views to the Auditor General from time to time on the Auditor General's exercise of his or her powers to undertake economy, efficiency and effectiveness examinations; <u>and</u></p> <p>(v) consider and report to the Assembly on any use of resources in excess of that authorised or deemed to be authorised that is recorded in the audited accounts of Welsh Ministers, the Commission, the Auditor General or the Ombudsman, recommending whether the Assembly should authorise the excesses retrospectively by supplementary budget resolution; and</p> <p>(vi) submit an annual report to the Assembly on the work of the Committee.</p>	
<p>13.2 The Committee may:</p> <p>(i) consider and report to the Assembly in accordance with section 143(1) of the Act on documents laid before the Assembly by the Auditor General or that officer's auditor; and</p> <p>(ii) <u>consider and report to the Assembly on any other document concerning financial control, accounting and auditing in relation to public expenditure;</u></p>	<p>Amend this Standing Order</p> <p>This proposal gives effect to the Public Accounts Committee's request (SOR21 – Additional Evidence) that its remit should be extended in line with the Public Account Committee's powers in Scotland so that it may:</p> <ul style="list-style-type: none"> • consider and report on any document concerning financial control, accounting and auditing in relation to public expenditure; and • advise the auditor to the accounts of the Auditor General on examinations into the economy, efficiency and effectiveness

<p>(iii) take evidence and report to the House of Commons Public Accounts Committee if requested by that Committee to do so; <u>and</u></p> <p>(iv) <u>advise the Auditor General's auditor on the examinations to be carried out under Paragraph 15(6) of Schedule 8 to the Act.</u></p>	<p>with which the Auditor General has used resources in discharging his or her functions.</p>
<p>13.3 In the performance of its responsibilities under Standing Order 13.2(i) <u>or</u> 13.2(ii) the Committee must not question the merits of the policy objectives of the government, or those of any other body or person which is the subject of the Committee's report.</p>	<p>Amend this Standing Order</p> <p>Consequential change as a result of new SO 13.2(ii).</p>
<p>Membership</p>	
<p>13.4 Standing Orders 10.3 <u>and</u> 10.6 <u>applies</u> to the Committee except that it must consist of <u>no fewer than 5 Members and no more than 10 Members</u> and no person specified in section 30(3) of the Act may be proposed as a member of it.</p>	<p>Amend this Standing Order</p> <ul style="list-style-type: none"> • Insert reference to SO 10.6 – this amendment is needed in case the use of the D'Hondt formula is necessary to determine the size of committees. • The Public Accounts Committee has proposed that the requirement for the Committee to have 10 members is reduced to be in line with the number of members on other scrutiny committees. It is proposed, therefore, that this SO is amended to state that the Committee has no fewer than 5 members and no more than 10. This will allow future Assemblies to manage the size of committees subject to capacity and circumstances. This complies with section 30 of the Government of Wales Act which requires the number of

	members to be specified in Standing Orders but does not specify the actual number.
13.5 Standing Order 10.18 applies to the Committee, except that it must not be chaired by a Member who is a member of a political group with an executive role.	No amendment necessary
13.6 Standing Order 10.42 applies to the Committee, except that no person specified in section 30(3) of the Act may be nominated as a representative.	No amendment necessary
13.7 No member of the Committee may participate in its consideration of any matter if he or she was at the relevant time a member of the government.	No amendment necessary
13.8 No member of the Committee may participate in its consideration of any matter which was within the responsibility of the House Committee (as constituted between 18 December 2002 and 2 May 2007), or is within the responsibility of the Commission, if he or she was at the relevant time a member of the House Committee or the Commission.	No amendment necessary
Auditor General	Delete this sub-heading
13.9 The Auditor General may attend private meetings of the Committee, with the permission of or at the request of the chair.	Delete this Standing Order The Public Accounts Committee has proposed that this SO be deleted as it is within the chair's authority to allow individuals to attend committee meetings and does not need to be specified in SOs.
13.10 The Committee is to determine its programme of work	Delete this Standing Order

in consultation with the Auditor General.	The Public Accounts Committee has proposed that this SO be deleted as the Committee believes it places an unnecessary restriction on the PAC and does not reflect the way in which the Committee has developed over the course of the Third Assembly.
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STANDING ORDER 14 - Finance	
STANDING ORDER 14 - Finance Committee	Amend this title Delete 'Committee'.
<u>Committee</u>	Insert new sub-title
<u>14.0</u> <u>In proposing the remits of committees under Standing Order 12.2 or 12.3, the Business Committee must ensure that there is a committee (referred to within Standing Order 14 as “the responsible committee”) with responsibility for the functions specified in Standing Order 14.</u>	Insert new Standing Order This amendment gives effect to the replacement of named committees in Standing Orders with function-based Standing Orders. Rather than stating that there must be a specific Finance Committee, this revised Standing Order places a duty on the Business Committee to ensure that functions specified in Standing Order 14 are undertaken by a committee. This committee is referred to throughout the Standing Order as the “responsible committee”. This Committee would also be the “responsible committee” in relation to the functions currently undertaken by the Finance Committee under Standing Order 27, which will be amended accordingly.

Functions	Insert new sub-title for clarity
<p>14.1 There is to be a Finance Committee to <u>The responsible committee must</u> consider and report on :</p> <ul style="list-style-type: none"> (i) any report or other document laid before the Assembly by Welsh Ministers or the Commission containing proposals for the use of resources; including budget motions and supplementary budget motions prepared under sections 125 and 126 of the Act. (ii) the estimates of income and expenses prepared by the Ombudsman under paragraph 15 of Schedule 1 to the Public Services Ombudsman (Wales) Act 2005; and (iii) the use of resources and payments out of the Welsh Consolidated Fund reported to the Assembly by Welsh Ministers under section 128 of the Act. 	<p>Amend this Standing Order</p> <p>Consequential amendment if SO 14.0 is agreed - remove reference to specific committee. The overall effect would be to require a committee to exist specifically to report on proposals for the use of resources from the Consolidated Fund and with a broad catch-all capacity to report on other financial matters.</p> <p>14.1(i) - the latter part of this sub-section is an unnecessary elaboration and the consideration of these motions by the responsible committee is already covered by Standing Order 27;</p> <p>14.1(ii) - this is deleted as the consideration of these motions by the responsible committee is already covered by Standing Order 27;</p> <p>14.1(iii) - this is deleted as it would now be covered by the revised catch-all provision of SO 14.2(iii).</p>
<p>14.2 The Committee <u>responsible committee</u> may also consider and; where it sees fit, report on:</p> <ul style="list-style-type: none"> (i) financial information in explanatory memoranda accompanying proposed Assembly Measures; (ii) the timetable for the consideration of budget proposals and budget motions and on the handling of financial business; and (iii) any other matter relating to or affecting the 	<p>Amend this Standing Order</p> <p>14.2(i) - this function would be included in Standing Order 23 (Assembly Measures), to be allocated to a responsible committee.</p> <p>14.2(ii) - this would be covered by the revised SO 14.2</p> <p>14.2(iii) - this function has been simplified and is a catch-all provision which ensures the responsible committee would be able to report on any financial matters relating to or affecting the Welsh Consolidated Fund. It also would cover matters previously listed</p>

<p style="text-align: center;">expenditure of the government or other expenditure out of the Welsh Consolidated Fund.</p>	<p>under 14.1 (iii).</p>
<p>14.3 A reference to the use of resources is a reference to their expenditure, consumption or reduction in value and includes expenditure payable out of the Welsh Consolidated Fund and any other expenditure met out of taxes, charges and other sources of revenue.</p>	<p>No amendment necessary.</p>

STANDING ORDER 15 - Constitutional and Legislative Affairs	
<p>STANDING ORDER 15 - Constitutional <u>and Legislative</u> Affairs Committee</p>	<p>Amend this title</p> <p>Delete 'Committee' and add 'and legislative'</p>
<p><u>Committee or Committees</u></p>	<p>Insert new sub-title</p>
<p>15.1 There is to be a Constitutional Affairs Committee. In proposing the remits of committees under Standing Order 12.2 or 12.3, the Business Committee must ensure that responsibility for the functions in Standing Order 15 is assigned to a committee or committees (referred to within Standing Order 15 as "a responsible committee").</p>	<p>Amend this Standing Order</p> <p>This amendment gives effect to the replacement of named committees in Standing Orders with function-based Standing Orders, in line with the proposed approach.</p> <p>Rather than stating that there must be a specific Constitutional Affairs Committee, this revised Standing Order places a duty on the Business Committee to ensure that functions specified in Standing Order 15 are undertaken by a committee or committees of the Assembly, to be referred to as "a responsible committee".</p>

	<p>Although this does not explicitly name the Committee as proposed by the Constitutional Affairs Committee Chair’s response to the review of Standing Orders, other proposals in the response relating to the committees functions have been included.</p>
<p><u>Functions</u></p>	<p>Insert new sub-title</p>
<p>15.2 Subject to Standing Order 15.7, the <u>A responsible committee</u> must consider all statutory instruments or draft statutory instruments required by any enactment to be laid before the Assembly and report on whether the Assembly should pay special attention to the instrument or draft on any of the following grounds:</p> <ul style="list-style-type: none"> (i) that there appears to be doubt as to whether it is intra vires; (ii) that it appears to make unusual or unexpected use of the powers conferred by the enactment under which it is made or to be made; (iii) that the enactment which gives the power to make it contains specific provisions excluding it from challenge in the courts; (iv) that it appears to have retrospective effect where the authorising enactment does not give express authority for this; (v) that for any particular reason its form or meaning needs further explanation; 	<p>Amend this Standing Order</p> <ul style="list-style-type: none"> • Remove “Subject to Standing Order 15.7” - consequential amendment if the proposal to delete SO 15.7 is agreed [see below] • Insert “A responsible Committee” - consequential amendment if SO 15.1 is agreed: remove reference to specific committee and refer to the functions of the responsible committee, in line with the proposed approach. This would retain the requirement for there to be an Assembly committee or committees to deliver the functions currently delivered by the Constitutional Affairs Committee. • The committee responsible for the delivery of the functions in SO 15.2 (and 15.3) would also be the “responsible committee” in relation to the functions currently undertaken by the Constitutional Affairs Committee under Standing Order 24, which would be amended accordingly.

<ul style="list-style-type: none"> (vi) that its drafting appears to be defective or it fails to fulfil statutory requirements; (vii) that there appear to be inconsistencies between the meaning of its English and Welsh texts; (viii) that it uses gender specific language; (ix) that it is not made or to be made in both English and Welsh; (x) that there appears to have been unjustifiable delay in publishing it or laying it before the Assembly; or (xi) that there appears to have been unjustifiable delay in sending notification under section 4(1) of the Statutory Instruments Act 1946 (as modified). 	
<p>15.3 Subject to Standing Order 15.7, the <u>A responsible committee</u> may consider and report on whether the Assembly should pay special attention to any statutory instrument or draft statutory instrument required by any enactment to be laid before the Assembly on any of the following grounds:</p> <ul style="list-style-type: none"> (i) that it imposes a charge on the Welsh Consolidated Fund or contains provisions requiring payments to be made to that Fund or any part of the government or to any local or public authority in consideration of any licence or consent or of any services to be rendered, or prescribes the amount of any such charge or payment; 	<p>Amend this Standing Order</p> <ul style="list-style-type: none"> • Remove “Subject to Standing Order 15.7” - consequential amendment if the proposal to delete SO 15.7 is agreed [see below] • Insert “A responsible Committee” - consequential amendment if SO 15.1 is agreed: remove reference to specific committee and refer to the functions of the responsible committee, in line with the proposed approach. This would retain the requirement for there to be an Assembly committee or committees to deliver the functions currently delivered by the Constitutional Affairs Committee.

<ul style="list-style-type: none"> (ii) that it is of political or legal importance or gives rise to issues of public policy likely to be of interest to the Assembly; (iii) that it is inappropriate in view of the changed circumstances since the enactment under which it is made or is to be made was itself passed or made; (iv) that it inappropriately implements European Union legislation; or (v) that it imperfectly achieves its policy objectives. 	<ul style="list-style-type: none"> • The committee responsible for the delivery of the functions in SO 15.3 (and 15.2) would also be the “responsible committee” in relation to the functions currently undertaken by the Constitutional Affairs Committee under Standing Order 24, which would be amended accordingly.
<p>15.4 The CA <u>responsible committee</u> must make any report under Standing Order 15.2 or 15.3 in respect of any statutory instrument or draft statutory instrument no later than 20 days after the instrument or draft has been laid.</p>	<p>Amend this Standing Order</p> <p>Insert “A responsible Committee” - consequential amendment if SO 15.1 is agreed: remove reference to specific committee and refer to the functions of a responsible committee, in line with the proposed approach. This would retain the requirement for there to be an Assembly committee or committees to deliver the functions currently delivered by the Constitutional Affairs Committee.</p>
<p>15.5 In calculating for the purposes of Standing Order 15.4 any period of days, no account is to be taken of any time during which the Assembly is dissolved or is in recess for more than 4 days.</p>	<p>No amendment necessary</p>
<p><u>15.5A Standing Orders 15.2 and 15.3 do not apply to proposed or draft Legislative Competence Orders under Standing Order 22 or subordinate legislation subject to Special Assembly Procedure under Standing Order 25.</u></p>	<p>Insert new Standing Order</p> <p>This proposed SO ensures that a responsible committee:</p> <ul style="list-style-type: none"> • would not be required to consider technical / merits aspects

	<p>of all proposed or draft LCOs but, if the proposal to delete SO 15.7 is agreed, SO 15.5A would not preclude a responsible committee from reporting on a proposed or draft LCO;</p> <ul style="list-style-type: none"> would not consider subordinate legislation subject to Special Assembly Procedure.
<p>15.6 Subject to 15.7, the <u>A responsible committee</u> may also consider and report on:</p> <ul style="list-style-type: none"> (i) any other subordinate legislation laid before the Assembly <u>other than that subject to Special Assembly Procedure under Standing Order 25</u>; (ii) the appropriateness of provisions in proposed Assembly Measures and in Bills for Acts of the United Kingdom Parliament that grant powers to make subordinate legislation to the Welsh Ministers, the First Minister or the Counsel General; (iii) consequences for legislation subject to the consideration of the Assembly of draft orders under Part 1 of the Legislative and Regulatory Reform Act 2006; (iv) the exercise of commencement powers by the Welsh Ministers; or (v) any legislative matter of a general nature within or relating to the competence of the Assembly or Welsh Ministers; <u>or</u> (vi) <u>draft legislation which is the subject of consultation.</u> 	<p>Amend this Standing Order</p> <ul style="list-style-type: none"> Insert “A responsible Committee” - consequential amendment if SO 15.1 is agreed: remove reference to specific committee and refer to the functions of a responsible committee, in line with the proposed approach. This would retain the requirement for there to be an Assembly committee or committees to deliver the functions currently delivered by the Constitutional Affairs Committee. 15.6(i) - it is proposed that “other than that subject to Special Assembly Procedure under Standing Order 25” is added here to make clear that subordinate legislation subject to that procedure must be considered under procedures outlined in Standing Order 25 due to its quasi-judicial nature. 15.6(vi) - this new provision would effect the Constitutional Affairs Committee’s proposal that a responsible committee should be able to consider draft statutory instruments (and any other draft legislation which is the subject to consultation) before they are laid.

<p>15.7 The Committee may not consider:</p> <p>(i) any draft legislative competence order; or</p> <p>(ii) any statutory instrument or draft statutory instrument that is required to be laid before Parliament.</p>	<p>Delete this Standing Order</p> <p>The Constitutional Affairs Committee has proposed that SO 15.7 be removed to ensure that there is nothing to prevent a responsible committee considering:</p> <ul style="list-style-type: none"> • SIs which are required to be laid before Parliament. These would now be subject to scrutiny under SO 15.2 and 15.3 in the same way as all other SIs. • Draft LCOs where valuable to do so. It would be for the Business Committee to determine which committee(s) could consider draft LCOs.
<p><u>15.8 A responsible committee may consider draft European Union legislation relating to matters within the legislative competence of the Assembly or to the functions of the Welsh Ministers or of the Counsel General in order to consider whether it complies with the principle of subsidiarity.</u></p> <p><u>15.9 If a responsible committee considers that draft European Union legislation does not comply with the principle of subsidiarity it may make written representations, on behalf of the Assembly, to the relevant committee of the House of Commons or the House of Lords with a view to having those representations incorporated into a reasoned opinion to be submitted by that committee to the relevant European Union authorities.</u></p> <p><u>15.10 If a responsible committee makes written representations in accordance with Standing Order 15.9, it must lay a copy of</u></p>	<p>Add new Standing Order</p> <p>15.8 - This new provision would effect the European and External Affairs Committee’s proposal that provision should be made in Standing Orders to acknowledge the role of the Assembly in considering the application of the principle of subsidiarity as set out in the Lisbon Treaty Protocol on the application of the principles of subsidiarity and proportionality. It is drafted in broad terms to allow future Assemblies to agree the detail of procedures subject to any given set of circumstances.</p> <p>Article 6 of the Lisbon Treaty Subsidiarity Protocol allows any national Parliament to, within eight weeks from the date of publication of a draft legislative act, send to the European Union institutions a reasoned opinion stating why it considers that the draft in question does not comply with the principle of subsidiarity. It also provides that it is for each national Parliament to consult, where appropriate, regional parliaments with legislative powers.</p>

<p><u>those written representations before the Assembly.</u></p> <p><u>15.11 A responsible committee may, to enable its functions under Standing Order 15.9 to be exercised during any non-sitting week, delegate those functions to the chair of the responsible committee who must, if they are exercised, report that fact to the responsible committee as soon as possible.</u></p>	<p>The European and External Affairs Committee's (EEAC) response to the review included a request for a formal mechanism for the Committee to submit its views to the House of Parliament if EU legislation does not comply with the principles of subsidiarity.</p> <p>New SO 15.9 and SO 15.10 are proposed in response to this request.</p> <p>Should the Business Committee agree in principle to the Committee's request, further consideration of the detailed mechanism by which representations would be made by the Assembly may be required.</p> <p>15.9 - Proposed SO 15.9 would allow a responsible committee to make written representations on behalf of the Assembly to the Houses of Parliament for them to be incorporated into a reasoned opinion to the relevant European Union authorities, in accordance with the protocol.</p> <p>15.11 - The EEAC also requested detail on how the written representations referred to in SO 15.9 would be handled during recess periods. Proposed SO 15.11 outlines an option whereby a responsible committee could delegate the functions relating to making written representations on behalf of the Assembly to the chair of the responsible committee during recess periods.</p>
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STANDING ORDER 16 - Standards of Conduct	
STANDING ORDER 16 - Committee on Standards of Conduct	<p>Amend this title</p> <p>Delete 'Committee on'.</p>
Title and terms of reference <u>Committee</u>	<p>Amend this sub-title</p> <p>Delete 'Title and terms of reference' and replace with 'Committee'.</p>
<p>16.0 <u>In proposing the remits of committees under Standing Order 12.2 or 12.3, the Business Committee must ensure that there is a committee (referred to within Standing Order 16 as "the responsible committee") with responsibility for the functions specified in Standing Order 16.</u></p>	<p>Add new Standing Order</p> <p>This amendment gives effect to the replacement of named committees in Standing Orders with function-based Standing Orders, in line with the proposed approach.</p> <p>Rather than stating that there must be a specific Committee on Standards of Conduct, this revised Standing Order places a duty on the Business Committee to ensure that functions specified in Standing Order 16 are undertaken by a committee. This committee is referred to throughout the Standing Order as "the responsible committee".</p>
<u>Functions</u>	Insert new sub-title
<p>16.1 There is to be a Committee on Standards of Conduct which <u>The responsible committee must:</u></p> <p>(i) investigate, report on and, if appropriate, recommend action in respect of any complaint referred to it by the Commissioner for Standards that a Member has not complied with:</p>	<p>Amend this Standing Order</p> <p>Insert "the responsible Committee" - consequential amendment if SO 16.0 is agreed: remove reference to specific committee and refer to the functions of the responsible committee, in line with the proposed approach. This would retain the requirement for there to be an Assembly committee to deliver the functions currently delivered by</p>

<ul style="list-style-type: none"> (a) Standing Order 31; (b) any Assembly resolution relating to the financial or other interests of Members; (c) Standing Order 32; (d) any Assembly resolution relating to Members' standards of conduct; (e) any code or protocol made under Standing Order 1.13 and in accordance with section 36(6) of the Act; or (f) Standing Order 31A; <u>or</u> (g) <u>Standing Order 31B;</u> (ii) consider any matters of principle relating to the conduct of Members generally; (iii) supervise the arrangements for the compilation, maintenance and accessibility of the Register of Members' Interests, <u>the Record of the Employment of Family Members with the Support of Commission Funds, the Record of Members' Time Involved in Registrable Activities</u> and the Record of Membership of Societies and the form and content of the Register and the Records; <u>and</u> (iv) present an annual report to the Assembly on the complaints made under Standing Order 16.1(i); 	<p>the Committee on Standards of Conduct.</p> <p>16.1(i) and (iii) - the responsible committee should also be responsible for reporting on compliance with the new Standing Order 31B, and supervising the arrangements for the new Records (Employment of Family Members, Time Involved in Registrable Activities).</p> <p>16.1(iv) - it is proposed that this provision is removed on the basis that the Committee is able to report on its conclusions in respect of ethical standards in the conduct of the Assembly's business when it so wishes and deems it necessary to do so. In addition, the Standards Commissioner now has a duty to produce an annual report.</p>
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<p>and the action taken in consequence, and on its conclusions in respect of ethical standards in the conduct of the Assembly's business; and</p> <p>(iv) establish and lay before the Assembly procedures for the investigation of complaints under Standing Order 16.1(i).</p>	
<p>Membership</p>	
<p>16.2 The Presiding Officer must not be a member of the Committee <u>responsible committee</u>, but is entitled to submit papers to it for the purpose of drawing to its attention such considerations as he or she considers appropriate.</p>	<p>Amend this Standing Order</p> <p>Insert "the responsible committee" - consequential amendment if SO 16.0 is agreed: remove reference to specific committee and refer to the functions of the responsible committee, in line with the proposed approach. This would retain the requirement for there to be an Assembly committee to deliver the functions currently delivered by the Committee on Standards of Conduct</p>
<p>16.3 Subject to Standing Order 16.4, Standing Order 10.42 shall <u>must</u> not apply to the Committee on Standards of Conduct <u>responsible committee</u>.</p>	<p>Amend this Standing Order</p> <p>Insert "the responsible committee" - as above.</p> <p>Replace "shall" with "must" - drafting change to ensure consistency throughout Standing Orders.</p>
<p>16.4 Where a member of the Committee <u>responsible committee</u> is subject to a complaint under Standing Order 16.1(i), he or she may take no part in any consideration of the complaint by the Committee <u>responsible committee</u>. In such circumstances and in relation solely to the</p>	<p>Amend this Standing Order</p> <p>Insert "the responsible Committee" - consequential amendment if SO 16.0 is agreed: remove reference to specific committee and refer to the functions of the responsible committee, in line with the proposed</p>

<p>consideration of the complaint concerned, another Member from the same political group, who has been nominated in advance by the leader of that group, may replace that member. The nominated Member may participate in the meetings of the Committee <u>responsible committee</u> to consider the complaint as if he or she were a member of it. No Member may replace more than one Committee member of the <u>responsible committee</u> at a meeting.</p>	<p>approach. This would retain the requirement for there to be an Assembly committee to deliver the functions currently delivered by the Committee on Standards of Conduct.</p> <p>Remove “the leader of” - it is proposed that the reference to a group leader is removed to allow political groups the freedom to determine their own internal organisation. This Standing Order, as currently drafted, assumes that all political groups will choose to have a leader, which may not always be the case. The same change is proposed throughout Standing Orders to all references to leaders of political groups.</p>
<p>Meetings</p>	
<p>16.5 The Committee <u>responsible committee</u> must meet as soon as possible after a complaint has been referred to it by the Commissioner for Standards; and at other times as convened by the chair.</p>	<p>Amend this Standing Order</p> <p>As above</p>
<p>16.6 The Committee <u>responsible committee</u> may meet in public or in private, but when deliberating upon a complaint, the Committee <u>responsible committee</u> must meet in private unless it resolves otherwise.</p>	<p>Amend this Standing Order</p> <p>As above</p>
<p>16.7 Any Member who is the subject of an investigation by the Committee <u>responsible committee</u> must be permitted to make oral or written representations to it and may be accompanied at oral hearings by another person (who may participate in the proceedings with the permission of the chair, but may not vote).</p>	<p>Amend this Standing Order</p> <p>As above</p>
<p>Reports</p>	

16.8	If the Committee <u>responsible committee</u> has investigated a complaint referred to it by the Commissioner for Standards, it must report to the Assembly as soon as possible after completion of the investigation.	Amend this Standing Order As above
16.9	A report under Standing Order 16.8 may include a recommendation to censure a Member for failing to comply with any of the matters encompassed within Standing Order 16.1(i).	No amendment necessary
16.10	If a motion to consider a report under Standing Order 16.8 is tabled by a member of the Committee <u>responsible committee</u> , time must be made available as soon as possible for the motion to be debated. No amendment may be tabled to such a motion.	Amend this Standing Order As above

STANDING ORDERS 17 – 20 - Consequential changes	
STANDING ORDER 17 – Equality of Opportunity Committee	Remove this Standing Order in its entirety
<p>17.1 There is to be a Committee on Equality of Opportunity to consider and report on the relevant duties contained in the Act placed on the Assembly, the First Minister, Welsh Ministers or the Commission</p>	<p>Remove this Standing Order</p> <p>This amendment gives effect to the replacement of named committees in Standing Orders with function-based Standing Orders, in line with the proposed approach.</p> <p>Rather than stating that there must be a specific Equality of Opportunity Committee, revised Standing Order 12 places a duty on the Assembly to establish committees with power within their remit to:</p> <ul style="list-style-type: none"> • examine the administration of the government and any associated public bodies; • consider any matter affecting Wales. <p>These areas would include statutory duties in relation to equality of opportunity.</p> <p>This would still permit the Assembly to establish an Equality of Opportunity Committee in the next Assembly if it so wishes. Alternatively, the Assembly could resolve to allocate responsibilities relating to scrutiny of equality of opportunities to multiple committees in relation to their specific policy area.</p>
STANDING ORDER 18 – Committee on European and External Affairs	Remove this Standing Order in its entirety
<p>18.1 There is to be a Committee on European and External Affairs to consider and report on any matters relevant to the exercise by the First Minister, Welsh Ministers, the Counsel General or the Assembly of any of their functions relating to the European</p>	<p>Remove this Standing Order</p> <p>This amendment gives effect to the replacement of named committees in Standing Orders with function-based Standing Orders,</p>

<p>Union or external affairs.</p>	<p>in line with the proposed approach.</p> <p>Rather than stating that there must be a specific Committee on European and External Affairs, revised Standing Order 12 places a duty on the Assembly to establish committees with power within their remit to:</p> <ul style="list-style-type: none"> • examine the expenditure, administration, statutory duties and policy of the government and associated public bodies; • consider any matter affecting Wales. <p>This would include any matters relevant to the exercise by the First Minister, Welsh Ministers, the Counsel General or the Assembly of any of their functions relating to the European Union or external affairs.</p> <p>This would still permit the Assembly to establish a Committee on European and External Affairs in the next Assembly if it so wishes. Alternatively, the Assembly could resolve to allocate responsibilities relating to European and External Affairs to another committee or committees of the Assembly</p> <p>The Committee on European and External Affairs' response to the review of Standing Orders included a request to ensure a formal mechanism for dealing with matters relating to EU subsidiarity. Provision has been made under new SO 15.8 - 15.11 (Constitutional and Legislative Affairs) which would require the Business Committee, in proposing a committee structure, to ensure that a committee of the Assembly is able to consider draft EU legislation relating to matters within the legislative competence of the Assembly or to the functions of Welsh Ministers in order to consider whether it complies with the principle of subsidiarity.</p>
<p>18.2 Members of the European Parliament representing Wales and</p>	<p>Remove this Standing Order</p>

<p>the Assembly's representatives on the Committee of the Regions may attend and, with the permission of the chair, speak at the Committee's meetings, but they may not vote.</p>	<p>This Standing Order is not necessary as it is within the authority of the chair to determine the responsible committee's procedures in accordance with SO 10.20. This could include allowing individuals to attend and participate in committee meetings and does not need to be specified in Standing Orders.</p>
<p>STANDING ORDER 19 – Committee for the Scrutiny of the First Minister</p>	<p>Remove this Standing Order in its entirety</p>
<p>19.1 There is to be a Committee for the Scrutiny of the First Minister which must take evidence from the First Minister on any matter relevant to the exercise by the Welsh Ministers and the Counsel General of any of their functions (other than in relation to the organisation of Government business in plenary).</p>	<p>Remove this Standing Order</p> <p>This amendment gives effect to the replacement of named committees in Standing Orders with function-based Standing Orders, in line with the proposed approach.</p> <p>Rather than stating that there must be a specific Committee for the Scrutiny of the First Minister, revised Standing Order 12 places a duty on the Assembly to establish committees with the power within their remit to examine the expenditure, administration, statutory duties and policy of the government. This would include any matter relevant to the exercise by the Welsh Ministers and the Counsel General of any of their functions (other than in relation to the organisation of Government business in plenary).</p> <p>This proposal would permit the Assembly to establish a Committee for the Scrutiny of the First Minister if it so wishes but would not require it to do so.</p>
<p>Meetings</p>	<p>Remove this sub-heading</p>
<p>19.2 For the purposes of taking evidence from the First Minister the Committee is not normally to meet more than twice in an Assembly year.</p>	<p>Remove this Standing Order</p> <p>Should the Assembly resolve to establish a committee of this kind, a</p>

	requirement akin to SO 19.2 could be set out in the committee's remit if deemed necessary.
Chair	Remove this sub-heading
19.3 Standing Order 10.18 applies to the Committee, except that it must not be chaired by a Member who is a member of a political group with an executive role.	Remove this Standing Order Should the Assembly resolve to establish a committee of this kind, a requirement akin to SO 19.3 could be set out in the committee's remit if it deemed necessary.
Procedure in the Committee	Remove this sub-heading
19.4 The provisions of Standing Orders 10.15, 10.44 and 10.49 do not apply to the Committee.	Remove this Standing Order Should the Assembly resolve to establish a committee of this kind, a requirement akin to SO 19.4 could be set out in the committee's remit if deemed necessary.
STANDING ORDER 20 – Regional Committees	Remove this Standing Order in its entirety
20.1 If a majority of constituency and regional Members representing an electoral region give notice in the Table Office that they wish a Regional Committee to be established for the electoral region, the Business Committee must table a motion to establish a committee for the purposes of Standing Order 10.3 comprising the Members representing that region and the constituencies within it.	Remove this Standing Order Revised Standing Order 12.1 would permit the Assembly to establish Regional Committee(s) if it so wished. If the proposed change is made, the requirement for a majority of constituency and regional Member representing an electoral region to give notice to the Table Office that they wish a Regional Committee to be established for the region would be removed. Instead, the proposal would either have to be made by the Business Committee under revised SO 12.2 or via a motion tabled by any Member under revised SO 12.5.
20.2 A motion tabled under Standing Order 20.1 cannot be passed unless (if the motion is passed on a vote) at least two-thirds of	Remove this Standing Order

<p>the Members voting support it.</p>	<p>If the proposed change is made, the requirement for two-thirds of Members voting to support the establishment of the Committee would be removed.</p>
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STANDING ORDER 21A - Definition of Member in Charge of Legislation (replacing SO 22.4 – 22.12, 22.22 – 22.30, 23.1 – 23.12)

Standing Order 21A – Definition of Member in Charge of Legislation

<p><u>21A.1 Standing Order 21A defines the “Member in charge” of an item of legislation.</u></p> <p><u>21A.2 In Standing Order 21A “legislation” means:</u></p> <p><u>(i) proposed Orders under Standing Order 22; or</u></p> <p><u>(ii) draft Orders under Standing Order 22;or</u></p> <p><u>(ii) proposed Measures under Standing Order 23.</u></p>	<p>Insert New Standing Order to replace Standing Orders 22.4 – 22.12, 22.22 – 22.30, 23.1 – 23.12</p> <p>Proposed new Standing Order 21A to merge Standing Orders 22.4 – 22.12 with similar provisions in SO 22.22 – 22.30 and SO 23.1 – 23.12.</p> <p>The definition of what is / who can be a “member in charge” is repeated in three different areas of Standing Orders in relation to proposed Orders, draft Orders, and proposed Measures. It is proposed that there should be one stand-alone Standing Order to encompass them all.</p> <p>It is proposed that the new Standing Order would also include a provision to enable Member and Committee proposed legislation to be transferred to the Welsh Government (See new suggested Standing Orders 21A.9 and 21A.16).</p> <p>The current Standing Order does not allow the Government to take over a Committee or Member proposed legislation should that approach be the wish of the Committee or Member respectively.</p>
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	<p>In relation to Committee proposed legislation, the unanimous agreement of the Committee would be required to allow the Government to take it over.</p>
<p><u>Government Legislation</u></p> <p><u>21A.3 Legislation laid or introduced by a member of the government is referred to as “government legislation”.</u></p> <p><u>21A.4 The Member in charge of an item of government legislation is:</u></p> <ul style="list-style-type: none"> <u>(i) the member of the government who laid or introduced the legislation (or, in the case of a draft Order, the Member of the government who introduced the proposed Order to which the draft Order relates);</u> <u>(ii) a member of the government who is authorised by the First Minister; or</u> <u>(iii) a member of the government who is authorised by virtue of Standing Order 21A.9 or 21A.16.</u> <p><u>21A.5 A Member who ceases to be a member of the government can no longer continue to be the Member in charge of government legislation.</u></p>	<p>Insert new Standing Orders</p> <p>There is no substantive change to the definitions of what is referred to as “government legislation”, they replicate the provisions in relation to proposed Orders (SO 22.4-22.5 and 22.11), draft Orders (SO 22.22-22.23 and 22.29), proposed Measures (SO 23.1-23.2 and 23.10).</p> <p>The only new provision is SO 21A.4 (iii), which relates to a new provisions in 21A.9 and 21A.16 to allow committee proposed legislation and Member proposed legislation to be transferred to the Welsh Government.</p>

<p><u>Committee Legislation</u></p> <p><u>21A.6 Legislation laid or introduced by a committee is referred to as “committee legislation”.</u></p> <p><u>21A.7 The Member in charge of an item of committee legislation is:</u></p> <ul style="list-style-type: none"> <u>(i) the member of the committee authorised by the committee that laid or introduced the legislation (or, in the case of a draft Order, the member of the committee authorised by the committee that introduced the proposed Order to which the draft Order relates); or</u> <u>(ii) if that committee no longer exists and another committee is specified by the Business Committee as being responsible for the item of committee legislation, a member of that other committee authorised by that other committee.</u> <p><u>21A.8 An authorisation under Standing Order 21A.7 (i) or (ii) no longer has effect if the Member so authorised ceases to be a member of the committee.</u></p>	<p>Insert new Standing Orders</p> <p>There is no substantive change to the definitions of what is referred to as “committee legislation”, they replicate the provisions in relation to proposed Orders (SO 22.6—22.7 and 22.12), draft Orders (SO 22.24-22.25 and 22.30), proposed Measures (SO 23.3-23.4 and 23.11).</p>
<p><u>21A.9 A committee may, with the agreement of the government, transfer an item of committee legislation to a member of the government authorised by the First Minister, but only with the agreement (by unanimous resolution of those voting) of the committee referred to in Standing Order 21A.7(i) or, if that committee no longer exists, of the committee specified by the Business Committee under Standing Order 21A.7(ii).</u></p> <p><u>21A.10 When a committee transfers an item of committee legislation</u></p>	<p>Insert new Standing Orders</p> <p>These are new provisions to enable Committee proposed legislation to be transferred to the Welsh Government with their agreement.</p> <p>21A.9 - this makes provision for committee legislation to be transferred to the government and includes a requirement for this to be by unanimous agreement of the committee.</p>

<p><u>to a Member of the government (in accordance with Standing Order 21A.9), that item of legislation is to be regarded, from then on, as an item of government legislation.</u></p>	<p>21A.10 – once transferred to the Government, it would be referred to as “government legislation”.</p>
<p><u>Commission legislation</u></p>	
<p><u>21A.11 Legislation laid or introduced by the Commission is referred to as “Commission legislation”.</u></p> <p><u>21A.12 The Member in charge of an item of Commission legislation is the member of the Commission authorised by the Commission.</u></p> <p><u>21A.13 An authorisation under Standing Order 21A.12 no longer has effect if the Member so authorised ceases to be a member of the Commission.</u></p>	<p>Insert new Standing Orders</p> <p>Existing Standing Orders only define Commission proposed Legislation in terms of Commission proposed Measures. The proposals are broader to bring the definition of commission legislation in line with drafting for Member, Government and Committee proposed legislation.</p>
<p><u>Member legislation</u></p>	
<p><u>21A.14 Legislation, which is neither government legislation, committee legislation nor Commission legislation, is referred to as “Member legislation”.</u></p> <p><u>21A.15 The Member in charge of an item of Member legislation is:</u></p> <p style="padding-left: 40px;">(i) <u>the Member who laid or introduced the legislation, or who has had agreement to introduce or lay the legislation under Standing Order 22.50 or 23.103 (or, in the case of a draft Order, the Member who introduced the proposed Order to which the draft Order relates);</u></p> <p style="padding-left: 40px;">(ii) <u>another Member authorised by the Member under</u></p>	<p>Insert new Standing Orders</p> <p>There is no substantive change to the definitions of what is referred to as “Member legislation”, they replicate the provisions in relation to proposed Orders (SO 22.8—22.10), draft Orders (SO 22.26-22.28), proposed Measures (SO 23.7-23.9).</p>

<p><u>Standing Order 21A.15(i), by means of a statement to that effect laid by that Member; or</u></p> <p><u>(iii) if no such authorisation is made, any Member authorised by the Assembly.</u></p>	
<p><u>21A.16 A Member may transfer an item of Member legislation to a member of the government authorised by the First Minister, by means of a statement to that effect laid by that Member.</u></p> <p><u>21A.17 When a Member transfers an item of Member legislation to a member of the government (in accordance with Standing Order 21A.16), that item of legislation is to be regarded, from then on, as an item of government legislation.</u></p>	<p>These are new provisions to enable Member proposed legislation to be transferred to the Welsh Government.</p>

STANDING ORDER 22: Legislative Competence Orders	
STANDING ORDER 22 - Legislative Competence Orders	No amendment to heading necessary
22.1 Standing Order 22 applies only to Orders in Council within the meaning of section 95 of the Act.	No amendment necessary
22.2 A “proposed Order” is a proposal for an Order in Council that is to be subject to pre-legislative scrutiny under Standing Order 22.13 to 22.21.	<p>Amend this Standing Order</p> <p>This Standing Order refers to “pre-legislative scrutiny” and in practice use of this term has been avoided as it is not strictly accurate, since the proposed Order will already have been laid.</p> <p>Propose the deletion of the words ‘pre-legislative’.</p>
22.3 A “draft Order” is a draft Order in Council that is to be subject to approval by the Assembly under Standing Order 22.34.	No amendment necessary

Proposed Orders	Delete sub heading (See suggested amendment below)
<p>22.4— A proposed Order laid by a member of the government is referred to as a “government proposed Order”.</p> <p>22.5— The “Member in charge” of a government proposed Order is:</p> <p style="padding-left: 40px;">(i) — the member of the government who laid the proposed Order; or</p> <p style="padding-left: 40px;">(ii) — a member of the government who is authorised by the First Minister.</p> <p>22.6— A proposed Order laid by a committee is referred to as a “committee proposed Order”.</p> <p>22.7— The “Member in charge” of a committee proposed Order is:</p> <p style="padding-left: 40px;">(i) — the member of the committee authorised by the committee which laid the proposed Order; or</p> <p style="padding-left: 40px;">(ii) — if that committee no longer exists and another committee is, for the purposes of Standing Order 22, specified by the Business Committee, a member of that other committee authorised by that other committee.</p> <p>22.8— A proposed Order laid by a Member, which is not a government proposed Order or a committee proposed Order, is referred to as a “Member proposed Order”.</p>	<p>Merge Standing Orders 22.4 – 22.12 with similar provisions in SO 22.22 – 22.30 and SO 23.1 – 23.12 and replace with new Standing Order 21A (see above)</p> <p>The definition of what is / who can be a “member in charge” is repeated in three different areas of Standing Orders in relation to proposed Orders, draft Orders, and proposed Measures. It is proposed that there should be one stand-alone Standing Order to encompass them all.</p> <p>The new Standing Order would also include a new provision to enable Member and Committee proposed legislation to be transferred to the Welsh Government.</p>

<p>22.9 The “Member in charge” of a Member proposed Order is:</p> <ul style="list-style-type: none"> (i) the Member who laid the proposed Order; (ii) another Member authorised by that Member; or (iii) if no such authorisation is made, any Member authorised by the Assembly. <p>22.10 A member of the government cannot be the Member in charge of a committee proposed Order or a Member proposed Order.</p> <p>22.11 A Member who ceases to be a member of the government can no longer continue to be the Member in charge of a government proposed Order.</p> <p>22.12 An authorisation under Standing Order 22.7 no longer has effect if the Member so authorised ceases to be a member of the committee.</p>	
<p>Form and Laying of Proposed Orders</p>	<p>No amendment to sub heading necessary</p>
<p>22.13 Subject to Standing Orders 22.42 to 22.54, a proposed Order may be laid on any working day in a sitting week.</p>	<p>No amendment necessary</p>
<p>22.14 At the same time as a <u>the Member in charge</u> lays a proposed Order under Standing Order 22.13, he or she must lay an Explanatory Memorandum.</p>	<p>Amend this Standing Order Drafting amendment for clarity.</p>

<p>22.15 A proposed Order must not be laid unless it is in proper form in accordance with any determinations made by the Presiding Officer.</p>	<p>No amendments necessary</p>
<p>Detailed Consideration of a Proposed Order</p>	<p>No amendment to sub heading necessary</p>
<p>22.16 The Business Committee must either:</p> <ul style="list-style-type: none"> (i) refer the proposed Order for detailed consideration to a <u>responsible committee to be established in accordance with Standing Order 22.12.1 (referred to within Standing Order 22 as “the responsible committee”)</u>; or (ii) by motion in plenary propose that there should be no detailed consideration of the proposed Order. 	<p>Amend this Standing Order</p> <p>22.16(i) - The amendments to this Standing Order are consequential amendments in accordance with the proposed changes to the Standing Orders on committees.</p> <p>The legislative committee would already be established under Standing Order 12.1 i.e. a committee with responsibility for delivering functions under Standing Order 22 and 23. There would be no need to establish a new committee as a consequence of Standing Order 22.16 or 22.18.</p> <p>This legislative committee would be referred to as the “responsible committee” within Standing Order 22.</p>
<p>22.17 If a motion under Standing Order 22.16 (ii) is agreed, the Member in charge of the proposed Order may introduce a draft Order, which relates to the proposed Order, under Standing Order 22.31.</p>	<p>Move and amend Standing Orders to 22.21A</p> <p>Propose re-ordering of these Standing Orders (see below for further detail)</p>
<p>22.18 If a motion under Standing Order 22.16 (ii) is proposed but not agreed, the Business Committee must refer the proposed</p>	<p>Move and amend Standing Order to 22.21B</p>

<p>Order for detailed consideration by a committee to be established in accordance with Standing Order 21.</p>	<p>Propose re-ordering of these Standing Orders (see below for further detail)</p>
<p>22.19 A committee set up as a consequence of Standing Order 22.16(i) or 22.18<u>The responsible</u> committee must consider and report on the proposed Order.</p> <p>22.20 The Business Committee must establish <u>and publish</u> a timetable for the <u>responsible</u> committee's consideration of a proposed Order and may make subsequent changes to that timetable as it considers appropriate but must give reasons for such changes.</p>	<p>Amend these Standing Orders</p> <p>The amendments to this Standing Order are consequential amendments in accordance with the proposed changes to the Standing Orders on committees, as explained in SO22.16 above.</p> <p>22.20 - the requirement to publish the timetable reflects current practice and mirrors the requirement for proposed Measures in SO23.19</p>
<p>22.21 In preparing its report on the proposed Order, the <u>responsible</u> committee must, so far as is reasonably practicable, take into account:</p> <p style="padding-left: 40px;">(i) any recommendation on the proposed Order that has been made by any other committee of the Assembly; and</p> <p style="padding-left: 40px;">(ii) any recommendation on the proposed Order that has been made by any committee of the House of Commons or the House of Lords or any Joint Committee of both Houses of Parliament.</p>	<p>Delete this Standing Order</p> <p>It is proposed that these Standing Orders are deleted as they no longer remain necessary given practice to date.</p> <p>For example, in relation to paragraph (i) there has been no desire in the Third Assembly for any Committee, other than a legislation committee, to report on a proposed Order. In relation to paragraph (ii), these committees rarely report before the Assembly Committee. In instances where they may report before the Assembly committee there is nothing in Standing Orders, which would prevent the Assembly committee from taking such reports into account.</p>
<p>22.17<u>22.21A</u> If a motion under Standing Order 22.16(ii) is agreed, the Member in charge of the proposed Order may introduce a draft Order, which, <u>in the view of the Presiding Officer</u>, relates</p>	<p>Move from existing Standing Order 22.17 and amend</p> <p>Proposed re-ordering of standing orders to create a more logical sequence. The Standing Orders now deal with the effect of Standing</p>

<p>to the proposed Order, under Standing Order 22.31.</p>	<p>Order 22.16(i) firstly and Standing Order 22.16 (ii) secondly.</p> <p>Additional text inserted to define who makes the decision on whether the proposed Order relates to the draft Order. This reflects practice that has been established in the third Assembly.</p>
<p>22.18 <u>22.21B</u> If a motion under Standing Order 22.16(ii) is proposed but not agreed, the Business Committee must refer the proposed Order for detailed consideration to a <u>responsible committee established in accordance with Standing Order 12.1 (referred to within Standing Order 22 as “the responsible committee”)</u>.</p>	<p>Move from existing Standing Order 22.18 and amend</p> <p>Proposed re-ordering of standing orders to create a more logical sequence. The Standing Orders now deal with the effect of Standing Order 22.16(i) firstly and Standing Order 22.16 (ii) secondly.</p> <p>The amendments to this Standing Order are consequential amendments in accordance with the proposed changes to the Standing Orders on committees, as explained in SO22.16 above.</p>
<p>Member in Charge of a Draft Order</p>	<p>Delete Sub Heading (See suggested amendment below)</p>
<p>22.22 A draft Order introduced by a member of the government is referred to as a “government draft Order”.</p> <p>22.23 The “Member in charge” of a government draft Order is:</p> <ul style="list-style-type: none"> (i) the member of the government in charge of the proposed Order to which the draft Order relates; or (ii) a member of the government who is authorised by the First Minister. 	<p>Merge Standing Orders 22.22 – 22.30 with similar provisions in SO 22.4 – 22.12 and SO 23.1 – 23.12 and move to a new Standing Order 21A (see above)</p> <p>The definition of what is / who can be a “member in charge” is (almost) replicated in three different areas of standing orders in relation to proposed Orders, draft Orders, and proposed Measures. It is proposed that there should be one stand-alone standing order to encompass them all.</p>

~~22.24 A draft Order introduced by a committee is referred to as a “committee draft Order.”~~

~~22.25 The “Member in charge” of a committee draft Order is:~~

~~(i) the member of the committee authorised by the committee which laid the proposed Order to which the draft Order relates; or~~

~~(ii) if that committee no longer exists and another committee is, for the purposes of Standing Order 22, specified by the Business Committee, a member of that other committee authorised by that other committee.~~

~~22.26 A draft Order introduced by a Member, which is not a government draft Order or a committee draft Order, is referred to as a “Member draft Order”.~~

~~22.27 The “Member in charge” of a Member draft Order is:~~

~~(i) the Member who laid the proposed Order to which the draft Order relates;~~

~~(ii) the Member in charge of the proposed Order to which the draft Order relates;~~

~~(iii) another Member authorised by the Member referred to in Standing Order 22.27(i) or 22.27(ii); or~~

~~(iv) if no such authorisation is made, any Member~~

<p style="text-align: center;">authorised by the Assembly:</p> <p>22.28 A member of the government cannot be the Member in charge of a committee draft Order or a Member draft Order.</p> <p>22.29 A Member who ceases to be a member of the government can no longer continue to be the Member in charge of a government draft Order.</p> <p>22.30 An authorisation under Standing Order 22.25 no longer has effect if the Member so authorised ceases to be a member of the committee.</p>	
<p>Introduction of a Draft Order</p>	<p>No amendment to sub heading necessary</p>
<p>22.31 A draft Order may be introduced by being laid on a working day in a sitting week, provided that:</p> <ul style="list-style-type: none"> (i) the draft Order is introduced in accordance with Standing Order 22.17 <u>22.21A</u>; (ii) a committee has reported on a proposed Order to which the draft Order relates in accordance with Standing Order 22.19; or (iii) a committee has not so reported within the timetable set by the Business Committee in accordance with Standing Order 22.20. 	<p>Amend Standing Order</p> <p>This is a consequential amendment as a result of moving SO 22.17.</p>

Explanatory Memorandum to Accompany a Draft Order	No amendment to sub heading necessary
22.32 At the same time as the Member in charge introduces a draft Order, he or she must lay an Explanatory Memorandum.	No amendment necessary
<p>22.33 The Explanatory Memorandum must include:</p> <p>(i) an explanation of how account has been taken of any the recommendations made by any of the committees referred to in Standing Order 22.21; <u>Assembly committee, any committee of the House of Commons or the House of Lords or any Joint Committee of both Houses of Parliament;</u> and</p> <p>(ii) the reasons for any significant differences between the draft Order and the proposed Order to which it relates.</p>	<p>Amend Standing Order</p> <p>It is proposed that this standing order be strengthened in terms of the provisions relating to responses by the Member in charge to committee recommendations. This amendment aims to ensure the Member in charge responds to all recommendations made by a relevant committee.</p> <p>22.33(i) – this is a consequential change as a result of deleting Standing Order 22.21.</p>
Final Consideration	No amendment to sub heading necessary
22.34 Not later than 40 working days after a draft Order has been introduced, the Assembly must consider a motion proposed by the Member in charge that the draft Order be approved.	No amendment necessary
<u>22.34A A motion proposed under Standing Order 22.34 may be considered no earlier than ten working days after the draft Order has been introduced (not counting working days in a non-sitting week) unless, having consulted with the responsible committee, the Business Committee agrees</u>	<p>Insert new Standing Order</p> <p>Legislation Committee Chairs and consultation responses have raised concerns regarding the apparent gap in the Assembly’s scrutiny processes in relation to draft Legislative Competence Orders.</p>

<p><u>otherwise.</u></p>	<p>There is a view, supported by the legislation committee chairs, that there should be time available between the laying of a draft Order and a plenary debate.</p> <p>The proposed new Standing Order would address these concerns by allowing any appropriate committee to consider and report on the draft Order to inform the Assembly's debate, as happened with the Environment LCO.</p> <p>The Chairs of Legislation Committees highlighted the need to find a balance between allowing sufficient time to consider a draft order without unduly delaying the process.</p> <p>It is therefore proposed that a new standing order be inserted to allow for a 2 week period between the laying of a draft Order and a plenary debate, unless having consulted with the responsible committee, the Business Committee agrees otherwise.</p>
<p>22.35 No amendment to a motion under Standing Order 22.34 may be tabled if:</p> <ul style="list-style-type: none"> (i) it would not be clear from a resolution of the Assembly approving the motion as amended by such an amendment that the Assembly has approved the draft Order; or (ii) it seeks to amend the draft Order. <p>22.36 A draft Order cannot be amended.</p>	<p>No amendments necessary.</p>
<p>Publication of Notice of Refusal</p>	<p>No amendment to sub heading necessary</p>
<p>22.37 The Presiding Officer must, as soon as reasonably practicable, publish any notice laid in accordance with section 95(8) of the</p>	<p>No amendment necessary</p>

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Withdrawal of a Proposed or Draft Order	No amendment to sub heading necessary
22.38 A proposed or draft Order may be withdrawn at any time by the Member in charge, except in the case of a committee proposed or draft Order, when the Member in charge must first obtain the consent <u>agreement (by unanimous resolution of those voting)</u> of the committee before withdrawing the Order.	Amend Standing Order Amended to ensure consistency with SO 21A.9
Fall of a Proposed or Draft Order	No amendment to sub heading necessary
22.39 A proposed or draft Order falls at dissolution.	No amendment necessary
<u>22.39A Agreement to lay a proposed Order in accordance with Standing Order 22.50 ceases at dissolution.</u>	Insert new Standing Order Proposed new Standing Order to improve clarity. Since a proposed or draft Order falls at dissolution this Standing Order would make the same provision for ballot proposals that had won the support of the Assembly but had not progressed further. It supports the principle that a new assembly should not be bound by decisions made by the last.
22.40 A proposed Order falls if the draft Order to which it relates is	No amendment necessary

approved or falls.	
22.41 A draft Order falls if it is not approved by the Assembly.	No amendment necessary
Committee Proposed and Draft Orders	No amendment to sub heading necessary
22.42 Standing Orders 22.43 to 22.45 apply only to committee proposed and draft Orders.	Delete this Standing Order This Standing Order is no longer necessary now that SO 22.44 and 22.45 have been deleted.
22.43 Any committee other than a committee set up as a consequence of Standing Order 22.16(i), 22.18, 23.22 or 23.31(ii) may: <ul style="list-style-type: none"> (i) lay a committee proposed Order relating to its remit; or (ii) subject to Standing Order 22.31, introduce a draft Order relating to its remit. 	Amend Standing Order The amendments to this Standing Order are consequential amendments in accordance with the proposed changes to the Standing Orders on committees, as explained in SO22.16 above. This amendment would mean that all committees would, in theory, be able to introduce legislation. However, if the 4th Assembly adopts the same model for legislation committees then those committees could be prevented from introducing legislation by virtue of the remit set out when they were established.
22.44 A committee may only have one committee proposed Order or	Delete Standing Order

committee draft Order in progress at any one time.	It is proposed that this be deleted as it seems unnecessary to place a limit on the number of committee proposed/draft Orders in progress at any one time.
22.45 For the purposes of Standing Order 22.44 a committee proposed Order or committee draft Order is in progress from the time it has been laid or introduced, as the case may be, until it falls, is withdrawn or, in the case of a draft Order, is approved.	Delete Standing Order The deletion of this Standing Order is a consequential amendment if the proposed deletion of Standing Order 22.44, as explained above, is agreed.
Member Proposed and Draft Orders	No amendment to sub heading necessary
22.46 Standing Orders 22.47 to 22.54 apply only to Member proposed and draft Orders.	No amendment necessary
22.47 The Presiding Officer must from time to time hold a ballot to determine the name of a Member, other than a member of the government, who may seek leave <u>agreement</u> to lay a Member proposed Order under Standing Order 22.50.	Amend Standing Order The motion in SO 22.50 also asks the Assembly 'to agree' that the Member may lay a proposed Order. It is proposed that 'leave' be amended to 'agreement' to ensure consistency of wording of SO 22.47 and SO 22.50.
22.48 The Presiding Officer must include in the ballot the names of all those Members who have applied to be included and who have provided an outline proposed Order and an Explanatory Memorandum.	No amendment necessary
22.49 No Member who has previously won the ballot <u>had agreement to lay a proposed Order</u> in that Assembly may so <u>apply to be included in the ballot.</u>	Amend Standing Order It is suggested that this Standing Order be amended to remove the restriction on Members who have not previously had agreement to

	<p>proceed with a proposed Order from re-entering the ballot.</p> <p>Where a Member has been successful in a ballot and has had agreement to proceed, they would not be allowed to re-enter the ballot, as is the case under the current Standing Orders.</p>
<p>22.50 A Member who is successful in a ballot must may, within 25 working days of the date of the ballot, table a motion that the Assembly agrees that the Member may lay a proposed Order, to give effect to the outline proposed Order to which it relates, and an Explanatory Memorandum.</p>	<p>Amend Standing Order</p> <p>Amending the word ‘must’ to ‘may’ to enable a Member not to proceed with a debate if they wish. If they did not table the motion within 10 days they would have lost their opportunity to do so.</p>
<p>22.51 A motion under Standing Order 22.50 is not amendable.</p>	<p>No amendments necessary</p>
<p>22.52 Time must be made available for a motion tabled under Standing Order 22.50 to be debated within 35 working days of the date of the ballot (not counting working days in a <u>non-sitting</u> week when there is no plenary meeting of the Assembly).</p>	<p>Amend Standing Order</p> <p>This has been amended for clarity, following the addition of “non-sitting” week to the interpretation section of the Standing Orders.</p>
<p>22.53 Unless a motion under Standing Order 22.50 is agreed to, no further proceedings are to be taken on the proposed Order.</p>	<p>No amendment necessary</p>
<p>22.54 If a motion under Standing Order 22.50 is disagreed to, then no Member may enter any ballot held under Standing Order 22.47 for a period of six months after the motion has been disagreed to if, in the opinion of the Presiding Officer, the proposed Order which he or she is intending to lay seeks to confer the same, or substantially the same, legislative competence as the proposed Order referred to in the motion which has been disagreed to.</p>	<p>No amendment necessary</p>

STANDING ORDER 23: Assembly Measures	
STANDING ORDER 23 - Assembly Measures	
General	Delete Sub Heading (See suggested Amendment below)
<p>23.1—A proposed Measure introduced by a member of the government is referred to as a “government proposed Measure”.</p> <p>23.2—The Member in charge of a government proposed Measure is:</p> <p style="padding-left: 40px;">(i) the member of the government who introduced the proposed Measure; or</p> <p style="padding-left: 40px;">(ii) a member of the government who is authorised by the First Minister.</p> <p>23.3—A proposed Measure introduced by a committee is referred to as a “committee proposed Measure”.</p> <p>23.4—The Member in charge of a committee proposed Measure is:</p> <p style="padding-left: 40px;">(i) the member of the committee authorised by the committee which made the proposal for the</p>	<p>Merge Standing Orders 23.1 – 23.12 with similar provisions in SO 22.4 -22.12 and 22.22 - 22.30 and move to a new Standing Order 21A (see above)</p> <p>The definition of what is / who can be a “member in charge” is repeated in three different areas of Standing Orders in relation to proposed Orders, draft Orders, and proposed Measures. It is proposed that there should be one stand-alone Standing Order to encompass them all.</p> <p>The new Standing Order will also include a provision to enable Member and Committee proposed Measures to be transferred to the Welsh Government (See new suggested standing orders 21A.9 and 21A.16 above).</p>

~~proposed Measure; or~~

- ~~(ii) if that committee no longer exists and another committee is, for the purposes of Standing Order 23, specified by the Business Committee, a member of that other committee authorised by that other committee.~~

~~23.5 A proposed Measure introduced by the Commission is referred to as a "Commission proposed Measure".~~

~~23.6 The Member in charge of a Commission proposed Measure is the member of the Commission authorised by the Commission.~~

~~23.7 A proposed Measure which is not a government proposed Measure, a committee proposed Measure or a Commission proposed Measure is referred to as a "Member proposed Measure".~~

~~23.8 The Member in charge of a Member proposed Measure is:~~

- ~~(i) the Member who introduced the proposed Measure;~~
- ~~(ii) another Member authorised by that Member; or~~
- ~~(iii) if no such authorisation is made, any Member authorised by the Assembly.~~

~~23.9 A member of the government cannot be the Member in charge of a committee proposed Measure, a Commission proposed~~

<p>Measure or a Member proposed Measure:</p> <p>23.10 A Member who ceases to be a member of the government can no longer continue to be the Member in charge of a government proposed Measure.</p> <p>23.11 An authorisation under Standing Order 23.4 no longer has effect if the Member so authorised ceases to be a member of the committee.</p> <p>23.12 An authorisation under Standing Order 23.6 no longer has effect if the Member so authorised ceases to be a member of the Commission.</p>	
<p>Form and Introduction of Proposed Measures</p>	<p>No amendment to sub heading necessary</p>
<p>23.13 Subject to Standing Orders 23.90 to 23.106, a proposed Measure may be introduced on a working day in a sitting week.</p> <p>23.14 A proposed Measure must be introduced by being laid.</p> <p>23.15 A proposed Measure must not be laid unless it is in proper form in accordance with any determinations made by the Presiding Officer.</p> <p>23.16 A proposed Measure must on its introduction be accompanied by a statement in English and Welsh by the Presiding Officer which must:</p> <p style="padding-left: 40px;">(i) indicate whether or not the provisions of the proposed Measure would be, in his or her</p>	<p>No amendments necessary</p>

<p>opinion, within the legislative competence of the Assembly; and</p> <p>(ii) indicate any provisions which, in his or her opinion, would not be within the legislative competence of the Assembly and the reasons for that opinion.</p> <p>23.17 A proposed Measure must be introduced in both English and Welsh except in the following cases:</p> <p>(i) when, in respect of a government proposed Measure, the Member in charge states in writing that, for specified reasons, it would not be appropriate in the circumstances or reasonably practicable for the proposed Measure to be introduced in both languages; or</p> <p>(ii) when not doing so is in accordance with determinations issued by the Presiding Officer under Standing Order 23.15.</p>	
<p>Documentation to Accompany a Proposed Measure</p>	<p>No amendment to sub heading necessary</p>
<p>23.18 At the same time as a <u>the Member in charge</u> introduces a proposed Measure, he or she must also lay an Explanatory Memorandum which must:</p> <p>(i) state that in his or her view the provisions of the proposed Measure would be within the legislative competence of the Assembly;</p>	<p>Amend Standing Order</p> <p>23.18 (vi) - In their consultation response the Finance Committee suggested that financial information contained in Explanatory Memorandums (EMs) could be improved. This is a view shared by legislation committee chairs.</p> <p>The weakness in the financial information provided in EMs has related mainly to the lack of information of the ‘total costs’ of the</p>

<ul style="list-style-type: none"> (ii) set out the policy objectives of the proposed Measure; (iii) set out whether alternative ways of achieving the policy objectives were considered and, if so, why the approach taken in the proposed Measure was adopted; (iv) set out the consultation, if any, which was undertaken on: <ul style="list-style-type: none"> (a) the policy objectives of the proposed Measure and the ways of meeting them; and (b) the detail of the proposed Measure, together with a summary of the outcome of that consultation; (v) summarise objectively what each of the provisions of the proposed Measure is intended to do (to the extent that it requires explanation or comment) and give other information necessary to explain the effect of the proposed Measure; (vi) set out the best estimates of: <ul style="list-style-type: none"> (a) any <u>the gross</u> administrative, compliance and other costs to which the provisions of the proposed Measure 	<p>proposed Measure. Many EMs have only set out the additional costs, over and above costs spent on existing policy initiatives or services.</p> <p>23.18 (vi) (a) - amendments are proposed to improve clarity on estimated costs involved and to address the point above.</p>
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<p>would give rise;</p> <p>(b) the timescales over which such costs would be expected to arise; and</p> <p>(c) where <u>on whom</u> the costs would fall;</p> <p>(vii) where the proposed Measure contains any provision conferring power to make subordinate legislation, set out, in relation to each such provision:</p> <p>(a) the person upon whom, or the body upon which, the power is conferred and the form in which the power is to be exercised;</p> <p>(b) why it is considered appropriate to delegate the power; and</p> <p>(c) the Assembly procedure (if any) to which the subordinate legislation made or to be made in the exercise of the power is to be subject, and why it was considered appropriate to make it subject to that procedure (and not to make it subject to any other procedure); and</p> <p>(viii) where the proposed Measure contains any provision charging expenditure on the Welsh Consolidated Fund, incorporate a report of the Auditor General setting out his or her views on</p>	
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whether the charge is appropriate.	
Timetable for Consideration of a Proposed Measure	No amendment to sub heading necessary
<p>23.19 The Business Committee must establish and publish a timetable for the consideration of a proposed Measure, except for any stage taken in plenary (which must be arranged under the provisions of Standing Orders 6.4 or 11.7(ii), as the case may be).</p> <p>23.20 The Business Committee may make such subsequent changes to a timetable established under Standing Order 23.19 as it considers appropriate but must give reasons for such changes.</p>	No amendments necessary
Stage 1: Consideration of General Principles	No amendment to sub heading necessary
<p>23.21 Once a proposed Measure has been introduced, the Business Committee must decide whether or not to refer consideration of the general principles to a <u>responsible committee established under Standing Order 12.1 (referred to within Standing Order 23 as “the responsible committee”)</u>.</p>	<p>Amend this Standing Order</p> <p>The amendments to this Standing Order are consequential amendments in accordance with the proposed changes to the Standing Orders on committees.</p> <p>The legislative committee would already be established under Standing Order 12.1 i.e. a committee with responsibility for delivering functions under Standing Order 23. There would be no need to have a separate Standing Order to establish a committee.</p> <p>This committee would be referred to as the “responsible committee” within Standing Order 23.</p>
<p>23.22 If the Business Committee decides to refer consideration of the general principles to a committee, such a committee must</p>	Amend these Standing Order

<p>be established in accordance with Standing Order 21.</p> <p>23.23 If the Business Committee agrees under Standing Order 23.21 to refer the proposed Measure to a responsible committee, the that responsible committee established as a consequence of Standing Order 23.22 must consider and report on the general principles of the proposed Measure.</p>	<p>The amendments to this Standing Order are consequential amendments in accordance with the proposed changes to the Standing Orders on committees.</p>
<p>23.24 Not earlier than five working days after either:</p> <ul style="list-style-type: none"> (i) <u>the responsible</u> committee has reported on the general principles of the Measure; or (ii) the deadline by which <u>the responsible a</u> committee is required to report has been reached, <p>the Member in charge of the proposed Measure may propose that the Assembly agree to the general principles of the proposed Measure.</p> <p>23.25 If the Business Committee decides not to refer consideration of the general principles to a <u>responsible</u> committee, the Member in charge may propose that the Assembly agree to the general principles of the proposed Measure.</p> <p>23.26 If the Assembly agrees to the general principles of the proposed Measure under Standing Orders 23.24, 23.25, 23.95 or 23.114, the proposed Measure proceeds to Stage 2.</p> <p>23.27 If the Assembly does not agree to the general principles of the proposed Measure under Standing Orders 23.24, 23.25, 23.95 or 23.114, the proposed Measure falls.</p>	<p>Amend Standing Order</p> <p>The amendments to this Standing Order are consequential amendments in accordance with the proposed changes to the Standing Orders on committees.</p>

<p>23.28 Stage 1 is completed when the general principles of the proposed Measure have been agreed to or the Measure falls under Stage 1.</p>	
<p>Stage 2: Detailed Consideration by Committee</p>	<p>No amendment to sub heading necessary</p>
<p>23.29 Stage 2 starts on the first working day after Stage 1 is completed.</p>	<p>No amendment necessary.</p>
<p>23.30 At least 15 working days must elapse between the start of Stage 2 and the date of the first meeting <u>at which of the responsible committee that considers Stage 2 proceedings amendments to the proposed Measure.</u></p>	<p>Amend Standing Order</p> <p>Currently this Standing Order is restrictive in preventing a committee considering stage 2 from meeting until after 15 days have elapsed from the start of stage 2.</p> <p>The proposed re-wording would remove this restriction and provide greater flexibility.</p> <p>Also, there is one consequential amendment to this Standing Order in accordance with the proposed changes to the Standing Orders on committees.</p>
<p>23.31 If the Assembly has agreed to the proposed Measure’s general principles, the Business Committee must:</p> <p>(i) refer the proposed Measure back to the</p>	<p>Amend Standing Order</p> <p>The amendments to this Standing Order are consequential amendments in accordance with the proposed changes to the</p>

<p>responsible committee established as a consequence of Standing Order 23.22 for Stage 2 proceedings;</p> <p>(ii) refer the proposed Measure to a <u>responsible committee</u> for Stage 2 proceedings <u>if the Business Committee agreed under Standing Order 23.21 not to refer consideration of the general principles to a responsible committee</u>; or</p> <p>(iii) by motion in plenary propose that Stage 2 proceedings be considered by a Committee of the Whole Assembly, to be chaired by the Presiding Officer. The Presiding Officer or Deputy may vote in such proceedings only when exercising a casting vote in accordance with Standing Order 2.20.</p>	<p>Standing Orders on committees.</p>
<p>23.32 A proposed Measure may be amended in Stage 2 proceedings.</p> <p>23.33 Amendments to be considered at Stage 2 proceedings may be tabled by any Member, from the first day on which Stage 2 starts.</p>	<p>No amendment necessary.</p>
<p>23.34 Amendments are to be disposed of in the order in which the sections and schedules to which they relate arise in the proposed Measure, unless the committee considering Stage 2 proceedings has decided otherwise.</p>	<p>No amendment necessary.</p>
<p>23.35 Only a Member who is a member of a the committee considering Stage 2 proceedings may participate in those proceedings for the purpose of:</p>	<p>Amend Standing Order</p> <p>The amendments to this Standing Order are consequential amendments in accordance with the proposed changes to the</p>

<p>(i) moving or seeking agreement to withdraw an amendment; or</p> <p>(ii) voting.</p>	<p>Standing Orders on committees.</p>
<p>23.36 An amendment tabled by a Member who is not a member of a the committee considering Stage 2 proceedings, may be moved by a member of the committee.</p>	<p>Amend Standing Order</p> <p>The amendments to this Standing Order are consequential amendments in accordance with the proposed changes to the Standing Orders on committees.</p> <p>To note, provisions for ‘en bloc’ voting and voting ‘on the nod’; will be provided for in a new general Standing Order relating to voting in committees.</p>
<p>23.37 Where any amendment is tabled to a section or schedule of the proposed Measure, once the final amendment to that section or schedule has been disposed of, that section or schedule as amended, or otherwise, is to be deemed agreed by the committee for the purpose of Stage 2 proceedings.</p>	<p>No amendment necessary</p>
<p>23.38 If no amendment is tabled to a section or schedule of the proposed Measure, then that section or schedule is to be deemed agreed by the committee for the purpose of Stage 2 proceedings.</p>	<p>No amendment necessary</p>

<p>23.39 Stage 2 is completed when the last amendment has been disposed of or the last section or schedule has been deemed to be agreed, whichever is the later.</p> <p>23.40 If a proposed Measure is amended at Stage 2 proceedings so as to insert a section or schedule, or substantially alter any existing provision, the committee considering Stage 2 proceedings may request that the Member in charge prepare a revised Explanatory Memorandum.</p> <p>23.41 Any revised Explanatory Memorandum requested under Standing Order 23.40 must be laid at least five working days before the date of the first meeting of the Assembly that considers Stage 3 proceedings.</p>	<p>No amendments necessary</p>
<p>Stage 3: Detailed Consideration by the Assembly</p>	<p>No amendment to sub heading necessary.</p>
<p>23.42 Stage 3 starts on the first working day after Stage 2 is completed.</p> <p>23.43 At least 15 working days must elapse between the start of Stage 3 and the date of the first meeting of the Assembly that considers Stage 3 proceedings.</p> <p>23.44 Stage 3 proceedings of a proposed Measure must be considered by the Assembly in plenary.</p> <p>23.45 A proposed Measure may be amended in Stage 3 proceedings.</p> <p>23.46 Amendments to be considered at Stage 3 proceedings may be tabled by any Member from the first day on which Stage 3 starts.</p>	<p>No amendments necessary.</p>

<p>23.47 The Presiding Officer may select those amendments which are to be taken at Stage 3 proceedings.</p> <p>23.48 The Presiding Officer may in exceptional circumstances accept an amendment at Stage 3 proceedings of which less notice has been given than is required under Standing Order 23.70. Such an amendment is referred to as a “late amendment”.</p>	
<p>23.49 Amendments are to be disposed of in the order in which the sections and schedules to which they relate arise in the proposed Measure, unless the Assembly has decided otherwise on a motion of the Minister with responsibility for government business or the Business Committee (in accordance with Standing Orders 6.4 or 11.7(ii) as the case may be).</p>	<p>No amendment necessary</p>
<p>23.50 The Assembly may, on a motion <u>without notice</u> of the Minister with responsibility for government business or the Business Committee (in accordance with Standing Orders 6.4 or 11.7(ii) as the case may be), agree to one or more time-limits that are to apply to debates on amendments (as they have been grouped by the Presiding Officer).</p>	<p>Amend Standing Order</p> <p>Insert ‘without notice’ to reflect the practice that has been followed and to provide clarity of intention.</p>
<p>23.51 If a motion under Standing Order 23.50 is agreed to, debates on those groups of amendments <u>must</u> shall be concluded by the time-limits specified in the motion, except to the extent considered necessary by the Presiding Officer:</p> <ul style="list-style-type: none"> (i) as a consequence of the non-moving of an amendment leading to a change in the order in which groups are debated; or (ii) to prevent any debate on a group of amendments that has already begun when a time-limit is 	<p>Amend Standing Order</p> <p>Replace ‘shall’ with ‘must’ to ensure consistent use of language across standing orders. No material change.</p>

reached from being unreasonably curtailed.	
<p>23.52 When all amendments selected at Stage 3 proceedings have been disposed of, the Member in charge, or any member of the government, may without notice move that the Assembly consider further amendments at further Stage 3 proceedings. Such a motion may not be debated or amended.</p> <p>23.53 If a motion under Standing Order 23.52 is agreed to, the Member in charge of the proposed Measure, or any member of the government, may table amendments to the proposed Measure to be moved at the further Stage 3 proceedings.</p>	No amendment necessary
<p>23.54 Amendments under Standing Order 23.53 are only admissible if, in addition to the criteria in Standing Order 23.72, they are for the purpose of clarifying a provision of a proposed Measure (including ensuring consistency between the English and Welsh texts) or giving effect to commitments given at the earlier Stage 3 proceedings.</p>	No amendment necessary.
<p>23.55 Where any amendment is tabled to a section or schedule of the proposed Measure, once the final amendment to that section or schedule has been disposed of, that section or schedule as amended, or otherwise, is to be deemed agreed by the Assembly for the purpose of Stage 3 proceedings.</p> <p>23.56 If no amendment is tabled to a section or schedule of the proposed Measure, then that section or schedule is to be deemed agreed by the Assembly for the purpose of Stage 3 proceedings.</p>	No amendment necessary.

<p>23.57 Stage 3 is completed when the last amendment has been disposed of or the last section or schedule has been deemed to be agreed, whichever is the later.</p>	
<p><u>Report Stage</u></p>	<p>Insert new sub-section</p> <p>A new scrutiny stage is proposed, which would be referred to as “Report Stage”. It would be a mechanism to enable the Assembly in plenary to consider and dispose of further substantive amendments to a proposed Measure following the disposal of all amendments at Stage 3.</p> <p>This is proposed in response to consultation evidence from external organisations and legislation committee Chairs.</p> <p>Report Stage would not take place routinely, and would only do so with the agreement of the Assembly.</p>
<p><u>23.57A Once Stage 3 is completed in accordance with Standing Order 23.57, the Member in charge may, without notice, move that the Assembly consider amendments at Report Stage. Such a motion may be debated but not amended.</u></p>	<p>New Standing Order</p> <p>New Standing Order 23.57A, to be inserted provides for an optional further amending stage, ‘Report stage’.</p> <p>This enables the Member in Charge to propose a motion without notice that the Assembly considers amendments at Report Stage.</p>
<p><u>23.57B Standing Orders 23.42 to 23.57 apply to Report Stage proceedings. References to “Stage 3” and “further Stage 3” should be construed as references to “Report Stage” and “further Report Stage” accordingly.</u></p>	<p>New Standing Order</p> <p>New Standing Order to be inserted to make provision for optional Report Stage.</p>

	<p>This Standing Order applies the provisions of Standing Orders 23.42 to 23.57 to the optional Report Stage, noting that references to ‘Stage 3’ and ‘further Stage 3’ should be read as ‘Report Stage’ and ‘further Report Stage’.</p> <p>This would mean that, if the Assembly agrees the motion under SO 23.57A, Report Stage would begin and the same procedures and deadlines would apply to the tabling, debating and disposal of amendments at Report Stage as apply to Stage 3 proceedings.</p>
<p>Stage 4 – Final Stage</p>	<p>No Amendment to Sub Heading Necessary</p>
<p>23.58 Subject to Standing Order 23.61, immediately after the completion of Stage 3 proceedings, <u>or Report Stage proceedings where undertaken</u>, any Member may without notice move that the proposed Measure be passed.</p>	<p>Amend this Standing Order</p> <p>This is a consequential amendment, as a result of the proposal to introduce a new “Report Stage” under Standing Orders 23.57A and 23.57B.</p>
<p>23.59 If no motion is moved under Standing Order 23.58, or if a motion is moved under that Standing Order but no decision is taken upon it, the government or the Business Committee must determine (under Standing Orders 6.4 or 11.7(ii) as the case may be) when the motion that the proposed Measure be passed is to be considered in plenary.</p> <p>23.60 A motion that a proposed Measure be passed may not be amended.</p> <p>23.61 No motion that a proposed Measure be passed may be moved unless the text of the proposed Measure is available in both</p>	<p>No amendments necessary.</p>

<p>English and Welsh.</p> <p>23.62 No motion under Standing Order 7.25(ii) may be moved in any Stage 4 proceedings.</p>	
<p>Reconsideration of Proposed Measures Passed</p>	<p>No amendment to sub heading necessary</p>
<p>23.63 Any Member may, after the proposed Measure is passed, by motion propose that the Assembly reconsider the proposed Measure, or any provision of it, if:</p> <ul style="list-style-type: none"> (i) a question has been referred to the Supreme Court under section 99 of the Act; (ii) a reference for a preliminary ruling (within the meaning of section 100(1)(b) of the Act) has been made by the Supreme Court in connection with that reference; and (iii) neither of those references has been decided or otherwise disposed of. 	<p>Amend Standing Order</p> <p>23.63(ii) - amend to correct an incorrect reference to the relevant provision of the Government of Wales Act 2006.</p>
<p>23.64 Any Member may by motion propose that the Assembly reconsider the proposed Measure if:</p> <ul style="list-style-type: none"> (i) the Supreme Court decides that the proposed Measure or any provision of it would not be within the legislative competence of the 	<p>No amendments necessary.</p>

<p style="text-align: center;">Assembly; or</p> <p style="text-align: center;">(ii) an order is made in relation to the proposed Measure under section 101 of the Act.</p> <p>23.65 Proceedings at Reconsideration Stage must be considered by the Assembly in plenary.</p>	
<p>23.66 A proposed Measure may not be amended at Reconsideration Stage unless in addition to the criteria in Standing Order 23.72, and in the opinion of the Presiding Officer, the amendments are solely for the purpose of resolving the issue which is the subject of:</p> <p style="text-align: center;">(i) the reference to the Supreme Court for a preliminary ruling;</p> <p style="text-align: center;">(ii) the decision of the Supreme Court; or</p> <p style="text-align: center;">(iii) the Order under section 101 of the Act.</p>	No amendment necessary
<p>23.67 Any Member may propose that the Assembly approves a proposed Measure amended on reconsideration. Such a motion may not be amended.</p>	No amendment necessary
<p>General Provisions in Relation to Amendments to Proposed Measures</p>	No amendment to sub heading necessary
<p>23.68 Standing Orders 23.69 to 23.77 apply to amendments in Stage 2 proceedings, Stage 3 proceedings, <u>Report Stage proceedings</u></p>	Amend Standing Order

<p>or on Reconsideration.</p> <p>23.69 The Presiding Officer must determine the proper form of amendments to a proposed Measure.</p> <p>23.70 No amendment, other than a late amendment, may be considered unless it has been tabled five working days before it is considered.</p>	<p>Consequential amendment as a result of introducing “Report Stage”</p>
<p>23.71 Any Member may add his or her name to an amendment (other than a late amendment) by notifying the <u>Clerk Table Office</u> at any time until the end of the working day before the amendment is due to be considered.</p>	<p>Amend Standing Order</p> <p>Amendments are tabled to Legislation Office, therefore the reference to “Table Office” here does not reflect current practice.</p> <p>It is proposed that any references to “Table Office” in Standing Orders will be replaced with “Clerk” to achieve a consistent approach throughout. In practice, the Legislation Office will still be responsible for receiving notifications. Any guidance to Members would make it clear that they should be sent to the “Legislation Office” and that it can be submitted by electronic means or in hard copy.</p> <p>This would be explained further in guidance to Members.</p>
<p>23.72 An amendment is not admissible if:</p> <p>(i) it is not in its proper form in accordance with Standing Order 23.69;</p>	<p>No amendments necessary.</p>

<ul style="list-style-type: none"> (ii) it is not relevant to the proposed Measure or the provisions of the proposed Measure which it would amend; (iii) it is inconsistent with the general principles of the proposed Measure as agreed by the Assembly; or (iv) it is inconsistent with a decision already taken at the Stage at which the amendment is proposed. <p>23.73 An amendment may be tabled to an amendment and, if selected, must be disposed of before the amendment which it would amend and Standing Orders 23.68 to 23.77 must apply accordingly.</p> <p>23.74 Subject to Standing Order 23.35, an amendment (other than a late amendment) may be withdrawn by the Member who tabled it at any time before the day on which it is considered but only with the unanimous agreement of any Members who have added their names to the amendment. If such agreement is not obtained, the amendment becomes an amendment in the name of the Member who first added his or her name to the amendment and who does not agree to the amendment being withdrawn.</p>	
<p>23.75 The chair of a committee considering Stage 2 proceedings or the Presiding Officer, as the case may be, may group amendments for the purposes of debate as he or she sees fit. An amendment debated as part of a group may not be debated again when it comes to be disposed of.</p>	<p>No amendment necessary.</p>

<p>23.76 If a Member who tabled an amendment does not move the amendment when that amendment comes to be debated, the amendment may be moved:</p> <ul style="list-style-type: none"> (i) in a committee considering Stage 2 proceedings, by a member of that committee; or (ii) in Stage 3 proceedings, <u>Report Stage proceedings</u> or on Reconsideration, by any other Member. 	<p>Amend Standing Order</p> <p>This is a consequential amendment as a result of introducing “Report Stage”</p>
<p>23.77 An amendment which has been moved may be withdrawn by the Member who moved it, but only:</p> <ul style="list-style-type: none"> (i) in a committee considering Stage 2 proceedings, by leave of that committee <u>if no member of that committee objects</u>; or (ii) in Stage 3 proceedings, <u>Report Stage proceedings</u> or on Reconsideration, by leave of the Assembly if no Member objects. 	<p>Amend Standing Order</p> <p>It is proposed that this Standing Order be amended to be consistent with the new Standing Order 7.22A , which clarifies how a motion or amendment may be withdrawn once moved and reflects established practice.</p> <p>23.77(ii) - This is a consequential amendment as a result of introducing “Report Stage”</p>
<p>Her Majesty’s and Duke of Cornwall’s Consent</p>	<p>No amendment to sub heading necessary</p>
<p>23.78 If a proposed Measure contains any provision, or is amended so as to include any provision, that would, if contained in a Bill for an Act of the United Kingdom Parliament, require the consent of Her Majesty, or the Duke of Cornwall, the Assembly must not debate the question whether the proposed Measure be passed <u>(or approved following Reconsideration)</u> unless such consent to such a provision has been signified by a</p>	<p>Amend Standing Order</p> <p>Existing Standing Order 23.78 only refers to the ‘passing’ of a proposed Measure, which does not include the situation where the Assembly ‘approves’ a proposed Measure following Reconsideration Stage.</p>

<p>member of the government during proceedings on the proposed Measure at a meeting of the Assembly.</p>	<p>It is proposed that additional wording be inserted to address this.</p>
<p>Financial Resolutions</p>	<p>No amendment to sub heading necessary</p>
<p>23.79 The Presiding Officer must decide in every case whether a financial resolution is required for a proposed Measure under Standing Orders 23.80 to 23.85.</p>	<p>No amendment necessary.</p>
<p>23.80 If a proposed Measure contains a provision:</p> <ul style="list-style-type: none"> (i) which charges expenditure on the Welsh Consolidated Fund; or (ii) the likely effect of which would be to: <ul style="list-style-type: none"> (a) increase significantly expenditure charged on that Fund; (b) give rise to significant expenditure payable out of that Fund for a new service or purpose; or (c) increase significantly expenditure payable out of that Fund for an existing service or purpose, <p>no proceedings may be taken on the proposed Measure at any Stage after Stage 1 unless the Assembly has by financial resolution agreed to the expenditure or the increase in expenditure being charged on or, as the case may be, payable</p>	<p>No amendments necessary.</p>

out of that Fund.

23.81 If:

- (i) a proposed Measure contains any provision which imposes or increases (or confers a power to impose or increase) any charge, or otherwise requires (or confers a power to require) any payment to be made; and
- (ii) the person to whom the charge or payment is payable is required, by or under section 120(1) of the Act, to pay sums received into the Welsh Consolidated Fund (or would be so required but for any provision made under section 120(2)),

no proceedings may be taken on the proposed Measure at any Stage after Stage 1 unless the Assembly has by financial resolution agreed to the charge, increase or payment.

23.82 Standing Order 23.81:

- (i) applies only where the charge, increase in charge or payment is significant; and
- (ii) does not apply where the charge, increase in charge or payment is:
 - (a) in respect of the provision of goods and is reasonable in relation to the goods provided; or

<p>(b) wholly or largely directed to the recovery of the cost of providing any service for which the charge is imposed or the payment requires to be made.</p>	
<p>23.83 Where the effect of an amendment (or amendments) to a proposed Measure, if agreed to, would be that the proposed Measure would require a financial resolution which it would not otherwise require, no proceedings may be taken on the amendment (or amendments) unless the Assembly has agreed to a motion for such a financial resolution.</p> <p>23.84 Only a member of the government may move a motion for a financial resolution. Such a motion cannot be amended.</p> <p>23.85 Unless:</p> <p style="padding-left: 40px;">(i) notice of a motion for any financial resolution required in relation to a proposed Measure by Standing Orders 23.80 or 23.81 is tabled within 6 months of the completion of Stage 1; and</p> <p style="padding-left: 40px;">(ii) the motion is agreed to,</p> <p>the proposed Measure falls.</p>	<p>No amendments necessary</p>
<p>Notification of Approved Measures</p>	<p>No amendment to sub heading necessary</p>
<p>23.86 The Clerk must notify the Assembly of the date of the approval of an Assembly Measure by Her Majesty in Council.</p>	<p>No amendment necessary</p>
<p>Fall, Rejection or Withdrawal of Proposed Measures</p>	<p>No amendment to sub heading necessary</p>

<p>23.87 If a proposed Measure falls or is rejected by the Assembly, no further proceedings may be taken on that proposed Measure and a proposed Measure which, in the opinion of the Presiding Officer, is in the same or similar terms must not be introduced in the same Assembly within the period of 6 months from the date on which the proposed Measure fell or was rejected.</p>	<p>No amendment necessary</p>
<p>23.88 A proposed Measure falls if it has not been passed or approved <u>by the Assembly</u> before the end of the Assembly in which it was introduced but a proposed Measure in the same or similar terms may be introduced in any subsequent Assembly.</p>	<p>Amend this Standing Order</p> <p>Proposed including ‘by the Assembly’ to clarify that this means Assembly approval following reconsideration and not Privy Council approval following passing by the Assembly. (See similar amendment to Standing Order 23.78)</p> <p>Proposed removal of the final phrase which is unnecessary.</p>
<p><u>23.88A Approval to introduce a proposed Measure in accordance with Standing Order 23.103 ceases at dissolution</u></p>	<p>Insert new Standing Order</p> <p>A new Standing order is proposed for clarity.</p> <p>Since a proposed Measure falls at dissolution this Standing Order would make the same provision for ballot proposals that had won the support of the Assembly but had not progressed further. It supports the principle that a new Assembly should not be bound by decisions made by the last. (See similar proposal for a new Standing Order 22.39A in relation to proposed and draft Orders).</p>
<p>23.89 A proposed Measure may be withdrawn at any time by the Member in charge but must not be withdrawn after completion of Stage 1 except with the agreement of the Assembly.</p>	<p>No amendment necessary.</p>

Committee Proposed Measures	No amendment to sub heading necessary
23.90 Standing Orders 23.91 to 23.95 apply only to committee proposed Measures.	No amendment necessary.
23.91 Any committee other than a committee set up as a consequence of Standing Orders 23.22, 23.31(ii), 22.16(i) or 22.18 may introduce a committee proposed Measure relating to the committee's remit.	Amend this Standing Order. The amendments to this Standing Order are consequential amendments in accordance with the proposed changes to the Standing Orders on committees.
23.92 A committee may only have one committee proposed Measure in progress at any one time.	Amend this Standing Order. It is proposed that this Standing Order be deleted to remove the limitations on the number of committee proposed Measures a committee may have in progress at any one time. This would be less restrictive. (See similar suggested deletion of SO 22.44 relating to Legislative Competence Orders).
23.93 For the purposes of Standing Order 23.92, a committee proposed Measure introduced is in progress until it is agreed, falls or is withdrawn.	No amendment necessary.
23.94 Standing Orders 23.21 to 23.25 do not apply to committee proposed Measures.	No amendment necessary.
23.95 At Stage 1, the Member in charge of a committee proposed Measure may table a motion proposing that the Assembly agree to the general principles of the proposed Measure.	No amendment necessary.
Commission Proposed Measures	No amendment to sub heading necessary
23.96 The Commission may introduce a proposed Measure relating	No amendment necessary.

to the Commission's functions.	
Member Proposed Measures	No amendment to sub heading necessary
23.97 Standing Orders 23.98 to 23.106 apply only to Member proposed Measures.	No amendment necessary
23.98 Where a Member was the Member in charge of a Member proposed Order which became an Order in Council made by Her Majesty under section 95 of the Act, that Member may introduce one Member proposed Measure relating to that Order within six <u>nine</u> months of the Order being made. This does not affect a Member's right to enter a ballot held under Standing Order 23.99.	Amend Standing Order It is proposed to change the deadline for introduction of a proposed Measure from six months to nine months to allow Members more time to consider the scope of the Measure and gain support for it.
23.99 The Presiding Officer must from time to time hold a ballot to determine the name of a Member, other than a member of the government, who may seek leave <u>agreement</u> to introduce a Member proposed Measure.	Amend Standing Order It is proposed that 'leave' be amended to 'agreement' to ensure consistency of wording in Standing Orders. (See similar amendment to SO 22.47).
23.100 The Presiding Officer must include in the ballot the names of all those Members who have applied to be included and who have tabled the pre-ballot information required by Standing Order 23.102.	No amendment necessary
23.101 No Member who has previously won the ballot <u>had agreement to introduce a Member proposed Measure</u> in that Assembly may so apply <u>to be included in the ballot</u> .	Amend Standing Order It is suggested that this Standing Order be amended to remove the restriction on Members who have previously been refused permission to introduce a Member proposed Measure from re-entering the ballot. Where a Member has been successful in a ballot and has had

	<p>agreement to introduce a Member proposed Measure, they would not be allowed to re-enter the ballot, as is the case under the current Standing Orders.</p> <p>This change reflects the similar amendment to Standing Order 22.49 relating to LCOs.</p>
<p>23.102 The required pre-ballot information is:</p> <ul style="list-style-type: none"> (i) the proposed title of the proposed Measure; and (ii) an Explanatory Memorandum which must contain: <ul style="list-style-type: none"> (a) the policy objectives of the proposed Measure; and (b) details of any support received for the proposed Measure, including details of any consultation carried out. 	<p>No amendment necessary</p>
<p>23.103 A Member who is successful in a ballot may within 10 <u>25</u> working days of the date of the ballot table a motion seeking the Assembly's leave <u>agreement</u> to introduce a Member proposed Measure to give effect to the pre-ballot information tabled under Standing Order 23.102.</p>	<p>Amend Standing Order</p> <p>It is proposed that the period within which a member may table a motion after being selected in a ballot be amended from 10 to 25 days to bring timings in line with the LCO process (see Standing Order 22.50)</p> <p>It is proposed that 'leave' be amended to 'agreement' to ensure consistency of wording in Standing Orders. (See similar amendment to SO 22.47).</p>

<p>23.104 Time must be made available for a motion tabled under Standing Order 23.103 to be debated within 20 <u>35</u> working days of the date of the ballot (not counting working days in a <u>non-sitting</u> week when there is no plenary meeting of the Assembly).</p>	<p>Amend Standing Order</p> <p>It is proposed that the period following the ballot within which the debate on the motion seeking the Assembly's agreement to introduce a proposed Measure has to take place be amended from 20 to 35 days to bring timings in line with the LCO process (see Standing Order 22.52)</p>
<p>23.105 If a motion under Standing Order 23.103 is agreed to, then the Member who has <u>had agreement received</u> leave to introduce a proposed Measure may within six <u>nine</u> months of the motion being agreed introduce a Member proposed Measure to give effect to the pre-ballot information tabled under Standing Order 23.102.</p>	<p>Amend Standing Order</p> <p>It is proposed to change the deadline for introduction of a proposed Measure from six months to nine months to allow Members more time to consider the scope of the Measure and gain support for it.</p> <p>It is proposed that 'leave' be amended to 'agreement' to ensure consistency of wording in Standing Orders. (See similar amendment to SO 22.47).</p>
<p>23.106 If a motion under Standing Order 23.103 is disagreed to, then no Member may enter any ballot held under Standing Order 23.99 for a period of six months after the motion has been disagreed to if the policy objectives of the proposed Measure which he or she seeks leave <u>agreement</u> to introduce are substantially the same as those of the proposed Measure referred to in the motion which has been disagreed to.</p>	<p>Amend Standing Order</p> <p>It is proposed that 'leave' be amended to 'agreement' to ensure consistency of wording in Standing Orders. (See similar amendment to SO 22.47).</p>
<p>Government Proposed Emergency Measures</p>	<p>No amendment to sub heading necessary</p>
<p>23.107 If it appears to a member of the government that an Emergency Measure is required, he or she may by motion propose that a government proposed Measure, to be introduced in the Assembly, be treated as a government proposed Emergency Measure.</p> <p>23.108 A motion under Standing Order 23.107 may also propose that</p>	<p>No amendments necessary</p>

<p>a government proposed Emergency Measure may be introduced without the Explanatory Memorandum required by Standing Order 23.18.</p> <p>23.109 A government proposed Emergency Measure must, on its introduction, be accompanied by a statement from the Member in charge that, in his or her view, the provisions of the proposed Measure would be within the legislative competence of the Assembly.</p> <p>23.110 If the Assembly agrees to a motion under Standing Order 23.107:</p> <ul style="list-style-type: none"> (i) the provisions of Standing Orders 23.111 to 23.116 must apply to such a proposed Measure; and (ii) the Member in charge must propose the timetable for consideration of Stages 1 to 4 (or any Reconsideration Stage) of the government proposed Emergency Measure. <p>23.111 A motion under Standing Order 23.110(ii) may propose that all stages be taken on a single working day in a sitting week.</p> <p>23.112 The Member in charge may make such subsequent changes to a timetable established under Standing Order 23.110(ii) as he or she considers appropriate, but must give reasons for such changes.</p>	
<p>23.113 Standing Orders 23.19 to 23.25, 23.29 to 23.31, 23.41 to</p>	<p>Amend Standing Order</p>

<p>23.43, <u>23.57A and 23.57B</u>, 23.61 and 23.70 do not apply in relation to government proposed Emergency Measures.</p>	<p>This is a consequential change as a result of introducing a “Report Stage”.</p>
<p>23.114 At Stage 1, the Member in charge must table a motion proposing that the Assembly agree to the general principles of the government proposed Emergency Measure.</p> <p>23.115 Stage 2 must be considered by a Committee of the Whole Assembly, to be chaired by the Presiding Officer. The Presiding Officer or Deputy may vote in such proceedings only when exercising a casting vote in accordance with Standing Order 2.20.</p> <p>23.116 When a Member intends to table an amendment to a government proposed Emergency Measure, he or she must give such notice of that amendment as the Presiding Officer may determine for that Stage.</p>	

STANDING ORDER 24 - Subordinate Legislation (Other than Subordinate Legislation Subject to Special Assembly Procedure)	
<p>Explanatory Memoranda</p>	<p>No amendment to sub-heading necessary</p>
<p>24.1 Any statutory instrument or draft statutory instrument laid before the Assembly and which is not subject to a parliamentary procedure must be accompanied by an Explanatory Memorandum, which must include any Regulatory</p>	<p>Amend this Standing Order</p> <p>Remove “and which is not subject to a parliamentary procedure” from this Standing Order. This is a consequential change if Standing Order 15.7 is removed, as the committee responsible for functions</p>

<p>Impact Assessment prepared in relation to the instrument.</p>	<p>specified under Standing Order 15 would be permitted to scrutinise any statutory instrument or draft statutory instrument laid before the Assembly and which could also be subject to a parliamentary procedure. It would be necessary, therefore, for any such statutory instrument or draft statutory instrument to be accompanied by an Explanatory Memorandum to inform the responsible committee's scrutiny.</p> <p>Current Standing Order 15.7 prohibits the Constitutional Affairs Committee from scrutinising SIs laid before the UK Parliament. It is proposed that this restriction is lifted, allowing a committee or committees of the Assembly to consider SIs subject to parliamentary procedure. If this proposal is agreed, an EM would be required for <i>all</i> SIs or draft SIs laid before the Assembly, <i>including</i> those subject to a parliamentary procedure. This would be necessary to enable scrutiny of all SIs by the committee responsible for the delivery of functions under SO 15.2 and 15.3.</p>
<p>Motion for Annulment (Negative Resolution Procedure)</p>	<p>No amendment to sub-heading necessary</p>
<p>24.2 In the case of any statutory instrument which:</p> <ul style="list-style-type: none"> (i) is subject to annulment in pursuance of a resolution of the Assembly; or (ii) is laid in draft but cannot be made if the draft is disapproved, <p>the Assembly any Member may, not later than 40 days after the instrument is laid, table a motion under Standing Order 24.2 <u>resolve</u> that the instrument be annulled or, as the case</p>	<p>Amend this Standing Order</p> <p>Replace “any Member” with “the Assembly” and replace “table a motion under Standing Order 24.2” with “resolve”.</p> <p>In accordance with current Standing Order 24.2, where an SI is laid under the Negative Resolution Procedure, Members have 40 days in which to table a motion calling for that SI to be annulled.</p> <p>This does not comply with the requirements in the Statutory</p>

<p>may be, that the draft be disapproved.</p>	<p>Instruments Act 1946. The Act demands that the resolution to annul (and not the tabling of a motion to annul) has to take place within 40 days of the SI being laid. In practice, the provisions of current SO 24.2 mean that any Member may consider that a motion to annul could be tabled on the 40th day after the SI was laid, and that motion could be debated at a later date. However, this would not meet the requirements of the Act.</p> <p>The proposed amendments to this Standing Order address this problem by stating that the Assembly may, not later than 40 days after the instrument is laid, resolve that the instrument be annulled or the draft be disapproved. The Member would have to table the motion to annul at least five days before this in order to have the debate within the 40 days. This would be explained in Table Office guidance for Members.</p>
<p><u>24.2A</u> Any Member may table a motion for resolution under Standing Order 24.2.</p>	<p>Insert new Standing Order</p> <p>The insertion of a new Standing Order here is a consequential change if proposed changes to SO 24.2 are agreed.</p> <p>Any Member can currently table a motion for annulment via SO 24.2. The proposed changes to SO 24.2 ensure that it complies with the Statutory Instruments Act 1946 but removes the explicit provision for <i>any</i> Member to table a motion that the instrument be annulled or the draft be disapproved. This new Standing Order would ensure that this provision is retained within Standing Orders.</p>
<p>24.3 A motion <u>for resolution</u> under Standing Order 24.2 is not</p>	<p>Amend this Standing Order</p>

amendable.	Insert “for resolution” for clarity and consistency with SO 24.2 and SO24.2A.
Motion for Approval (Affirmative Resolution Procedure)	No amendment to sub-heading necessary
<p>24.4 In the case of any statutory instrument or draft statutory instrument laid before the Assembly which, unless the Assembly by resolution approves it, cannot:</p> <p>(i) be made;</p> <p>(ii) come into force; or</p> <p>(iii) remain in force beyond the period specified in the enactment conferring the power to make the instrument,</p> <p>any member of the government may table a motion under Standing Order 24.4 that the instrument or draft instrument be approved.</p>	No amendment necessary
24.5 A motion under Standing Order 24.4 is not amendable.	No amendment necessary
<p>24.6 No motion under Standing Order 24.4 may be considered in plenary until either:</p> <p>(i) the Constitutional Affairs Committee <u>the committee responsible for the functions specified in Standing Orders 15.2 and 15.3 or and</u> any other committee, which has given the notice mentioned in Standing Order 24.7, has reported</p>	<p>Amend this Standing Order</p> <ul style="list-style-type: none"> 24.6 (i) - Replace the reference to Constitutional Affairs Committee with reference to the responsible committee under Standing Orders 15.2 and 15.3. <p>The amendment to this Standing Order is a consequential</p>

<p>on the instrument or draft; or</p> <p>(ii) 20 days have elapsed since the instrument or draft instrument was laid,</p> <p>whichever is the earlier.</p>	<p>amendment following the Business Committee’s agreement to replace named committees with function-based Standing Orders.</p> <ul style="list-style-type: none"> • 24.6(i) - Replace “or” with “and” <p>This is a technical correction to the current Standing Orders. Standing Order 24.7 provides that <u>any</u> committee other than the Constitutional Affairs Committee may report on an instrument or draft subject to notice being given to the government. As such, “or” should be replaced with “and” in this Standing Order to ensure that both Committees are given the opportunity to report within 20 days.</p>
<p>24.7 If any committee, other than the Constitutional Affairs Committee <u>committee responsible for the functions specified in Standing Orders 15.2 and 15.3</u>, intends to report on an instrument or draft instrument to which Standing Order 24.4 applies, it must give notice to the government of its intention to do so no later than seven days after the instrument or draft has been laid.</p>	<p>Amend this Standing Order</p> <p>Replace the reference to Constitutional Affairs Committee with reference to the responsible committee under Standing Orders 15.2 and 15.3.</p> <p>The amendment to this Standing Order is a consequential amendment following the Business Committee’s agreement to replace named committees with function-based Standing Orders.</p>
<p>24.8 If any committee considers any instrument or draft instrument to which Standing Order 24.4 applies, the member of the government who laid it (or another member of the government nominated by the First Minister to have responsibility for it) may attend the committee and participate in its proceedings relating to the instrument or draft but may</p>	<p>No amendment necessary</p>

not vote.	
No Amendment of Instruments	No amendment to sub-heading necessary
24.9 A statutory instrument or draft statutory instrument, to which Standing Orders 24.2 or 24.4 apply, cannot be amended.	No amendment necessary
Withdrawal of Instruments	No amendment to sub-heading necessary
24.10 A statutory instrument or draft statutory instrument laid before the Assembly may be withdrawn at any time by the member of the government with responsibility for that instrument.	No amendment necessary
Calculation of Days	No amendment to sub-heading necessary
24.11 In calculating for the purposes of Standing Order 24 any period of days, no account is to be taken of any time during which the Assembly is dissolved or is in recess for more than four days.	No amendment necessary
Other Motions in Respect of Instruments or Draft Instruments	No amendment to sub-heading necessary
24.12 Standing Orders 24.1 to 24.8 are without prejudice to the right of any Member to table any other motion in respect of	No amendment necessary

an instrument or draft instrument.	
Application to Other Subordinate Legislation	No amendment to sub-heading necessary
<p>24.13 Standing Orders 24.1 to 24.12 also apply with such modifications as are necessary, to any other subordinate legislation <u>(other than that subject to Special Assembly Procedure under Standing Order 25)</u> in the form of a report, guidance, code of practice or other document that is required by any enactment to be:</p> <p>(i) laid before the Assembly; and</p> <p>(ii) subject to any form of Assembly procedure having the same or equivalent effect to those mentioned in Standing Orders 24.2 or 24.4.</p>	<p>Amend this Standing Order</p> <p>It is proposed that “other than that subject to Special Assembly Procedure under Standing Order 25” is added here to make clear that subordinate legislation subject to that procedure must be considered under procedures outlined in Standing Order 25 due to its quasi-judicial nature.</p>

STANDING ORDER 26 – Consent in relation to UK Parliament Bills	
UK Parliament Bills Making Provision Requiring the Assembly’s Consent	
<p>26.1 In Standing Order 26, “relevant Bill” means a Bill under consideration in the UK Parliament which makes provision (“relevant provision”) in relation to Wales:</p> <p>(i) for any purpose within the legislative competence of the Assembly (apart from</p>	No amendment necessary

<p>incidental, consequential, transitional, transitory, supplementary or savings provisions relating to matters that are not within the legislative competence of the Assembly); or</p> <p>(ii) which has a negative impact on the legislative competence of the Assembly.</p>	
<p>Legislative Consent Memorandum</p>	<p>No amendment to sub-heading necessary</p>
<p>26.2 A member of the government must lay a memorandum (“a legislative consent memorandum”) in relation to:</p> <p>(i) any UK Government Bill that is a relevant Bill on its introduction to the first House, normally no later than 2 weeks after introduction;</p> <p>(ii) any UK Private Member’s Bill that was a relevant Bill on introduction and remains a relevant Bill after the first amending stage in the House in which it was introduced, normally no later than 2 weeks after it completes that stage;</p> <p>(iii) any Bill introduced into the UK Parliament that, by virtue of amendments:</p> <p>(a) agreed to; or</p> <p>(b) tabled by a Minister of the Crown or published with the name of a Minister of the Crown in support,</p>	<p>No amendment necessary</p>

<p>in either House, makes (or would make) relevant provision for the first time or beyond the limits of any consent previously given by the Assembly, normally no later than two weeks after the amendments are tabled or agreed to.</p>	
<p>26.3 A legislative consent memorandum must:</p> <ul style="list-style-type: none"> (i) summarise the policy objectives of the Bill; (ii) specify the extent to which the Bill makes (or would make) relevant provision; <u>and</u> (iii) explain whether it is considered appropriate for that provision to be made and for it to be made by means of the Bill. 	<p>Amend this Standing Order</p> <p>Technical correction – insert “and” after point (ii).</p>
<p><u>26.3A The Business Committee may refer any legislative consent memorandum to a committee or committees for consideration.</u></p>	<p>Insert new Standing Order</p> <p>In accordance with the Constitutional Affairs Committee response to the review (SOR18) and responses to the public consultation as referred to above, it is proposed that Standing Orders are amended to include a mechanism by which legislative consent memoranda which relate to provisions requiring the Assembly’s consent may be referred for committee scrutiny by the Business Committee. The Business Committee would be able to refer memoranda relating to relevant provisions as defined under 26.1 (i) and (ii) for committee scrutiny but would have the discretion to decide:</p> <ul style="list-style-type: none"> • whether consideration by a committee or committees is necessary;

	<ul style="list-style-type: none"> • to whom a legislative consent memorandum would be referred if necessary; and • the timescale for committee consideration (see SO 26.3B below). <p>The purpose of this proposal is to allow opportunity for committee consideration, where deemed appropriate by the Business Committee, to inform any subsequent debate on the related legislative consent motion.</p>
<p><u>26.3B</u> If a legislative consent memorandum is referred to a committee or committees for consideration in accordance with Standing Order 26.3A, the Business Committee must establish and publish a timetable for the committee or committees to consider and report on it.</p>	<p>Insert new Standing Order</p> <p>If SO 26.3A is agreed, it is proposed that the Business Committee should be required to set a deadline by which a committee must report if it chooses to refer a legislative consent memorandum for consideration. Such a deadline could consider factors such as the Westminster timetable for the passage of the Bill.</p> <p>If the Business Committee refers a memorandum for committee consideration, it is proposed that no associated legislative consent motion could be debated until after the deadline for the committee to report. This would be done through inserting new SO 26.6 below.</p>
<p>Legislative Consent Motion</p>	<p>No amendment to sub-heading necessary</p>
<p>26.4 When a legislative consent memorandum is laid, the government must at the same timetable a motion (“a legislative consent motion”); which must seek the Assembly’s agreement to the inclusion of a relevant</p>	<p>Amend this Standing Order</p> <p>If the Business Committee agrees to new SO 26.3A (the option to refer legislative consent memoranda to committees) this Standing</p>

<p>provision in a relevant Bill.</p>	<p>Order would require amendment to remove the requirement on the Government to table a legislative consent motion at the same time they lay the legislative consent memorandum. This would allow the Government to decide when to table the motion, taking account of any reporting deadlines the Business Committee may set if it chooses to refer the memorandum for committee consideration.</p>
<p>26.5 The Assembly must consider a legislative consent motion which has been tabled.</p>	<p>No amendment necessary</p>
<p><u>26.6 If a legislative consent memorandum is referred by the Business Committee for consideration by a committee or committees in accordance with Standing Order 26.3A, the related legislative consent motion must not be debated until either:</u></p> <ul style="list-style-type: none"> (i) <u>the committee has reported in accordance with Standing Order 26.3A; or</u> (ii) <u>the deadline by which a committee is required to report in accordance with Standing Order 26.3B has been reached.</u> 	<p>Insert new Standing Order</p> <p>As proposed above (SO26.3A and 26.3B), this new Standing Order introduces a requirement that no legislative consent motion can be debated until either the deadline for a committee to report on the relevant legislative consent memorandum has been reached or, if the relevant committee has reported before the deadline, once that committee has reported.</p>

STANDING ORDER 26A - Notification in relation to UK Parliament Bills

Standing Order 26A – Notification in relation to UK Parliament Bills

Insert new Standing Order

It is proposed that a new Standing Order is introduced to build on the provision of Standing Order 26. This new Standing Order would provide a systematic mechanism for the Assembly to be notified of any UK Bill which has a significant impact on the functions of the Welsh Ministers (including the First Minister) and of the Counsel General and any UK Bill which has an impact on the legislative competence of the Assembly (other than those covered under Standing Order 26). This would include any changes to Schedule 5 conferring Measure making powers on the Assembly, referred to as “framework powers”.

This is proposed to address the points made in responses to the review of Standing Orders, as outlined below:

- *Constitutional Affairs Committee* stated their view that there is a scrutiny gap which relates to Westminster Bills that grant powers to the Assembly. They have requested that Standing Orders are amended to require Welsh Ministers to inform Committees when Westminster Bills have implications for the powers of Welsh Ministers or the Assembly (SOR18);
- the *WLGA* note that there is limited scope for scrutiny of framework powers (i.e. Measure making powers) included in Westminster legislation and call on the Business Committee to consider providing mechanisms for the Assembly to better scrutinise Bills which either give the Assembly legislative

	<p>powers or give executive powers to Welsh Ministers (SOR 12);</p> <ul style="list-style-type: none"> • <i>Public Affairs Cymru</i> state that “there should be a mechanism for the National Assembly for Wales to scrutinise and contribute to the process of framework powers being given to Wales via Acts of Parliament. It is inconsistent that, despite the sometime lengthy scrutiny of LCOs, framework provisions which provide the same legislative transfers can avoid any specific scrutiny” (SOR 7); • <i>the WCVA</i> note that “there should be more opportunity for the National Assembly for Wales to scrutinise framework powers being given to Wales via UK Bills” (SOR 10); and • <i>the Wales Governance Centre’s</i> written evidence which expresses the view that the Assembly is not able to be fully effective in holding the government to account without scrutiny of executive powers sought in UK Bills (SOR 5).
<p><u>UK Parliament Bills Making Provision Requiring Notification to the Assembly</u></p>	<p>Insert new sub-heading</p>
<p><u>26A.1</u> <u>In Standing Order 26A, “relevant Bill” means a Bill under consideration in the UK Parliament which makes provision (“relevant provision”) in relation to Wales (other than a provision which is a relevant provision within Standing Order 26.1):</u></p> <p>(i) <u>which has a significant impact on the functions of</u></p>	<p>Insert new Standing Order</p> <p>This Standing Order mirrors the wording used in current Standing Order 26. Under this proposal the Government would be required to lay a written statement before the Assembly providing notification of UK Bills which either include provisions (other than those defined as “relevant provisions” under Standing Order 26.1 which require the</p>

<p>(ii) <u>the Welsh Ministers or of the Counsel General; or which has an impact on the legislative competence of the Assembly (apart from incidental, consequential, transitional, transitory, supplementary or savings provisions).</u></p>	<p>consent of the Assembly) that :</p> <p>(i) have a significant impact on the Welsh Ministers’ (including the First Minister) or on the Counsel General’s functions ; or</p> <p>(ii) have an impact on the legislative competence of the Assembly (apart from incidental, consequential, transitional, transitory, supplementary or savings provisions).This would mainly, therefore, cover provisions in UK Bills conferring Measure making powers on the Assembly, referred to as “framework powers”.</p> <p>In contrast to Standing Order 26, under this proposal, a statement relating to relevant provisions in a UK Bill would:</p> <ul style="list-style-type: none"> • be laid for information only, not as a basis for a decision, on a motion, by the Assembly; • not be subject to committee consideration.
<p>Written Statements in relation to relevant UK Bills</p>	<p>Insert new sub-heading</p>
<p><u>26A.2 A member of the government must lay a written statement in relation to:</u></p> <p>(i) <u>any UK Government Bill that is a relevant Bill on its introduction to the first House, normally no later than 2 weeks after introduction;</u></p> <p>(ii) <u>any UK Private Member’s Bill that was a relevant Bill on introduction and remains a relevant Bill after the first amending stage in the House in which it was introduced, normally no later than 2</u></p>	<p>Insert new Standing Order</p> <p>This Standing Order mirrors wording used in current SO 26.2 and outlines when the government would be required to lay a written statement.</p>

<p><u>weeks after it completes that stage:</u></p> <p><u>(iii) any Bill introduced into the UK Parliament that, by virtue of amendments:</u></p> <p style="padding-left: 40px;"><u>(a) agreed to; or</u></p> <p style="padding-left: 40px;"><u>(b) tabled by a Minister of the Crown or published with the name of a Minister of the Crown in support,</u></p> <p><u>in either House, makes (or would make) relevant provision, normally no later than two weeks after the amendments are tabled or agreed to.</u></p>	
<p><u>26A.3 The written statement must:</u></p> <p>(i) <u>summarise the policy objectives of the Bill;</u></p> <p>(ii) <u>specify the extent to which the Bill makes (or would make) relevant provision; and</u></p> <p>(iii) <u>explain whether it is considered appropriate for that provision to be made and for it to be made by means of the Bill.</u></p>	<p>Insert new Standing Order</p> <p>This Standing Order mirrors wording used in current SO 26.3 and outlines what information would be required within a written statement.</p>

STANDING ORDER 27 – Finance Procedures	
<u>General</u>	Insert new sub-title
27.0A <u>References to “the responsible committee” within Standing Order 27 means the committee with responsibility for the functions specified in Standing Order 14.</u>	<p>Insert new Standing Order</p> <p>This amendment gives effect to the replacement of named committees in Standing Orders with function-based Standing Orders.</p> <p>Rather than stating that there must be a specific Finance Committee, the Business Committee must ensure that functions specified in Standing Order 14 (Finance) are undertaken by a committee.</p> <p>The Committee with responsibility for delivering the functions under Standing Order 14 would also be the “responsible committee” in relation to the functions currently undertaken by the Finance Committee under Standing Order 27, and is referred to as the “responsible committee” here.</p>
Welsh Assembly Government	
27.0 B <u>In each year, the Minister with responsibility for government business must notify the Business Committee of the following:</u>	<p>Insert new Standing Order</p> <p>It has been necessary to suspend Standing Orders or agree a</p>

<p>(i) <u>the date by which a Welsh Minister will lay the draft budget for the government, in accordance with Standing Order 27.1; and</u></p> <p>(ii) <u>the date by which a Welsh Minister will table the annual budget motion in accordance with Standing Order 27.17, and taking account of Standing Order 27.0E.</u></p>	<p>temporary Standing Order to adjust the timings, in three of the past four years of this Assembly. It is proposed therefore that Standing Orders should set out the principles that apply to the budget scrutiny process and the time allowed for each part of the scrutiny process, rather than having all dates enshrined in Standing Orders. This is proposed following the recommendation made by the Finance Committee.</p> <p>Any required dates would be removed from Standing Orders. The Welsh Government would retain control over the budget timetable, and would be required to notify the Business Committee of the two key dates – the date by which it intends to lay the draft budget and the date by which they will table the annual budget motion.</p> <p>It is anticipated that the Government would usually notify the Business Committee of specific dates on which they would lay the draft budget or table the motion.</p> <p>In exceptional circumstances, if the Government is unable to provide exact dates, for example due to a spending review, the Standing Order provides sufficient flexibility for the Government to provide indicative dates “by which” the Government would lay the draft budget or table the motion. Once the Government was able to confirm more precise dates, a revised timetable could be published under SO 27.0F below.</p> <p>In setting these two key dates, the Government would have to take account of the need to allow sufficient time for the responsible committee to report, in accordance with the time allowed in SO 27.0E. In practice, we anticipate that the Government would consult the responsible committee beforehand to ensure an agreed approach to the timetable.</p>
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<p><u>27.0C</u> <u>The Minister must make the notification required under Standing Order 27.0B at least two weeks before the summer recess in each year.</u></p>	<p>Insert new Standing Order</p> <p>If as proposed above, the key dates are no longer set out in Standing Orders, the responsible committee would nonetheless need sufficient notice and certainty about the timetable for scrutiny of the budget each year to allow them to plan their budget scrutiny process.</p> <p>In its response, the Finance Committee recommended that the dates should be published in the summer term each year.</p>
<p><u>27.0D</u> <u>Having been notified under Standing Order 27.0B and consulted the responsible committee, the Business Committee must establish and publish a timetable for the consideration of the budget, which must include:</u></p> <p><u>(i) the dates notified in accordance with Standing Order 27.0B;</u></p> <p><u>(ii) the deadline by which the responsible committee must report to the Assembly on the draft budget for the government.</u></p>	<p>Insert new Standing Order</p> <p>The Business Committee would be responsible for publishing the budget scrutiny timetable. This would consist of the date notified to it by the Welsh Government under SO 27.0B. The Business Committee would have no say over the dates the Government propose to lay the budget, nor the debate on the draft budget, nor the date for tabling the annual budget motion. This is in line with the principle that the Government determines its own business.</p> <p>In agreeing the deadline for the responsible committee to report, the Business Committee would have to consult the responsible committee; take into account the dates notified to it by the government; and the minimum period the responsible committee must be given in accordance with Standing Order 27.0E.</p> <p>In practice, we anticipate that the Government would consult the responsible committee beforehand to ensure an agreed approach to the timetable and that the committee would be in a position to advise the Business Committee of the agreed date for them to report.</p>
<p><u>27.0E</u> <u>In determining the deadline under Standing Order 27.0D(ii) or 27.0F, the responsible committee must be</u></p>	<p>Insert new Standing Order</p>

<p><u>given at least five weeks to report on the draft budget for the government.</u></p>	<p>This new provision would ensure that the timetable allows the responsible committee a minimum time of at least five weeks to report under SO 27.0D.</p>
<p>27.0F <u>At the request of the Minister with responsibility for government business, the Business Committee may make subsequent changes to the timetable published under Standing Order 27.0D, subject to Standing Order 27.0E. The Business Committee must publish the revised timetable.</u></p>	<p>Insert new Standing Order</p> <p>This enables the Business Committee to publish a revised timetable only at the Government's request. It would not give the Business Committee the right to change the Government's timetable for consideration of the budget.</p> <p>Again, the role of the Business Committee would be to publish the revised dates notified to it by the Government, as per Standing Order 27.0B.</p> <p>If for some reason the Government had to postpone the laying of its draft budget or the debate on the annual budget motion, it follows that the deadline for the responsible committee to report may also have to be reconsidered. This Standing Order enables the Business Committee to determine that revised deadline.</p>
<p>27.1 Not later than 7 October in <u>In accordance with Standing Order 27.0B (or Standing Order 27.0F), a Welsh Minister must lay before the Assembly a draft budget setting out the amounts of resources and cash which the government proposes to use for the following financial year and provisional amounts for the subsequent two years or for such other period as the Minister considers appropriate.</u></p>	<p>Amend this Standing Order</p> <p>The relevant date by which the Government has to lay its draft budget would be the date notified to the Business Committee by the Minister.</p>
<p>27.1A <u>A Welsh Minister may make a statement in plenary on the draft budget as soon as possible after the draft budget is laid in accordance with Standing Order 27.1.</u></p>	<p>Insert new Standing Order</p> <p>This enables the responsible Minister to start the budget scrutiny</p>

	process with an oral statement in Plenary, once the draft budget is laid.
27.2 No motion may be moved in plenary in respect of the draft budget for the government until the Finance Committee has made its report <u>the deadline by which the responsible committee is required to report</u> on the draft budget under Standing Order 27.4 27.0D(ii) (or Standing Order 27.0F) has been reached.	<p>Amend this Standing Order</p> <p>It is proposed to remove the requirement that the responsible committee has to have reported before the Government may move the motion on the draft budget.</p> <p>The Government could not move the motion before the deadline for the committee to report. However, if the responsible committee has not reported by the deadline, there would be nothing preventing the debate on the Government’s draft budget going ahead as planned.</p>
27.3 Committees <u>Any committee, other than the Finance Committee</u> responsible committee, may consider and make recommendations <u>report to the responsible committee</u> Finance Committee on the draft budget for the government no later than two weeks after it has been laid before the Assembly.	<p>Amend this Standing Order</p> <p>It is proposed that the requirements here are simplified: it is not necessary to specify “make recommendations” – this is covered by “report”.</p> <p>It is proposed that there would be no deadlines for the other committees to report on the Government’s draft budget, as the tight deadlines have caused problems for scrutiny committees in the past.</p> <p>It would be a matter for the committees themselves to manage the timeliness of their report having regard to the timetable published by the Business Committee, and to ensure that they publish their report before the deadline for the responsible committee to report if they wish it to be considered by the responsible committee.</p>
27.4 The Finance Committee must consider and report to the Assembly on the draft budget no later than four weeks after it has been laid before the Assembly. The Finance Committee’s report must append any recommendations which the Finance	<p>Delete this Standing Order</p> <p>This would be covered by SO27.0D and by SO 27.3.</p>

<p>Committee has received from other committees:</p>	
<p>27.5 The Finance Committee's <u>responsible committee's</u> report may recommend changes to the amounts proposed in the draft budget provided that the net effect of those changes would not increase or decrease the aggregate amounts of resources or cash proposed in the draft budget for the government.</p>	<p>Amend this Standing Order</p> <p>This amendment gives effect to the replacement of named committees in Standing Orders with function-based Standing Orders.</p>
<p>27.6 No later than two weeks after the Finance Committee has made the report required under Standing Order 27.4, in accordance with the timetable established and published by the Business Committee under Standing Order 27.0D or Standing Order 27.0F, the Assembly must consider a motion tabled by a Welsh Minister that the Assembly takes note of the draft budget for the government. Any amendment to such a motion may only be tabled provided that the net effect of any changes would not increase or decrease the aggregate amounts of resources or cash proposed in the draft budget for the government.</p>	<p>Amend this Standing Order</p> <p>The date of the debate on the draft budget would be determined by the Government. In deciding this, they would need to take account of the deadline for the responsible committee to report as published by the Business Committee in accordance with either 27.0D or 27.0F.</p> <p>It is anticipated that the Government would allow for at least one week between the deadline for the responsible committee to report and the debate on the draft budget, to allow the Government sufficient time to consider the recommendations.</p> <p>The Government would not be required to notify the Business Committee of the date of the debate on the draft budget under SO27.0B, this allows them flexibility to determine the most appropriate date in light of the progress of the budget scrutiny. However, the Government may wish to inform the Business Committee of their indicative date for the debate along with the other dates required before the beginning of the summer recess. This could also be published as part of the budget scrutiny timetable, but would not be a requirement.</p>
<p>The Commission</p>	<p>It is proposed to amend the deadline for laying the Commission budget to the 1 October.</p>

	<p>To allow the same amount of time for the consideration of the Commission's budget, the end date in SO27.11 and SO27.12 should therefore also be extended by 1 week to 27 November.</p> <p>The responsible committee would be given 3 weeks to report. In its response, the Finance Committee has indicated that this is sufficient time to report.</p> <p>After the responsible committee has reported, the Commission may lay its budget at any time, bearing in mind it has to get it agreed before 27 November.</p>
<p>27.7 Not later than 24 September <u>1 October</u> in each financial year, a member of the Commission must lay before the Assembly a draft budget for the Commission setting out the amounts of resources and cash which the Commission proposes to use for the following financial year and provisional amounts for the subsequent two years or for such other period as the Commission has agreed with the Welsh Ministers.</p>	<p>Amend this Standing Order</p> <p>It is proposed to amend the deadline for laying the Commission budget to the 1 October. This allows the Commission more leeway to decide when to lay its draft budget after the summer recess.</p>
<p>27.8 The Finance Committee <u>responsible committee</u> must consider and report to the Assembly on the draft budget for the Commission no later than three weeks after it has been laid before the Assembly. The Finance Committee's <u>responsible committee's</u> report may recommend variations in the amounts proposed in the draft budget provided that the net effect of those variations would not increase the aggregate amounts of resources or cash proposed in the draft budget for the Commission.</p>	<p>Amend this Standing Order</p> <p>This amendment gives effect to the replacement of named committees in Standing Orders with function-based Standing Orders.</p>
<p>27.9 No later than 30 October, <u>A</u> member of the Commission must lay before the Assembly a budget for the Commission;</p>	<p>Amend this Standing Order</p>

<p>together with a motion that the budget be agreed and incorporated in the annual budget motion under Standing Order 27.17(ii). No amendment to the motion may be tabled and the motion must be debated within seven days of it being tabled. The budget may not be laid until the deadline by which the responsible committee is required to report on the draft budget for the Commission has been reached.</p>	<p>Remove date. It will be for the Commission to decide when to lay its budget and when to have the debate, bearing in mind that it has to get it agreed before 27 November (and allow time to agree any revised budgets if necessary).</p>
<p><u>27.9A A member of the Commission must table a motion that the budget laid under Standing Order 27.9 be agreed and incorporated in the annual budget motion under Standing Order 27.17(ii). No amendment to the motion may be tabled and the motion must be debated within five working days of it being tabled (not counting working days in a non-sitting week).</u></p>	<p>Insert new Standing Order</p> <p>The requirement to lay the budget and the tabling of the motion have been separated. I.e. the Commission could, if it wished, lay its budget in advance of the motion (to give Members longer to consider if appropriate). The motion would be laid five days before the Commission wishes to have the debate. This gives provides more flexibility.</p> <p>The requirement to debate the motion within five working days is retained to ensure the Commission has plenary time to debate the budget. This ensures the Commission has control over the date of the debate.</p>
<p>27.10 If the final budget for the Commission is not agreed, then a member of the Commission must lay before the Assembly a revised budget for the Commission, together with a motion that it be agreed and incorporated in the annual budget motion under Standing Order 27.17A(ii). No amendment to the motion may be tabled and the motion must be debated within <u>five working</u> seven days of it being tabled <u>(not counting working days in a non-sitting week).</u></p>	<p>Amend this Standing Order</p> <p>This is amended to make it clear that any days falling within recess would not count.</p>
<p>27.11 Further motions under Standing Order 27.10 may be tabled until such time as agreement has been reached but no such motion may be considered by the Assembly after 2027</p>	<p>Amend this Standing Order</p> <p>It is proposed that the deadline for laying the Commission budget is</p>

November.	<p>amended to the 1 October.</p> <p>To allow the same amount of time for the consideration of the Commission's budget, the end date specified in this Standing Order and SO27.12 below should therefore also be amended by 1 week to 27 November.</p>
<p>27.12 If the budget for the Commission has not been agreed by 2027 November, then the budget for the Commission to be incorporated in the annual budget motion under Standing Order 27.17A(ii) is to comprise, for each service or purpose for which resources or cash were authorised to be used by the Commission in the previous financial year, 95% of the amount so authorised.</p>	<p>Amend this Standing Order</p> <p>See SO 27.11 above.</p>
<p><u>27.12A When a UK Government or Welsh Assembly Government Spending Review takes place, a member of the Commission may, with the agreement of the Business Committee, specify different dates from those within Standing Order 27.7 by which he or she must lay the draft budget for the Commission and consequently the date referred to in Standing Order 27.11 and Standing Order 27.12. If the Business Committee agrees, it must notify the Assembly by laying a report.</u></p>	<p>Insert new Standing Order</p> <p>In a year in which a UK Government or Welsh Government spending review was taking place, the Commission may propose to change the dates by which they must lay the draft budget in Standing Order 27.7 and consequently the date referred to in 27.11 and 27.12.</p> <p>This would require the agreement of the Business Committee, which would then notify the Assembly by laying a report.</p> <p>This introduces some flexibility to change the usual dates for the Commission's budget timetable and should avoid the need to agree a temporary Standing Order as has happened this year.</p>
<p>Auditor General</p>	
<p>27.13 The Auditor General must submit the estimate of income and expenses required under paragraph 12 of Schedule 8 to the</p>	<p>Amend this Standing Order</p>

Act to the Audit Committee <u>Public Accounts Committee</u> as soon as practicable but in any event no later than 1 November in each financial year.	This is a consequential amendment, following amendments to SO 13.
27.14 The Audit Committee <u>Public Accounts Committee</u> must consider and lay before the Assembly, no later than 22 November, the estimate, with any modifications which the Committee, having consulted and taken into account any representations made by the Auditor General, considers appropriate.	Amend this Standing Order This is a consequential amendment reflecting the agreement to amend Standing Order 13.
Ombudsman	
27.15 The Ombudsman must submit the estimate of income and expenses required under paragraph 15 of Schedule 1 to the Public Services Ombudsman (Wales) Act 2005 to the <u>responsible committee</u> Finance Committee as soon as practicable but in any event no later than 1 November in each financial year.	Amend this Standing Order This amendment gives effect to the replacement of named committees in Standing Orders with function-based Standing Orders.
27.16 The <u>responsible committee</u> Finance Committee must consider and lay before the Assembly, no later than 22 November, the estimate, with any modifications which the Committee, having consulted and taken into account any representations made by the Ombudsman, considers appropriate.	Amend this Standing Order This amendment gives effect to the replacement of named committees in Standing Orders with function-based Standing Orders.
Annual Budget Motions	
27.17 An annual budget motion as required under section 125 of the Act must be tabled by a Welsh Minister, <u>in accordance with Standing Order 27.0B (or Standing Order 27.0F) on or before 3 December.</u> An annual budget motion must incorporate:	Amend this Standing Order It is proposed to remove the date by which the Government have to table the annual budget motion from Standing Orders and allow the

<ul style="list-style-type: none"> (i) the final budget for the government; (ii) the final budget for the Commission as agreed by the Assembly under Standing Order 27.9 or 27.10, or as determined under Standing Order 27.12; (iii) the estimate for the Auditor General, as laid before the Assembly under Standing Order 27.14; and (iv) the estimate for the Ombudsman as laid before the Assembly under Standing Order 27.16. 	<p>Government to decide on the appropriate date and notify Business Committee accordingly under SO 27.0B.</p> <p>This date would appear in the timetable as published under SO 27.0D or 27.0F.</p> <p>This Standing Order has been separated into two separate provisions - the second half of the Standing Order which states what must be incorporated in an annual budget motion now appears in SO 27.17A below, with no changes.</p>
<p><u>27.17A</u> An annual budget motion must incorporate:</p> <ul style="list-style-type: none"> (i) the final budget for the government; (ii) the final budget for the Commission as agreed by the Assembly under Standing Order 27.9<u>27.9A</u> or 27.10, or as determined under Standing Order 27.12; (iii) the estimate for the Auditor General, as laid before the Assembly under Standing Order 27.14; and (iv) the estimate for the Ombudsman as laid before the Assembly under Standing Order 27.16. 	<p>Insert new Standing Order</p> <p>To improve the presentation of the Standing Orders, it is proposed that the second part of 27.17 is presented as a separate Standing Order. There is no change to the drafting.</p>

<p>27.18 An annual budget motion may also incorporate any motion for a resolution to be made for the relevant financial year under section 120(2)(a) of the Act.</p>	<p>No amendment necessary</p>
<p>27.19 The information produced in support of an annual budget motion must include as a minimum:</p> <ul style="list-style-type: none"> (i) the written statement required under section 125(3) of the Act; (ii) the resources agreed by the Treasury for the Welsh block budget for the financial year covered by the motion; (iii) a reconciliation between the resources allocated to the Welsh block budget by the Treasury and the resources to be authorised for use in the motion; (iv) a reconciliation between the estimated amounts to be paid into the Welsh Consolidated Fund by the Secretary of State and the amounts to be authorised for payment out of the Fund in the motion; and (v) a reconciliation between the resources to be authorised under section 125(1)(a) and (b) of the Act and the amounts to be authorised for payment out of the Welsh Consolidated Fund under section 125(1)(c). 	<p>No amendment necessary</p>
<p>27.20 An annual budget motion may only be moved by a Welsh</p>	<p>No amendment necessary</p>

Minister. No amendment to an annual budget motion may be tabled.	
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Supplementary Budget Motions	
27.21 A Welsh Minister may table a supplementary budget motion under section 126 at any time after the annual budget resolution has been passed.	No amendment necessary
27.22 The information provided in support of a supplementary budget motion must include any variations to that provided in accordance with Standing Order 27.19.	No amendment necessary
<u>27.22A If the supplementary budget motion proposes a variation to the budget of the Commission, a member of the Commission must lay an explanatory memorandum stating why it is required.</u>	<p>Insert new Standing Order</p> <p>The Finance Committee examines the draft budgets for the Assembly Commission and the Ombudsman.</p> <p>However, if one of these requests a supplementary budget, the motion for this has to be laid by the Government – and, in turn, the duty to provide supporting information falls on Welsh Ministers. There is currently no duty on the Commission nor the Ombudsman to provide an explanation to the Finance Committee (or publicly) if they need a supplementary budget.</p> <p>Thus, if the Commission requires a supplementary budget motion, it</p>

	<p>is proposed that there should be a duty on the Commission to lay an explanatory memorandum explaining why. This would then be considered by the responsible committee when they report on the supplementary budget motion under 27.23.</p> <p>The same principle should apply to the Ombudsman (amended 27.26) and the Auditor General and Public Accounts Committee (amended 27.25).</p>
<p>27.23 A supplementary budget motion tabled under Standing Order 27.21 may not be moved until either:</p> <ul style="list-style-type: none"> (i) the Finance Committee <u>responsible committee</u> has reported on the motion; or (ii) if the Finance Committee <u>responsible committee</u> has not reported on the motion, three weeks have elapsed after it has been tabled. 	<p>Amend this Standing Order</p> <p>These amendments give effect to the replacement of named committees in Standing Orders with function-based Standing Orders.</p> <p>NB The Finance Committee has noted in its response that three weeks is sufficient time for it to report on supplementary budget motions.</p>
<p>27.24 The Finance Committee <u>responsible committee's</u> report may recommend changes to the amounts proposed in the supplementary budget motion provided that the net effect of those variations would not increase or decrease the aggregate amounts of resources or cash proposed in the supplementary budget motion.</p>	<p>Amend this Standing Order</p> <p>This amendment gives effect to the replacement of named committees in Standing Orders with function-based Standing Orders.</p>
<p>27.25 If the supplementary budget motion proposes a variation to the budget for the Auditor General:</p> <ul style="list-style-type: none"> <u>(i) the Auditor General must provide an explanatory memorandum to the Public Accounts Committee stating why the variation to the budget is required;</u> <u>(ii) the Public Accounts Committee</u> Audit Committee may 	<p>Amend this Standing Order</p> <p>27.25 (i) – it is proposed that where the supplementary budget motion proposes a variation to the budget for the Auditor General, they must provide an explanation to the Public Accounts Committee so that they may consider it as they report under SO 27.25.</p> <p>This would be in line with the proposals in relation to supplementary</p>

<p>report on the proposed variation within three weeks of the supplementary budget motion being tabled. The report may propose any modifications to the proposed variation which the <u>Public Accounts Committee</u> Audit Committee, having consulted and taken into account any representations made by the Auditor General, considers appropriate.</p>	<p>budgets requested by the Commission or Ombudsman (new 27.22A and amended 27.26).</p> <p>27.25 (ii) - These are consequential amendments reflecting the agreement to amend Standing Order 13.</p>
<p>27.26 If the supplementary budget motion proposes a variation to the budget for the Ombudsman:</p> <p>(i) <u>the Ombudsman must provide an explanatory memorandum to the responsible committee stating why the variation to the budget- is required;</u></p> <p>(ii) the Finance Committee <u>responsible committee</u> may lay before the Assembly a report on the proposed variation within three weeks of the supplementary budget motion being tabled. The report may propose any modifications to the proposed variation which the Finance Committee, having consulted and taken into account any representations made by the Ombudsman, considers appropriate.</p>	<p>Amend this Standing Order</p> <p>If the supplementary budget motion varies the budget of the Ombudsman, it is proposed that there should be a duty on the Ombudsman to submit an explanation to the responsible committee. This would then be considered by the responsible committee when they report on the supplementary budget motion under 27.26.</p> <p>This would be in line with the proposals in relation to supplementary budgets requested by the Commission (new 27.22A) or the Auditor General (amended 27.25).</p>
<p>27.27 A supplementary budget motion may only be moved by a Welsh Minister. Any amendment to such a motion may only be tabled to vary the supplementary budget motion. No amendment may be tabled or moved except by a Welsh Minister.</p>	<p>Amend this Standing Order</p> <p>It is proposed that to simplify this provision, as the restriction is unnecessary.</p>
<p>Excess Use of Resources</p>	
<p>27.28 Standing Order 27.29 applies if the audited accounts of the</p>	<p>No amendment necessary</p>

<p>Commission, the Auditor General or the Ombudsman for any financial year record an excess of resources used to the amounts authorised or deemed under the Act to be authorised by Assembly budget resolutions.</p>	
<p>27.29 A Welsh Minister must, if requested to do so by the Commission, the Auditor General or the Ombudsman, table a supplementary budget motion seeking retrospective authorisation for excesses recorded in that person's audited accounts.</p>	<p>No amendment necessary</p>
<p>27.30 A supplementary budget motion tabled under Standing Order 27.29 may not be moved until either:</p> <p style="padding-left: 40px;">(i) the Audit Committee <u>Public Accounts Committee</u> has reported on the motion; or</p> <p>(ii) if the Audit Committee <u>Public Accounts Committee</u> has not reported on the motion, 6 months have elapsed after it has been tabled.</p>	<p>Amend this Standing Order</p> <p>This is a consequential amendment reflecting the agreement to amend Standing Order 13.</p>
<p>27.31 Standing Orders 27.21 to 27.26 do not apply to motions tabled under Standing Order 27.29.</p>	<p>No amendment necessary</p>

STANDING ORDER 28 - Public Petitions	
STANDING ORDER 28 - Public Petitions	No amendment necessary
<u>Committee or Committees</u>	Insert new sub-title
<p>28.1 The Assembly must consider, in accordance with the provisions of Standing Orders 28.2 to 28.12, any admissible petition. In proposing the remits of committees under Standing Order 12.2 or 12.3, the Business Committee must ensure that responsibility for the functions in Standing Order 28 is assigned to a committee or committees (referred to within Standing Order 28 as “a responsible committee”).</p>	<p>Amend this Standing Order</p> <p>This amendment gives effect to the replacement of named committees in Standing Orders with function-based Standing Orders, in line with the proposed approach.</p> <p>In line with evidence received as part of the public consultation and the Petitions Committee, this revised Standing Order places a duty on the Business Committee to ensure that functions specified in Standing Order 28.1 are undertaken by a committee or committees to be referred to as “a responsible committee”.</p> <p>To ensure that the requirement for the Assembly to consider any admissible petition is not lost as a result of this change, a consequential amendment to SO 28.9 is required whereby a responsible committee <u>must</u> take some form of action on a petition.</p>
<u>Form of Petitions</u>	Insert new sub-title for clarity
<p>28.2 A petition must clearly indicate:</p> <p>(i) the name of the petitioner, who may be an individual person (other than a Member), a body corporate or an unincorporated association of</p>	No amendment necessary

<p>persons;</p> <p>(ii) an address of the petitioner to which all communications concerning the petition should be sent; and</p> <p>(iii) the names and addresses of any person supporting the petition.</p>	
<p>28.3 The Presiding Officer must determine the proper form of petitions and must publish his or her determinations.</p>	<p>No amendment necessary</p>
<p>Admissibility of Petitions</p>	
<p>28.4 A petition is not admissible if it:</p> <p>(i) contains fewer than 10 signatures;</p> <p>(ii) fails to comply with Standing Order 28.2 or is otherwise not in proper form;</p> <p>(iii) contains language which is offensive;</p> <p>(iv) requests the Assembly to do anything which the Assembly clearly has no power to do; or</p> <p>(v) is the same as, or in substantially similar terms to, a petition which was <u>closed less than a year earlier</u>;</p> <p>(a) presented by or on behalf of the same</p>	<p>Amend this Standing Order</p> <p>An internal review of the petitions process conducted by the Petitions Committee has proposed that the change to (v) is made to:</p> <ul style="list-style-type: none"> • manage petitioners expectations • ensure the best use of a responsible committee’s time. <p>If a petition has been submitted and closed within the past year, accepting another petition which is the same but has a different lead petitioner is unlikely to lead to a vastly different outcome. However, it may raise a petitioner's hopes that a different outcome will be achieved. This may also limit the likelihood of repeat petitions on the same subject being submitted.</p>

	person, body corporate or unincorporated association during the same Assembly; and	
28.5	Standing Order 28.4(i) does not apply if the petitioner is a body corporate or an unincorporated association of persons.	No amendment necessary
28.6	The Presiding Officer must consider and decide in a case of dispute whether a petition is admissible and must notify the petitioner, as soon as is reasonably practicable, of his or her decision and the reasons for it.	No amendment necessary
28.7	The Presiding Officer must publish a register of decisions made under Standing Order 28.6.	No amendment necessary
Action on a Petition		
28.8	If a petition is admissible, the Presiding Officer must refer that petition to the relevant Assembly committee ("the committee") <u>a responsible committee.</u>	Amend this Standing Order Insert "a responsible committee" - consequential amendment if SO 28.1 is agreed: remove reference to specific committee and refer to the functions of a responsible committee, in line with the proposed approach. This would ensure that there is a requirement for there to be an Assembly committee or committees to deliver the functions currently delivered by the Petitions Committee.
28.9	The <u>responsible</u> committee may <u>must</u> : (i) refer the petition to the government, any other committee of the Assembly or any other person	Amend this Standing Order To ensure that the requirement for the Assembly to consider any admissible petition is not lost as a result of the proposed change to

<p>or body for them to take such action as they consider appropriate;</p> <p>(ii) report to the Assembly; or</p> <p>(iii) take any other action which the committee considers appropriate.</p>	<p>SO 28.1, a consequential amendment to SO 28.9 is required whereby the responsible committee to which the petition has been referred <u>must</u> take some form of action on a petition.</p>
<p>28.10 The <u>responsible</u> committee must notify the petitioner of any action taken under Standing Order 28.9.</p>	<p>Amend this Standing Order Insert “the responsible committee” - consequential amendment if SO 28.1 is agreed: remove reference to specific committee and refer to the functions of a responsible committee, in line with the proposed approach. This would ensure that there is a requirement for there to be an Assembly committee or committees to deliver the functions currently delivered by the Petitions Committee.</p>
<p>Closing Petitions</p>	
<p>28.11 The <u>responsible</u> committee may close a petition at any time.</p>	<p>Amend this Standing Order As above</p>
<p>28.12 When the <u>responsible</u> committee closes a petition, it must notify the petitioner that the petition is closed and of the reasons for closing it.</p>	<p>Amend this Standing Order As above</p>

STANDING ORDER 29 - Laying and Tabling Procedures

29.1 The following documents or categories of document may be laid before the Assembly:

- (i) a document specified in any enactment as one which must or may be laid before the Assembly or a document which falls within the terms of section 86 of, or paragraphs 36 or 37 of Schedule 11 to, the Act;
- (ii) legislation or proposed or draft legislation required to be laid under Standing Orders 22, 23, 24 or 25;
- (iii) any report made by an Assembly committee and which that committee has agreed should be submitted to the Assembly, other than any report to which (iv) ~~or (v)~~ below applies;
- ~~(iv) any report specified in Standing Orders 7.61 and 7.62 other than any to which paragraph (v) below applies;~~
- (iv) any other document specified elsewhere in Standing Orders which is required to be laid in accordance with the specific requirements in a Standing Order; and
- (vi) any other document, or category of document, that the Assembly, by resolution in plenary,

Amend this Standing Order

29.1(iii) and (iv) – there are consequential changes as a result of amendments to Standing Orders 7.61 and 7.62.

requires should be laid.	
29.2 A member of the government <u>or Presiding Officer</u> may lay other appropriate documents	<p>Amend this Standing Order</p> <p>This enables the Presiding Officer to lay appropriate documents as well.</p>
29.3 Where any document is laid, or any motion, amendment, question or other business is tabled under Standing Order 29 or any other Standing Order, it must be laid or tabled in compliance with written guidance issued by the Presiding Officer, <u>in accordance with Standing Order 2.17.</u>	<p>Amend this Standing Order</p> <p>It is proposed that there should be a simplified mechanism for the Presiding Officer to issue guidance to Members on the conduct of Assembly business, which would require that the Presiding Officer must consult the Business Committee before issuing the guidance rather than the current mixed system where some guidance requires the endorsement of the Assembly and some not.</p>
29.4 Any document laid or business tabled by the Presiding Officer, the Commission, the government, any committee or the Clerk, must be laid or tabled in both English and Welsh, so far as is appropriate in the circumstances and reasonably practicable.	No amendment necessary
29.5 The receipt, by the <u>Clerk Table Office</u> , of any document or business on a working day during its agreed office hours <u>agreed by the Business Committee (including receipt by electronic means)</u> constitutes (as the case may be) the laying of the document or the tabling of the business.	<p>Amend this Standing Order</p> <p>These changes would not effect any change to the current tabling practice, they are mainly style / presentational changes.</p> <p>Any references to “Table Office” in Standing Orders will be replaced with “Clerk” to achieve a consistent approach throughout. In practice, the Table Office will still be responsible for receiving documents to be laid or business to be tabled. Any guidance to Members would make it clear that they should be sent to the “Table Office” and that it</p>

	<p>can be submitted by electronic means or in hard copy.</p> <p>This would also apply to Standing Order 23.71, in relation to legislative amendments. Amendments are tabled to Legislation Office, therefore the current reference to “Table Office” in SO23.71 does not reflect our practice.</p>
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STANDING ORDER 30 - Reports of Proceedings	
Minutes of Proceedings	Delete this Title
30.1— As soon as reasonably practicable after each plenary meeting, the minutes of the proceedings must be published in English and Welsh.	<p>Delete this Standing Order</p> <p>It is proposed that this is replaced by Standing Order 30.1A.</p>
30.2— As soon as reasonably practicable after each public committee or sub-committee meeting, the minutes of the proceedings must be published in English and Welsh.	<p>Delete this Standing Order</p> <p>It is proposed that this is replaced by Standing Order 30.1A.</p>
Verbatim Record of Plenary Meetings	
30.3— As soon as reasonably practicable after each plenary meeting, an edited verbatim record of proceedings must be published in English and Welsh.	<p>Delete this Standing Order</p> <p>It is proposed that this is replaced by 30.1A.</p>
Verbatim Record of Committee and Sub-committee Meetings	Delete this Title

<p>30.4 — As soon as reasonably practicable after each public committee or sub-committee meeting, an edited verbatim record of proceedings must be published in the language spoken in the committee, which must include an edited record of any simultaneous translation.</p>	<p>Delete this Standing Order</p> <p>It is proposed that this is replaced by 30.1A.</p>
<p><u>30.1A The Commission must make arrangements, in accordance with the requirements of section 31(6) of the Act where applicable, for:</u></p> <ul style="list-style-type: none"> <u>(i) recording the decisions of the Assembly, including the decisions of committees and sub-committees;</u> <u>(ii) reporting Assembly proceedings, including those proceedings of committees and sub-committees which are held in public; and</u> <u>(iii) publishing that record of decisions and report of proceedings.</u> 	<p>Insert new Standing Order</p> <p>This would replace the current standing orders in Standing Order 30 and is based on the requirement in section 31(6) of the Government of Wales Act.</p> <p>30.1A(i) - this requires the Commission to make arrangements to record the decisions of the Assembly and its committees – these are effectively minutes of meetings. This provision is required in addition to reporting proceedings, to ensure that decisions taken both in public and in private are recorded and published.</p> <p>30.1A(ii) – this requires all public proceedings of the Assembly to be reported. The arrangements would be determined by the Commission.</p> <p>30.1A(iii) – this requires the Commission to make arrangements for publishing the record of decisions and report. In accordance with section 31(6)(b) of the Act, these would have to be published as soon as reasonably practicable after the proceedings take place.</p>

Standing Order 31B - Recording of Members' Time Involved in Registrable Activities	
<u>STANDING ORDER 31B – Recording Time Involved in Registrable Activities</u>	<p>Add new Standing Order Insert new title to reflect content of the new Standing Order.</p> <p>New Standing Order 31B would require Members to provide notification of the estimated time involved in registrable activities within broad time bands. Standing Order 31B would also specify what information must be contained in the notification, the deadlines within which it must be provided and how this information would be published.</p> <p>The proposed Standing Order meets:</p> <ul style="list-style-type: none"> • recommendation 15 of the Independent Panel’s report, Getting it Right for Wales, which states that “in addition to recording information on other employment on the Register of Interests, Assembly Members should also be required to detail the time involved in this additional employment”. • the recommendation made by the Committee on Standards of Conduct in its response to the Review of Standing Orders that a new, stand-alone Standing Order should be drafted instead of extending the coverage of Standing Order 31. <p>This proposal ensures that no Member would be unwittingly guilty of committing a criminal offence should they fail to record their time involved in registrable activities correctly.</p>
<u>General</u>	Insert new sub-title
<u>31B.1 Where a Member is required to register an interest, in</u>	Add new Standing Order

<p><u>accordance with Standing Order 31.2, that Member must at the same time, where that interest is also a registrable activity, make a notification under Standing Order 31B.</u></p>	<p>This would require Members to provide notification of the estimated time involved in a registrable activity at the same time that they register the interest in accordance with Standing Order 31.2.</p>
<p><u>31B.2 For the purposes of Standing Order 31B, a “registrable activity” is a registrable interest which falls within either:</u> <u>(i) sub-paragraph (i) of paragraph 5 of the Annex to Standing Order 31 (remunerated directorships);</u> <u>or</u> <u>(ii) sub-paragraph (ii) of that paragraph (employments, offices, trades, professions or vocations).</u> <u>and relates to the Member himself or herself (rather than to a partner or dependent child of the Member).</u></p>	<p>Add new Standing Order Members would be required to record the estimate of time involved in a “registrable activity” which is defined here. It would be any activity a Member has registered on the Register of Interest, in accordance with Standing Order 31.2, under paragraph 5(i) or 5(ii) of the Annex to Standing Order 31.</p> <p>In both cases, the requirement to record time involved in these activities relates to the Member himself or herself (rather than to a partner or dependent child of the Member).</p>
<p>Notification</p>	<p>Insert sub-heading</p>
<p><u>31B.3 Notification is to be by reference to the following bands:</u> <u>Band 1: Less than 5 hours per week;</u> <u>Band 2: Between 5 and 20 hours per week;</u> <u>Band 3: More than 20 hours per week.</u></p>	<p>Add new Standing Order It is proposed that there are three bands into which Members must register their estimated registrable activity.</p>
<p><u>31B.4 Notification must state into which of those bands the average number of hours which the Member devotes (or expects to devote) to each registrable activity each week will fall.</u></p>	<p>Add new Standing Order</p> <p>Self-explanatory.</p> <p>When completing the necessary notification form (SO 31B.6) Members could, at their discretion, annotate precise information on the exact time spent undertaking the registrable activity within a</p>

	specific band (e.g if a Member writes a column for a quarterly publication – falling under Band 1 – but wishes to note that only two hours is spent every three months on this registrable activity, space could be provided for this).
<u>31B.5 If (whether as a result of a change of circumstances or for any other reason) the notification which a Member has given in relation to a registrable activity is no longer correct, the Member must, within four weeks, make a further notification under Standing Order 31B.</u>	Add new Standing Order Members would be under a continuing duty to ensure that the record of the notifications of estimated time made by Members (a requirement under Standing Order 31.B7) contains the correct information. If a Member’s notification of a registrable activity is no longer correct, the Member is required to make a further notification of estimated time under this new Standing Order within four weeks. This would be done by submitting the form in accordance with SO 31B.6.
<u>31B.6 Notification must be given by completing and signing the form prescribed by the Presiding Officer for the purpose and delivering it to the Clerk.</u>	Add new Standing Order Self-explanatory. Reference to delivering the form to “the Clerk” in this Standing Order is consistent with proposed wording in other Standing Orders where business is to be tabled, documents are to be laid, or forms are required to be submitted. In practice, the Table Office will still be responsible for receiving forms relating to registrable interests and activities. Any guidance to Members would make it clear that they should be submitted to the Table Office.
<u>Publication</u>	Insert sub-heading
<u>31B.7 The Presiding Officer must maintain a record of the notifications made by Members under Standing Order 31B and</u>	Add new Standing Order This requires that a record of notifications made under Standing

<p><u>must publish the record and make a copy available for inspection by Members and by the public.</u></p>	<p>Order 31B be maintained and published. This reflects arrangements elsewhere in Standing Orders for the publication of documents relating to, for example, the Register of Interests, the record of notification made relating to the recording of the employment of family members and the recording of membership of societies.</p>
<p>Form of notification and record</p>	<p>Insert sub-heading</p>
<p><u>31B.8 The form prescribed by the Presiding Officer under Standing Order 31B.6 may be combined with the form prescribed by the Presiding Officer under Standing Order 31.2.</u></p>	<p>Add new Standing Order For simplicity, this would allow the Presiding Officer to combine the form for notification of estimated time involved in registrable activities with the form prescribed under Standing Order 31.2 for the registration of interests. This would allow Members to register interests and give notification of the estimated time involved in a registrable activity at the same time.</p>
<p><u>31B.9 The record of notifications maintained by the Presiding Officer under Standing Order 31B.7 may be combined with the Register of Interests maintained by the Presiding Officer under Standing Order 31.1.</u></p>	<p>Add new Standing Order Self-explanatory. This would mean that any Member or the general public could inspect both the records of notifications and the Register of Interest via the same source.</p>

STANDING ORDER 33A - Appointments	
<u>STANDING ORDER 33A – Appointments etc. to Public Office</u>	<p>Insert new Standing Order 33A</p> <p>It is proposed that there should be one Standing Order to set out a consistent procedure for appointments of external offices (and their removal) which are not otherwise covered by Standing Orders. The Standing Order would be subject to any statutory conditions, such as any requirement relating to the majority by which a resolution must be passed.</p>
Application	Insert new subtitle
<p><u>33A.1 Standing Order 33A applies (subject to Standing Order 33A.2) in relation to a public office if appointment to that office is required, by or under any enactment, to be made:</u></p> <p><u>(i) _____ by the Assembly, or</u></p> <p><u>(ii) _____ on the nomination or recommendation of the Assembly, or</u></p> <p><u>(iii) _____ with the approval of the Assembly.</u></p>	<p>Insert new Standing Order</p> <p>This provides for which public appointments would be covered by this new Standing Order. It applies to any appointments which the Assembly is required to under any Assembly Measure or Act of Parliament. It also clarifies that this would apply to all regardless of whether the Assembly’s duty is to make the appointment, or to make a nomination or recommendation to another person who is responsible for making the appointment, or to approve an appointment.</p> <p>Currently this would apply to the Standards Commissioner, the Auditor General for Wales, the auditor of the accounts of the Auditor General and the Public Service Ombudsman.</p>

<p><u>33A.2 Standing Order 33A does not apply to an office if provision for appointment to that office is made elsewhere in the Standing Orders.</u></p>	<p>Insert new Standing Order</p> <p>This provides that this Standing Order would not apply where they are already covered elsewhere in the Standing Orders i.e. it would not apply to the appointment of: the Presiding Officer and Deputy; the First Minister; Counsel General; and Trustees to the National Assembly for Wales Members’ Pension Scheme.</p>
<p><u>33A.3 An office to which Standing Order 33A applies is referred to as a “relevant office”.</u></p>	<p>Insert new Standing Order</p> <p>Self-explanatory.</p>
<p><u>33A.4 Standing Order 33A takes effect subject to any statutory requirements relating to the appointment.</u></p>	<p>Insert new Standing Order</p> <p>The Measure or Act which confers the duty to make an appointment on the Assembly, may provide that the appointment or removal from office is subject to certain requirements. For example, the Assembly may only recommend that the Auditor General is removed from office if the resolution is passed by 40 out of the 60 Assembly Members (Schedule 8 of GoWA).</p> <p>This makes it clear that the processes set out in the Standing Order would be subject to these types of requirements.</p>
<p><u>Method of appointment</u></p>	<p>Insert new subtitle</p>
<p><u>33A.5 Appointment to a relevant office (or a nomination or recommendation for, or approval of, appointment to a relevant office) is to be made by resolution of the Assembly.</u></p>	<p>Insert new Standing Order</p> <p>Self-explanatory.</p>
<p><u>Committee consideration</u></p>	
<p><u>33A.6 A committee whose remit relates to the functions of a relevant</u></p>	<p>Insert new Standing Order</p>

<p><u>office may meet to take evidence from a candidate for appointment to that office in order to consider whether the committee supports the appointment of that candidate.</u></p>	<p>This would enable Committees to hold a pre-appointment hearing, prior to the Assembly being formally asked to make the appointment. This would offer open and transparent scrutiny of the candidate and make an important contribution to the process and offer the Assembly additional confidence in the preferred candidate.</p>
<p><u>Removal from Office</u></p>	<p>Insert new subtitle</p>
<p><u>33A.7 Where the Assembly may, under any enactment, remove from office the holder of a relevant office, that removal from office is (subject to any conditions imposed by that enactment) to be made by resolution of the Assembly.</u></p>	<p>Insert new Standing Order</p> <p>This provides that the Assembly may also remove a person from office by resolution, subject to any statutory requirements.</p>
<p><u>33A.8 If a motion to remove from office the holder of a relevant office is tabled by at least six Members, time must be made available as soon as possible for the motion to be debated; and in any event such a debate must take place within five working days of the motion having been tabled.</u></p>	<p>Insert new Standing Order</p> <p>Any Member could table a motion to remove a person from office. It would be a matter for Business Committee to decide whether to allocate time for that motion to be debated in Plenary.</p> <p>However, this Standing Order provides that if at least six Members table a motion, the Business Committee would have to make time available for it to be debated within five working days. This is the same approach as applies to any motion to remove from office the Presiding Officer or Deputy or a motion of no-confidence in Welsh Ministers (SO 7.42 and 7.43).</p>
<p><u>No amendments to motions</u></p>	<p>Insert new subtitle</p>
<p><u>33A.9 No amendments may be tabled to motions under Standing Orders 33A.5 and 33A.8.</u></p>	<p>Insert new Standing Order</p> <p>Self-explanatory.</p>

Atodiad 3 - Tabl Trosi'r Rheolau Sefydlog

Hen Reol Sefydlog	Rheol Sefydlog Newydd
1. Aelodau	1. Aelodau
1. Aelodau: Atodiad	1. Aelodau: Atodiad
2. Y Llywydd a'r Dirprwy	6. Y Llywydd a'r Dirprwy
3. Comisiwn y Cynulliad	7. Comisiwn y Cynulliad
4. Gweinidogion Cymru a Dirprwy Weinidogion Cymru	8. Gweinidogion Cymru a Dirprwy Weinidogion Cymru
5. Cwnsler Cyffredinol Llywodraeth Cynulliad Cymru	9. Cwnsler Cyffredinol Llywodraeth Cynulliad Cymru
6. Trefn Busnes	11. Trefn Busnes
7. Busnes yn y Cyfarfodydd Llawn	12. Busnes yn y Cyfarfodydd Llawn
8. Y Drefn yn y Cyfarfodydd Llawn	13. Y Drefn yn y Cyfarfodydd Llawn
9. Cwestiynau Ysgrifenedig, Datganiadau Ysgrifenedig a Datganiadau Barn	14. Cwestiynau Ysgrifenedig, Datganiadau Ysgrifenedig a Datganiadau Barn
10. Pwyllgorau	17. Gweithredu Pwyllgorau
11. Y Pwyllgor Busnes	Cyfunwyd â RhS 11: Trefn Busnes
12. Pwyllgorau Craffu	16. Sefydlu Pwyllgorau a'u Cylchoedd Gorchwyl
13. Y Pwyllgor Archwilio	18. Y Pwyllgor Cyfrifon Cyhoeddus
14. Y Pwyllgor Cyllid	19. Cyllid
15. Y Pwyllgor Materion Cyfansoddiadol	21. Materion Cyfansoddiadol a Deddfwriaethol
16. Y Pwyllgor Safonau Ymddygiad	22. Safonau Ymddygiad
17. Y Pwyllgor Cyfle Cyfartal	Amh.

18. Y Pwyllgor Materion Ewropeaidd ac Allanol	Amh.
19. Pwyllgor Craffu ar Waith Prif Weinidog Cymru	Amh.
20. Pwyllgorau Rhanbarth	Amh.
21. Pwyllgorau Eraill	Cyfunwyd â RhS 16: Sefydlu Pwyllgorau a'u Cylchoedd Gorchwyl
21A Diffiniad o Aelod sy'n Gyfrifol am Ddeddfwriaeth	24. Diffiniad o Aelod sy'n Gyfrifol am Ddeddfwriaeth
22. Gorchmynion Cymhwysedd Deddfwriaethol	25. Gorchmynion Cymhwysedd Deddfwriaethol
23. Mesurau Cynulliad	26. Mesurau- Cynulliad
24. Is-ddeddfwriaeth (Heblaw Is-ddeddfwriaeth sy'n ddarostyngedig i Weithdrefn Cynulliad Arbennig)	27. Is-ddeddfwriaeth (Ac eithrio Is-ddeddfwriaeth sy'n ddarostyngedig i Weithdrefn Cynulliad Arbennig)
25. Gweithdrefn Cynulliad Arbennig	28. Gweithdrefn Cynulliad Arbennig
26. Cydsyniad mewn perthynas â Mesurau Seneddol y DU	29. Cydsyniad mewn perthynas â Biliau Senedd y DU
26A Hysbysu yng nghyswllt Mesurau Seneddol y DU	30. Hysbysu yng nghyswllt Biliau Senedd y DU
27. Gweithdrefnau Cyllid	20. Gweithdrefnau Cyllid
28. Deisebau'r Cyhoedd	23. Deisebau'r Cyhoedd
29. Gweithdrefnau Gosod a Chyflwyno	15. Gweithdrefnau Gosod a Chyflwyno
30. Adroddiadau ar y Trafodion	31. Adroddiadau ar y Trafodion
31. Buddiannau Ariannol a Buddiannau Eraill yr Aelodau	2. Buddiannau Ariannol a Buddiannau Eraill yr Aelodau
31. Buddiannau Ariannol a Buddiannau Eraill yr Aelodau: Atodiad	2. Buddiannau Ariannol a Buddiannau Eraill yr Aelodau: Atodiad
31A Cofnodi Cyflogaeth Aelodau'r Teulu gyda Chymorth Arian y Comisiwn	3. Cofnodi Cyflogaeth Aelodau'r Teulu gyda Chymorth Arian y Comisiwn

31B Cofnodi'r Amser y bydd Aelod yn Ymwneud â Gweithgarwch Cofrestradwy	4. Cofnodi'r Amser y bydd Aelod yn Ymwneud â Gweithgarwch Cofrestradwy
32. Cofnodi Aelodaeth o Gymdeithasau	5. Cofnodi Aelodaeth o Gymdeithasau
33. Y Comisiynydd Safonau	Amh
33A Penodiadau etc. i Swydd Gyhoeddus	10. Penodiadau etc. i Swydd Gyhoeddus
34. Ymddygiad y Cyhoedd	32. Ymddygiad y Cyhoedd
35. Ail-wneud y Rheolau Sefydlog, eu Diwygio a'u Hatal	33. Ail-wneud y Rheolau Sefydlog, eu Diwygio a'u Hatal

Atodiad 4 – Y Rheolau Sefydlog Newydd i'r Cynulliad gytuno arnynt

CYNNWYS

Dehongli

1 Aelodau

- 1.1 Llw neu Gadarnhad Teyrngarwch
- 1.3 Grwpiau Gwleidyddol
- 1.5 Taliadau
- 1.8 Ymddiswyddiadau a Swyddi Gwag
- 1.10 Rolau a Chyfrifoldebau Gwahanol Aelodau Etholaeth ac Aelodau Rhanbarthol

1 Aelodau: Atodiad

- 1 Disgrifio'r Aelodau
- 2 Ymdrin â Materion Etholaeth/Rhanbarth
- 3 Achosion Etholwyr Unigol
- 4 Codi Materion gydag Aelod o'r Llywodraeth
- 5 Aelodau yn Gweithredu yn eu Hardaloedd
- 6 Ymweliadau Ysgolion
- 7 Ymholiadau Ffôn
- 8 Staff yr Aelodau
- 9 Gorfodi

2 Buddiannau Ariannol a Buddiannau Eraill yr Aelodau

- 2.1 Cofrestru Buddiannau Ariannol a Buddiannau Eraill
- 2.6 Datgan Buddiannau cyn Cymryd Rhan mewn Unrhyw Drafodion yn y Cynulliad
- 2.8 Lobio am Dâl neu Gydnabyddiaeth
- 2.9 Gwahardd Pleidleisio
- 2.10 Gwahardd Aelodau a Thynnu Hawliau a Breintiau yn ôl
- 2.12 Cytundebau ar gyfer Darparu Gwasanaethau

2 Buddiannau Ariannol a Buddiannau Eraill yr Aelodau: Atodiad

- 1 Cyffredinol
- 5 Y Buddiannau Cofrestradwy

3 Cofnodi Cyflogaeth Aelodau'r Teulu Gyda Chymorth Arian y Comisiwn

4 Cofnodi'r Amser y bydd Aelod yn Ymwneud â Gweithgarwch Cofrestradwy

- 4.1 Cyffredinol
- 4.3 Hysbysiad
- 4.7 Cyhoeddi
- 4.8 Ffurf yr Hysbysiad a'r Cofnod

5 Cofnodi Aelodaeth o Gymdeithasau

6 Y Llywydd a'r Dirprwy

- 6.1 Ethol y Llywydd a'r Dirprwy

- 6.15 Swyddogaethau'r Llywydd
- 6.22 Cadeiryddion Dros Dro yn y Cyfarfodydd Llawn
- 6.24 Llywydd Dros Dro
- 6.25 Ymddiswyddiad neu Ddiswyddiad y Llywydd neu'r Dirprwy

7 Comisiwn y Cynulliad

- 7.1 Penodi'r Aelodau
- 7.7 Ymddiswyddo neu Ddiswyddo
- 7.11 Cyfarwyddiadau Arbennig neu Gyffredinol i'r Comisiwn

8 Gweinidogion Cymru a Dirprwy Weinidogion Cymru

- 8.1 Enwebu Prif Weinidog Cymru
- 8.4 Ymddiswyddiad etc. Prif Weinidog Cymru neu Aelod arall o'r Llywodraeth

9 Cwmsler Cyffredinol Llywodraeth Cynulliad Cymru

- 9.1 Penodi
- 9.3 Cymryd Rhan yn Nhrafodion y Cynulliad
- 9.5 Diswyddo neu Ymddiswyddo
- 9.9 Arfer Swyddogaethau Dros Dro

10 Penodiadau etc. i Swydd Gyhoeddus

- 10.1 Cymhwyso
- 10.5 Dull Penodi
- 10.6 Ystyriaeth y Pwyllgor
- 10.7 Diswyddo
- 10.9 Dim Gwelliannau i Gynigion

11 Trefn Busnes

- 11.1 Y Pwyllgor Busnes
- 11.9 Amserlen y Cynulliad
- 11.11 Busnes Wythnosol
- 11.17 Categoriâu o Fusnes y Cyfarfodydd Llawn
- 11.22 Hysbysiad Busnes

12 Busnes yn y Cyfarfodydd Llawn

- 12.1 Cyfarfodydd Llawn
- 12.7 Cyfarfodydd Llawn yn dilyn Etholiad Cynulliad
- 12.14 Trefn Busnes y Cyfarfodydd Llawn
- 12.19 Cynigion
- 12.29 Cynigion Gweithdrefnol
- 12.36 Penderfynu ar Gynigion a Gwelliannau
- 12.50 Datganiadau
- 12.52 Datganiadau Personol
- 12.54 Cwestiynau Llafar
- 12.69 Dadleuon Brys
- 12.72 Dadleuon Byr

13 Y Drefn yn y Cyfarfodydd Llawn

- 13.1 Rheolau'r Dadleuon
- 13.9 Cadw Trefn
- 13.15 Sub Judice

13.16 Cysylltiadau â'r Farnwriaeth

14 Cwestiynau Ysgrifenedig, Datganiadau Ysgrifenedig a Datganiadau Barn

14.1 Cwestiynau Ysgrifenedig
14.6 Datganiadau Ysgrifenedig
14.9 Datganiadau Barn

15 Gweithdrefnau Gosod a Chyflwyno

16 Sefydlu Pwyllgorau a'u Cylchoedd Gorchwyl

16.1 Cyffredinol
16.5 Pwyllgorau Eraill
16.6 Parhad Pwyllgorau

17 Gweithredu Pwyllgorau

17.1 Cyffredinol
17.3 Aelodaeth Pwyllgorau
17.17 Is-bwyllgorau
17.21 Cadeiryddion
17.25 Ymddygiad mewn Pwyllgorau
17.28 Sub Judice
17.29 Cysylltiadau â'r Farnwriaeth
17.31 Cworwm
17.34 Pleidleisio
17.40 Natur Agored y Pwyllgorau
17.46 Cyfarfodydd
17.48 Dirprwyon mewn Cyfarfodydd
17.49 Presenoldeb mewn Cyfarfodydd
17.53 Cyfarfodydd â Phwyllgorau Eraill
17.55 Cynghorwyr Pwyllgorau
17.56 Adroddiadau Pwyllgorau

18 Y Pwyllgor Cyfrifon Cyhoeddus

18.1 Cyffredinol
18.2 Swyddogaethau
18.5 Aelodaeth

19 Cyllid

19.1 Y Pwyllgor
19.2 Swyddogaethau

20 Gweithdrefnau Cyllid

20.1 Cyffredinol
20.2 Llywodraeth Cynulliad Cymru
20.13 Y Comisiwn
20.21 Yr Archwilydd Cyffredinol
20.23 Yr Ombwdsmon
20.25 Cynigion Cyllideb Blynnyddol
20.30 Cynigion Cyllideb Atodol
20.38 Defnyddio Gormod o Adnoddau

21 Materion Cyfansoddiadol a Deddfwriaethol

- 21.1 Y Pwyllgor neu Bwyllgorau
- 21.2 Swyddogaethau

22 Safonau Ymddygiad

- 22.1 Y Pwyllgor
- 22.2 Swyddogaethau
- 22.3 Aelodaeth
- 22.6 Cyfarfodydd
- 22.9 Adroddiadau

23 Deisebau'r Cyhoedd

- 23.1 Y Pwyllgor neu Bwyllgorau
- 23.2 Ffurf Deisebau
- 23.4 Derbyniadwyedd Deisebau
- 23.8 Gweithredu ar Ddeiseb
- 23.11 Cau Deisebau

24 Diffiniad o Aelod sy'n Gyfrifol am Ddeddfwriaeth

- 24.1 Cyffredinol
- 24.3 Deddfwriaeth Llywodraeth
- 24.6 Deddfwriaeth Pwyllgor
- 24.11 Deddfwriaeth Comisiwn
- 24.14 Deddfwriaeth Aelod

25 Gorchmynion Cymhwysedd Deddfwriaethol

- 25.1 Cyffredinol
- 25.4 Ffurf Gorchmynion Arfaethedig a Sut i'w Gosod
- 25.7 Ystyriaeth Fanwl ar Orchymyn Arfaethedig
- 25.12 Cyflwyno Gorchmyn Drafft
- 25.13 Y Memorandwm Esboniadol i Gyd-fynd â Gorchmyn Drafft
- 25.15 Yr Ystyriaeth Derfynol
- 25.19 Cyhoeddi Hysbysiad Gwrthod
- 25.20 Tynnu Gorchmyn Arfaethedig neu Orchymyn Drafft yn ôl
- 25.21 Gorchmyn Arfaethedig neu Orchymyn Drafft yn Methu
- 25.25 Gorchmynion Arfaethedig Pwyllgor a Gorchmynion Drafft Pwyllgor
- 25.26 Gorchmynion Arfaethedig Aelod a Gorchmynion Drafft Aelod

26 Mesurau Cynulliad

- 26.1 Ffurf Mesurau Arfaethedig a Sut i'w Cyflwyno
- 26.6 Dogfennau i Gyd-fynd â Mesur Arfaethedig
- 26.7 Yr Amserlen ar gyfer Ystyried Mesur Arfaethedig
- 26.9 Cyfnod 1: Ystyried yr Egwyddorion Cyffredinol
- 26.16 Cyfnod 2: Ystyriaeth Fanwl y Pwyllgor
- 26.29 Cyfnod 3: Ystyriaeth Fanwl gan y Cynulliad
- 26.45 Y Cyfnod Adrodd
- 26.47 Cyfnod 4: Y Cyfnod Terfynol
- 26.52 Ailystyried Mesurau Arfaethedig a Basiwyd
- 26.57 Darpariaethau Cyffredinol mewn Perthynas â Gwelliannau i Fesurau Arfaethedig

- 26.67 Cydsyniad Ei Mawrhydi a Dug Cernyw
- 26.68 Penderfyniadau Ariannol
- 26.75 Hysbysu ynghylch Mesurau a Gymeradwywyd
- 26.76 Mesurau Arfaethedig yn Methu, yn Cael eu Gwrthod neu'n Cael eu Tynnu'n ôl
- 26.80 Mesurau Arfaethedig Pwyllgor
- 26.84 Mesurau Arfaethedig Comisiwn
- 26.85 Mesurau Arfaethedig Aelod
- 26.95 Mesurau Brys Arfaethedig Llywodraeth

27 Is-ddeddfwriaeth (ac eithrio Is-ddeddfwriaeth sy'n Ddarostyngedig i Weithdrefn Cynulliad Arbennig)

- 27.1 Memoranda Esboniadol
- 27.2 Cynnig ar gyfer Dirymu (Gweithdrefn Penderfyniad Negyddol)
- 27.5 Cynnig ar gyfer Cymeradwyo (Gweithdrefn Penderfyniad Cadarnhaol)
- 27.10 Peidio â Diwygio Offerynnau
- 27.11 Tynnu Offerynnau yn ôl
- 27.12 Cyfrifo Dyddiau
- 27.13 Cynigion Eraill mewn Perthynas ag Offerynnau neu Offerynnau Drafft
- 27.14 Cymhwyso'r Rheol Sefydlog at Is-ddeddfwriaeth Arall

28 Gweithdrefn Cynulliad Arbennig

29 Cydsyniad mewn Perthynas â Biliau Senedd y DU

- 29.1 Biliau Senedd y DU sy'n Gwneud Darpariaeth y mae Angen Cydsyniad y Cynulliad ar ei chyfer
- 29.2 Memorandwm Cydsyniad Deddfwriaethol
- 29.6 Cynnig Cydsyniad Deddfwriaethol

30 Hysbysu mewn Perthynas â Biliau Senedd y DU

- 30.1 Biliau Senedd y DU sy'n Gwneud Darpariaeth y mae Angen Hysbysu'r Cynulliad yn ei chylch
- 30.2 Datganiadau Ysgrifenedig mewn Perthynas â Biliau Perthnasol Senedd y DU

31 Adroddiadau ar y Trafodion

32 Ymddygiad y Cyhoedd

33 Ail-wneud y Rheolau Sefydlog, eu Diwygio a'u Hatal

- 33.1 Ail-wneud y Rheolau Sefydlog a'u Diwygio
- 33.6 Atal y Rheolau Sefydlog

DEHONGLI

Yn y Rheolau Sefydlog hyn:

ystyr “**Aelod**” yw Aelod o’r Cynulliad a etholwyd naill ai dros un o etholaethau’r Cynulliad neu dros un o ranbarthau etholiadol y Cynulliad;

ystyr “**aelod o’r llywodraeth**” yw Prif Weinidog Cymru, un o Weinidogion Cymru, y Cwnsler Cyffredinol neu un o Ddirprwy Weinidogion Cymru;

ystyr “**Archwilydd Cyffredinol**” yw Archwilydd Cyffredinol Cymru a benodir o dan baragraff 1 o Atodlen 8 i’r Ddeddf;

ystyr “**blwyddyn Cynulliad**” yw’r cyfnod rhwng 1 Mai yn y naill flwyddyn a 30 Ebrill yn y flwyddyn ganlynol;

ystyr “**Clerc**” yw Clerc y Cynulliad a benodir o dan adran 26(1) o’r Ddeddf;

ystyr “**y Comisiwn**” yw Comisiwn y Cynulliad fel y’i diffinnir yn adran 27 o’r Ddeddf;

ystyr “**Cwnsler Cyffredinol**” yw Cwnsler Cyffredinol y llywodraeth a benodir o dan adran 49 o’r Ddeddf;

ystyr “**Cynulliad**” yw’r cyfnod rhwng etholiad Cynulliad a diddymu’r Cynulliad;

ystyr “**Dirprwy**” yw’r Dirprwy Lywydd a etholir o dan adran 25(1)(b) o’r Ddeddf;

ystyr “**diwrnod gwaith**” yw unrhyw ddiwrnod ac eithrio:

- (i) dydd Sadwrn neu ddydd Sul;
- (ii) Noswyl Nadolig, Dydd Nadolig, Dydd Iau Cablyd neu Ddydd Gwener y Groglith;
- (iii) diwrnod sy’n wyl banc yng Nghymru o dan Ddeddf Bancio a Thrafodion Ariannol 1971; neu
- (iv) diwrnod sydd wedi’i neilltuo ar gyfer diolchgarwch neu alar cyhoeddus.

ystyr “**y Ddeddf**” yw Deddf Llywodraeth Cymru 2006;

ystyr “**etholiad Cynulliad**” yw etholiad cyffredinol a gynhelir o dan y Ddeddf;

ystyr “**gorchymyn cymhwysedd deddfwriaethol**” yw un o Orchmynion yn y Cyfrin Gyngor o dan adran 95 o’r Ddeddf;

ystyr “**y Goruchaf Lys**” yw Goruchaf Lys y Deyrnas Unedig a sefydlwyd o dan adran 23(1) o Ddeddf Diwygio Cyfansoddiadol 2005;

mae “**Gweinidogion Cymru**” i’w ddehongli yn unol ag adran 45(2) o’r Ddeddf;

ystyr “**is-ddeddfwriaeth**” yw Gorchmynion yn y Cyfrin Gyngor, gorchmynion, rheolau, rheoliadau, cynlluniau, gwarantau, is-ddeddfau ac offerynnau eraill a wnaed neu sydd i’w gwneud o dan unrhyw un o Ddeddfau Senedd y DU neu Fesur Cynulliad, neu a wnaed neu sydd i’w gwneud o dan is-ddeddfwriaeth;

ystyr “**llywodraeth**” yw Llywodraeth Cynulliad Cymru, fel y’i diffinnir yn adran 45(1) o’r Ddeddf;

ystyr “**Ombwdsmon**” yw Ombwdsmon Gwasanaethau Cyhoeddus (Cymru) a benodir o dan Ddeddf Ombwdsmon Gwasanaethau Cyhoeddus (Cymru) 2005;

ystyr “**Prif Weinidog Cymru**” yw’r Aelod a benodir o dan adran 46(1) o’r Ddeddf;

ystyr “**trafodion y Cynulliad**” yw unrhyw drafodion i’r Cynulliad, i unrhyw un o bwyllgorau’r Cynulliad neu i is-bwyllgor pwyllgor o’r fath;

ystyr “**un o Ddirprwy Weinidogion Cymru**” yw Aelod a benodir o dan adran 50(1) o’r Ddeddf;

ystyr “**un o Weinidogion Cymru**” yw unrhyw Aelod a benodir yn un o Weinidogion Cymru o dan adran 48(1) o’r Ddeddf;

ystyr “**wedi’u cyhoeddi**” yw cyhoeddi ar wefan y Cynulliad o leiaf;

ystyr “**wedi’u gosod**” yw wedi’u gosod yn unol â Rheol Sefydlog 15;

ystyr “**wythnos eistedd**” yw wythnos pryd y bydd y Cynulliad yn eistedd mewn cyfarfod llawn;

ystyr “**wythnos pan na fydd y Cynulliad yn eistedd**” yw wythnos pan na fydd y Cynulliad yn eistedd mewn cyfarfod llawn.

Darpariaethau trosiannol

Ar unrhyw adeg ar ôl i’r darpariaethau ynghylch Deddfau’r Cynulliad (a geir yn Rhan 4 o’r Ddeddf) ddod i rym, ac nes i’r diwygiadau i’r Rheolau Sefydlog hyn sydd o ganlyniad i hynny ddod i rym:

- (i) dylid dehongli cyfeiriadau yn y Rheolau Sefydlog hyn at Fesurau a Mesurau arfaethedig fel pe baent yn cynnwys cyfeiriadau at Ddeddfau Cynulliad a Biliau ar gyfer y Deddfau hynny;
- (ii) dylid dehongli’r cyfeiriad yn Rheol Sefydlog 26.75 at gymeradwyaeth Ei Mawrhydi yn y Cyfrin Gyngor i Fesur Cynulliad fel cyfeiriad at Gydsyniad Brenhinol i Fil; a
- (iii) dylid dehongli cyfeiriadau yn y Rheolau Sefydlog hyn at adrannau 99, 100 a 101 o’r Ddeddf fel pe baent, mewn

perthynas â Biliau ar gyfer Deddfau, yn cynnwys
cyfeiriadau at adrannau 112, 113 ac 114 yn eu tro.

RHEOL SEFYDLOG 1 – Aelodau

Llw neu Gadarnhad Teyrngarwch

- 1.1 Pan dyngir y llw teyrngarwch, neu pan roddir y cadarnhad cyfatebol, o dan adran 23 o'r Ddeddf, rhaid iddo gael ei dyngu neu ei roi gerbron y Clerc, yn gyhoeddus neu yn breifat.
- 1.2 Pan fydd aelod o'r llywodraeth:
- (i) yn tyngu'r llw swyddogol, neu yn rhoi'r cadarnhad cyfatebol;
 - (ii) yn tyngu'r llw teyrngarwch, neu yn rhoi'r cadarnhad cyfatebol,
- o dan adran 55 o'r Ddeddf, rhaid iddo hysbysu'r Clerc yn ysgrifenedig o fewn un diwrnod gwaith ei fod wedi gwneud hynny.

Grwpiau Gwleidyddol

- 1.3 At ddibenion y Ddeddf, grŵp gwleidyddol yw:
- (i) grŵp o Aelodau sy'n perthyn i'r un blaid gwleidyddol gofrestredig a chanddo o leiaf dri Aelod yn y Cynulliad; neu
 - (ii) tri neu fwy o Aelodau sydd, a hwythau heb fod yn aelodau o blaid gwleidyddol gofrestredig a gynhwysir yn Rheol Sefydlog 1.3(i), wedi hysbysu'r Llywydd eu bod yn dymuno cael eu trin fel grŵp gwleidyddol.
- 1.4 Y Llywydd sydd i benderfynu ar unrhyw gwestiwn ynghylch a yw unrhyw Aelod yn perthyn i grŵp gwleidyddol neu i ba grŵp gwleidyddol y mae'n perthyn.

Taliadau

- 1.5 Rhaid i'r Comisiwn benderfynu o dro i dro ar swm y gostyngiad i gyflog Aelod sy'n ofynnol yn ôl adran 21 o'r Ddeddf.
- 1.6 Rhaid i'r Comisiwn osod gerbron y Cynulliad a chyhoeddi unrhyw benderfyniad a wneir o dan Reol Sefydlog 1.5 cyn gynted ag y bo'n rhesymol ymarferol ar ôl i'r penderfyniad gael ei wneud.
- 1.7 Ar gynnig a wneir gan y Comisiwn, rhaid i'r Cynulliad ethol Ymddiriedolwyr i Gynllun Pensiwn Aelodau Cynulliad Cenedlaethol Cymru yn unol â Rheolau'r Cynllun.

Ymddiswyddiadau a Swyddi Gwag

- 1.8 Caiff Aelod ymddiswyddo o'i sedd yn y Cynulliad drwy roi hysbysiad ysgrifenedig i'r Llywydd.

- 1.9 At ddibenion adran 10 o'r Ddeddf, mae swydd yn wag pan fydd y Llywydd yn cael hysbysiad o ymddiswyddiad yn unol â Rheol Sefydlog 1.8, neu fel arall pan fydd y Llywydd yn datgan bod y sedd wedi dod yn wag.

Rolau a Chyfrifoldebau Gwahanol Aelodau Etholaeth ac Aelodau Rhanbarthol

- 1.10 Rhaid i'r Cynulliad wneud cod neu brotocol, i'w ddrafftio gan y pwyllgor sy'n gyfrifol am y swyddogaethau a ragnodir yn Rheol Sefydlog 22, yn unol ag adran 36(6) o'r Ddeddf, ynglŷn â rolau a chyfrifoldebau gwahanol Aelodau etholaeth ac Aelodau rhanbarthol. Rhaid i'r cod neu'r protocol gynnwys darpariaeth yn unol â'r pum egwyddor allweddol ganlynol a'r Atodiad i Reol Sefydlog 1:
- (i) mae pob Aelod o dan ddyletswydd i fod yn hygyrch i bobl yr ardaloedd y maent wedi'u hethol i'w gwasanaethu ac i gynrychioli eu buddiannau yn gydwybodol;
 - (ii) wrth iddynt droi at eu dewis Aelod, dymuniadau'r etholwyr a/neu fuddiannau'r etholaeth neu'r ardal sydd o'r pwys pennaf;
 - (iii) mae gan bob Aelod statws cyfartal;
 - (iv) ni ddylai Aelodau gamliwio ar ba sail y maent wedi'u hethol na pha ardal y maent yn ei gwasanaethu; a
 - (v) ni ddylai Aelod ymdrin ag achos etholaeth neu fater etholaeth nad yw o fewn ei etholaeth neu ei ranbarth (yn ôl fel y digwydd), oni bai y cytunwyd ar hynny ymlaen llaw.

RHEOL SEFYDLOG 1 – Aelodau: Atodiad

Y ddarpariaeth sydd i'w chynnwys yn y cod neu'r protocol a baratoir yn unol â Rheol Sefydlog 1.10 ac yn unol ag adran 36(6) o'r Ddeddf

Disgrifio'r Aelodau

1. Darpariaeth i'r Aelodau rhanbarthol a'r Aelodau etholaeth eu disgrifio'u hunain yn gywir ac ar gyfer gofynion ynglŷn â defnyddio adnoddau'r Cynulliad, er enghraifft, deunyddiau swyddfa.

Ymdrin â Materion Etholaeth/Rhanbarth

2. Darpariaeth i'r Aelodau ymgymryd â mater sy'n effeithio ar yr etholaeth neu'r rhanbarth y'u hetholwyd iddi neu iddo gan sicrhau cwrteisi ar yr un pryd o ran materion sy'n effeithio ar fwy nag un etholaeth.

Achosion Etholwyr Unigol

3. Darpariaeth i ddiogelu hawl etholwr i droi at ei Aelod etholaeth a/neu unrhyw un o'r pedwar Aelod rhanbarthol a etholwyd yn rhanbarth yr etholwr.

Codi Materion gydag Aelod o'r Llywodraeth

4. Darpariaeth i sicrhau bod gan unrhyw Aelod yr hawl i godi mater gyda'r aelod perthnasol o'r llywodraeth ar ran etholwr yn yr ardal (yr etholaeth neu'r rhanbarth) y'i hetholwyd iddi.

Aelodau yn Gweithredu yn eu Hardaloedd

5. Darpariaeth yn adlewyrchu'r disgwyliad y bydd yr Aelodau yn gweithio ledled yr ardal (yr etholaeth neu'r rhanbarth) y'i hetholwyd iddi.

Ymweliadau Ysgolion

6. Darpariaeth ar gyfer hysbysu'r Aelodau am yr ysgolion sy'n ymweld yn swyddogol â'r Cynulliad, a'r ymweliadau hynny wedi'u trefnu gan y Comisiwn.

Ymholiadau Ffôn

7. Darpariaeth i lywio sut yr ymdrinnir ag ymholiadau ffôn i switsfwrdd y Cynulliad gan aelodau o'r cyhoedd sy'n ceisio cysylltu ag Aelod.

Staff yr Aelodau

8. Darpariaeth y dylai'r Aelodau sicrhau bod y staff sy'n gweithio iddynt, yn y Cynulliad ac yn lleol, gan gynnwys eraill sy'n gweithio ar eu rhan gydag etholwyr, yn ymwybodol o Reol Sefydlog 1.10 ac unrhyw god neu brotocol a lunnir o ganlyniad iddi, a'u bod yn gweithredu yn unol â hwy.

Gorfodi

9. Darpariaeth i unrhyw gŵyn yn erbyn Aelod mewn perthynas â'r cod neu'r protocol gael ei chyfeirio at y pwyllgor sy'n gyfrifol am y swyddogaethau a ragnodir yn Rheol Sefydlog 22.

RHEOL SEFYDLOG 2 – Buddiannau Ariannol a Buddiannau Eraill yr Aelodau

Cofrestru Buddiannau Ariannol a Buddiannau Eraill

- 2.1 Rhaid i'r Llywydd gadw a chyhoeddi Cofrestr o Fuddiannau'r Aelodau, a rhaid bod copïau ar gael i'r Aelodau a'r cyhoedd eu harchwilio.
- 2.2 Rhaid i'r buddiannau a nodir yn yr Atodiad i Reol Sefydlog 2 gael eu cofrestru yn y Gofrestr Fuddiannau drwy lenwi ffurflen a ragnodir gan y Llywydd.
- 2.3 Cyn pen wyth wythnos ar ôl i Aelod dyngu'r llw teyrngarwch neu roi'r cadarnhad cyfatebol, rhaid iddo lenwi'r ffurflen a ragnodir gan y Llywydd, gan nodi holl fanylion y buddiannau y mae'n ofynnol eu cofrestru o dan Reol Sefydlog 2; a rhaid i'r Aelod lofnodi'r ffurflen a'i chyflwyno i'r Clerc.
- 2.4 Cyn pen pedair wythnos ar ôl i unrhyw newid ddigwydd, rhaid i Aelod hysbysu'r Llywydd am y newid yn ei fuddiannau cofrestredig drwy lenwi'r ffurflen a ragnodir gan y Llywydd, a rhaid i'r Aelod lofnodi'r ffurflen a'i chyflwyno i'r Clerc.
- 2.5 Caiff Aelod gyflwyno'r ffurflen y cyfeirir ati yn Rheol Sefydlog 2.3 neu 2.4 drwy fynd â hi at y Clerc neu drwy drefnu i berson arall wneud hynny neu ei hanfon drwy'r post, ond rhaid peidio â barnu bod y ffurflen wedi'i chyflwyno nes i'r Clerc ei chael.

Datgan Buddiannau cyn Cymryd Rhan mewn Unrhyw Drafodion yn y Cynulliad

- 2.6 Yn yr amgylchiadau a bennir yn Rheol Sefydlog 2, cyn cymryd rhan mewn unrhyw drafodion yn y Cynulliad, rhaid i Aelod ddatgan ar lafar unrhyw fuddiant ariannol sydd ganddo, neu y gall fod yn disgwyl ei gael, neu, hyd y gŵyr yr Aelod, unrhyw fuddiant ariannol sydd gan bartner yr Aelod neu unrhyw blentyn dibynnol sydd gan yr Aelod, neu y gallant fod yn disgwyl ei gael, mewn unrhyw fater sy'n codi yn y trafodion hynny.
- 2.7 Rhaid i ddatganiad llafar o dan Reol Sefydlog 2.6 gael ei wneud mewn perthynas ag unrhyw fuddiant a bennir ym mharagraff 5 o'r Atodiad i Reol Sefydlog 2 os gallai penderfyniad penodol yn y trafodion hynny arwain at fantais ariannol uniongyrchol i'r Aelod, neu, hyd y gŵyr yr Aelod, i bartner yr Aelod neu unrhyw blentyn dibynnol sydd gan yr Aelod, a fyddai'n fwy na'r fantais a allai ddod i ran y personau y byddai'r penderfyniad yn effeithio arnynt yn gyffredinol.

Lobio am Dâl neu Gydabyddiaeth

- 2.8 Rhaid i Aelod beidio â chychwyn na dadlau o blaid unrhyw achos neu fater ar ran unrhyw gorff neu unigolyn mewn unrhyw drafodion yn y Cynulliad, nac annog unrhyw Aelod arall i gychwyn neu ddadlau o blaid unrhyw achos neu fater mewn unrhyw drafodion o'r fath, yn

gyfnewid am unrhyw dâl neu fudd mewn da, boed yn uniongyrchol neu'n anuniongyrchol, y mae'r Aelod, neu, hyd y gŵyr yr Aelod, ei bartner neu unrhyw blentyn dibynnol sydd gan yr Aelod, wedi'i gael neu'n disgwyl ei gael.

Gwahardd Pleidleisio

- 2.9 Os yw'n ofynnol o dan Reol Sefydlog 2.6 i Aelod ddatgan buddiant mewn mater cyn cymryd rhan mewn unrhyw drafodion yn y Cynulliad, rhaid i'r Aelod hwnnw beidio â phleidleisio ar unrhyw gynnig sy'n ymwneud â'r mater hwnnw yn y trafodion hynny. Nid yw Rheol Sefydlog 2.9 yn gymwys mewn perthynas ag arfer pleidlais fwrw o dan Reol Sefydlog 6.20.

Gwahardd Aelodau a Thynnu Hawliau a Breintiau yn ôl

- 2.10 Ar ôl pwyso a mesur unrhyw adroddiad y bydd y pwyllgor sy'n gyfrifol am y swyddogaethau a ragnodir yn Rheol Sefydlog 22 yn ei gyflwyno iddo ynghylch cydymffurfiaid Aelod â Rheol Sefydlog 2, caiff y Cynulliad, drwy gynnig a wneir gan gadeirydd y pwyllgor sy'n gyfrifol am y swyddogaethau a ragnodir yn Rheol Sefydlog 22, benderfynu gwahardd yr Aelod hwnnw rhag mynychu unrhyw drafodion yn y Cynulliad am gyfnod a bennir yn y cynnig.
- 2.11 Yn ystod cyfnod gwaharddiad Aelod, ni fydd gan yr Aelod yr hawl i gael dim cyflog gan y Cynulliad ac ni chaniateir i'r Aelod fynychu unrhyw drafodion yn y Cynulliad.

Cytundebau ar gyfer Darparu Gwasanaethau

- 2.12 Rhaid i unrhyw Aelod sydd wedi gwneud cytundeb, neu sy'n bwriadu gwneud cytundeb, sy'n cynnwys darparu gwasanaethau yn rhinwedd ei swydd fel Aelod sicrhau bod y cytundeb:
- (i) yn cydymffurfio â Rheol Sefydlog 2.8;
 - (ii) yn ysgrifenedig;
 - (iii) yn nodi natur y gwasanaethau sydd i'w darparu; a
 - (iv) yn pennu'r tâl neu'r budd sydd i'w dderbyn.
- 2.13 Cyn gynted ag y gellir ar ôl gwneud cytundeb o'r fath, a chyn pen pedair wythnos ar ôl y dyddiad hwnnw beth bynnag, rhaid i'r Aelod roi copi o'r cytundeb i'r Llywydd, a rhaid i'r copi fod yn agored i'w archwilio gan Aelodau eraill a chan y cyhoedd.

RHEOL SEFYDLOG 2 – Buddiannau Ariannol a Buddiannau Eraill yr Aelodau: Atodiad

Y buddiannau sydd i'w cofrestru yng Nghofrestr Buddiannau'r Aelodau ac sydd, at ddibenion Rheol Sefydlog 2.6, i'w datgan cyn cymryd rhan mewn unrhyw drafodion yn y Cynulliad.

Cyffredinol

1. Wrth restru eu buddiannau cofrestradwy, dylai'r Aelodau roi sylw i unrhyw benderfyniadau, codau ymarfer neu nodiadau cyfarwyddyd perthnasol y gall y Cynulliad fod wedi'u mabwysiadu yn hyn o beth.
2. Rhaid i unrhyw weithgarwch y ceir tâl amdano ym meysydd cysylltiadau cyhoeddus a chynghori ac ymgynghori gwleidyddol mewn perthynas â swyddogaethau'r Cynulliad, gael ei gynnwys yn y rhan honno o'r gofrestr sy'n ymwneud â chyflogaeth, swydd neu broffesiwn am dâl. Mae'r cyfryw weithgarwch yn cynnwys unrhyw weithgarwch sy'n gysylltiedig ag unrhyw rai o drafodion y Cynulliad, noddi digwyddiadau yn adeiladau'r Cynulliad, a chyflwyno sylwadau i'r llywodraeth neu i unrhyw aelod o'r llywodraeth honno neu i'w staff.
3. Mae mwyafrif y buddiannau a bennir yn y categorïau isod yn cynnwys cyfeiriad at fuddiannau y meddir arnynt yn annibynnol gan bartner yr Aelod neu unrhyw blentyn dibynnol sydd gan yr Aelod neu a roddir iddynt, a rhaid cofrestru'r rhain hefyd os yw'r buddiannau hynny yn hysbys i'r Aelod.
4. At ddibenion cofrestru a datgan buddiannau o dan Reol Sefydlog 2 a bennir yn yr Atodiad hwn:
 - (i) ystyr partner Aelod yw priod neu bartner sifil iddo neu un o gwpl, pa un ai o'r un rhyw neu o'r rhyw arall, sy'n byw gyda'i gilydd, er nad ydynt yn briod, ac sy'n trin ei gilydd fel dau briod; a
 - (ii) ystyr plentyn dibynnol yw unrhyw berson sydd, pan gofrestrir y buddiant, yn iau nag un ar bymtheng mlwydd oed neu yn iau na phedair ar bymtheng mlwydd oed ac yn derbyn addysg llawn amser drwy fynychu sefydliad addysgol cydnabyddedig ac:
 - (a) sy'n blentyn i'r Aelod;
 - (b) sy'n llysblentyn i'r Aelod drwy briodas neu drwy bartneriaeth sifil;
 - (c) sy'n blentyn a fabwysiadwyd yn gyfreithiol gan yr Aelod;
 - (ch) sy'n blentyn y mae'r Aelod yn bwriadu ei fabwysiadu yn gyfreithiol; neu

- (d) sy'n blentyn y bu'r Aelod yn ei gefnogi yn ariannol am o leiaf y chwe mis calendr blaenorol.

Y Buddiannau Cofrestradwy

5. Dyma'r buddiannau cofrestradwy:

- (i) swyddi cyfarwyddwyr am dâl a ddelir gan yr Aelod neu, hyd y gŵyr yr Aelod, gan bartner yr Aelod neu gan unrhyw blentyn dibynnol i'r Aelod, mewn cwmnïau cyhoeddus a phreifat gan gynnwys swyddi cyfarwyddwyr na thelir cyflog iddynt yn unigol ond lle telir cyflog drwy gwmni arall yn yr un grŵp;
- (ii) cyflogaeth, swydd, masnach, proffesiwn neu alwedigaeth (ac eithrio aelodaeth o'r Cynulliad) y mae'r Aelod neu, hyd y gŵyr yr Aelod, y mae partner yr Aelod neu unrhyw blentyn dibynnol i'r Aelod yn cael tâl amdanynt, neu y mae gan yr Aelod neu, hyd y gŵyr yr Aelod, y mae gan bartner yr Aelod neu unrhyw blentyn dibynnol i'r Aelod, unrhyw fuddiant ariannol ynddynt;
- (iii) enwau cleientiaid pan fydd y buddiannau y cyfeirir atynt ym mharagraffau (i) a (ii) uchod yn cynnwys gwasanaethau gan yr Aelod neu, hyd y gŵyr yr Aelod, gan bartner yr Aelod neu gan unrhyw blentyn dibynnol i'r Aelod sy'n hŷn nag un ar bymtheng mlwydd oed, sy'n deillio o'i aelodaeth o'r Cynulliad, neu sy'n gysylltiedig â hynny mewn unrhyw fodd;
- (iv) rhoddion, lletygarwch, buddion materol neu fantais faterol y mae eu gwerth yn uwch na'r hyn a ragnodir mewn unrhyw benderfyniad gan y Cynulliad, a dderbynnir gan yr Aelod neu, hyd y gŵyr yr Aelod, gan bartner yr Aelod neu unrhyw blentyn dibynnol i'r Aelod, oddi wrth gwmni, sefydliad neu berson ac sy'n deillio o aelodaeth o'r Cynulliad neu'n sy'n gysylltiedig â hynny mewn unrhyw fodd;
- (v) unrhyw dâl neu fudd materol arall y mae'r Aelod neu, hyd y gŵyr yr Aelod, y mae partner yr Aelod neu unrhyw blentyn dibynnol i'r Aelod yn ei gael oddi wrth unrhyw gwmni preifat neu gyhoeddus neu unrhyw gorff arall sydd wedi tendro, neu sy'n tendro, am gontract gyda'r Cynulliad, neu sy'n meddu ar gontract o'r fath;
- (vi) nawdd ariannol (a) fel ymgeisydd i'w ethol i'r Cynulliad, pan fydd y nawdd mewn unrhyw achos, hyd y gŵyr yr Aelod, yn fwy na 25 y cant o gostau etholiad yr ymgeisydd, neu (b) fel Aelod o'r Cynulliad oddi wrth unrhyw unigolyn neu sefydliad. Wrth gofrestru buddiant o'r fath, rhaid i'r Aelod ddatgan a yw unrhyw nawdd o'r fath yn cynnwys

unrhyw daliad i'r Aelod neu unrhyw fudd materol neu fantais faterol;

- (vii) yn ddarostyngedig i unrhyw benderfyniad gan y Cynulliad, ymweliadau tramor a wneir gan yr Aelod neu, hyd y gŵyr yr Aelod, gan bartner yr Aelod neu unrhyw blentyn dibynnol i'r Aelod, sy'n deillio o'i aelodaeth o'r Cynulliad neu sy'n gysylltiedig â hynny mewn unrhyw fodd pan na fydd cost unrhyw ymweliad o'r fath wedi'i dalu'n llwyr gan yr Aelod neu ag arian a ddarparwyd gan y Cynulliad neu gan Senedd y Deyrnas Unedig neu unrhyw sefydliad y mae'r Cynulliad yn aelod ohono;
- (viii) unrhyw dir ac eiddo i'r Aelod neu, hyd y gŵyr yr Aelod, tir neu eiddo i bartner yr Aelod neu i unrhyw blentyn dibynnol i'r Aelod, y mae iddo werth sylweddol fel y'i rhagnodwyd mewn unrhyw benderfyniad gan y Cynulliad neu y ceir incwm sylweddol ohono, ac eithrio unrhyw gartref a ddefnyddir at ddibenion preswylfa bersonol gan yr Aelod, partner yr Aelod neu unrhyw blentyn dibynnol i'r Aelod;
- (ix) enwau cwmnïau neu gyrff eraill y mae gan yr Aelod, naill ai ar ei ben ei hun neu gyda phartner yr Aelod neu unrhyw blentyn dibynnol i'r Aelod, neu ar eu rhan hwy, fuddiant llesiannol ynddynt, neu, hyd y gŵyr yr Aelod, y mae gan bartner yr Aelod neu unrhyw blentyn dibynnol i'r Aelod fuddiant llesiannol ynddynt, mewn cyfranddaliadau y mae eu gwerth ar y farchnad yn fwy nag un y cant o'r cyfalaf cyfranddaliadol a ddyroddwyd, neu'n llai nag un y cant ond yn fwy na swm a ragnodwyd mewn unrhyw benderfyniad gan y Cynulliad;
- (x) aelodaeth neu gadeiryddiaeth gyda thâl neu'n ddi-dâl a ddelir gan yr Aelod neu, hyd y gŵyr yr Aelod, gan bartner yr Aelod neu unrhyw blentyn dibynnol i'r Aelod, ar unrhyw gorff a ariennir yn llwyr neu'n rhannol â chyllid a ddarparwyd gan y Cynulliad.

RHEOL SEFYDLOG 3 – Cofnodi Cyflogaeth Aelodau'r Teulu gyda Chymorth Arian y Comisiwn.

[Sylwch: mae gofyniad bod yn rhaid hysbysu o dan Reol Sefydlog 3 yn ychwanegol at unrhyw ofyniad bod yn rhaid i gyflogaeth partner neu blentyn dibynnol Aelod gael ei chofrestru o dan Reol Sefydlog 2. Os yw Rheol Sefydlog 2 yn ei gwneud yn ofynnol i Aelod gofrestru cyflogaeth priod neu blentyn dibynnol o dan y Rheol Sefydlog honno, rhaid i'r Aelod wneud hynny yn ychwanegol at unrhyw hysbysiad sy'n ofynnol o dan Reol Sefydlog 3.]

- 3.1 Rhaid i Aelod sydd ar unrhyw adeg, gyda chymorth arian y Comisiwn, yn cyflogi, naill ai'n uniongyrchol neu'n anuniongyrchol, berson y mae'r Aelod hwnnw'n gwybod ei fod yn aelod o deulu'r Aelod hwnnw neu'n aelod o deulu Aelod arall roi hysbysiad o dan Reol Sefydlog 3, a hynny heb fod yn hwyrach na'r dyddiad a bennir yn Rheol Sefydlog 3.4.
- 3.2 Yn Rheol Sefydlog 3:
- (i) ystyr "aelod o deulu" yw:
 - (a) partner Aelod;
 - (b) plentyn, wŷr neu wyres Aelod;
 - (c) rhiant, taid neu nain Aelod;
 - (ch) brawd neu chwaer Aelod;
 - (d) nai neu nith Aelod; neu
 - (dd) ewythr neu fodryb Aelod.
 - (ii) ystyr "partner" yw priod, partner sifil neu un o gwpl pa un ai o'r un rhyw neu o'r rhyw arall sy'n byw gyda'i gilydd, er nad ydynt yn briod, ac sy'n trin ei gilydd fel dau briod;
 - (iii) mae'r ymadroddion "plentyn", "wŷr", "wyres", "rhiant", "taid", "nain", "brawd", "chwaer", "ewythr" a "modryb" yr un mor gymwys i hanner-perthnasau, llys-berthnasau, perthnasau maeth a pherthnasau mabwysiadol ac maent yn gymwys hefyd i bersonau sydd â'r berthynas o dan sylw â phartner yr Aelod;
 - (iv) ystyr "arian y Comisiwn" yw symiau a delir gan y Comisiwn ar ffurf lwfansau o dan adrannau 20, 21 neu 53 o'r Ddeddf.
- 3.3 Rhaid i'r hysbysiad sy'n ofynnol o dan Reol Sefydlog 3 gynnwys yr wybodaeth ganlynol:
- (i) enw'r Aelod;

- (ii) os yw'r cyflogai yn aelod o deulu Aelod arall neu Aelodau eraill, enw'r Aelod arall hwnnw neu enwau'r Aelodau eraill hynny;
- (iii) enw llawn y cyflogai;
- (iv) perthynas y cyflogai â'r Aelod (neu, os yw'n briodol, â'r Aelod neu'r Aelodau y cyfeirir atynt yn (ii));
- (v) ym mha swyddogaeth y mae'r cyflogai wedi'i gyflogi, gan gynnwys unrhyw deitl swydd;
- (vi) y dyddiad y dechreuodd y gyflogaeth;
- (vii) os yw'r gyflogaeth wedi dod i ben, y dyddiad y daeth i ben; ac
- (viii) yr oriau y mae'r cyflogai wedi'i gcontractio i'w gweithio bob wythnos.

3.4 Rhaid i'r hysbysiad gael ei roi:

- (i) cyn pen wyth wythnos ar ôl y dyddiad y bydd yr Aelod yn tyngu'r llw teyrngarwch neu'n rhoi'r cadarnhad teyrngarwch; neu
- (ii) cyn pen pedair wythnos ar ôl:
 - (a) y tro cyntaf i'r aelod o deulu gael taliad gyda chymorth arian y Comisiwn;
 - (b) y dyddiad y daw'r cyflogai yn aelod o deulu'r Aelod hwnnw neu'n aelod o deulu Aelod arall; neu
 - (c) y dyddiad y daw'r Aelod yn ymwybodol am y tro cyntaf o'r ffaith bod y cyflogai yn aelod o deulu'r Aelod hwnnw neu'n aelod o deulu Aelod arall,

pa un bynnag yw'r olaf.

3.5 Os:

- (i) oes hysbysiad wedi'i roi o dan Reol Sefydlog 3; a
- (ii) bod unrhyw newid wedi bod yn yr wybodaeth a gynhwyswyd yn yr hysbysiad hwnnw,

rhaid i'r Aelod, cyn pen pedair wythnos ar ôl dyddiad y newid hwnnw, roi hysbysiad ynglŷn â'r newid hwnnw.

- 3.6 Rhaid i hysbysiad o dan Reol Sefydlog 3.1 neu o dan Reol Sefydlog 3.5 gael ei roi drwy lenwi a llofnodi'r ffurflen a ragnodir gan y Llywydd at y diben a'i chyflwyno i'r Clerc.
- 3.7 Rhaid i'r Llywydd gadw cofnod o'r hysbysiadau a roddir gan yr Aelodau o dan Reol Sefydlog 3 a rhaid iddo gyhoeddi'r cofnod a threfnu bod copi ar gael i'w archwilio gan yr Aelodau a chan y cyhoedd.
- 3.8 Mae'r Aelodau o dan ddyletswydd barhaus i sicrhau bod y cofnod o hysbysiadau yn cynnwys y manylion cywir a hysbyswyd ganddynt o dan Reolau Sefydlog 3.1 neu 3.5, a hynny drwy ei archwilio o dro i dro.

RHEOL SEFYDLOG 4 – Cofnodi'r Amser y bydd Aelod yn Ymwneud â Gweithgarwch Cofrestradwy

Cyffredinol

- 4.1 Pan fydd yn ofynnol i Aelod gofrestru buddiant, yn unol â Rheol Sefydlog 2.2, rhaid i'r Aelod hwnnw ar yr un pryd, pan fydd y buddiant hwnnw hefyd yn weithgarwch cofrestradwy, roi hysbysiad o dan Reol Sefydlog 4.
- 4.2 At ddibenion Rheol Sefydlog 4, mae "gweithgarwch cofrestradwy" yn fuddiant cofrestradwy sy'n dod o fewn naill ai:
- (i) is-baragraff (i) o baragraff 5 o'r Atodiad i Reol Sefydlog 2 (swyddi cyfarwyddwyr am dâl); neu
 - (ii) is-baragraff (ii) o'r paragraff hwnnw (cyflogaeth, swyddi, masnachau, proffesiynau neu alwedigaethau),

ac sy'n ymwneud â'r Aelod ei hun (yn hytrach na phartner yr Aelod neu blentyn dibynnol i'r Aelod).

Hysbysiad

- 4.3 Mae hysbysiad i'w roi drwy gyfeirio at y bandiau canlynol:
- Band 1: Llai na 5 awr yr wythnos;
- Band 2: Rhwng 5 ac 20 awr yr wythnos;
- Band 3: Mwy nag 20 awr yr wythnos.
- 4.4 Rhaid i'r hysbysiad nodi i ba un o'r bandiau hynny y bydd cyfartaledd nifer yr oriau yr wythnos y bydd yr Aelod yn ei dreulio (neu y disgwylir iddo ei dreulio) yn gwneud pob gweithgarwch cofrestradwy yn berthnasol.
- 4.5 Os (pa un ai o ganlyniad i newid mewn amgylchiadau neu am unrhyw reswm arall) nad yw'r hysbysiad a wneir gan Aelod mewn perthynas â gweithgarwch cofrestradwy bellach yn gywir, rhaid i'r Aelod, o fewn pedair wythnos, wneud hysbysiad arall o dan Reol Sefydlog 4.
- 4.6 Rhaid rhoi hysbysiad drwy lenwi a llofnodi'r ffurflen a ragnodir gan y Llywydd at y diben hwnnw a'i roi i'r Clerc.

Cyhoeddi

- 4.7 Rhaid i'r Llywydd gadw cofnod o'r hysbysiadau a wneir gan Aelodau o dan Reol Sefydlog 4 a rhaid iddo gyhoeddi'r cofnod a threfnu bod copi ar gael i'w archwilio gan yr Aelodau a'r cyhoedd.

Ffurf yr Hysbysiad a'r Cofnod

- 4.8 Caniateir cyfuno'r ffurflen a ragnodir gan y Llywydd o dan Reol Sefydlog 4.6 â'r ffurflen a ragnodir gan y Llywydd o dan Reol Sefydlog 2.2.
- 4.9 Caniateir cyfuno'r cofnod o hysbysiadau a gedwir gan y Llywydd o dan Reol Sefydlog 4.7 â'r Gofrestr Fuddiannau a gedwir gan y Llywydd o dan Reol Sefydlog 2.1.

RHEOL SEFYDLOG 5 – Cofnodi Aelodaeth o Gymdeithasau

- 5.1 Rhaid i unrhyw Aelod roi hysbysiad ynglŷn ag unrhyw aelodaeth, neu safle o reolaeth neu ofalaeth gyffredinol, mewn cymdeithas breifat neu glwb preifat sydd â gofynion ynglŷn â derbyn aelodau.
- 5.2 At ddibenion Rheol Sefydlog 5.1, nid yw “gofynion ynglŷn â derbyn aelodau” yn cynnwys:
 - (i) y gofyniad bod yn rhaid talu tanysgrifiad; na
 - (ii) cytuno â thelerau ac amodau aelodaeth yn y gymdeithas neu'r clwb a'u llofnodi (ac eithrio unrhyw deler ac amod sy'n ymwneud â dewis aelodau).
- 5.3 Rhaid i'r Llywydd gadw a chyhoeddi cofnod o hysbysiadau'r Aelodau ynglŷn â'r materion a nodir yn Rheol Sefydlog 5.1 a rhaid trefnu bod copïau ar gael i'w harchwilio gan yr Aelodau a'r cyhoedd.
- 5.4 Rhaid i'r hysbysiadau gael eu gwneud drwy lenwi ffurflen a ragnodir gan y Llywydd.
- 5.5 Cyn pen wyth wythnos ar ôl i Aelod dyngu'r llw teyrngarwch neu roi'r cadarnhad cyfatebol, rhaid iddo lenwi'r ffurflen a ragnodir gan y Llywydd a llofnodi'r ffurflen a'i chyflwyno i'r Clerc.
- 5.6 Cyn pen pedair wythnos ar ôl i aelodaeth neu newid aelodaeth ddigwydd, rhaid i Aelod hysbysu'r Llywydd drwy lenwi'r ffurflen ragnodedig a llofnodi'r ffurflen a'i chyflwyno i'r Clerc.
- 5.7 Rhaid peidio â barnu bod y ffurflen y cyfeirir ati yn Rheolau Sefydlog 5.5 neu 5.6 wedi'i chyflwyno nes i'r Clerc ei chael.
- 5.8 Mae'r Aelodau o dan ddyletswydd barhaus i sicrhau bod y cofnod o hysbysiadau yn cynnwys y manylion cywir a hysbyswyd ganddynt o dan Reolau Sefydlog 5.5 neu 5.6, a hynny drwy ei archwilio o dro i dro.

RHEOL SEFYDLOG 6 – Y Llywydd a'r Dirprwy

Ethol y Llywydd a'r Dirprwy

- 6.1 Yn ei gyfarfod cyntaf ar ôl etholiad Cynulliad, rhaid i'r Cynulliad ethol Llywydd a Dirprwy o blith ei Aelodau.
- 6.2 Os daw swydd y Llywydd neu swydd y Dirprwy yn wag, rhaid i'r Cynulliad ethol Aelod cyn gynted â phosibl i lenwi'r swydd wag. Mae ethol Llywydd yn cymryd blaenoriaeth dros bob busnes arall.
- 6.3 Yn ddarostyngedig i Reol Sefydlog 6.4, mae'r trafodion ar gyfer ethol Llywydd yn y cyfarfod cyntaf ar ôl etholiad Cynulliad i'w cadeirio gan y Llywydd a oedd yn dal y swydd yn union cyn yr etholiad Cynulliad ("y cyn-Lywydd").
- 6.4 Os bydd:
 - (i) y cyn-Lywydd yn anfodlon gweithredu neu'n methu gweithredu yn y cyfarfod cyntaf ar ôl etholiad Cynulliad; neu
 - (ii) y Dirprwy yn anfodlon gweithredu neu'n methu gweithredu mewn unrhyw etholiad ar gyfer Llywydd ar unrhyw adeg arall, neu os nad oes Dirprwy yn y swydd,mae'r trafodion ar gyfer ethol Llywydd i gael eu cadeirio gan y Clerc.
- 6.5 Ni chaniateir i Aelod sy'n cadeirio trafodion ar gyfer ethol Llywydd gael ei enwebu i'w ethol yn Llywydd yn y trafodion hynny.
- 6.6 Wrth ethol Llywydd neu Ddirprwy, rhaid i'r cadeirydd wahodd enwebiadau. Yn y lle cyntaf, ni fydd enwebiad yn ddilys oni chaiff ei eilio gan Aelod nad yw'n aelod o'r grŵp gwleidyddol y mae'r Aelod sy'n enwebu yn perthyn iddo.
- 6.7 Os yw'n ymddangos nad yw'r un Aelod yn debyg o gael ei enwebu a'i eilio gan aelodau o grwpiau gwleidyddol gwahanol, rhaid i'r cadeirydd ohirio'r trafodion, ac, wedi i'r trafodion aildechrau, caiff y cadeirydd dderbyn enwebiadau sy'n cael eu heilio gan aelodau o'r un grŵp gwleidyddol â'r Aelod sy'n enwebu.
- 6.8 Os un enwebiad yn unig a geir, rhaid i'r cadeirydd gynnig bod yr Aelod a enwebwyd yn cael ei ethol yn Llywydd (neu'n Ddirprwy yn ôl fel y digwydd). Os gwrthwynebir hynny, neu os ceir dau neu ragor o enwebiadau, rhaid i'r cadeirydd drefnu bod yr etholiad yn cael ei gynnal drwy bleidlais gyfrinachol.
- 6.9 Os bydd dau Aelod wedi'u henwebu, rhaid i'r cadeirydd ddatgan mai'r Aelod sydd wedi sicrhau'r nifer mwyaf o'r pleidleisiau a fwriwyd yn y bleidlais gyfrinachol sydd wedi'i ethol.
- 6.10 Os bydd mwy na dau Aelod wedi'u henwebu ac na fydd yr un Aelod yn cael mwy na hanner y pleidleisiau a fwriwyd mewn pleidlais gyfrinachol, mae'r

ymgeisydd sydd wedi cael y nifer lleiaf o bleidleisiau yn cael ei hepgor ac mae rhagor o bleidleisiau cyfrinachol yn cael eu cynnal nes y bydd un ymgeisydd yn cael mwy na hanner y pleidleisiau a fwriwyd; ac os bydd nifer y pleidleisiau ar gyfer y ddau ymgeisydd sy'n weddill (neu'r unig ddau ymgeisydd) yn gyfartal, rhaid cynnal pleidlais gyfrinachol arall.

- 6.11 Rhaid i'r Aelod a etholir yn Llywydd gymryd y llw neu roi cadarnhad ar unwaith os nad yw wedi gwneud hynny eisoes, ac wedyn cymryd y gadair.
- 6.12 Rhaid i'r Cynulliad beidio ag ethol Llywydd a Dirprwy sy'n perthyn:
- (i) i'r un grŵp gwleidyddol;
 - (ii) i grwpiau gwleidyddol gwahanol y mae gan y ddau ohonynt rôl weithredol; neu
 - (iii) i grwpiau gwleidyddol gwahanol nad oes gan y naill na'r llall ohonynt rôl weithredol.
- 6.13 Caniateir i Reol Sefydlog 6.12 gael ei datgymhwyso drwy benderfyniad gan y Cynulliad (ar yr amod, os caiff y cynnig ar gyfer y penderfyniad ei basio drwy bleidlais, nad yw'n dod i rym oni bai bod o leiaf ddwy ran o dair o'r rhai sy'n pleidleisio yn ei gefnogi); a chaiff unrhyw Aelod, heb roi hysbysiad, wneud cynnig ar gyfer penderfyniad o'r fath yn union cyn i'r Cynulliad fwrw ymlaen i ethol Llywydd neu Ddirprwy.
- 6.14 Os bydd y Llywydd a'r Dirprwy, yn ystod Cynulliad, yn dod yn aelodau:
- (i) o'r un grŵp gwleidyddol;
 - (ii) o grwpiau gwleidyddol gwahanol y mae gan y ddau ohonynt rôl weithredol; neu
 - (iii) o grwpiau gwleidyddol gwahanol nad oes gan y naill na'r llall ohonynt rôl weithredol,

ac na fydd y naill na'r llall yn ymddiswyddo, caiff unrhyw Aelod, heb roi hysbysiad, wneud cynnig yn y cyfarfod llawn nesaf fod y Llywydd a'r Dirprwy yn parhau yn eu swyddi. Os na wneir cynnig o'r fath, neu os na chaiff y cynnig ei basio drwy bleidlais a gefnogir gan o leiaf ddwy ran o dair o'r rhai sy'n pleidleisio, rhaid i'r Llywydd a'r Dirprwy ymddiswyddo.

Swyddogaethau'r Llywydd

- 6.15 Swyddogaethau'r Llywydd yw:
- (i) cadeirio cyfarfodydd llawn;
 - (ii) penderfynu ar gwestiynau ynglŷn â dehongli'r Rheolau Sefydlog neu sut i'w cymhwyso;

- (iii) cynrychioli'r Cynulliad mewn trafodaethau ag unrhyw gyrff eraill, boed y tu mewn neu'r tu allan i'r Deyrnas Unedig, mewn perthynas â materion sy'n effeithio ar y Cynulliad; a
 - (iv) unrhyw swyddogaethau eraill a roddir gan unrhyw ddeddfiad, gan y Cynulliad neu gan y Rheolau Sefydlog hyn.
- 6.16 Mae penderfyniadau'r Llywydd ar ddehongli'r Rheolau Sefydlog neu sut i'w cymhwyso yn derfynol.
- 6.17 Ar ôl ymgynghori â'r Pwyllgor Busnes, caiff y Llywydd roi canllawiau ysgrifenedig i'r Aelodau ynglŷn â chynnal trafodion y Cynulliad yn y modd priodol.
- 6.18 Yn absenoldeb y Llywydd neu yn unol â chais ganddo, rhaid i'r Dirprwy arfer swyddogaethau'r Llywydd, cyhyd ag y caniateir hynny gan y Ddeddf.
- 6.19 Wrth gyflawni swyddogaethau'r Llywydd, rhaid i'r Llywydd a'r Dirprwy amlygu didueddrwydd bob amser.
- 6.20 Yn ddarostyngedig i Reol Sefydlog 6.21, mewn cyfarfodydd llawn, dim ond wrth ddefnyddio pleidlais fwrw y caniateir i'r Llywydd neu'r Dirprwy bleidleisio. Os bydd nifer y pleidleisiau yn gyfartal, rhaid i bleidlais fwrw gael ei rhoi:
- (i) yn gadarnhaol os oes rhagor o drafod ar y mater sydd gerbron y Cynulliad yn bosibl; a
 - (ii) yn negyddol os nad oes rhagor o drafod yn bosibl neu os ceir pleidlais ar welliant.
- 6.21 Caiff y Llywydd a'r Dirprwy bleidleisio mewn cyfarfodydd llawn lle bo deddfwriaeth yn ei gwneud yn ofynnol i basio penderfyniad neu gynnig drwy bleidlais lle bydd nifer yr Aelodau sy'n pleidleisio o blaid y penderfyniad neu'r cynnig yn cyfateb i o leiaf ddwy ran o dair o gyfanswm seddau'r cynulliad.

Cadeiryddion Dros Dro yn y Cyfarfodydd Llawn

- 6.22 Caiff unrhyw Aelod, ac eithrio aelod o'r llywodraeth, ar gais y Llywydd neu'r Dirprwy pan fo'r naill neu'r llall yn cadeirio cyfarfod llawn o'r Cynulliad, gadeirio dros dro.
- 6.23 Rhaid i Aelod sy'n gweithredu fel cadeirydd beidio ag arfer yr un o swyddogaethau'r Llywydd ac eithrio'r rhai a gynhwysir yn Rheol Sefydlog 13 ac eithrio, os yw'r Aelod o'r farn bod ymddygiad Aelod yn cyfiawnhau ymneilltuo, fod yn rhaid i'r Aelod atal y cyfarfod dros dro nes y bydd y Llywydd neu'r Dirprwy wedi dychwelyd.

Llywydd Dros Dro

- 6.24 Bob tro y bydd y Llywydd a'r Dirprwy ill dau yn methu gweithredu (ac eithrio o dan Reol Sefydlog 6.22), rhaid i'r Clerc gymryd y gadair a hynny

dim ond er mwyn trefnu bod Aelod yn cael ei ethol i weithredu fel Llywydd dros dro, a rhaid i Aelod a etholir felly arfer swyddogaethau'r Llywydd nes y bydd naill ai'r Llywydd neu'r Dirprwy yn gallu gweithredu.

Ymddiswyddiad neu Ddiswyddiad y Llywydd neu'r Dirprwy

6.25 Caiff y Llywydd neu'r Dirprwy ymddiswyddo drwy roi hysbysiad ysgrifenedig i'r Clerc.

6.26 Os caiff cynnig:

(i) y dylid diswyddo'r Llywydd; neu

(ii) y dylid diswyddo'r Dirprwy,

ei gyflwyno gan o leiaf chwe Aelod, rhaid trefnu bod amser ar gael cyn gynted â phosibl i'r cynnig gael ei drafod; a rhaid i'r ddadl honno gael ei chynnal beth bynnag o fewn pum diwrnod gwaith ar ôl i'r cynnig gael ei gyflwyno.

6.27 Os bydd y Cynulliad yn penderfynu diswyddo'r Llywydd neu'r Dirprwy, mae swydd y Llywydd neu'r Dirprwy, yn ôl fel y digwydd, yn wag ar unwaith.

RHEOL SEFYDLOG 7 – Comisiwn y Cynulliad

Penodi'r Aelodau

- 7.1 Cyn gynted ag y bo'n rhesymol ymarferol ar ôl etholiad Cynulliad, ond heb fod yn fwy na 10 diwrnod ar ôl penodi aelodau'r Pwyllgor Busnes, rhaid i'r Cynulliad ystyried cynnig a gyflwynir gan y Pwyllgor Busnes i gynnig enwau'r pedwar Aelod sydd i'w penodi'n aelodau o'r Comisiwn o dan adran 27(2)(b) o'r Ddeddf.
- 7.2 Cyn belled ag y bo'n rhesymol ymarferol, ni chaiff mwy nag un o aelodau'r Comisiwn (ac eithrio'r Llywydd) berthyn i unrhyw un grŵp gwleidyddol.
- 7.3 Os oes pedwar neu fwy o grwpiau gwleidyddol yn y Cynulliad, mater i bob un o'r pedwar grŵp gwleidyddol mwyaf yw cyfleu i'r Pwyllgor Busnes enw aelod o'i grŵp gwleidyddol sydd i'w gynnwys yn y cynnig a gyflwynir o dan Reol Sefydlog 7.1.
- 7.4 Os oes llai na phedwar grŵp gwleidyddol yn y Cynulliad:
- (i) mater i'r grwpiau gwleidyddol yw cyfleu i'r Pwyllgor Busnes enw aelod o'i grŵp gwleidyddol; a
 - (ii) mater i'r Pwyllgor Busnes yw penderfynu ar enw unrhyw Aelod neu Aelodau ychwanegol,

sydd i'w gynnwys yn y cynnig a gyflwynir o dan Reol Sefydlog 7.1.

- 7.5 At ddibenion Rheol Sefydlog 7.3, os oes dau neu fwy o grwpiau gwleidyddol a chanddynt yr un nifer o aelodau, rhaid i'r Llywydd benderfynu pa un o'r grwpiau gwleidyddol hynny sydd i'w gyfrif fel y mwyaf, a hynny drwy roi sylw i lefel y gefnogaeth etholiadol i bob un o'r grwpiau gwleidyddol o dan sylw.
- 7.6 Ni chaniateir cyflwyno gwelliant i gynnig o dan Reol Sefydlog 7.1.

Ymddiswyddo neu Ddiswyddo

- 7.7 Mae aelod o'r Comisiwn yn ymddiswyddo o'r Comisiwn drwy roi hysbysiad ysgrifenedig i'r Clerc. Ni chaniateir i'r Llywydd ymddiswyddo o'r Comisiwn.
- 7.8 Caiff unrhyw Aelod gyflwyno cynnig y dylai Aelod penodol (ac eithrio'r Llywydd) gael ei ddiswyddo o'r Comisiwn ac, os derbynnir unrhyw gynnig o'r fath yn y cyfarfod llawn, mae'r Aelod hwnnw yn cael ei ddiswyddo o'r Comisiwn ar unwaith.
- 7.9 Pan fydd aelod o'r Comisiwn yn peidio â bod yn Aelod (ac eithrio drwy ddiddymu'r Cynulliad), neu'n ymddiswyddo neu'n cael ei ddiswyddo o'r Comisiwn, rhaid i'r Cynulliad ystyried cynnig a gyflwynir gan y Pwyllgor Busnes i gynnig enw Aelod i gymryd lle'r Aelod hwnnw fel aelod o'r Comisiwn.
- 7.10 Ni chaniateir cyflwyno gwelliant i gynnig o dan Reol Sefydlog 7.9.

Cyfarwyddiadau Arbennig neu Gyffredinol i'r Comisiwn

- 7.11 Caiff unrhyw Aelod gyflwyno cynnig i roi cyfarwyddiadau arbennig neu gyffredinol i'r Comisiwn. Rhaid i'r Pwyllgor Busnes gyflwyno adroddiad ynghylch a ddylid trefnu bod amser ar gael i drafod cynnig o'r fath.

RHEOL SEFYDLOG 8 – Gweinidogion Cymru a Dirprwy Weinidogion Cymru

Enwebu Prif Weinidog Cymru

- 8.1 Yn ddarostyngedig i adran 47(3) o'r Ddeddf, o fewn 28 diwrnod ar ôl digwyddiad a bennwyd yn adran 47(2) o'r Ddeddf, rhaid i'r Cynulliad enwebu Aelod i'w benodi'n Brif Weinidog Cymru ("yr enwebai").
- 8.2 Rhaid i'r Llywydd wahodd enwebiadau. Os un enwebiad yn unig a wneir, rhaid i'r Llywydd ddatgan mai'r Aelod hwnnw yw'r enwebai. Os gwneir mwy nag un enwebiad, rhaid i'r Llywydd, drwy alw cofrestr yr Aelodau yn nhrefn yr wyddor, wahodd pob Aelod sy'n bresennol i bleidleisio dros ymgeisydd (ac eithrio na chaiff y Llywydd na'r Dirprwy bleidleisio). Os bydd dau Aelod wedi'u henwebu, rhaid i'r Llywydd ddatgan mai'r ymgeisydd a gafodd y nifer mwyaf o'r pleidleisiau a fwriwyd yw'r enwebai. Os bydd nifer y pleidleisiau ar gyfer y ddau ymgeisydd yn gyfartal, rhaid cynnal pleidlais arall drwy alw'r gofrestr.
- 8.3 Os bydd mwy na dau Aelod wedi'u henwebu ac na fydd yr un Aelod yn cael mwy na hanner y pleidleisiau a fwriwyd drwy alw'r gofrestr, rhaid i'r ymgeisydd sydd wedi cael y nifer lleiaf o bleidleisiau gael ei hepgor a rhaid cynnal rhagor o bleidleisiau drwy alw'r gofrestr nes y bydd un ymgeisydd yn cael mwy na hanner y pleidleisiau a fwriwyd; a rhaid i'r Llywydd ddatgan mai'r Aelod hwnnw yw'r enwebai. Os bydd nifer y pleidleisiau ar gyfer y ddau ymgeisydd sy'n weddill yn gyfartal, rhaid cynnal pleidlais arall drwy alw'r gofrestr.

Ymddiswyddiad etc. Prif Weinidog Cymru neu Aelod arall o'r Llywodraeth

- 8.4 Pan hysbysir y Llywydd fod Prif Weinidog Cymru wedi cynnig ei ymddiswyddiad i'w Mawrhydi, os caiff yr ymddiswyddiad ei dderbyn, rhaid i'r Llywydd hysbysu'r Cynulliad.
- 8.5 Pan hysbysir y Llywydd fod unrhyw aelod arall o'r llywodraeth wedi ymddiswyddo, rhaid i'r Llywydd hysbysu'r Cynulliad.
- 8.6 Os bydd y Llywydd yn dynodi person i arfer swyddogaethau Prif Weinidog Cymru o dan adran 46 o'r Ddeddf, rhaid i'r Llywydd hysbysu'r Cynulliad.
- 8.7 Os caiff cynnig ei gyflwyno gan o leiaf chwe Aelod nad oes gan Weinidogion Cymru hyder y Cynulliad mwyach, rhaid trefnu bod amser ar gael cyn gynted â phosibl i'r cynnig gael ei drafod; a rhaid i'r ddadl honno gael ei chynnal beth bynnag o fewn pum diwrnod gwaith ar ôl i'r cynnig gael ei gyflwyno.

RHEOL SEFYDLOG 9 – Cwnsler Cyffredinol Llywodraeth Cynulliad Cymru

Penodi

- 9.1 Rhaid i gytundeb y Cynulliad ag argymhelliad Prif Weinidog Cymru i'w Mawrhydi ynglŷn â pherson i'w benodi'n Gwnsler Cyffredinol gael ei ddynodi drwy benderfyniad gan y Cynulliad.
- 9.2 Rhaid i unrhyw gynnig ar gyfer penderfyniad o'r fath gael ei wneud gan Brif Weinidog Cymru. Ni chaniateir cyflwyno gwelliant i'r cynnig.

Cymryd Rhan yn Nhräfodion y Cynulliad

- 9.3 Yn ddarostyngedig i ddarpariaethau'r Ddeddf, caiff y Cwnsler Cyffredinol wneud unrhyw beth o dan y Rheolau Sefydlog hyn y caniateir iddo gael ei wneud gan un o Weinidogion Cymru.
- 9.4 Os nad yw'r Cwnsler Cyffredinol yn Aelod, mae'r Rheolau Sefydlog yn gymwys i'r Cwnsler Cyffredinol fel y maent yn gymwys i Aelodau a chaiff y Cwnsler Cyffredinol gymryd rhan yn nhräfodion y Cynulliad ond ni chaiff bleidleisio.

Diswyddo neu Ymddiswyddo

- 9.5 Rhaid i gytundeb y Cynulliad ag argymhelliad Prif Weinidog Cymru i'w Mawrhydi y dylid diswyddo person o swydd y Cwnsler Cyffredinol gael ei ddynodi drwy benderfyniad gan y Cynulliad.
- 9.6 Rhaid i unrhyw gynnig ar gyfer penderfyniad o'r fath gael ei wneud gan Brif Weinidog Cymru. Ni chaniateir cyflwyno gwelliant i'r cynnig.
- 9.7 Pan hysbysir y Llywydd fod y Cwnsler Cyffredinol wedi cynnig ei ymddiswyddiad i'w Mawrhydi, os caiff yr ymddiswyddiad ei dderbyn, rhaid i'r Llywydd hysbysu'r Cynulliad.
- 9.8 Mae'r Cwnsler Cyffredinol yn peidio â dal ei swydd os enwebir Aelod i'w benodi'n Brif Weinidog Cymru o dan adran 47(1) o'r Ddeddf.

Arfer Swyddogaethau Dros Dro

- 9.9 Pan hysbysir y Llywydd:
 - (i) bod person wedi'i ddynodi gan Brif Weinidog Cymru o dan adran 49(6) o'r Ddeddf i arfer swyddogaethau'r Cwnsler Cyffredinol; neu
 - (ii) bod dynodiad o'r fath wedi dod i ben,rhaid i'r Llywydd hysbysu'r Cynulliad.

RHEOL SEFYDLOG 10 – Penodiadau etc. i Swydd Gyhoeddus

Cymhwys

10.1 Bydd Rheol Sefydlog 10 yn gymwys (yn ddarostyngedig i Reol Sefydlog 10.2) mewn perthynas â swydd gyhoeddus os bydd yn ofynnol penodi rhywun i'r swydd honno, gan neu o dan unrhyw ddeddfiad:

- (i) gan y Cynulliad, neu
- (ii) ar sail enwebiad neu argymhelliad y Cynulliad, neu
- (iii) â chymeradwyaeth y Cynulliad.

10.2 Nid yw Rheol Sefydlog 10 yn gymwys i swydd os gwneir darpariaeth ar gyfer penodi rhywun i'r swydd honno rywle arall yn y Rheolau Sefydlog.

10.3 Cyfeirir at swydd y mae Rheol Sefydlog 10 yn gymwys iddi fel "swydd berthnasol".

10.4 Bydd Rheol Sefydlog 10 yn dod i rym yn ddarostyngedig i unrhyw ofynion statudol mewn perthynas â'r penodiad.

Dull Penodi

10.5 Rhaid penodi rhywun i swydd berthnasol (neu enwebu, argymell neu gymeradwyo rhywun i gael ei benodi i swydd berthnasol) drwy benderfyniad gan y Cynulliad.

Ystyriaeth y Pwyllgor

10.6 Caiff pwyllgor y mae ei gylch gorchwyl yn ymwneud â swyddogaeth swydd berthnasol gyfarfod i gymryd tystiolaeth gan ymgeisydd i'w benodi i'r swydd honno er mwyn ystyried a yw'r pwyllgor yn cefnogi'r penderfyniad i benodi'r ymgeisydd hwnnw.

Diswyddo

10.7 Pan gaiff y Cynulliad, o dan unrhyw ddeddfiad, ddiswyddo deiliad swydd berthnasol, rhaid i'r diswyddiad hwnnw (yn ddarostyngedig i unrhyw amodau a osodir gan y deddfiad hwnnw) gael ei wneud drwy benderfyniad gan y Cynulliad.

10.8 Os cyflwynir cynnig i ddiswyddo deiliad swydd berthnasol gan o leiaf chwe Aelod, rhaid neilltuo amser cyn gynted â phosibl er mwyn trafod y cynnig; a rhaid i'r ddadl honno gael ei chynnal beth bynnag o fewn pum diwrnod gwaith ar ôl i'r cynnig gael ei gyflwyno.

Dim Gwelliannau i Gynigion

10.9 Ni chaniateir cyflwyno gwelliannau i gynigion o dan Reolau Sefydlog 10.5 a 10.8.

RHEOL SEFYDLOG 11 – Trefn Busnes

Y Pwyllgor Busnes

- 11.1 Bydd Pwyllgor Busnes, a hynny i hwyluso'r modd o drefnu trafodion y Cynulliad yn effeithiol.
- 11.2 Nid yw Rheolau Sefydlog 17.3 i 17.6 yn gymwys i'r Pwyllgor Busnes.
- 11.3 Cyn gynted â phosibl ar ôl etholiad Cynulliad, rhaid i'r Gweinidog sy'n gyfrifol am fusnes y llywodraeth gyflwyno cynnig i benodi yn aelodau o'r Pwyllgor y Llywydd, un Aelod a enwebir gan bob grŵp gwleidyddol a gynrychiolir yn y Cynulliad ac (os bydd unrhyw dri neu fwy o Aelodau nad ydynt yn aelodau o grŵp gwleidyddol yn penderfynu ffurfio grwpriad at ddibenion Rheol Sefydlog 11) Aelod a enwebir gan bob grwpriad o Aelodau. Ni chaniateir cyflwyno gwelliannau i gynnig o dan Reol Sefydlog 11.3.
- 11.4 Ni chaniateir pasio cynnig o dan Reol Sefydlog 11.3 (os yw'r cynnig yn cael ei basio drwy bleidlais) oni bai bod o leiaf ddwy ran o dair o'r Aelodau sy'n pleidleisio yn ei gefnogi.
- 11.5 Os caiff cynnig o dan Reol Sefydlog 11.3 ei basio:
- (i) rhaid i'r Pwyllgor gael ei gadeirio gan y Llywydd (nad yw'n cael pleidleisio ac eithrio i arfer pleidlais fwrw, yn ddarostyngedig i Reol Sefydlog 11.5(iii));
 - (ii) bydd gan bob aelod arall o'r Pwyllgor un bleidlais am bob aelod o'r grŵp gwleidyddol (neu'r grwpriad gwleidyddol, yn ôl fel y digwydd) y mae'n ei gynrychioli (gan gynnwys ei hun a'r Llywydd a'r Dirprwy os ydynt hwythau'n aelodau o'i grŵp neu ei grwpriad gwleidyddol);
 - (iii) os yw nifer yr Aelodau nad ydynt yn aelodau o grŵp gwleidyddol yn golygu (am y rheswm hwnnw yn unig) nad os modd iddynt ffurfio grŵp neu grwpriad gwleidyddol, bydd gan bob Aelod o'r fath hawl i fod yn bresennol yn nhrefodion y Pwyllgor a chaiff pleidleisio;
 - (iv) wrth ymgymryd â'r swyddogaethau o dan Reol Sefydlog 11.7(ii) neu 11.7(iii), caiff aelod o'r Pwyllgor sy'n cynrychioli grŵp gwleidyddol sydd â rôl weithredol ddefnyddio'r pleidleisiau sydd ganddo o dan Reol Sefydlog 11.5(ii), ond rhaid gostwng nifer y pleidleisiau yn ôl nifer sy'n gyfartal â nifer yr Aelodau sy'n aelodau o'i grŵp gwleidyddol ac sydd hefyd yn aelodau o'r llywodraeth;
 - (v) nid yw Rheolau Sefydlog 17.21, 17.22 a 17.37 i 17.39 yn gymwys i'r Pwyllgor.
- 11.6 Os caiff cynnig o dan Reol Sefydlog 11.3 ei gynnig ond nid ei basio, mae Rheolau Sefydlog 17.7 i 17.10 yn gymwys i'r Pwyllgor gan osod y geiriau "o dan Reol Sefydlog 11.3 i benodi aelodau'r Pwyllgor Busnes" yn Rheol

Sefydlog 17.7 yn lle'r geiriau "i gytuno aelodaeth pwyllgor o dan Reol Sefydlog 17.3", a'r geiriau "Gweinidog sy'n gyfrifol am fusnes y llywodraeth" yn lle "Pwyllgor Busnes".

11.7 Rhaid i'r Pwyllgor:

- (i) cyflwyno sylwadau ar gynigion ar gyfer trefn busnes y llywodraeth yn y cyfarfodydd llawn (y mae'n rhaid penderfynu arni o dan Reol Sefydlog 11.12);
- (ii) penderfynu ar drefn busnes y Cynulliad yn y cyfarfodydd llawn, yn ddarostyngedig i Reol Sefydlog 11.5(iv);
- (iii) penderfynu ar y cynnig o ran teitlau a chylch gorchwyl y pwyllgorau o dan Reol Sefydlog 16.2 neu 16.3, yn ddarostyngedig i Reol Sefydlog 11.5(iv);
- (iv) gwneud argymhellion ar arferion a gweithdrefnau cyffredinol y Cynulliad wrth gynnal ei fusnes (gan gynnwys unrhyw gynigion ar gyfer ail-wneud y Rheolau Sefydlog, neu unrhyw ran ohonynt, neu eu diwygio);
- (v) ymgymryd â'r swyddogaethau a ddyrennir i'r Pwyllgor yn y Rheolau Sefydlog.

11.8 Rhaid i'r Pwyllgor gyfarfod o leiaf unwaith bob dwy wythnos eistedd.

Amserlen y Cynulliad

11.9 O dro i dro, rhaid i'r Pwyllgor Busnes gyhoeddi amserlen am gyfnodau heb fod yn llai na chwe mis, a rhaid iddi gynnwys y canlynol:

- (i) amserlenni amlinellol y cyfarfodydd llawn;
- (ii) yr amseroedd a fydd ar gael ar gyfer cyfarfodydd pwyllgor;
- (iii) yr amseroedd a fydd ar gael ar gyfer cyfarfodydd grwpiau gwleidyddol;
- (iv) toriadau; a
- (iv) dyddiadau ar gyfer cwestiynau i'w hateb ar lafar gan Brif Weinidog Cymru, Gweinidogion Cymru, y Cwnsler Cyffredinol a'r Comisiwn.

11.10 Rhaid i gynigion o dan Reol Sefydlog 11.9 roi sylw i gyfrifoldebau'r Aelodau tuag at y teulu a'r etholaeth neu'r rhanbarth etholiadol, ac i'w trefniadau teithio tebygol; ac fel rheol dylent geisio osgoi amserlennu busnes cyn 9.00am neu ar ôl 6.00pm ar unrhyw ddiwrnod gwaith.

Busnes Wythnosol

11.11 Ym mhob wythnos y bydd y Cynulliad yn cynnal cyfarfod llawn, rhaid i'r Gweinidog sy'n gyfrifol am fusnes y llywodraeth:

- (i) gwneud datganiad ynghylch trefn busnes y llywodraeth yn y cyfarfodydd llawn; a
- (ii) ar yr un pryd, cyhoeddi trefn busnes y Cynulliad yn y cyfarfodydd llawn,

am yr wythnos gyntaf ar ôl yr wythnos y gwneir y datganiad, ynghyd â darpar drefn busnes y ddwy wythnos ddilynol.

11.12 Rhaid i drefn busnes y llywodraeth yn y cyfarfodydd llawn gael ei phennu gan y llywodraeth.

11.13 Rhaid i drefn busnes y Cynulliad yn y cyfarfodydd llawn gael ei phennu gan y Pwyllgor Busnes, yn unol â Rheol Sefydlog 11.7(ii).

11.14 Rhaid neilltuo amser penodedig i bob eitem o fusnes y cyfeirir ati yn y datganiad a'r cyhoeddiad.

11.15 Mewn perthynas ag unrhyw eitem o fusnes y cyfeirir ati yn y datganiad neu'r cyhoeddiad (ac eithrio unrhyw eitem o fusnes pan fydd gwelliannau i ddeddfwriaeth i gael eu hystyried), caiff y llywodraeth (yn achos busnes y llywodraeth) neu'r Pwyllgor Busnes (yn achos busnes y Cynulliad):

- (i) pennu'r amser neu'r pwynt cynharaf posibl yn ystod busnes cyfarfod llawn yr un diwrnod hwnnw ar gyfer cynnal unrhyw bleidlais neu bleidleisiau sy'n angenrheidiol er mwyn cwblhau'r busnes, oni bai y penderfynir ar y busnes yn unol â Rheol Sefydlog 12.36; a
- (ii) penderfynu na ddylai Rheol Sefydlog 12.36 fod yn gymwys i eitem o fusnes a phennu amser neu bwynt yn ystod busnes cyfarfod llawn yr un diwrnod hwnnw ar gyfer cynnal unrhyw bleidlais sy'n angenrheidiol er mwyn cwblhau'r eitem honno o fusnes.

11.16 Y datganiad a'r cyhoeddiad yw'r amserlen ar gyfer busnes yn y cyfarfodydd llawn am yr wythnos gyntaf ar ôl yr wythnos y gwnaed y datganiad a'r cyhoeddiad.

Categoriâu o Fusnes y Cyfarfodydd Llawn

11.17 Rhaid i gyfanswm yr amser a ddyrennir rhwng busnes y llywodraeth a busnes y Cynulliad yn y cyfarfodydd llawn mewn blwyddyn Cynulliad, cyn belled ag y bo'n rhesymol ymarferol, fod yn y cyfrannedd 3:2.

11.18 At ddibenion Rheolau Sefydlog 11 a 12, mae busnes y llywodraeth yn cynnwys trafodion ar y canlynol:

- (i) cwestiynau llafar (ac eithrio cwestiynau llafar i'r Comisiwn);
- (ii) unrhyw ddatl frys a gynigir gan aelod o'r llywodraeth o dan Reol Sefydlog 12.69;
- (iii) datganiadau gan aelod o'r llywodraeth;
- (iv) deddfwriaeth lle mae'r Aelod sy'n gyfrifol am y ddeddfwriaeth yn aelod o'r llywodraeth;
- (v) unrhyw gynnig a gyflwynir gan aelod o'r llywodraeth.

11.19 At ddibenion Rheolau Sefydlog 11 a 12, mae busnes y Cynulliad yn cynnwys pob eitem o fusnes ac eithrio'r rheini a restrir o dan Reol Sefydlog 11.18.

11.20 Rhaid i'r Llywydd benderfynu ar unrhyw gwestiwn ai busnes y Cynulliad, neu fusnes y llywodraeth yw mater.

11.21 Rhaid trefnu bod amser ar gael ym mhob blwyddyn Cynulliad ar gyfer dadleuon ar yr eitemau canlynol o fusnes:

- (i) amcanion polisi a rhaglen ddeddfu Llywodraeth y DU (yn unol ag adran 33 o'r Ddeddf);
- (ii) amcanion polisi a rhaglen ddeddfu'r llywodraeth;
- (iii) cynigion a wneir ar ran grwpiau gwleidyddol nad ydynt yn grwpiau gwleidyddol a chanddynt rôl weithredol (a chyn belled ag y bo modd rhaid i'r amser a ddyrennir i bob grŵp gwleidyddol ar gyfer cynigion a wneir ganddo gyfateb i gynrychiolaeth y grŵp yn y Cynulliad);
- (iv) cynigion a wneir gan unrhyw Aelod nad yw'n aelod o'r llywodraeth;
- (v) dadleuon ar adroddiadau a osodir gan bwyllgorau;
- (vi) Dadleuon Byr; a
- (vii) deddfwriaeth pan nad yw'r Aelod sy'n gyfrifol am y ddeddfwriaeth yn aelod o'r llywodraeth

Hysbysiad Busnes

11.22 Rhaid i'r Clerc gyhoeddi a chadw manylion busnes sydd i'w gynnal y mae'n rhaid iddo gynnwys yr hysbysiad ynglŷn ag agendâu'r cyfarfodydd llawn a'r pwyllgorau, ynghyd â gwybodaeth am unrhyw rai o'r canlynol sydd wedi'u cyflwyno neu wedi'u gosod gerbron y Cynulliad:

- (i) cwestiynau llafar ac ysgrifenedig;
- (ii) cynigion a gwelliannau i gynigion;

- (iii) gorchmynion cymhwysedd deddfwriaethol arfaethedig a drafft;
- (iv) Mesurau arfaethedig a gwelliannau i Fesurau arfaethedig;
- (v) is-ddeddfwriaeth neu is-ddeddfwriaeth ddrafft; a
- (vi) unrhyw ddogfennau a osodwyd gerbron y Cynulliad.

RHEOL SEFYDLOG 12 – Busnes yn y Cyfarfodydd Llawn

Cyfarfodydd Llawn

- 12.1 Rhaid i gyfarfodydd llawn y Cynulliad gael eu cynnal yn gyhoeddus a rhaid caniatáu mynediad ar gyfer darlledu yn unol â'r trefniadau y bydd y Comisiwn yn cytuno arnynt.
- 12.2 Rhaid i'r Cynulliad gyfarfod yn llawn yn unol â Rheolau Sefydlog 11 a 12.
- 12.3 Os na fydd cyfarfod llawn wedi'i amserlennu ar gyfer dyddiad neu amser penodol caiff y Llywydd, ar gais Prif Weinidog Cymru, gynnull y Cynulliad i ystyried mater sydd o bwys cyhoeddus brys.
- 12.4 Cyn belled ag y bo'n rhesymol ymarferol, rhaid trefnu bod unrhyw ddogfen a ddarperir ar gyfer busnes yr ymdrinnir ag ef yn y cyfarfodydd llawn ar gael yn gyhoeddus.
- 12.5 Rhaid trefnu bod unrhyw ddogfennau y cyfeirir atynt yn Rheol Sefydlog 12.4 ar gael i Ysgrifennydd Gwladol Cymru ar yr un pryd ag y byddant ar gael i'r Aelodau.
- 12.6 Rhaid i gyfarfodydd llawn fel arfer:
 - (i) cael eu cynnal ar ddydd Mawrth a dydd Mercher a'u bod yn dechrau am 1.30pm;
 - (ii) ystyried busnes y llywodraeth yn gyntaf.

Cyfarfodydd Llawn yn dilyn Etholiad Cynulliad

- 12.7 Rhaid cynnal y cyfarfod llawn cyntaf ar ôl etholiad Cynulliad ar adeg a bennir gan y Llywydd, ar ôl iddo ymgynghori â'r grwpiau gwleidyddol, (neu os yw'r Llywydd yn anfodlon gweithredu neu os nad oes modd iddo wneud, rhaid i'r Clerc bennu'r amser), a hynny yn unol ag adran 3 neu 5 o'r Ddeddf.
- 12.8 Rhaid i'r cyfarfodydd llawn dilynol fod ar ddyddiad ac ar amser a bennir gan y Llywydd, ar ôl iddo ymgynghori â'r grwpiau gwleidyddol, nes y cyfarfod cyntaf y gwnaed datganiad a chyhoeddiad busnes yn ei gylich o dan Reol Sefydlog 11.11.
- 12.9 Rhaid i'r Clerc hysbysu pob Aelod o ddyddiad ac amser y cyfarfodydd llawn a drefnwyd o dan Reolau Sefydlog 12.7 a 12.8 o leiaf 24 awr cyn y cyfarfod.
- 12.10 Yr unig fusnes sydd i'w ystyried mewn cyfarfodydd llawn a drefnwyd o dan Reolau Sefydlog 12.7 a 12.8 yw:
 - (i) unrhyw fusnes o dan Reol Sefydlog 12.16;
 - (ii) unrhyw fusnes arall y mae'r Cynulliad yn cytuno arno drwy benderfyniad.

- 12.11 Caniateir enwebiadau o dan Reol Sefydlog 8 mewn cyfarfodydd llawn a drefnwyd o dan Reolau Sefydlog 12.7 a 12.8 dim ond os bydd y Cynulliad, drwy benderfyniad, yn cytuno.
- 12.12 Nid yw Rheolau Sefydlog 11.12 a 11.13 yn gymwys i gyfarfodydd llawn a drefnwyd o dan Reolau Sefydlog 12.7 a 12.8.
- 12.13 Ni fydd y cyfnodau hysbysu a geir yn Rheolau Sefydlog 12.20 a 12.22 ar gyfer cyflwyno cynigion a gwelliannau yn gymwys i unrhyw gynigion a gyflwynwyd ar gyfer busnes yr ymdrinnir ag ef mewn cyfarfodydd llawn a drefnwyd o dan Reol Sefydlog 12.7 neu 12.8, nac i unrhyw welliannau a gyflwynwyd i'r fath gynigion.

Trefn Busnes y Cyfarfodydd Llawn

- 12.14 Rhaid i fusnes gael ei alw gan y Llywydd a rhaid ymdrin ag ef yn y drefn y mae'n ymddangos ar agenda'r cyfarfod llawn, yn ddarostyngedig i Reol Sefydlog 12.16.
- 12.15 Os daw'r trafodion ar eitem o fusnes i ben cyn diwedd yr amser a ddyrannwyd ar ei chyfer, rhaid ymdrin â'r busnes nesaf (os oes busnes nesaf).
- 12.16 Mae'r categorïau o fusnes y caniateir ymdrin â hwy mewn cyfarfod llawn heb hysbysiad, gyda chytundeb y Llywydd, yn cynnwys:
- (i) datganiadau gan y Llywydd, gan aelod o'r llywodraeth neu gan y Comisiwn am unrhyw fater sydd o fewn ei gyfrifoldebau;
 - (ii) cyflwyno Aelodau newydd;
 - (iii) teyrngedau coffa i gyn-Aelodau ac eraill;
 - (iv) etholiadau, enwebiadau neu benodiadau gan y Cynulliad;
 - (v) datganiadau personol;
 - (vi) unrhyw ddadl frys a gynigir gan Aelod o dan Reol Sefydlog 12.69;
 - (vii) cynigion gweithdrefnol o dan Reol Sefydlog 12.31;
 - (viii) pwyntiau o drefn sy'n ymwneud â chynnal busnes; ac
 - (ix) unrhyw faterion eraill sy'n briodol ym marn y Llywydd.
- 12.17 Caiff y Llywydd wneud unrhyw drefniadau angenrheidiol i addasu'r amserlen ar gyfer busnes ar y diwrnod hwnnw (gan gynnwys ymestyn hyd yr eisteddiad), er mwyn hwyluso'r modd o gynnal busnes yn effeithiol.
- 12.18 O dan unrhyw amgylchiad arall lle bydd y Llywydd yn credu bod hynny'n briodol, caiff y Llywydd ohirio'r trafodion heb gynnal pleidlais ar unrhyw gynnig, neu caiff atal y trafodion dros dro am gyfnod penodedig.

Cynigion

12.19 Rhaid i'r busnes yn y cyfarfodydd llawn fynd yn ei flaen ar sail y cynigion a wneir, ac eithrio'r canlynol:

- (i) datganiadau;
- (ii) cyflwyno Aelodau newydd;
- (iii) teyrngedau coffa i gyn-Aelodau ac eraill;
- (iv) cwestiynau llafar;
- (v) dadleuon brys o dan Reol Sefydlog 12.69; a
- (vi) pan fydd Aelod yn cynnig pwnc ar gyfer Dadl Fer o dan Reol Sefydlog 12.72.

12.20 Ac eithrio pan fydd y Rheolau Sefydlog yn darparu fel arall:

- (i) rhaid i gynnig gael ei gyflwyno o leiaf bum diwrnod gwaith cyn ei drafod;
- (ii) caniateir i gynnig gael ei wneud gan unrhyw Aelod; a
- (iii) rhaid i gynnig gael ei gyflwyno yn unol â Rheol Sefydlog 15.

12.21 Caiff unrhyw Aelod ychwanegu ei enw i gynnig drwy hysbysu'r Clerc ar unrhyw adeg hyd at ddiwedd y diwrnod gwaith cyn bod y cynnig i fod i gael ei ystyried yn y cyfarfod llawn.

12.22 Ac eithrio pan fydd y Rheolau Sefydlog yn darparu fel arall:

- (i) caniateir i welliannau gael eu cynnig i unrhyw gynnig a rhaid iddynt gael eu cyflwyno o leiaf dri diwrnod gwaith cyn bod y cynnig i'w drafod; a
- (ii) caniateir i unrhyw Aelod ychwanegu ei enw i welliant drwy hysbysu'r Clerc ar unrhyw adeg hyd at ddiwedd y diwrnod gwaith cyn ei fod i gael ei ystyried yn y cyfarfod llawn.

12.23 Caiff y Llywydd:

- (i) grwpio gwelliannau cysylltiedig, a'i gwneud yn ofynnol iddynt gael eu cynnig fel grŵp;
- (ii) penderfynu ym mha drefn yr ymdrinnir â gwelliannau sy'n codi yn yr un lle yn y cynnig; a
- (iii) gwrthod dethol gwelliant pan fydd o'r farn bod y dull priodol o gynnal busnes yn ei gwneud yn briodol gwrthod.

- 12.24 Caiff y Llywydd gynnig bod cynigion yn cael eu trafod gyda'i gilydd, ond os bydd unrhyw Aelod yn gwrthwynebu'r cynnig, rhaid i'r cynigion gael eu trafod ar wahân.
- 12.25 Ni chaniateir cyflwyno cynnig neu welliant sy'n cyfeirio at unrhyw ddogfen oni bai bod y ddogfen ar gael i bob Aelod.
- 12.26 Os yw'n ymddangos i'r Llywydd fod cynnig neu welliant wedi'i gyflwyno yn groes i ofynion Rheol Sefydlog 12.25, rhaid i'r Llywydd beidio â chaniatáu iddo gael ei drafod nes y trefnwyd bod y ddogfen ar gael i bob Aelod ac nes y bydd unrhyw amser pellach y mae'r Llywydd yn barnu ei fod yn briodol wedi mynd heibio.
- 12.27 Caniateir i gynnig neu welliant sydd wedi'i gynnig gael ei dynnu'n ôl dim ond os na fydd yr un Aelod yn gwrthwynebu.
- 12.28 Caiff y Llywydd, wedi ymgynghori â'r Pwyllgor Busnes, gynnal balot i bennu enw'r Aelod neu'r Aelodau, ac eithrio aelod o'r llywodraeth, y caiff amser ei neilltuo iddo neu iddynt er mwyn trafod cynnig a gyflwynwyd yn ei enw ef neu eu henwau hwy.

Cynigion Gweithdrefnol

- 12.29 Mae cynigion gweithdrefnol yn cymryd blaenoriaeth dros fusnes arall ac nid yw darpariaethau Rheol Sefydlog 12.20 sy'n ymwneud â'r cyfnod hysbysu ar gyfer cyflwyno cynigion yn gymwys.
- 12.30 Caiff y Llywydd ganiatáu i Aelod siarad yn gryno o blaid unrhyw gynnig gweithdrefnol, ac i Aelod arall siarad yn gryno yn ei erbyn, ac yna rhaid i'r Llywydd gynnal pleidlais ar y cynnig.
- 12.31 Caniateir i'r materion canlynol gael eu cynnig mewn cynigion gweithdrefnol:
- (i) gohirio eitem o fusnes yn unol â Rheol Sefydlog 12.32;
 - (ii) cyfeirio mater at bwyllgor;
 - (iii) dod â dadl i ben yn unol â Rheol Sefydlog 12.33;
 - (iv) ymestyn yr amser a ddyrannwyd ar gyfer eitem o fusnes, yn unol â Rheol Sefydlog 12.34;
 - (v) gohirio eitem o fusnes yn unol â Rheol Sefydlog 12.35; a
 - (vi) unrhyw faterion eraill sy'n briodol ym marn y Llywydd.
- 12.32 Caniateir i gynnig i atal eitem o fusnes gael ei wneud gan y canlynol:
- (i) yr Aelod sy'n gyfrifol am yr eitem o fusnes;
 - (ii) Aelod arall a enwebir i'r Llywydd ymlaen llaw gan yr Aelod sy'n gyfrifol am yr eitem o fusnes; neu

(iii) yn achos busnes y llywodraeth, aelod o'r llywodraeth.

Os derbynnir y cynnig, rhaid i'r Llywydd drefnu i addasu'r amserlen busnes fel y gwêl yn dda.

12.33 Ar unrhyw adeg ar ôl i gynnig neu welliant gael ei wneud, caiff Aelod gynnig y dylid pleidleisio arno ar unwaith; ond rhaid i'r Llywydd beidio â chynnal pleidlais ar y cynnig hwnnw oni fydd o leiaf ddeg Aelod yn mynegi eu cefnogaeth ac os yw'r Llywydd yn fodlon na fyddai gwneud hynny yn camddefnyddio gweithdrefnau'r Cynulliad neu'n amharu ar hawliau lleiafrifoedd yn y Cynulliad.

12.34 Caniateir i gynnig i ymestyn yr amser a ddyrennir i eitem o fusnes yn ôl cyfnod penodedig gael ei wneud gan y canlynol:

- (i) yr Aelod sy'n gyfrifol am yr eitem o fusnes;
- (ii) Aelod arall a enwebir i'r Llywydd ymlaen llaw gan yr Aelod sy'n gyfrifol am yr eitem o fusnes; neu
- (iii) Yn achos busnes y llywodraeth, aelod o'r llywodraeth.

Os derbynnir y cynnig, bernir bod y cyfan o'r diwrnod busnes wedi'i ymestyn yn ôl y cyfnod penodedig o amser.

12.35 Caniateir i gynnig i ohirio eitem o fusnes (naill ai tan ddiwrnod penodedig neu tan ddiwrnod sydd heb ei enwi) gael ei wneud gan y canlynol:

- (i) yr Aelod sy'n gyfrifol am yr eitem o fusnes;
- (ii) Aelod arall a enwebir i'r Llywydd ymlaen llaw gan yr Aelod sy'n gyfrifol am yr eitem o fusnes; neu
- (iii) yn achos busnes y llywodraeth, aelod o'r llywodraeth

Penderfynu ar Gynigion a Gwelliannau

12.36 Yn ddarostyngedig i Reol Sefydlog 11.15(ii), ar ddiwedd trafodion ar eitem o fusnes, rhaid i'r Llywydd wahodd y Cynulliad i gytuno unrhyw gwestiwn y mae angen ei gytuno er mwyn cwblhau'r busnes. Os na fydd Aelod yn gwrthwynebu, bernir bod y Cynulliad wedi derbyn y cynnig neu'r gwelliant.

12.37 Os bydd unrhyw Aelod yn gwrthwynebu o dan Reol Sefydlog 12.36, rhaid gohirio'r pleidleisio ar unrhyw gwestiynau y mae angen eu gohirio er mwyn cwblhau'r busnes tan amser neu bwynt a ragnodwyd o dan Reol Sefydlog 11.15(i), os oes amser neu bwynt wedi'i ragnodi.

12.38 Ar yr adeg (neu'r pwynt) a ragnodwyd o dan Reol Sefydlog 11.15, rhaid i'r Llywydd dorri ar draws y busnes a gwahodd y Cynulliad i bleidleisio ar unrhyw gwestiynau y mae angen pleidleisio arnynt er mwyn cwblhau'r busnes a ohirwyd o dan Reol Sefydlog 12.37 neu unrhyw fusnes y mae Rheol Sefydlog 11.15(ii) yn gymwys iddo.

- 12.39 Os bydd y Llywydd yn torri ar draws y busnes ar adeg benodedig o dan Reol Sefydlog 12.38, nid yw'r amser a gymerir i bleidleisio ar y cwestiynau angenrheidiol ar yr adeg benodedig honno yn cyfrif yn erbyn yr amser a ddyrannwyd ar gyfer y busnes y torrwyd ar ei draws.
- 12.40 At ddibenion pleidleisio, caiff y Llywydd gynnig y caiff pleidleisiau ar gynigion neu welliannau eu grwpio a'u bod yn destun un bleidlais. Os bydd unrhyw Aelod yn gwrthwynebu, rhaid cynnal pleidlais ar bob cynnig a gwelliant ar wahân.
- 12.41 Rhaid i'r Aelodau fwrw eu pleidlais yn unigol ac yn bersonol (ond nid yw'n ofynnol iddynt bleidleisio).
- 12.42 Os bydd deddfwriaeth yn ei gwneud yn ofynnol i benderfyniad neu gynnig gael ei basio drwy bleidlais lle na fydd nifer yr Aelodau sy'n pleidleisio o'i blaidd yn llai na dwy ran o dair o gyfanswm y seddau, rhaid cynnal pleislais wedi'i chofnodi.
- 12.43 Yn ddarostyngedig i Reol Sefydlog 12.36, rhaid i'r Llywydd gynnal pleidlais ar gynnig neu ar welliant drwy gyfrwng electronig; neu yn niffyg hynny, naill ai:
- (i) os bydd y Llywydd yn penderfynu felly, drwy godi dwylo, ar yr amod na fydd mwy na dau Aelod yn gwrthwynebu penderfyniad y Llywydd; neu
 - (ii) drwy alw cofrestr yr Aelodau, yn nhrefn yr wyddor.
- 12.44 Cyn i bleidlais gael ei chynnal, os bydd o leiaf dri Aelod yn gofyn am hynny, rhaid canu'r gloch. Os oes pleidleisiau i'w cynnal yn syth ar ôl ei gilydd, ni fydd angen canu'r gloch fwy nag unwaith. Bum munud ar ôl i'r gloch ddechrau canu, rhaid cynnal y bleidlais neu'r pleidleisiau.
- 12.45 Os bydd pob eitem o fusnes ar gyfer y diwrnod wedi dod i ben cyn yr amser (neu'r amseroedd) a bennwyd o dan Reol Sefydlog 11.15 a gohiriwyd eitemau tan yr amser hwnnw (neu'r amseroedd hynny), rhaid canu'r gloch (oni fydd y Llywydd yn fodlon bod pob Aelod yn bresennol). Bum munud ar ôl i'r gloch ddechrau canu, rhaid cynnal y bleidlais neu'r pleidleisiau.
- 12.46 Ni fydd pleidlais yn ddilys oni fydd o leiaf ddeg Aelod yn cymryd rhan. Os bydd llai na deg Aelod yn cymryd rhan, rhaid cadw'r busnes hwnnw tan y cyfarfod llawn nesaf (a rhaid i'r Llywydd drefnu i addasu'r amserlen ar gyfer busnes fel y gwêl yn dda) a rhaid i'r Cynulliad symud ymlaen i'r eitem nesaf o fusnes.
- 12.47 Wrth benderfynu ar nifer yr Aelodau sy'n cymryd rhan mewn pleidlais, rhaid cymryd bod y rhai sy'n nodi eu bod yn ymatal yn cymryd rhan.
- 12.48 Rhaid cynnwys enwau'r Aelodau sy'n pleidleisio, gan gynnwys y rhai sy'n nodi eu bod yn ymatal, mewn unrhyw adroddiad o drafodion y cyfarfodydd llawn.

12.49 Rhaid trefnu bod adroddiad ar y bleidlais ar gael cyn gynted â phosibl ar ôl i'r bleidlais gael ei chynnal.

Datganiadau

12.50 Caniateir i ddatganiadau gael eu gwneud gan:

- (i) y Llywydd;
- (i) aelod o'r llywodraeth;
- (ii) aelod o'r Comisiwn ynghylch unrhyw fater sy'n dod o fewn cyfrifoldebau'r Comisiwn;
- (iii) unrhyw Aelod arall, lle mae pwnc y datganiad yn ymwneud â swyddogaeth y Cynulliad y mae'n gyfrifol amdani, gyda chytundeb y Llywydd.

12.51 Caiff y Llywydd ganiatáu i gwestiynau gael eu gofyn i Aelod sy'n gwneud datganiad.

Datganiadau Personol

12.52 Caiff y Llywydd ganiatáu i Aelod wneud datganiad personol, yn sgîl hysbysiad ysgrifenedig i'r Llywydd.

12.53 Rhaid i ddatganiad personol fod yn fyr ac yn ffeithiol a rhaid iddo beidio â bod yn destun dadl.

Cwestiynau Llafar

12.54 Caiff yr Aelodau gyflwyno cwestiynau llafar i Brif Weinidog Cymru, i bob un o Weinidogion Cymru neu i'r Cwnsler Cyffredinol, am unrhyw faterion sy'n ymwneud â chyfrifoldebau'r Gweinidog neu'r Cwnsler (ac eithrio mai dim ond cwestiynau llafar am faterion sy'n ymwneud â'i gyfrifoldebau (os oes rhai) heblaw am fusnes y llywodraeth y caniateir eu cyflwyno i'r Gweinidog sy'n gyfrifol am fusnes y llywodraeth).

12.55 Caiff yr Aelodau gyflwyno cwestiynau llafar i'r Comisiwn am unrhyw fater sy'n ymwneud â chyfrifoldebau'r Comisiwn.

12.56 Rhaid trefnu bod amser ar gael yn y cyfarfodydd llawn er mwyn:

- (i) i Brif Weinidog Cymru ateb cwestiynau llafar unwaith, am hyd at 60 munud, ym mhob wythnos y bydd y Cynulliad yn cynnal cyfarfod llawn;
- (ii) i bob un o Weinidogion Cymru a'r Cwnsler Cyffredinol ateb cwestiynau llafar ynglŷn â'u cyfrifoldebau, o leiaf unwaith, am hyd at 45 munud, ym mhob pedair wythnos y bydd y Cynulliad yn cynnal cyfarfod llawn (ac eithrio mai dim ond os oes ganddo gyfrifoldebau am faterion heblaw busnes y llywodraeth y

caniateir i'r Gweinidog sy'n gyfrifol am fusnes y llywodraeth ateb cwestiynau o dan Reol Sefydlog 12.56(ii); a

- (iii) i'r Comisiwn ateb cwestiynau llafar o leiaf unwaith, am hyd at 30 munud, ym mhob pedair wythnos y bydd y Cynulliad yn cynnal cyfarfod llawn.

- 12.57 Ar gais Prif Weinidog Cymru, un o Weinidogion Cymru neu'r Cwnsler Cyffredinol, caiff un o Ddirprwy Weinidogion Cymru ateb unrhyw gwestiwn llafar am unrhyw fater y mae'n cynorthwyo Prif Weinidog Cymru, un o Weinidogion Cymru neu'r Cwnsler Cyffredinol (yn ôl fel y digwydd) ynglŷn ag ef.
- 12.58 Os nad yw'n rhesymol ymarferol i Brif Weinidog Cymru, un o Weinidogion Cymru neu'r Cwnsler Cyffredinol ateb cwestiynau llafar ar ddiwrnod pan fyddai'n gwneud hynny fel rheol, caiff un arall o Weinidogion Cymru ateb y cwestiynau hynny, ar ôl hysbysu'r Llywydd ymlaen llaw.
- 12.59 Rhaid i gwestiynau gael eu cyflwyno o leiaf bump ond heb fod yn fwy na deg diwrnod gwaith cyn eu bod i gael eu hateb.
- 12.60 Derbynnir cwestiynau yn ôl disgrisiwn y Llywydd, a rhaid iddo roi sylw i unrhyw ganllawiau ysgrifenedig a gyhoeddwyd yn unol â Rheol Sefydlog 6.17.
- 12.61 Rhaid i'r Llywydd gynnal balot er mwyn dethol enwau'r Aelodau y caniateir iddynt gyflwyno cwestiwn yn unol â Rheol Sefydlog 12.64.
- 12.62 Rhaid cynnal balot o dan Reol Sefydlog 12.61 o leiaf un diwrnod gwaith cyn y diwrnod cyntaf y caniateir cyflwyno cwestiynau.
- 12.63 Ni chaiff Aelod gyflwyno ei enw i'r balot o dan Reol Sefydlog 12.61 fwy na dwywaith ar gyfer cwestiynau llafar i un o Weinidogion Cymru yn benodol neu i'r Cwnsler Cyffredinol (neu, yn achos cwestiynau i Brif Weinidog Cymru neu i'r Comisiwn, ni chaiff gyflwyno ei enw fwy nag unwaith).
- 12.64 Rhaid penderfynu ar drefn cwestiynau llafar fel a ganlyn:
- (i) yn achos cwestiynau a dderbynnir cyn yr amser cau y cytunir arno gan y Pwyllgor Busnes ar y diwrnod cyntaf y caniateir iddynt gael eu cyflwyno, drwy hapddull;
 - (ii) yn achos cwestiynau a dderbynnir ar ôl yr amser cau y cytunir arno gan y Pwyllgor Busnes ar y diwrnod cyntaf y caniateir iddynt gael eu cyflwyno, yn y drefn y deuant i law.
- 12.65 Rhaid i'r Llywydd alw ar yr Aelod sy'n gofyn y cwestiwn i ofyn cwestiwn llafar atodol ac wedyn caiff alw ar Aelodau eraill i ofyn cwestiynau llafar atodol cysylltiedig.
- 12.66 Ar ddiwedd y cyfnod a ddyrennir ar gyfer cwestiynau llafar neu ar unrhyw adeg arall y penderfynir arno gan y Llywydd, caiff y Llywydd alw ar Aelod i ofyn cwestiwn na roddwyd hysbysiad amdano o dan Reol Sefydlog 12.59:

- (i) os yw'r Llywydd a'r aelod o'r llywodraeth o dan sylw, neu'r Comisiwn, yn ôl fel y digwydd, wedi cael o leiaf ddwy awr o hysbysiad ymlaen llaw cyn bod y cwestiwn i gael ei ofyn; a
- (ii) os yw'r Llywydd yn fodlon bod y cwestiwn yn un o bwys cyhoeddus brys.

12.67 Os bydd y Llywydd wedi cael hysbysiad ymlaen llaw fod cais am gwestiwn brys o dan Reol Sefydlog 12.66 yn ymwneud â swyddogaethau'r Comisiwn, caiff y swyddogaeth a ddyrennir i'r Llywydd yn 12.66(ii) ei haseinio i'r Dirprwy Lywydd.

12.68 Pan na chyrhaeddir unrhyw gwestiwn llafar, rhaid i'r Aelod gael ateb ysgrifenedig ar yr un diwrnod. Rhaid i'r ateb ysgrifenedig gael ei gyhoeddi yng nghofnod trafodion y cyfarfod llawn.

Dadleuon Brys

12.69 Mewn unrhyw gyfarfod llawn, caiff Aelod gynnig mewn araith heb fod yn fwy na thair munud y dylai'r Cynulliad ystyried mater penodol, ar yr amod:

- (i) bod yr Aelod wedi hysbysu'r Llywydd ei fod yn dymuno gwneud hynny ac wedi'i hysbysu am y mater o leiaf awr cyn dechrau'r cyfarfod;
- (ii) os nad yw'r mater yn ymwneud â swyddogaethau'r Comisiwn, os Aelod heblaw aelod o'r llywodraeth sydd wedi rhoi'r hysbysiad, bod y Llywydd wedi rhoi cyfle i aelod o'r llywodraeth gyflwyno sylwadau iddo am y mater yn breifat;
- (iii) os yw'r mater yn ymwneud â swyddogaethau'r Comisiwn, os Aelod heblaw aelod o'r Comisiwn sydd wedi rhoi'r hysbysiad, bod y Dirprwy Lywydd wedi rhoi cyfle i'r Comisiwn gyflwyno sylwadau iddo am y mater yn breifat; a
- (iv) bod y Llywydd (neu'r Dirprwy Lywydd os bydd y ddadl yn methu o dan Reol Sefydlog 12.69(iii)) yn fodlon bod y mater yn un o bwys cyhoeddus brys, a'i fod wedi hysbysu'r Aelod (ac, os oes angen hynny, yr aelod o'r llywodraeth neu'r Comisiwn, fel y bo'n briodol) yn unol â hynny.

12.70 Os nad yw'r mater yn ymwneud â swyddogaethau'r Comisiwn, os Aelod heblaw aelod o'r llywodraeth sy'n gwneud y cynnig, rhaid i'r Llywydd ganiatáu i aelod o'r llywodraeth ateb mewn araith heb fod yn fwy na thair munud. Rhaid i'r Llywydd gynnal pleidlais ar y cynnig ar unwaith ar ôl iddo gael ei wneud neu, os bydd aelod o'r llywodraeth yn ateb, ar ôl yr ateb hwnnw. Os bydd y Cynulliad yn penderfynu ystyried y mater, rhaid iddo wneud hynny yn y cyfarfod hwnnw neu (os bydd y Llywydd yn penderfynu hynny) yn y cyfarfod yn union ar ei ôl, a rhaid i'r Llywydd drefnu i addasu'r amserlen ar gyfer busnes fel y gwêl yn dda.

12.71 Os yw'r mater yn ymwneud â swyddogaethau'r Comisiwn, os Aelod heblaw aelod o'r Comisiwn sy'n gwneud y cynnig, rhaid i'r Llywydd ganiatáu i aelod o'r Comisiwn ateb mewn araith heb fod yn fwy na thair munud. Rhaid i'r Llywydd gynnal pleidlais ar y cynnig ar unwaith ar ôl iddo gael ei wneud neu, os bydd aelod o'r Comisiwn yn ateb, ar ôl yr ateb hwnnw. Os bydd y Cynulliad yn penderfynu ystyried y mater, rhaid iddo wneud hynny yn y cyfarfod hwnnw neu (os bydd y Llywydd yn penderfynu hynny) yn y cyfarfod yn union ar ei ôl a rhaid i'r Llywydd drefnu i addasu'r amserlen ar gyfer busnes fel y gwêl yn dda.

Dadleuon Byr

12.72 Rhaid i'r Llywydd gynnal balot i benderfynu ar enw Aelod neu Aelodau, heblaw aelod o'r llywodraeth, a gaiff gynnig pwnc ar gyfer Dadl Fer.

12.73 Rhaid i'r Aelod sydd wedi llwyddo yn y balot hysbysu'r Llywydd am y pwnc o leiaf bum diwrnod gwaith cyn ei fod i gael ei drafod.

12.74 Yn y ddadl:

- (i) caiff yr Aelod a lwyddodd yn y balot siarad;
- (ii) caiff aelod o'r llywodraeth (neu, os yw'r mater o fewn cyfrifoldebau'r Comisiwn, aelod o'r Comisiwn) ymateb; a
- (iii) ni chaiff yr un Aelod arall siarad oni bai bod ganddo ganiatâd yr Aelod a lwyddodd yn y balot neu oni chaniateir ymyrryd gan yr Aelod sy'n ymateb.

RHEOL SEFYDLOG 13 – Y Drefn yn y Cyfarfodydd Llawn

Rheolau'r Dadleuon

- 13.1 Rhaid i'r Aelodau sy'n cael eu galw i siarad gan y Llywydd annerch y cadeirydd.
- 13.2 Caiff yr Aelodau siarad yn Gymraeg neu yn Saesneg a rhaid darparu cyfleusterau cyfieithu ar y pryd ar gyfer areithiau a draddodir yn Gymraeg.
- 13.3 Mae gan Ysgrifennydd Gwladol Cymru hawl i gymryd rhan mewn cyfarfodydd llawn ond nid i bleidleisio. Caiff y Llywydd alw ar yr Ysgrifennydd Gwladol i siarad mewn unrhyw ddadl y mae'r Ysgrifennydd Gwladol yn cymryd rhan ynddi.
- 13.4 Rhaid i'r areithiau fod yn berthnasol i'r busnes sydd gerbron y Cynulliad, ac osgoi ailadrodd diflas.
- 13.5 Caiff y Llywydd gyhoeddi terfyn amser ar areithiau'r Aelodau a chaiff gyfarwyddo Aelod sydd wedi siarad yn rhy hir i roi'r gorau i siarad.
- 13.6 Ac eithrio'r sawl sy'n gwneud cynnig neu'n cynnig gwelliant ac sy'n arfer hawl i ateb, ni chaiff Aelod siarad fwy nag unwaith ar unrhyw fater ac eithrio, gyda chaniatâd y Llywydd, er mwyn esbonio yn fyr ryw bwynt perthnasol yn ei araith wreiddiol.
- 13.7 Caiff Aelod sy'n siarad ganiatáu i Aelodau eraill ymyrryd er mwyn egluro cyn ailddechrau ar ei araith.
- 13.8 Ni chaiff Aelod siarad ar ôl i'r sawl sy'n gwneud y cynnig arfer ei hawl i ateb.

Cadw Trefn

- 13.9 Y Llywydd sydd i gadw trefn yn y cyfarfodydd llawn a rhaid galw i drefn unrhyw Aelod:
 - (i) sy'n ymddwyn mewn ffordd a fyddai, ym marn y Llywydd, yn gyfystyr â thramgwydd troseddol neu ddirmyg llys;
 - (ii) sy'n rhwystro busnes y Cynulliad;
 - (iii) sy'n ceisio codi mater sydd y tu hwnt i gwmpas y ddadl neu'r cynnig;
 - (iv) sy'n euog o ymddygiad anghwrtais neu amhriodol;
 - (v) sy'n defnyddio iaith sy'n groes i'r drefn, iaith sy'n gwahaniaethu neu sy'n peri tramgwydd, neu iaith sy'n amharu ar urddas y Cynulliad;
 - (vi) sy'n gwrthod cydymffurfio ag unrhyw Reol Sefydlog neu ag unrhyw ofyniad arall ynglŷn ag ymddygiad Aelodau; neu

(vii) sy'n anwybyddu awdurdod y cadeirydd.

- 13.10 Rhaid i Aelod gydymffurfio ag unrhyw gyfarwyddiadau a roddir gan y Llywydd ynghylch unrhyw ymddygiad sydd wedi peri ei alw i drefn.
- 13.11 Caiff y Llywydd ei gwneud yn ofynnol i Aelod ymneilltuo o drafodion y Cynulliad am weddill y dydd os yw'r Llywydd o'r farn bod yr ymddygiad yn cyfiawnhau ymneilltuo.
- 13.12 Pan fydd y Llywydd wedi'i gwneud yn ofynnol i Aelod ymneilltuo o drafodion y Cynulliad ac nad yw'r Aelod wedi gwneud hynny, rhaid i gynnig i wahardd yr Aelod o drafodion y Cynulliad gael ei wneud gan y Llywydd a rhaid pleidleisio arno ar unwaith.
- 13.13 Mae gwaharddiad Aelod o dan Reol Sefydlog 13.12 yn dod i rym ar unwaith a rhaid i'r gwaharddiad hwnnw bara:
- (i) y tro cyntaf yn ystod unrhyw gyfnod o 12 mis, tan ddiwedd y diwrnod gwaith yn union ar ôl diwrnod y gwaharddiad;
 - (ii) yr ail dro yn ystod yr un cyfnod o 12 mis, am bum diwrnod gwaith yn union ar ôl diwrnod y gwaharddiad; a
 - (iii) y trydydd tro neu ar unrhyw dro wedi hynny yn ystod yr un cyfnod o 12 mis, am 20 diwrnod gwaith yn union ar ôl diwrnod y gwaharddiad.
- 13.14 Yn ystod cyfnod gwaharddiad Aelod o dan Reolau Sefydlog 13.12 ac 13.13, ni fydd gan yr Aelod hawl i gael dim cyflog gan y Cynulliad ac ni chaniateir i'r Aelod fynychu unrhyw un o drafodion y Cynulliad.

Sub Judice

- 13.15 Yn ddarostyngedig i hawl y Cynulliad i ddeddfu ar unrhyw fater neu i drafod is-ddeddfwriaeth, rhaid i Aelod beidio â chodi unrhyw fater na mynd ar drywydd unrhyw fater yn y cyfarfodydd llawn sy'n ymwneud ag achosion sydd ar waith (fel y'u diffinnir yn Atodlen 1 i Ddeddf Dirmygu Llys 1981) neu os bydd Comisiynydd Plant Cymru, Comisiynydd Pobl Hŷn Cymru neu Ombwdsmon Gwasanaethau Cyhoeddus Cymru wedi penderfynu cynnal archwiliad o achos, tan yr adeg pan fydd dyfarniad wedi'i roi neu pan fydd adroddiad wedi'i wneud gan y naill Gomisiynydd neu'r llall neu'r Ombwdsmon, oni bai bod y Llywydd yn fodlon:
- (i) bod gan y mater berthynas glir â mater o bwys cyhoeddus cyffredinol neu fod penderfyniad gweinidogol o dan sylw;
 - (ii) nad yw'r mater yn ymwneud ag achos sydd i'w wrando, neu sy'n cael ei wrando, gerbron llys troseddau neu gerbron rheithgor neu ag achos sydd i'w wrando, neu sy'n cael ei wrando, mewn achos teuluol; a

- (iii) nad yw'r Aelod, yn ei sylwadau, yn creu risg real a sylweddol o ragfarnu achos llys, naill ai'n gyffredinol neu mewn perthynas ag achos penodol.

Cysylltiadau â'r Farnwriaeth

13.16 Oni bai bod y mater yn destun cynnig gwreiddiol, rhaid i'r Aelodau beidio yn y cyfarfodydd llawn â beirniadu ymddygiad barnwyr llysoedd y Deyrnas Unedig wrth iddynt gyflawni eu swyddogaeth farnwrol; (yn Rheol Sefydlog 13.16 mae "barnwr" yn cynnwys personau sy'n dal swydd barnwr, yn llawn amser neu'n rhan-amser).

13.17 Rhaid i'r Cynulliad beidio â thrafod penodiadau barnwrol unigol.

RHEOL SEFYDLOG 14 – Cwestiynau Ysgrifenedig, Datganiadau Ysgrifenedig a Datganiadau Barn

Cwestiynau Ysgrifenedig

- 14.1 Caiff Aelodau gyflwyno cwestiynau i'w hateb yn ysgrifenedig gan y canlynol:
- (i) Prif Weinidog Cymru, un o Weinidogion Cymru neu'r Cwnsler Cyffredinol, am unrhyw fater sy'n ymwneud â'i gyfrifoldebau; neu
 - (ii) y Comisiwn, am unrhyw fater sy'n ymwneud â chyfrifoldebau'r Comisiwn.
- 14.2 Ar gais Prif Weinidog Cymru, un o Weinidogion Cymru neu'r Cwnsler Cyffredinol, caiff un o Ddirprwy Weinidogion Cymru ateb unrhyw gwestiwn ysgrifenedig am unrhyw fater y mae'n cynorthwyo Prif Weinidog Cymru, un o Weinidogion Cymru neu'r Cwnsler Cyffredinol (yn ôl fel y digwydd) ynglŷn ag ef.
- 14.3 Rhaid i gwestiwn gael ei gyflwyno o leiaf bum diwrnod gwaith cyn ei fod i gael ei ateb.
- 14.4 Derbynnir cwestiynau yn ôl disgrisiwn y Llywydd, y mae'n rhaid iddo roi sylw i unrhyw ganllawiau ysgrifenedig a gyhoeddwyd yn unol â Rheol Sefydlog 6.17.
- 14.5 Rhaid i'r atebion i'r cwestiynau sydd wedi'u derbyn gael eu cyhoeddi yng nghofnod trafodion y cyfarfodydd llawn.

Datganiadau Ysgrifenedig

- 14.6 Caiff Prif Weinidog Cymru, un o Weinidogion Cymru neu'r Cwnsler Cyffredinol wneud datganiad ysgrifenedig am unrhyw fater sy'n ymwneud â'i gyfrifoldebau.
- 14.7 Caiff y Comisiwn wneud datganiad ysgrifenedig am unrhyw fater sy'n ymwneud â chyfrifoldebau'r Comisiwn.
- 14.8 Rhaid i unrhyw ddatganiad ysgrifenedig gael ei gyhoeddi yn y cofnod o drafodion y cyfarfodydd llawn.

Datganiadau Barn

- 14.9 Caniateir i Ddatganiad Barn heb fod yn fwy na 100 o eiriau am fater sy'n effeithio ar Gymru gael ei gyflwyno gan unrhyw Aelod heblaw aelod o'r llywodraeth; a chaniateir i unrhyw Ddatganiad o'r fath gael ei ategu, ei wrthwynebu neu fel arall fod yn destun sylwadau ysgrifenedig gan unrhyw Aelod arall.

14.10 Os yw'r Llywydd o'r farn bod Datganiad Barn yn ddilys, rhaid iddo gael ei gyhoeddi, ynghyd ag unrhyw air o gefnogaeth neu wrthwynebiad a gyflwynwyd gan unrhyw Aelod arall.

RHEOL SEFYDLOG 15 – Gweithdrefnau Gosod a Chyflwyno

- 15.1 Caniateir i'r dogfennau canlynol neu'r categorïau canlynol o ddogfennau gael eu gosod gerbron y Cynulliad:
- (i) dogfen y mae unrhyw ddeddfiad yn pennu bod yn rhaid ei gosod gerbron y Cynulliad neu y caniateir ei gosod gerbron y Cynulliad neu ddogfen sy'n dod o fewn telerau adran 86 o'r Ddeddf neu baragraffau 36 neu 37 o Atodlen 11 iddi;
 - (ii) deddfwriaeth neu ddeddfwriaeth arfaethedig neu ddrafft y mae'n ofynnol ei gosod o dan Reolau Sefydlog 25, 26, 27 neu 28;
 - (iii) unrhyw adroddiad a wneir gan un o bwyllgorau'r Cynulliad ac y mae'r pwyllgor hwnnw wedi cytuno y dylid ei gyflwyno i'r Cynulliad, ac eithrio unrhyw adroddiad y mae (iv) isod yn gymwys iddo;
 - (iv) unrhyw ddogfen arall a bennir mewn man arall yn y Rheolau Sefydlog y mae'n ofynnol ei gosod yn unol â'r gofynion penodol mewn Rheol Sefydlog; a
 - (v) unrhyw ddogfen arall, neu unrhyw gategori arall o ddogfen, y mae'r Cynulliad yn ei gwneud yn ofynnol iddynt gael eu gosod, drwy benderfyniad mewn cyfarfod llawn.
- 15.2 Caiff aelod o'r llywodraeth neu'r llywydd osod dogfennau priodol eraill.
- 15.3 Os yw unrhyw ddogfen yn cael ei gosod neu os yw unrhyw gynnig, gwelliant, cwestiwn neu fusnes arall yn cael ei gyflwyno o dan Reol Sefydlog 15 neu unrhyw Reol Sefydlog arall, rhaid iddo gael ei osod neu ei gyflwyno yn unol â chanllawiau ysgrifenedig a gyhoeddir gan y Llywydd, yn unol â Rheol Sefydlog 6.17.
- 15.4 Rhaid i unrhyw ddogfen a osodir neu unrhyw fusnes a gyflwynir gan y Llywydd, y Comisiwn, y llywodraeth, unrhyw bwyllgor neu'r Clerc gael ei gosod neu ei gyflwyno yn Gymraeg a Saesneg, cyn belled ag y bo'n briodol o dan yr amgylchiadau ac yn rhesymol ymarferol.
- 15.5 Mae derbyn unrhyw ddogfen neu fusnes gan y Clerc ar ddiwrnod gwaith yn ystod oriau y cytunwyd arnynt gan y Pwyllgor Busnes yn gyfystyr â gosod y ddogfen neu gyflwyno'r busnes (yn ôl fel y digwydd).

RHEOL SEFYDLOG 16 – Sefydlu Pwyllgorau a'u Cylchoedd Gorchwyl

Cyffredinol

- 16.1 Rhaid i'r Cynulliad sefydlu pwyllgorau a chanddynt bŵer yn eu cylchoedd gorchwyl i:
- (i) archwilio gwariant, gweinyddiaeth a pholisi'r llywodraeth a'r cyrff cyhoeddus sy'n gysylltiedig â hi;
 - (ii) archwilio deddfwriaeth;
 - (iii) ymgymryd â swyddogaethau eraill a bennir yn y Rheolau Sefydlog; a
 - (iv) ystyried unrhyw fater sy'n effeithio ar Gymru.
- 16.2 Cyn gynted â phosibl ar ôl pob etholiad Cynulliad, rhaid i'r Pwyllgor Busnes gyflwyno cynnig neu gynigion yn unol â Rheol Sefydlog 16.1 i gynnig teitlau a chylch gorchwyl y pwyllgorau.
- 16.3 Os yw'n ymddangos i'r Pwyllgor Busnes yn ystod Cynulliad fod angen newid nifer, teitl neu gylch gorchwyl un neu fwy o bwyllgorau (gan gynnwys drwy ddarparu y dylai unrhyw bwyllgor presennol ddod i ben), caiff y Pwyllgor Busnes gyflwyno cynnig bod y newid yn digwydd.
- 16.4 Wrth gyflwyno unrhyw gynnig o dan Reol Sefydlog 16.2 neu 16.3, rhaid i'r Pwyllgor Busnes sicrhau'r canlynol:
- (i) bod pob un o feysydd cyfrifoldeb y llywodraeth a'r cyrff cyhoeddus sy'n gysylltiedig â hi yn destun gwaith craffu gan bwyllgor neu bwyllgorau;
 - (ii) bod pob mater sy'n ymwneud â chymhwysedd deddfwriaethol y Cynulliad a swyddogaethau Gweinidogion Cymru a'r Cwnsler Cyffredinol yn destun gwaith craffu gan bwyllgor neu bwyllgorau; a
 - (iii) pan fo'n rhesymol ymarferol, fod cydbwysedd eang rhwng cyflawni'r cyfrifoldebau a ragnodwyd yn Rheolau Sefydlog 16.1(i) a 16.1(ii).

Pwyllgorau Eraill

- 16.5 Caiff y Cynulliad sefydlu unrhyw bwyllgor arall drwy gynnig a gyflwynir gan unrhyw Aelod. Rhaid i gynnig i sefydlu pwyllgor o'r fath gynnig ei deitl a'i gylch gorchwyl.

Parhad Pwyllgorau

- 16.6 Yn ddarostyngedig i Reol Sefydlog 16.3, bydd pob pwyllgor a sefydlir gan Reol Sefydlog 16 yn cael ei sefydlu i barhau drwy gydol y Cynulliad oni nodir yn wahanol yn y cynnig i sefydlu'r pwyllgor.

RHEOL SEFYDLOG 17 – Gweithredu Pwyllgorau

Cyffredinol

- 17.1 Mae Rheol Sefydlog 17 yn gymwys i bob un o bwyllgorau'r Cynulliad ac eithrio pan fydd wedi'i datgymhwyso gan Reol Sefydlog arall.
- 17.2 Caiff unrhyw Aelod gyflwyno cynnig i roi cyfarwyddiadau penodol neu gyffredinol i unrhyw bwyllgor.

Aelodaeth Pwyllgorau

- 17.3 Rhaid i'r Cynulliad ystyried cynnig a gyflwynir gan y Pwyllgor Busnes i gytuno aelodaeth a chadeirydd pob pwyllgor a sefydlir drwy benderfyniad gan y Cynulliad, a hynny drwy gynnig (neu gynigion) a gyflwynwyd gan y Pwyllgor Busnes yn unol â Rheol Sefydlog 16.
- 17.4 Wrth gyflwyno cynnig o dan Reol Sefydlog 17.3, rhaid i'r Pwyllgor Busnes roi sylw i'r angen i sicrhau bod cydbwysedd y cadeiryddion ar draws y pwyllgorau yn adlewyrchu'r grwpiau gwleidyddol y mae'r Aelodau yn perthyn iddynt.
- 17.5 Ni chaniateir cyflwyno gwelliant i gynnig o dan Reol Sefydlog 17.3.
- 17.6 Ni chaniateir i gynnig i gytuno aelodaeth pwyllgor o dan Reol Sefydlog 17.3 gael ei basio oni bai:
- (i) bod yr aelodaeth (cyn belled ag y bo'n rhesymol ymarferol) yn adlewyrchu cydbwysedd y grwpiau gwleidyddol y mae'r Aelodau yn perthyn iddynt; a
 - (ii) (os caiff y cynnig ei basio drwy bleidlais), fod o leiaf ddwy ran o dair o'r Aelodau sy'n pleidleisio yn ei gefnogi.
- 17.7 Os nad yw cynnig i gytuno aelodaeth pwyllgor o dan Reol Sefydlog 17.3 yn cael ei basio:
- (i) rhaid i'r Cynulliad ystyried cynnig a gyflwynir gan y Pwyllgor Busnes i bennu:
 - (a) maint y pwyllgor; a
 - (b) y grŵp gwleidyddol y mae'r cadeirydd sydd i'w benodi yn perthyn iddo; a
 - (ii) rhaid i'r lleoedd ar y pwyllgor hwnnw gael eu dyrannu yn unol â gweithredu adrannau 29(3) i (7) o'r Ddeddf fel y'u haddaswyd yn unol â Rheol Sefydlog 17.8.
- 17.8 Mewn perthynas ag unrhyw le ar bwyllgor sydd i'w dyrannu yn unol ag adrannau 29(3) i (7) o'r Ddeddf:

- (i) os yw nifer yr Aelodau sy'n perthyn i ddau neu fwy o grwpiau gwleidyddol yr un fath a'i fod yn fwy na'r nifer sy'n perthyn i unrhyw grŵp gwleidyddol arall; neu
- (ii) os yw'r nifer a geir drwy ddefnyddio adran 29(6) o'r Ddeddf yr un fath ar gyfer dau neu fwy o grwpiau gwleidyddol a'i fod yn fwy na'r nifer a geir fel hyn ar gyfer unrhyw grŵp gwleidyddol arall,

rhaid i'r Llywydd benderfynu i ba grŵp gwleidyddol y mae'r lle hwnnw i'w ddyrannu.

17.9 Os yw'r lleoedd ar unrhyw bwyllgor i'w dyrannu i grŵp gwleidyddol yn unol â Rheol Sefydlog 17.3 neu 17.7, mater i'r grŵp gwleidyddol hwnnw yw pennu enwau:

- (i) yr Aelodau a ddyrennir o'r grŵp; a
- (ii) y cadeirydd, pan fydd y grŵp gwleidyddol hwnnw yn dal y gadair.

17.10 Rhaid i unrhyw gynnig o dan Reol Sefydlog 17.3 neu 17.7 (cyn belled ag y bo'n rhesymol ymarferol o roi sylw i gyfanswm y lleoedd ar bwyllgorau) sicrhau:

- (i) bod pob Aelod nad yw'n perthyn i grŵp gwleidyddol yn cael cynnig lle ar un pwyllgor o leiaf; a
- (ii) bod cyfanswm y lleoedd ar bwyllgorau a ddyrennir i Aelodau sy'n perthyn i bob grŵp gwleidyddol o leiaf yr un mor fawr â nifer yr Aelodau sy'n perthyn i'r grŵp gwleidyddol.

17.11 Mae swydd wag yn codi ar bwyllgor pan fydd Aelod:

- (i) yn ymddiswyddo o'r pwyllgor drwy hysbysu'r Pwyllgor Busnes;
- (ii) yn cael ei ddiswyddo o'r pwyllgor drwy benderfyniad gan y Cynulliad;
- (iii) yn peidio â bod yn Aelod; neu
- (iv) yn peidio â bod yn aelod o'r pwyllgor yn unol â Rheol Sefydlog 17.12.

17.12 Mae Aelod yn peidio â bod yn aelod o bwyllgor os yw'n ymuno â grŵp gwleidyddol neu'n ymadael ag ef.

17.13 Pan fydd swydd wag yn codi ar bwyllgor, mae'r Pwyllgor Busnes:

- (i) yn gorfod ystyried effaith y swydd wag honno ar aelodaeth y pwyllgor hwnnw ac unrhyw bwyllgor arall;

- (ii) o roi sylw i'r ystyriaeth honno, yn gorfod cyflwyno cynnig o dan Reol Sefydlog 17.3 i gynnig newid aelodaeth y pwyllgor y cododd y swydd wag arno; a
- (iii) o roi sylw i'r ystyriaeth honno, yn cael cyflwyno hefyd un neu fwy o gynigion o dan Reol Sefydlog 17.3 i gynnig newid aelodaeth unrhyw bwyllgor arall.

17.14 Os bydd grŵp gwleidyddol yn hysbysu'r Pwyllgor Busnes ei fod yn dymuno newid ei gynrychiolaeth ar bwyllgor, rhaid i'r Pwyllgor Busnes gyflwyno cynnig er mwyn gweithredu hynny.

17.15 Os llenwi'r swydd wag ag Aelod o'r un grŵp gwleidyddol yw unig effaith cynnig y cyfeirir ato yn Rheol Sefydlog 17.13(ii) neu 17.14, nid yw Rheol Sefydlog 17.6(ii) yn gymwys.

17.16 Rhaid i unrhyw gwestiwn sy'n codi o dan Reolau Sefydlog 17.6 a 17.10 gael ei benderfynu gan y Llywydd.

Is-bwyllgorau

17.17 Caiff unrhyw bwyllgor benderfynu sefydlu un neu fwy o is-bwyllgorau. Rhaid i benderfyniad i sefydlu is-bwyllgor nodi ei aelodaeth, ei gadeirydd, ei gylch gorchwyl a'i barhad.

17.18 Ni chaiff yr un is-bwyllgor gynnwys dim ond Aelodau o'r grŵp neu'r grwpiau gwleidyddol sydd â rôl weithredol, a rhaid i bob is-bwyllgor gynnwys o leiaf un Aelod o grŵp gwleidyddol sydd â rôl weithredol.

17.19 Rhaid i is-bwyllgor adrodd i'r pwyllgor a'i sefydlodd.

17.20 Mae is-bwyllgor yn cael ei reoleiddio, fel y bo'n briodol, gan y Rheolau Sefydlog sy'n ymwneud â'r pwyllgor y mae'n is-bwyllgor iddo.

Cadeiryddion

17.21 Rhaid i bob pwyllgor, yn ddarostyngedig i Reol Sefydlog 17.22, gael ei gadeirio gan yr Aelod a benodwyd i'r rôl honno yn unol â Rheolau Sefydlog 17.3, 17.7, 17.9 a 17.14.

17.22 Mae gan bob pwyllgor y pŵer i benodi cadeirydd dros dro yn absenoldeb ei gadeirydd.

17.23 Ac eithrio pan fydd Rheolau Sefydlog yn darparu fel arall, rhaid i gadeirydd pwyllgor benderfynu ar weithdrefnau'r pwyllgor, gan roi sylw i unrhyw ganllawiau ysgrifenedig y caiff y Llywydd eu cyhoeddi yn unol â Rheol Sefydlog 6.17.

17.24 O ran busnes is-bwyllgor, mae gan gadeirydd yr is-bwyllgor bwerau cadeirydd y pwyllgor y mae'n is-bwyllgor iddo.

Ymddygiad mewn Pwyllgorau

17.25 Rhaid i'r cadeirydd gadw trefn mewn cyfarfodydd pwyllgor a rhaid galw i drefn unrhyw Aelod:

- (i) sy'n ymddwyn mewn ffordd a fyddai, ym marn y cadeirydd, yn gyfystyr â thramgwydd troseddol neu ddirmyg llys;
- (ii) sy'n rhwystro busnes y Cynulliad;
- (iii) sy'n ceisio codi mater sydd y tu hwnt i gwmpas y mater sydd gerbron y pwyllgor;
- (iv) sy'n euog o ymddygiad anghwrtais neu amhriodol;
- (v) sy'n defnyddio iaith sy'n groes i'r drefn, iaith sy'n gwahaniaethu neu sy'n peri tramgwydd, neu iaith sy'n amharu ar urddas y Cynulliad;
- (vi) sy'n gwrthod cydymffurfio ag unrhyw Reol Sefydlog neu ag unrhyw ofyniad arall ynglŷn ag ymddygiad Aelodau; neu
- (vii) sy'n anwybyddu awdurdod y cadeirydd.

17.26 Rhaid i Aelod gydymffurfio ag unrhyw gyfarwyddiadau a roddir gan y cadeirydd ynghylch unrhyw ymddygiad sydd wedi peri ei alw i drefn.

17.27 Caiff y cadeirydd ei gwneud yn ofynnol i Aelod ymneilltuo o weddill y cyfarfod os yw'r cadeirydd o'r farn bod yr ymddygiad yn cyfiawnhau hynny. Os bydd Aelod yn gwrthod ymneilltuo pan ofynnir iddo wneud hynny, caiff y cadeirydd ohirio'r cyfarfod neu ei atal dros dro am gyfnod penodol a hysbysu'r Llywydd am y mater. Wedi sicrhau caniatâd y Llywydd ymlaen llaw, caiff unrhyw Aelod gyflwyno cynnig heb hysbysiad yn y cyfarfod llawn fel bod yr Aelod hwnnw'n cael ei wahardd o drafodion y Cynulliad am gyfnod yn unol â Rheol Sefydlog 13.13.

Sub Judice

17.28 Yn ddarostyngedig i hawl y Cynulliad i ddeddfu ar unrhyw fater neu i drafod is-ddeddfwriaeth, rhaid i Aelod beidio â chodi unrhyw fater na mynd ar drywydd unrhyw fater mewn cyfarfodydd pwyllgor sy'n ymwneud ag achosion sydd ar waith (fel y'u diffinnir yn Atodlen 1 i Ddeddf Dirmygu Llys 1981) neu pan fydd hysbysiad apêl wedi'i roi yn y Deyrnas Unedig, neu pan fydd Comisiynydd Plant Cymru, Comisiynydd Pobl Hŷn Cymru neu Ombwdsmon Gwasanaethau Cyhoeddus Cymru wedi penderfynu cynnal archwiliad o achos, a hynny tan yr adeg pan fydd dyfarniad wedi'i roi neu pan fydd adroddiad wedi'i wneud gan y naill Gomisiynydd neu'r llall neu'r Ombwdsmon, oni bai bod y cadeirydd yn fodlon:

- (i) bod gan y mater berthynas glir â mater o bwys cyhoeddus cyffredinol neu fod penderfyniad gweinidogol o dan sylw;

- (ii) nad yw'r mater yn ymwneud ag achos sydd i'w wrando, neu sy'n cael ei wrando, gerbron llys troseddau neu gerbron rheithgor neu ag achos sydd i'w wrando, neu sy'n cael ei wrando, mewn achos teuluol; a
- (iii) nad yw'r Aelod, yn ei sylwadau, yn creu risg real a sylweddol o ragfarnu achos llys, naill ai'n gyffredinol neu mewn perthynas ag achos penodol.

Cysylltiadau â'r Farnwriaeth

17.29 Oni bai bod y mater yn destun cynnig o sylwedd, rhaid i'r Aelodau beidio, mewn cyfarfodydd pwyllgor, â beirniadu ymddygiad barnwyr llysoedd y Deyrnas Unedig wrth iddynt gyflawni eu swyddogaeth farnwrol; (yn Rheol Sefydlog 17.29, mae "barnwr" yn cynnwys personau sy'n dal swydd barnwr, yn llawn amser neu'n rhan amser).

17.30 Rhaid i bwyllgorau beidio â thrafod penodiadau barnwrol unigol.

Cworwm

17.31 Rhaid datgan nad oes cworwm i gyfarfod pwyllgor os bydd llai na thri Aelod neu lai na thraean o nifer aelodau'r pwyllgor, pa un bynnag yw'r mwyaf, yn bresennol.

17.32 Rhaid datgan nad oes cworwm i gyfarfod pwyllgor os un grŵp gwleidyddol yn unig a gynrychiolir gan yr Aelodau sy'n bresennol ar ddechrau'r cyfarfod.

17.33 Wrth ddatgan nad oes cworwm i gyfarfod o dan Reol Sefydlog 17.31 neu 17.32, rhaid i'r cadeirydd, neu, yn absenoldeb y cadeirydd, rhaid i glerc y pwyllgor, atal y cyfarfod dros dro nes bod cworwm. Ond os nad oes cworwm o fewn 20 munud, bydd y cyfarfod yn parhau i fod wedi'i ohirio. Pan fydd yn rhesymol ac yn briodol gwneud hynny, caiff y cadeirydd, neu, yn absenoldeb y cadeirydd, glerc y pwyllgor, ohirio'r cyfarfod cyn y terfyn amser hwnnw os yw'n glir na fydd cworwm yn y pwyllgor o fewn yr amser hwnnw.

Pleidleisio

17.34 Os bydd pleidlais yn angenrheidiol er mwyn cwblhau'r busnes, rhaid i'r cadeirydd wahodd y pwyllgor i dderbyn y cynnig neu'r gwelliant. Os:

- (i) na fydd Aelod yn gwrthwynebu, bernir fod y cynnig neu'r gwelliant wedi'i dderbyn gan y pwyllgor; neu
- (ii) bydd unrhyw Aelod yn gwrthwynebu, rhaid cynnal pleidlais yn unol â'r ddarpariaeth yn Rheol Sefydlog 17.35.

17.35 Yn ddarostyngedig i Reol Sefydlog 17.34(i), pleidleisir mewn pwyllgorau drwy godi dwylo, a phan fydd unrhyw un o aelodau'r pwyllgor yn gofyn i'r pleidlais gael ei chofnodi, rhaid i enwau'r rhai sy'n pleidleisio (gan gynnwys y rhai sy'n ymatal) gael eu cofnodi yng nghofnodion trafodion y pwyllgor.

- 17.36 At ddibenion pleidleisio, caiff y cadeirydd gynnig grwpio'r pleidleisiau ar gynnigion neu welliannau fel eu bod yn destun un bleidlais. Os bydd unrhyw Aelod yn gwrthwynebu, rhaid cynnal pleidlais ar wahân ar gyfer pob cynnig a phob gwelliant.
- 17.37 Caiff cadeiryddion pwyllgorau bleidleisio. Os bydd nifer y pleidleisiau yn gyfartal, rhaid i'r cadeirydd ddyfarnu ynglŷn â chwblhau'r busnes yn unol â Rheol Sefydlog 6.20.
- 17.38 Ni fydd yr un bleidlais mewn unrhyw bwyllgor yn ddilys os bydd llai na thraean o'i aelodau wedi pleidleisio. Rhaid ystyried bod aelodau sy'n ymatal wedi pleidleisio.
- 17.39 Os nad yw pleidlais yn ddilys o dan Reol Sefydlog 17.38, rhaid i'r cadeirydd ohirio'r eitem o fusnes yr oedd yn rhan ohoni tan gyfarfod nesaf y pwyllgor.

Natur Agored y Pwyllgorau

- 17.40 Yn ddarostyngedig i Reol Sefydlog 17.42, rhaid i bwyllgorau gyfarfod yn gyhoeddus, a rhaid caniatáu mynediad ar gyfer darlledu cyfarfodydd cyhoeddus yn unol â'r trefniadau y bydd y Comisiwn yn cytuno arnynt.
- 17.41 O ran deunydd ysgrifenedig a gyflwynir i bwyllgor gan aelodau o'r cyhoedd mewn perthynas â thrafodion y pwyllgor, gan gynnwys tystiolaeth a gyflwynwyd neu ddogfennau a gynhyrchwyd mewn ymateb i wahoddiad o dan Reol Sefydlog 17.50, ac a gyhoeddir ar ran y pwyllgor, dylid ei ystyried yn ddeunydd a gyhoeddwyd:
- (i) o dan awdurdod y Cynulliad (at ddiben adran 42(1)(b) o'r Ddeddf Difenwi); a
 - (ii) at ddibenion trafodion y Cynulliad (at ddiben adran 43(1)(b) o'r Ddeddf Dirmygu Llys).
- 17.42 Caiff pwyllgor benderfynu gwahardd y cyhoedd o gyfarfod neu unrhyw ran o gyfarfod:
- (i) lle mae cysylltiadau rhyngwladol, diogelwch gwladol, ymchwiliad i anghyfreithlondeb honedig, effeithiolrwydd gwaith gorfodi'r gyfraith neu weinyddu cyfiawnder yn briodol yn ei gwneud yn ofynnol i'r trafodion gael eu cynnal yn breifat;
 - (ii) lle nad oes modd trafod eitem benodol o fusnes heb ddatgelu gwybodaeth bersonol am unigolion penodol sydd wedi'u hadnabod neu y gellir eu hadnabod ac na ddylid ei datgelu;
 - (iii) lle byddai trafod eitem benodol o fusnes yn gyhoeddus yn debyg o achosi niwed i fuddiannau masnachol neu economaidd;

- (iv) Lle byddai trafod eitem benodol o fusnes yn gyhoeddus yn debyg o achosi niwed i iechyd neu ddiogelwch unigolyn, y cyhoedd, neu'r amgylchedd;
- (v) Lle nad oes modd trafod eitem benodol o fusnes heb gyfeirio at ddeunydd a fyddai, yn ôl pob tebyg, yn cael ei ystyried yn ddeunydd sy'n difenwi unrhyw berson;
- (vi) Lle mae'r pwyllgor yn cyd-drafod cynnwys, casgliadau neu argymhellion adroddiad y mae'n bwriadu ei gyhoeddi; neu'n ymbaratoi i gael tystiolaeth gan unrhyw berson;
- (vii) Lle nad oes modd trafod eitem benodol o fusnes heb ddatgelu naill ai cyngor cyfreithiol a roddwyd yn gyfrinachol, neu wybodaeth a roddwyd yn gyfrinachol gan berson neu gorff (gan gynnwys awdurdod cyhoeddus) neu mewn gohebiaeth gyfrinachol ag ef nad oedd o dan unrhyw rwymedigaeth gyfreithiol i ddatgelu'r wybodaeth honno ac nad yw wedi cydsynio i'w datgelu i'r cyhoedd;
- (viii) Lle nad oes modd trafod eitem benodol o fusnes heb gyfeirio at ddogfen neu ddogfennau a gâi eu gwahardd neu eu hesemptio rhag cael eu datgelu o dan ddeddfwriaeth; neu
- (ix) Lle mae unrhyw fater sy'n ymwneud â busnes mewnol y pwyllgor, neu fusnes mewnol y Cynulliad, i gael ei drafod.

17.43 Rhaid i gynnig a wneir o dan Reol Sefydlog 17.42 nodi ar ba sail y mae'r Aelod sy'n ei wneud yn credu y dylai arwain at wahardd y cyhoedd.

17.44 Cyn belled ag y bo'n briodol o dan yr amgylchiadau ac yn rhesymol ymarferol, rhaid trefnu bod hysbysiadau ynglŷn â chynigion a dogfennau sy'n ymwneud â busnes y bwriedir ymdrin ag ef mewn unrhyw bwyllgor ar gael i holl aelodau'r pwyllgor hwnnw yn Gymraeg a Saesneg o leiaf ddau ddiwrnod gwaith cyn y cyfarfod y maent yn berthnasol iddo.

17.45 Caiff aelodau pwyllgorau a phersonau eraill sy'n annerch pwyllgorau, siarad Cymraeg neu Saesneg a rhaid bod cyfleusterau cyfieithu ar y pryd ar gael ar gyfer trafodion Cymraeg. Caiff personau heblaw Aelodau annerch pwyllgorau mewn ieithoedd eraill drwy gytuno ymlaen llaw gyda'r cadeirydd.

Cyfarfodydd

17.46 Ar ôl ymgynghori â'r Llywydd, caiff cadeirydd pwyllgor alw cyfarfod o'r pwyllgor mewn wythnos nad yw'n wythnos eistedd.

17.47 Caiff y cadeirydd ohirio cyfarfod neu atal y cyfarfod dros dro am gyfnod penodedig o dan unrhyw amgylchiad lle bydd y cadeirydd yn credu bod hynny'n briodol.

Dirprwyon mewn Cyfarfodydd

17.48 Caniateir i aelod o bwyllgor sydd wedi rhoi hysbysiad ymlaen llaw i'r cadeirydd gael ei gynrychioli mewn cyfarfod, neu ran o gyfarfod, gan Aelod arall o'r un grŵp gwleidyddol sydd wedi'i enwi ymlaen llaw. Caiff y cynrychiolydd a enwebwyd gymryd rhan yng nghyfarfod y pwyllgor ym mhob ffordd fel pe bai'n aelod ohono. Ni chaniateir i Aelod gynrychioli mwy nag un aelod o bwyllgor mewn cyfarfod.

Presenoldeb mewn Cyfarfodydd

17.49 Gyda chaniatâd y cadeirydd, caiff Aelodau nad ydynt yn aelodau o bwyllgor gymryd rhan mewn cyfarfod pwyllgor ond ni chânt bleidleisio.

17.50 Caiff pwyllgorau wahodd unrhyw berson i fod yn bresennol mewn cyfarfodydd er mwyn rhoi tystiolaeth, neu roi cyngor a chânt wahodd unrhyw berson neu gorff o'r fath i gyflwyno tystiolaeth a dangos dogfennau.

17.51 Yn ddarostyngedig i adrannau 38 a 40 o'r Ddeddf, caiff unrhyw bwyllgor arfer y pwerau yn adran 37 o'r Ddeddf, i'w gwneud yn ofynnol i bersonau fod yn bresennol yn eu trafodion neu ddangos dogfennau.

17.52 Caiff cadeiryddion ei gwneud yn ofynnol i berson y gofynnwyd iddo fod yn bresennol mewn pwyllgor dyngu llw (neu roi cadarnhad), sydd i'w weinyddu gan glerc y pwyllgor.

Cyfarfodydd â Phwyllgorau Eraill

17.53 Caiff pwyllgorau gydredeg â phwyllgorau eraill y Cynulliad.

17.54 Caiff pwyllgorau gydredeg ag unrhyw bwyllgor neu gyd-bwyllgor o unrhyw ddeddfwrfa yn y DU.

Cynghorwyr Pwyllgorau

17.55 Caiff pwyllgorau benodi cynghorwyr yn unol â chanllawiau a gyhoeddir gan y Comisiwn er mwyn iddynt roi cyngor arbenigol.

Adroddiadau Pwyllgorau

17.56 Caiff unrhyw bwyllgor gyflwyno adroddiad i'r Cynulliad ar faterion o fewn ei gylch gorchwyl.

RHEOL SEFYDLOG 18 – Y Pwyllgor Cyfrifon Cyhoeddus

Cyffredinol

18.1 Wrth gynnig cylchoedd gorchwyl pwyllgorau o dan Reol Sefydlog 16.2 neu 16.3, rhaid i'r Pwyllgor Busnes sicrhau bod pwyllgor (y cyfeirir ato fel "y Pwyllgor Cyfrifon Cyhoeddus" yn unol ag adran 30 o'r Ddeddf) sydd â chyfrifoldeb dros y swyddogaethau a ragnodir yn Rheol Sefydlog 18.

Swyddogaethau

18.2 Rhaid i'r Pwyllgor Cyfrifon Cyhoeddus ("y Pwyllgor"):

- (i) arfer y swyddogaethau a nodir ym mharagraff 12 o Atodlen 8 i'r Ddeddf ynglŷn â'r prif amcangyfrif o incwm a threuliau a gyflwynir gan yr Archwilydd Cyffredinol ar gyfer pob blwyddyn ariannol;
- (ii) ystyried unrhyw gynigion cyllideb atodol a gyflwynir o dan adran 126 o'r Ddeddf ac sy'n ceisio diwygio symiau a awdurdodwyd o'r blaen drwy benderfyniad cyllideb neu benderfyniad cyllideb atodol mewn perthynas â'r Archwilydd Cyffredinol;
- (iii) cyngori'r Cynulliad wrth iddo arfer ei swyddogaethau o dan baragraff 14 o Atodlen 8 i'r Ddeddf sy'n ymwneud â phenodi archwilydd cyfrifon yr Archwilydd Cyffredinol;
- (iv) cyflwyno sylwadau i'r Archwilydd Cyffredinol o dro i dro ar sut mae'r Archwilydd Cyffredinol yn arfer ei bwerau i gynnal ymchwiliadau i ddarbodaeth, effeithlonrwydd ac effeithiolrwydd; a
- (v) ystyried unrhyw ddefnydd ar adnoddau y tu hwnt i'r hyn a awdurdodwyd neu y bernir ei fod wedi'i awdurdodi ac a gofnodwyd yng nghyfrifon archwiliedig Gweinidogion Cymru, y Comisiwn, yr Archwilydd Cyffredinol neu'r Ombwdsmon, a chyflwyno adroddiad i'r Cynulliad ar y defnydd hwnnw, gan argymhell a ddylai'r Cynulliad awdurdodi'r gormodeddau yn ôl-weithredol drwy gyfrwng penderfyniad cyllideb atodol.

18.3 Caiff y Pwyllgor:

- (i) ystyried dogfennau a osodir gerbron y Cynulliad gan yr Archwilydd Cyffredinol neu gan archwilydd y swyddog hwnnw a chyflwyno adroddiadau i'r Cynulliad ar y dogfennau hynny yn unol ag adran 143(1) o'r Ddeddf;
- (ii) ystyried unrhyw ddogfen arall sy'n ymwneud â rheolaeth ariannol, cyfrifyddu ac archwilio mewn perthynas â gwariant cyhoeddus a chyflwyno adroddiad i'r Cynulliad ar y ddogfen honno;

- (iii) cymryd tystiolaeth a chyflwyno adroddiadau i Bwyllgor Cyfrifon Cyhoeddus Tŷ'r Cyffredin os bydd y Pwyllgor hwnnw yn gofyn iddo wneud hynny; a
- (iv) cynghori archwilydd yr Archwilydd Cyffredinol ar yr archwiliadau i'w cynnal o dan Baragraff 15(6) o Atodlen 8 i'r Ddeddf.

18.4 Wrth gyflawni ei gyfrifoldebau o dan Reol Sefydlog 18.3(i) neu 18.3(ii), rhaid i'r Pwyllgor beidio ag amau rhagoriaethau amcanion polisi y llywodraeth, nac amcanion polisi unrhyw gorff neu berson arall sy'n destun adroddiad y Pwyllgor.

Aelodaeth

- 18.5 Mae Rheolau Sefydlog 17.3 a 17.7 yn gymwys i'r Pwyllgor, ac eithrio bod yn rhaid iddo gynnwys o leiaf 5 aelod a dim mwy na 10 aelod ac na chaniateir i'r un person a bennir yn adran 30(3) o'r Ddeddf gael ei gynnig yn aelod o'r Pwyllgor.
- 18.6 Mae Rheol Sefydlog 17.21 yn gymwys i'r Pwyllgor, ac eithrio bod yn rhaid iddo beidio â chael ei gadeirio gan Aelod sy'n aelod o grŵp gwleidyddol a chanddo rôl weithredol.
- 18.7 Mae Rheol Sefydlog 17.48 yn gymwys i'r Pwyllgor, ac eithrio na chaniateir i'r un person a bennir yn adran 30(3) o'r Ddeddf gael ei enwebu yn gynrychiolydd.
- 18.8 Ni chaiff aelod o'r Pwyllgor gymryd rhan yn ystyriaeth y Pwyllgor ar unrhyw fater os oedd yr aelod ar yr adeg berthnasol yn aelod o'r llywodraeth.
- 18.9 Ni chaiff aelod o'r Pwyllgor gymryd rhan yn ystyriaeth y Pwyllgor ar unrhyw fater a oedd o fewn cyfrifoldeb Pwyllgor y Tŷ (fel yr oedd wedi'i gyfansoddi rhwng 18 Rhagfyr 2002 a 2 Mai 2007), neu sydd o fewn cyfrifoldeb y Comisiwn, os oedd yr aelod ar yr adeg berthnasol yn aelod o Bwyllgor y Tŷ neu o'r Comisiwn.

RHEOL SEFYDLOG 19 – Cyllid

Y Pwyllgor

- 19.1 Wrth gynnig cylchoedd gorchwyl pwyllgorau o dan Reol Sefydlog 16.2 neu 16.3, rhaid i'r Pwyllgor Busnes sicrhau bod pwyllgor (y cyfeirir ato yn Rheol Sefydlog 19 fel “y pwyllgor cyfrifol”) sy'n gyfrifol am y swyddogaethau a ragnodir yn Rheol Sefydlog 19.

Swyddogaethau

- 19.2 Rhaid i'r pwyllgor cyfrifol ystyried a chyflwyno adroddiad ar unrhyw adroddiad neu ddogfen arall a osodwyd gerbron y Cynulliad gan Weinidogion Cymru neu gan y Comisiwn ac sy'n cynnwys cynigion ar gyfer defnyddio adnoddau.
- 19.3 Caiff y pwyllgor cyfrifol hefyd ystyried a chyflwyno adroddiad ar unrhyw fater arall sy'n ymwneud â gwariant o Gronfa Gyfunol Cymru neu sy'n effeithio ar y gwariant hwnnw.
- 19.4 Mae cyfeiriad at ddefnyddio adnoddau yn gyfeiriad at eu gwario, eu defnyddio neu eu lleihau o ran eu gwerth ac mae'n cynnwys gwariant sy'n daladwy o Gronfa Gyfunol Cymru ac unrhyw wariant arall sy'n cael ei dalu o drethi, taliadau a ffynonellau refeniw eraill.

RHEOL SEFYDLOG 20 – Gweithdrefnau Cyllid

Cyffredinol

20.1 Ystyr cyfeiriadau at “y pwyllgor cyfrifol” yn Rheol Sefydlog 20 yw pwyllgor sydd â’r cyfrifoldeb dros y swyddogaethau a bennir yn Rheol Sefydlog 19.

Llywodraeth Cynulliad Cymru

20.2 Ym mhob blwyddyn, rhaid i’r Gweinidog sy’n gyfrifol am fusnes y llywodraeth hysbysu’r Pwyllgor Busnes am y canlynol:

- (i) erbyn pa ddyddiad y bydd un o Weinidogion Cymru yn gosod cyllideb ddrafft y llywodraeth, yn unol â Rheol Sefydlog 20.7; a
- (ii) erbyn pa ddyddiad y bydd un o Weinidogion Cymru yn cyflwyno’r cynnig cyllideb blynyddol yn unol â Rheol Sefydlog 20.25, a chan ystyried Rheol Sefydlog 20.5.

20.3 Rhaid i’r Gweinidog wneud yr hysbysiad sy’n ofynnol o dan Reol Sefydlog 20.2 o leiaf ddwy wythnos cyn toriad yr haf bob blwyddyn.

20.4 Ar ôl cael hysbysiad o dan Reol Sefydlog 20.2 ac ar ôl ymgynghori â’r pwyllgor cyfrifol, rhaid i’r Pwyllgor Busnes sefydlu a chyhoeddi amserlen ar gyfer ystyried y gyllideb, a rhaid iddi gynnwys:

- (i) y dyddiadau a hysbyswyd yn unol â Rheol Sefydlog 20.2;
- (ii) y dyddiad cau erbyn pryd y bydd yn rhaid i’r pwyllgor cyfrifol gyflwyno adroddiad i’r Cynulliad ar gyllideb ddrafft y llywodraeth.

20.5 Wrth bennu’r dyddiad cau o dan Reol Sefydlog 20.4(ii) neu 20.6, rhaid rhoi o leiaf pump wythnos i’r pwyllgor cyfrifol gyflwyno adroddiad ar gyllideb ddrafft y llywodraeth.

20.6 Ar gais y Gweinidog sy’n gyfrifol am fusnes y llywodraeth, caiff y Pwyllgor Busnes wneud newidiadau dilynol i’r amserlen a gyhoeddwyd o dan Reol Sefydlog 20.4, yn ddarostyngedig i Reol Sefydlog 20.5. Rhaid i’r Pwyllgor Busnes gyhoeddi’r amserlen ddiwygiedig.

20.7 Yn unol â Rheol Sefydlog 20.2 (neu Reol Sefydlog 20.6), rhaid i un o Weinidogion Cymru osod gerbron y Cynulliad gyllideb ddrafft sy’n nodi’r symiau o adnoddau ac arian parod y mae’r llywodraeth yn bwriadu eu defnyddio ar gyfer y flwyddyn ariannol ganlynol a darpar symiau ar gyfer y ddwy flynedd ddilynol neu ar gyfer unrhyw gyfnod arall sy’n briodol ym marn y Gweinidog.

20.8 Caiff un o Weinidogion Cymru wneud datganiad am y gyllideb ddrafft yn y cyfarfod llawn cyn gynted â phosibl ar ôl i’r gyllideb ddrafft gael ei gosod yn unol â Rheol Sefydlog 20.7.

- 20.9 Ni chaniateir gwneud cynnig yn y cyfarfod llawn mewn perthynas â chyllideb ddrafft y llywodraeth nes i'r dyddiad cau erbyn pryd y mae'n ofynnol i'r pwyllgor cyfrifol gyflwyno adroddiad ar y gyllideb ddrafft o dan Reol Sefydlog 20.4(ii) (neu Reol Sefydlog 20.6) fynd heibio,
- 20.10 Caiff unrhyw bwyllgor, ac eithrio'r pwyllgor cyfrifol, ystyried cyllideb ddrafft y llywodraeth a chyflwyno adroddiad arni i'r pwyllgor cyfrifol.
- 20.11 Caiff adroddiad y pwyllgor cyfrifol argymell newidiadau yn y symiau a gynigiwyd yn y gyllideb ddrafft ar yr amod na fyddai effaith net y newidiadau hynny'n cynyddu neu'n gostwng cyfansymiau'r adnoddau neu'r arian parod a gynigiwyd yng nghyllideb ddrafft y llywodraeth.
- 20.12 Yn unol â'r amserlen a sefydlwyd ac a gyhoeddwyd gan y Pwyllgor Busnes o dan Reol Sefydlog 20.4 neu 20.6, rhaid i'r Cynulliad ystyried cynnig a gyflwynwyd gan un o Weinidogion Cymru fod y Cynulliad yn nodi cyllideb ddrafft y llywodraeth. Dim ond ar yr amod na fyddai effaith net unrhyw newidiadau yn cynyddu neu'n gostwng cyfansymiau'r adnoddau neu'r arian parod a gynigiwyd yng nghyllideb ddrafft y llywodraeth y caniateir i unrhyw welliant gael ei gyflwyno i gynnig o'r fath.

Y Comisiwn

- 20.13 Heb fod yn hwyrach na 1 Hydref ym mhob blwyddyn ariannol, rhaid i un o aelodau'r Comisiwn osod gerbron y Cynulliad gyllideb ddrafft ar gyfer y Comisiwn sy'n nodi'r symiau o adnoddau ac arian parod y mae'r Comisiwn yn bwriadu eu defnyddio ar gyfer y flwyddyn ariannol ganlynol a darpar symiau ar gyfer y ddwy flynedd ddilynol neu ar gyfer unrhyw gyfnod arall y mae'r Comisiwn wedi cytuno arno gyda Gweinidogion Cymru.
- 20.14 Rhaid i'r pwyllgor cyfrifol ystyried cyllideb ddrafft y Comisiwn a chyflwyno adroddiad i'r Cynulliad amdani heb fod yn hwyrach na thair wythnos ar ôl iddi gael ei gosod gerbron y Cynulliad. Caiff adroddiad y pwyllgor cyfrifol argymell amrywiadau yn y symiau a gynigiwyd yn y gyllideb ddrafft ar yr amod na fyddai effaith net yr amrywiadau hynny'n cynyddu cyfansymiau'r adnoddau neu'r arian parod a gynigiwyd yng nghyllideb ddrafft y Comisiwn.
- 20.15 Rhaid i un o aelodau'r Comisiwn osod gerbron y Cynulliad gyllideb ar gyfer y Comisiwn. Ni chaniateir gosod y gyllideb tan ar ôl y dyddiad cau erbyn pryd y mae'n ofynnol i'r pwyllgor cyfrifol gyflwyno adroddiad ar gyllideb ddrafft y Comisiwn.
- 20.16 Rhaid i un o aelodau'r Comisiwn gyflwyno cynnig y dylid cytuno ar y gyllideb a osodir o dan Reol Sefydlog 20.15 a'i hymgorffori yn y cynnig cyllideb blynyddol o dan Reol Sefydlog 20.26(ii). Ni chaniateir cyflwyno gwelliant i'r cynnig a rhaid i'r cynnig gael ei drafod cyn pen pum diwrnod gwaith ar ôl iddo gael ei gyflwyno (heb gyfrif dyddiau gwaith mewn wythnos pan na fydd y Cynulliad yn eistedd).
- 20.17 Os na chytunir ar gyllideb derfynol y Comisiwn, rhaid i un o aelodau'r Comisiwn osod gerbron y Cynulliad gyllideb ddiwygiedig ar gyfer y Comisiwn, ynghyd â chynnig y dylid cytuno arni a'i hymgorffori yn y cynnig

cyllideb blynyddol o dan Reol Sefydlog 20.26(ii). Ni chaniateir cyflwyno gwelliant i'r cynnig a rhaid i'r cynnig gael ei drafod cyn pen pum diwrnod gwaith ar ôl iddo gael ei gyflwyno (heb gyfrif dyddiau gwaith mewn wythnos pan na fydd y Cynulliad yn eistedd).

- 20.18 Caniateir cyflwyno rhagor o gynigion o dan Reol Sefydlog 20.17 nes y ceir cytundeb ond ni chaniateir i'r Cynulliad ystyried cynnig o'r fath ar ôl 27 Tachwedd.
- 20.19 Os na chytunwyd ar gyllideb y Comisiwn erbyn 27 Tachwedd, mae cyllideb y Comisiwn sydd i'w hymgorffori yn y cynnig cyllideb blynyddol o dan Reol Sefydlog 20.26(ii) i gynnwys, ar gyfer pob gwasanaeth neu ddiben yr awdurdodwyd defnyddio adnoddau neu arian parod ar eu cyfer gan y Comisiwn yn y flwyddyn ariannol flaenorol, 95% o'r swm a awdurdodwyd felly.
- 20.20 Pan gynhelir Adolygiad o Wariant Llywodraeth Cynulliad Cymru neu Lywodraeth y DU, caiff aelod o'r Comisiwn, gyda chytundeb y Pwyllgor Busnes, ragnodi dyddiadau gwahanol i'r rhai a geir yn Rheol Sefydlog 20.13 erbyn pryd y mae'n rhaid iddo osod cyllideb ddrafft y Comisiwn, ac, yn dilyn hynny, y dyddiad y cyfeirir ato yn Rheolau Sefydlog 20.18 ac 20.19. Os bydd y Pwyllgor Busnes yn cytuno, rhaid iddo hysbysu'r Cynulliad drwy osod adroddiad.

Yr Archwilydd Cyffredinol

- 20.21 Rhaid i'r Archwilydd Cyffredinol gyflwyno'r amcangyfrif o incwm a gwariant sy'n ofynnol o dan baragraff 12 o Atodlen 8 i'r Ddeddf i'r Pwyllgor Cyfrifon Cyhoeddus cyn gynted ag y bo'n ymarferol ond heb fod yn hwyrach na 1 Tachwedd ym mhob blwyddyn ariannol beth bynnag.
- 20.22 Rhaid i'r Pwyllgor Cyfrifon Cyhoeddus ystyried yr amcangyfrif a'i osod gerbron y Cynulliad heb fod yn hwyrach na 22 Tachwedd, gydag unrhyw ddiwygiadau sy'n briodol ym marn y Pwyllgor, ar ôl iddo ymgynghori â'r Archwilydd Cyffredinol ac ystyried unrhyw sylwadau a gyflwynwyd ganddo.

Yr Ombwdsmon

- 20.23 Rhaid i'r Ombwdsmon gyflwyno'r amcangyfrif o incwm a gwariant sy'n ofynnol o dan baragraff 15 o Atodlen 1 i Ddeddf Ombwdsmon Gwasanaethau Cyhoeddus (Cymru) 2005 i'r pwyllgor cyfrifol cyn gynted ag y bo'n ymarferol ond heb fod yn hwyrach na 1 Tachwedd ym mhob blwyddyn ariannol beth bynnag.
- 20.24 Rhaid i'r pwyllgor cyfrifol ystyried yr amcangyfrif a'i osod gerbron y Cynulliad heb fod yn hwyrach na 22 Tachwedd, gydag unrhyw ddiwygiadau sy'n briodol ym marn y Pwyllgor, ar ôl iddo ymgynghori â'r Ombwdsmon ac ystyried unrhyw sylwadau a gyflwynwyd ganddo.

Cynigion Cyllideb Blynyddol

20.25 Rhaid i gynnig cyllideb blynyddol sy'n ofynnol o dan adran 125 o'r Ddeddf gael ei gyflwyno gan un o Weinidogion Cymru, yn unol â Rheol Sefydlog 20.2 (neu Reol Sefydlog 20.6).

20.26 Rhaid i gynnig cyllideb blynyddol ymgorffori:

- (i) cyllideb derfynol y llywodraeth;
- (ii) cyllideb derfynol y Comisiwn fel y cytunwyd arni gan y Cynulliad o dan Reol Sefydlog 20.16 neu 20.17, neu fel y'i pennwyd o dan Reol Sefydlog 20.19;
- (iii) amcangyfrif yr Archwilydd Cyffredinol, fel y'i gosodwyd gerbron y Cynulliad o dan Reol Sefydlog 20.22; a
- (iv) amcangyfrif yr Ombwdsmon, fel y'i gosodwyd gerbron y Cynulliad o dan Reol Sefydlog 20.24.

20.27 Caiff cynnig cyllideb blynyddol ymgorffori hefyd unrhyw gynnig ar gyfer penderfyniad sydd i'w wneud ar gyfer y flwyddyn ariannol berthnasol o dan adran 120(2)(a) o'r Ddeddf.

20.28 Rhaid i'r wybodaeth a gynhyrchir i ategu cynnig cyllideb blynyddol gynnwys y canlynol o leiaf:

- (i) y datganiad ysgrifenedig sy'n ofynnol o dan adran 125(3) o'r Ddeddf;
- (ii) yr adnoddau y cytunwyd arnynt gan y Trysorlys ar gyfer cyllideb y bloc Cymreig am y flwyddyn ariannol sydd o dan sylw yn y cynnig;
- (iii) cysoniad rhwng yr adnoddau a ddyrannwyd i gyllideb y bloc Cymreig gan y Trysorlys a'r adnoddau sydd i'w hawdurdodi i'w defnyddio yn y cynnig;
- (iv) cysoniad rhwng yr amcangyfrif o'r symiau sydd i'w talu i Gronfa Gyfunol Cymru gan yr Ysgrifennydd Gwladol a'r symiau sydd i'w hawdurdodi i'w talu o'r Gronfa yn y cynnig; a
- (v) cysoniad rhwng yr adnoddau sydd i'w hawdurdodi o dan adran 125(1)(a) a (b) o'r Ddeddf a'r symiau sydd i'w hawdurdodi i'w talu o Gronfa Gyfunol Cymru o dan adran 125(1)(c).

20.29 Dim ond un o Weinidogion Cymru a gaiff wneud cynnig cyllideb blynyddol. Ni chaniateir cyflwyno gwelliant i gynnig cyllideb blynyddol.

Cynigion Cyllideb Atodol

20.30 Caiff un o Weinidogion Cymru gyflwyno cynnig cyllideb atodol o dan adran 126 ar unrhyw adeg ar ôl i'r cynnig cyllideb blynyddol gael ei basio.

- 20.31 Rhaid i'r wybodaeth a ddarperir i ategu cynnig cyllideb atodol gynnwys unrhyw amrywiadau ar yr hyn a ddarparwyd yn unol â Rheol Sefydlog 20.28.
- 20.32 Os yw'r cynnig cyllideb atodol yn cynnig amrywio cyllideb y Comisiwn, rhaid i aelod o'r Comisiwn osod memorandwm esboniadol yn nodi pam mae angen yr amrywiad.
- 20.33 Ni chaniateir i gynnig cyllideb atodol a gyflwynir o dan Reol Sefydlog 20.30 gael ei wneud naill ai:
- (i) nes bod y pwyllgor cyfrifol wedi cyflwyno adroddiad ar y cynnig; neu
 - (ii) nes bod tair wythnos wedi mynd heibio ar ôl iddo gael ei gyflwyno, os nad yw'r pwyllgor cyfrifol wedi cyflwyno adroddiad ar y cynnig.
- 20.34 Caiff adroddiad y pwyllgor cyfrifol argymhell newidiadau yn y symiau a gynigiwyd yn y cynnig cyllideb atodol ar yr amod na fyddai effaith net yr amrywiadau hynny'n cynyddu neu'n gostwng cyfansymiau'r adnoddau neu'r arian parod a gynigiwyd yn y cynnig cyllideb atodol.
- 20.35 Os yw'r cynnig cyllideb atodol yn cynnig amrywio cyllideb yr Archwilydd Cyffredinol:
- (i) rhaid i'r Archwilydd Cyffredinol ddarparu memorandwm esboniadol i'r Pwyllgor Cyfrifon Cyhoeddus yn nodi pam mae angen amrywio'r gyllideb;
 - (ii) caiff y pwyllgor Cyfrifon Cyhoeddus gyflwyno adroddiad ar yr amrywiad arfaethedig o fewn tair wythnos ar ôl i'r cynnig cyllideb atodol gael ei gyflwyno. Caiff yr adroddiad gynnig unrhyw ddiwygiadau i'r amrywiad arfaethedig sy'n briodol ym marn y Pwyllgor Cyfrifon Cyhoeddus, ar ôl iddo ymgynghori â'r Archwilydd Cyffredinol ac ystyried unrhyw sylwadau a wnaed ganddo.
- 20.36 Os yw'r cynnig cyllideb atodol yn cynnig amrywio cyllideb yr Ombwdsmon:
- (i) rhaid i'r Ombwdsmon ddarparu memorandwm esboniadol i'r pwyllgor cyfrifol yn nodi pam mae angen amrywio'r gyllideb;
 - (ii) caiff y pwyllgor cyfrifol gyflwyno gerbron y Cynulliad adroddiad ar yr amrywiad arfaethedig o fewn tair wythnos ar ôl i'r cynnig cyllideb atodol gael ei gyflwyno. Caiff yr adroddiad gynnig unrhyw ddiwygiadau i'r amrywiad arfaethedig sy'n briodol ym marn y Pwyllgor Cyllid, ar ôl iddo ymgynghori â'r Ombwdsmon ac ystyried unrhyw sylwadau a wnaed ganddo.

20.37 Dim ond un o Weinidogion Cymru sy'n cael gwneud cynnig cyllideb atodol. Ni chaniateir i welliannau gael eu cyflwyno na'u cynnig ac eithrio gan un o Weinidogion Cymru.

Defnyddio Gormod o Adnoddau

20.38 Mae Rheol Sefydlog 20.39 yn gymwys os bydd cyfrifon archwiliedig y Comisiwn, yr Archwilydd Cyffredinol neu'r Ombwdsmon ar gyfer unrhyw flwyddyn ariannol yn cofnodi bod gormod o adnoddau wedi'u defnyddio o gymharu â'r symiau a awdurdodwyd neu y barnwyd o dan y Ddeddf eu bod wedi'u hawdurdodi gan benderfyniadau cyllideb y Cynulliad.

20.39 Os bydd y Comisiwn, yr Archwilydd Cyffredinol neu'r Ombwdsmon yn gofyn iddo wneud hynny, rhaid i un o Weinidogion Cymru gyflwyno cynnig cyllideb atodol yn gofyn am awdurdodiad ôl-weithredol ar gyfer gormodeddau a gofnodwyd yng nghyfrifon archwiliedig y person hwnnw.

20.40 Ni chaniateir i gynnig cyllideb atodol a gyflwynir o dan Reol Sefydlog 20.39 gael ei wneud naill ai:

- (i) nes bod y Pwyllgor Cyfrifon Cyhoeddus wedi cyflwyno adroddiad ar y cynnig; neu
- (ii) nes bod chwe mis wedi mynd heibio ar ôl iddo gael ei gyflwyno, os nad yw'r Pwyllgor Cyfrifon Cyhoeddus wedi cyflwyno adroddiad ar y cynnig.

20.41 Nid yw Rheolau Sefydlog 20.30 i 20.36 yn gymwys i gynigion a gyflwynir o dan Reol Sefydlog 20.39.

RHEOL SEFYDLOG 21 – Materion Cyfansoddiadol a Deddfwriaethol

Y Pwyllgor neu Bwyllgorau

21.1 Wrth gynnig cylchoedd gorchwyl pwyllgorau o dan Reol Sefydlog 16.2 neu 16.3, rhaid i'r Pwyllgor Busnes sicrhau bod y cyfrifoldeb dros y swyddogaethau a ragnodir yn Rheol Sefydlog 21 yn cael ei aseinio i bwyllgor neu bwyllgorau (y cyfeirir ato neu atynt yn Rheol Sefydlog 21 fel "pwyllgor cyfrifol").

Swyddogaethau

21.2 Rhaid i bwyllgor cyfrifol ystyried pob offeryn statudol neu offeryn statudol drafft y mae unrhyw ddeddfiad yn ei gwneud yn ofynnol iddo gael ei osod gerbron y Cynulliad a chyflwyno adroddiad ar a ddylai'r Cynulliad roi sylw arbennig i'r offeryn neu'r drafft ar unrhyw un o'r seiliau canlynol:

- (i) ei bod yn ymddangos bod amheuaeth a yw *intra vires*;
- (ii) ei bod yn ymddangos ei fod yn gwneud defnydd anarferol neu annisgwyl ar y pwerau a roddwyd gan y deddfiad y mae wedi'i wneud neu y mae i'w wneud odano;
- (iii) bod y deddfiad sy'n rhoi'r pŵer i'w wneud yn cynnwys darpariaethau penodol sy'n ei eithrio rhag cael ei herio yn y llysoedd;
- (iv) ei bod yn ymddangos bod iddo effaith ôl-weithredol lle nad yw'r deddfiad sy'n ei awdurdodi yn rhoi awdurdod pendant ar gyfer hyn;
- (v) bod angen eglurhad pellach ynglŷn â'i ffurf neu ei ystyr am unrhyw reswm penodol;
- (vi) ei bod yn ymddangos bod gwaith drafftio'r offeryn neu'r drafft yn ddifffygiol neu ei fod yn methu â bodloni gofynion statudol;
- (vii) ei bod yn ymddangos bod anghysondebau rhwng ystyr testun Cymraeg a thestun Saesneg yr offeryn neu'r drafft;
- (viii) bod yr offeryn neu'r drafft yn defnyddio iaith ryw-benodol;
- (ix) nad yw wedi'i wneud neu i'w wneud yn Gymraeg ac yn Saesneg;
- (x) ei bod yn ymddangos bod oedi na ellir ei gyfiawnhau wedi bod wrth ei gyhoeddi neu wrth ei osod gerbron y Cynulliad; neu
- (xi) ei bod yn ymddangos bod oedi na ellir ei gyfiawnhau wedi bod wrth anfon hysbysiad o dan adran 4(1) o Ddeddf Offerynnau Statudol 1946, (fel y'i haddaswyd).

21.3 Caiff pwyllgor cyfrifol ystyried a chyflwyno adroddiad ar a ddylai'r Cynulliad roi sylw arbennig i unrhyw offeryn statudol neu offeryn statudol drafft y

mae unrhyw ddeddfiad yn ei gwneud yn ofynnol iddo gael ei osod gerbron y Cynulliad ar unrhyw un o'r seiliau canlynol:

- (i) ei fod yn codi tâl ar Gronfa Gyfunol Cymru neu ei fod yn cynnwys darpariaethau sy'n ei gwneud yn ofynnol i daliadau gael eu gwneud i'r Gronfa honno neu i unrhyw ran o'r llywodraeth neu i unrhyw awdurdod lleol neu gyhoeddus yn gydnabyddiaeth am unrhyw drwydded neu gydsyniad neu am unrhyw wasanaethau sydd i'w rhoi, neu ei fod yn rhagnodi swm unrhyw dâl neu daliad o'r fath;
- (ii) ei fod o bwysigrwydd gwleidyddol neu gyfreithiol neu ei fod yn codi materion polisi cyhoeddus sy'n debyg o fod o ddiddordeb i'r Cynulliad;
- (iii) ei fod yn amhriodol oherwydd newid yn yr amgylchiadau ers i'r deddfiad y mae wedi'i wneud neu y mae i'w wneud odano gael ei basio neu ei wneud ei hun;
- (iv) ei fod yn rhoi deddfwriaeth yr Undeb Ewropeaidd ar waith yn amhriodol; neu
- (v) nad yw'n gwireddu ei amcanion polisi yn berffaith.

21.4 Rhaid i bwyllgor cyfrifol gyflwyno unrhyw adroddiad o dan Reol Sefydlog 21.2 neu 21.3 mewn perthynas ag unrhyw offeryn statudol neu offeryn statudol drafft heb fod yn fwy nag 20 diwrnod ar ôl i'r offeryn neu'r drafft gael ei osod.

21.5 Wrth gyfrifo unrhyw gyfnod o ddyddiau at ddibenion Rheol Sefydlog 21.4, rhaid peidio â chymryd i ystyriaeth unrhyw amser pryd y bydd y Cynulliad wedi'i ddiddymu neu ar doriad am fwy na 4 diwrnod.

21.6 Nid yw Rheolau Sefydlog 21.2 a 21.3 yn gymwys i Orchmynion Cymhwysedd Deddfwriaethol arfaethedig na drafft o dan Reol Sefydlog 25 nac i is-ddeddfwriaeth sy'n ddarostyngedig i Weithdrefn Cynulliad Arbennig o dan Reol Sefydlog 28.

21.7 Caiff pwyllgor cyfrifol ystyried y canlynol a chyflwyno adroddiadau arnynt:

- (i) unrhyw is-ddeddfwriaeth arall a osodir gerbron y Cynulliad ac eithrio is-ddeddfwriaeth sy'n ddarostyngedig i Weithdrefn Cynulliad Arbennig o dan Reol Sefydlog 28;
- (ii) pa mor briodol yw darpariaethau mewn Mesurau Cynulliad arfaethedig ac mewn Biliau ar gyfer Deddfau Senedd y Deyrnas Unedig sy'n rhoi pwerau i wneud is-ddeddfwriaeth i Weinidogion Cymru, Prif Weinidog Cymru neu'r Cwnsler Cyffredinol;
- (iii) canlyniadau gorchmynion drafft o dan Ran 1 o Ddeddf Diwygio Deddfwriaeth a Rheoliadau 2006 ar gyfer deddfwriaeth sy'n ddarostyngedig i ystyriaeth yn y Cynulliad;

- (iv) defnydd Gweinidogion Cymru ar bwerau cychwyn;
- (v) unrhyw fater deddfwriaethol gyffredinol ei natur sy'n ymwneud â chymhwysedd y Cynulliad neu gymhwysedd Gweinidogion Cymru; neu
- (vi) deddfwriaeth ddrafft sy'n destun ymgynghoriad.

- 21.8 Caiff pwyllgor cyfrifol ystyried deddfwriaeth ddrafft yr Undeb Ewropeaidd sy'n ymwneud â materion o fewn cymhwysedd deddfwriaethol y Cynulliad neu â swyddogaethau Gweinidogion Cymru a'r Cwnsler Cyffredinol er mwyn ystyried a yw'n cydymffurfio ag egwyddor sybsidiaredd.
- 21.9 Os bydd pwyllgor cyfrifol yn credu nad yw deddfwriaeth ddrafft yr Undeb Ewropeaidd yn cydymffurfio ag egwyddor sybsidiaredd, caiff wneud sylwadau ysgrifenedig, ar ran y Cynulliad, i bwyllgor perthnasol Tŷ'r Cyffredin neu Dŷ'r Arglwyddi, a hynny er mwyn cynnwys y sylwadau hynny mewn resymedig i'w chyflwyno gan y pwyllgor hwnnw i awdurdodau perthnasol yr Undeb Ewropeaidd.
- 21.10 Os bydd pwyllgor cyfrifol yn gwneud sylwadau ysgrifenedig yn unol â Rheol Sefydlog 21.9, rhaid iddo osod copi o'r sylwadau ysgrifenedig hynny gerbron y Cynulliad.
- 21.11 Caiff pwyllgor cyfrifol, at ddiben galluogi arfer ei swyddogaethau o dan Reol Sefydlog 21.9 yn ystod unrhyw wythnos pan na fydd y Cynulliad yn cwrdd, ddirprwyo'r swyddogaethau hynny i gadeirydd y pwyllgor cyfrifol, a rhaid i'r cadeirydd hwnnw, os caiff y swyddogaethau hynny eu harfer, hysbysu'r pwyllgor cyfrifol am y ffaith honno cyn gynted â phosibl.

RHEOL SEFYDLOG 22 – Safonau Ymddygiad

Y Pwyllgor

22.1 Wrth gynnig cylchoedd gorchwyl pwyllgorau o dan Reol Sefydlog 16.2 neu 16.3, rhaid i'r Pwyllgor Busnes sicrhau bod pwyllgor (y cyfeirir ato yn Rheol Sefydlog 22 fel "y pwyllgor cyfrifol") sydd â chyfrifoldeb dros y swyddogaethau a bennir yn Rheol Sefydlog 22.

Swyddogaethau

22.2 Rhaid i'r pwyllgor cyfrifol:

- (i) mewn perthynas ag unrhyw gŵyn a gyfeirir ato gan y Comisiynydd Safonau bod Aelod heb gydymffurfio:
 - (a) â Rheol Sefydlog 2;
 - (b) ag unrhyw benderfyniad gan y Cynulliad ynglŷn â buddiannau ariannol neu fuddiannau eraill yr Aelodau;
 - (c) â Rheol Sefydlog 5;
 - (ch) ag unrhyw benderfyniad gan y Cynulliad ynglŷn â safonau ymddygiad yr Aelodau;
 - (d) ag unrhyw god neu brotocol a wnaed o dan Reol Sefydlog 1.10 ac yn unol ag adran 36(6) o'r Ddeddf;
 - (dd) â Rheol Sefydlog 3; neu
 - (e) â Rheol Sefydlog 4;

ymchwilio i'r gŵyn, cyflwyno adroddiad arni ac, os yw'n briodol, argymhell camau mewn perthynas â hi;

- (ii) ystyried unrhyw faterion o egwyddor ynglŷn ag ymddygiad yr Aelodau yn gyffredinol;
- (iii) goruchwyllo'r trefniadau ar gyfer llunio Cofrestr Buddiannau'r Aelodau, y Cofnod o Gyflogaeth Aelodau'r Teulu Gyda Chymorth Arian y Comisiwn, y Cofnod o Amser y bydd Aelodau yn Ymwneud â Gweithgarwch Cofrestradwy a'r Cofnod o Aelodaeth o Gymdeithasau, a ffurf a chynnwys y Gofrestr a'r Cofnodion, a'r trefniadau ar gyfer cadw'r Gofrestr a'r Cofnodion a sicrhau eu bod yn hygyrch;
- (iv) sefydlu a gosod gerbron y Cynulliad weithdrefnau ar gyfer ymchwilio i gŵynion o dan Reol Sefydlog 22.2(i).

Aelodaeth

- 22.3 Rhaid i'r Llywydd beidio â bod yn aelod o'r pwyllgor cyfrifol, ond mae gan y Llywydd hawl i gyflwyno papurau iddo, er mwyn tynnu sylw'r Pwyllgor at unrhyw ystyriaethau y mae'r Llywydd yn credu eu bod yn briodol.
- 22.4 Yn ddarostyngedig i Reol Sefydlog 22.5, ni chaniateir i Reol Sefydlog 17.48 fod yn gymwys i'r pwyllgor cyfrifol.
- 22.5 Os bydd aelod o'r pwyllgor cyfrifol yn destun cwyn o dan Reol Sefydlog 22.2(i), ni chaiff gymryd rhan yn ystyriaeth y pwyllgor cyfrifol ar y gŵyn. O dan amgylchiadau o'r fath, ac mewn perthynas â'r ystyriaeth ar y gŵyn o dan sylw yn unig, caiff Aelod arall o'r un grŵp gwleidyddol, sydd wedi'i enwebu ymlaen llaw gan y grŵp hwnnw, gymryd lle'r aelod hwnnw. Caiff yr Aelod a enwebwyd gymryd rhan yng nghyfarfodydd y pwyllgor cyfrifol i ystyried y gŵyn fel pe bai'n aelod o'r Pwyllgor. Ni chaiff Aelod gymryd lle mwy nag un aelod o'r pwyllgor cyfrifol mewn cyfarfod.

Cyfarfodydd

- 22.6 Rhaid i'r pwyllgor cyfrifol gyfarfod cyn gynted â phosibl ar ôl i gŵyn gael ei chyfeirio ato gan y Comisiynydd Safonau; ac ar adegau eraill fel y bydd y cadeirydd yn ei gynnull.
- 22.7 Caiff y pwyllgor cyfrifol gyfarfod yn gyhoeddus neu'n breifat, ond wrth ystyried cwyn, rhaid i'r Pwyllgor gyfarfod yn breifat oni bai ei fod yn penderfynu fel arall.
- 22.8 Rhaid caniatáu i unrhyw Aelod sy'n destun ymchwiliad gan y pwyllgor cyfrifol gyflwyno sylwadau i'r Pwyllgor ar lafar neu mewn ysgrifen a chaniateir i'r Aelod gael cwmni person arall mewn gwrandawiau llafar (a gaiff gymryd rhan yn y trafodion gyda chaniatâd y cadeirydd, ond ni chaiff bleidleisio).

Adroddiadau

- 22.9 Os yw'r pwyllgor cyfrifol wedi ymchwilio i gŵyn a gyfeiriwyd ato gan y Comisiynydd Safonau, rhaid iddo gyflwyno adroddiad i'r Cynulliad cyn gynted â phosibl ar ôl cwblhau'r ymchwiliad.
- 22.10 Caiff adroddiad o dan Reol Sefydlog 22.9 gynnwys argymhelliad i geryddu Aelod am fethu â chydymffurfio ag unrhyw un o'r materion a gynhwysir yn Rheol Sefydlog 22.2(i).
- 22.11 Os caiff cynnig i ystyried adroddiad o dan Reol Sefydlog 22.9 ei gyflwyno gan aelod o'r pwyllgor cyfrifol, rhaid trefnu bod amser ar gael cyn gynted â phosibl i'r cynnig gael ei drafod. Ni chaniateir cyflwyno gwelliant i gynnig o'r fath.

RHEOL SEFYDLOG 23 – Deisebau'r Cyhoedd

Y Pwyllgor neu Bwyllgorau

23.1 Wrth gynnig cylchoedd gorchwyl pwyllgorau o dan Reol Sefydlog 16.2 neu 16.3, rhaid i'r Pwyllgor Busnes sicrhau bod y cyfrifoldeb dros y swyddogaethau a bennir yn Rheol Sefydlog 23 yn cael ei aseinio i bwyllgor neu bwyllgorau (y cyfeirir ato neu atynt yn Rheol Sefydlog 23 fel "pwyllgor cyfrifol").

Ffurf Deisebau

23.2 Rhaid i ddeiseb nodi'n glir:

- (i) enw'r deisebydd, a gaiff fod yn berson unigol (heblaw Aelod), yn gorff corfforaethol neu'n gymdeithas anghorfforedig o bersonau;
- (ii) cyfeiriad y deisebydd y dylai pob gohebiaeth ynghylch y ddeiseb gael ei hanfon iddo; a
- (iii) enwau a chyfeiriadau unrhyw berson sy'n cefnogi'r ddeiseb.

23.3 Rhaid i'r Llywydd benderfynu ar briod ffurf deisebau a rhaid iddo gyhoeddi ei benderfyniadau.

Derbyniadwyedd Deisebau

23.4 Nid yw deiseb yn dderbyniadwy:

- (i) os yw'n cynnwys llai na 10 llofnod;
- (ii) os yw'n methu â chydymffurfio â Rheol Sefydlog 23.2 neu os nad yw yn y briod ffurf mewn ffordd arall;
- (iii) os yw'n cynnwys iaith sy'n peri tramgwydd;
- (iv) os yw'n gofyn i'r Cynulliad wneud unrhyw beth y mae'n eglur nad oes gan y Cynulliad bŵer i'w wneud; neu
- (v) os yw yr un fath, neu i raddau helaeth yr un fath, â deiseb a gaewyd lai na blwyddyn yn gynt.

23.5 Nid yw Rheol Sefydlog 23.4(i) yn gymwys os yw'r deisebydd yn gorff corfforaethol neu'n gymdeithas anghorfforedig o bersonau.

23.6 Rhaid i'r Llywydd ystyried a phenderfynu mewn anghydfod a yw deiseb yn dderbyniadwy a rhaid iddo hysbysu'r deisebydd, cyn gynted ag y bo'n rhesymol ymarferol, am ei benderfyniad a'r rhesymau drosto.

23.7 Rhaid i'r Llywydd gyhoeddi cofrestr o'r penderfyniadau a wnaed o dan Reol Sefydlog 23.6.

Gweithredu ar Ddeiseb

23.8 Os yw deiseb yn dderbyniadwy, rhaid i'r Llywydd gyfeirio'r ddeiseb honno at bwyllgor cyfrifol.

23.9 Rhaid i'r pwyllgor cyfrifol:

- (i) cyfeirio'r ddeiseb at y llywodraeth, unrhyw un arall o bwyllgorau'r Cynulliad neu unrhyw berson neu gorff arall iddynt hwythau gymryd unrhyw gamau y credant eu bod yn briodol;
- (ii) cyflwyno adroddiad i'r Cynulliad; neu
- (iii) cymryd unrhyw gamau eraill y mae'r pwyllgor yn credu eu bod yn briodol.

23.10 Rhaid i'r pwyllgor cyfrifol hysbysu'r deisebydd am unrhyw gamau a gymerwyd o dan Reol Sefydlog 23.9.

Cau Deisebau

23.11 Caiff pwyllgor cyfrifol gau deiseb ar unrhyw adeg.

23.12 Pan fydd pwyllgor cyfrifol yn cau deiseb, rhaid iddo hysbysu'r deisebydd fod y ddeiseb wedi'i chau a'i hysbysu am y rhesymau dros ei chau.

RHEOL SEFYDLOG 24 – Diffiniad o Aelod sy'n Gyfrifol am Ddeddfwriaeth

Cyffredinol

24.1 Mae Rheol Sefydlog 24 yn rhoi diffiniad o “Aelod sy'n gyfrifol” am eitem o ddeddfwriaeth.

24.2 Yn Rheol Sefydlog 24, ystyr “deddfwriaeth” yw

- (i) Gorchmynion arfaethedig o dan Reol Sefydlog 25;
- (ii) Gorchmynion drafft o dan Reol Sefydlog 25;
- (iii) Mesurau arfaethedig o dan Reol Sefydlog 26.

Deddfwriaeth Llywodraeth

24.3 Cyfeirir at ddeddfwriaeth a osodir neu a gyflwynir gan aelod o'r llywodraeth fel “deddfwriaeth llywodraeth”.

24.4 Yr Aelod sy'n gyfrifol am eitem o ddeddfwriaeth llywodraeth yw:

- (i) yr aelod o'r llywodraeth a osododd neu a gyflwynodd y ddeddfwriaeth (neu, yn achos Gorchymyn drafft, yr aelod o'r llywodraeth a gyflwynodd y Gorchymyn arfaethedig y mae'r Gorchymyn drafft yn ymwneud ag ef);
- (ii) aelod o'r llywodraeth sydd wedi'i awdurdodi gan Brif Weinidog Cymru;
- (iii) aelod o'r llywodraeth sydd wedi'i awdurdodi yn rhinwedd Rheol Sefydlog 24.9 neu 24.16.

24.5 Ni chaiff Aelod sy'n peidio â bod yn aelod o'r llywodraeth barhau yn Aelod sy'n gyfrifol am ddeddfwriaeth llywodraeth.

Deddfwriaeth Pwyllgor

24.6 Cyfeirir at ddeddfwriaeth a osodir neu a gyflwynir gan bwyllgor fel “deddfwriaeth pwyllgor”.

24.7 Yr Aelod sy'n gyfrifol am eitem o ddeddfwriaeth pwyllgor yw:

- (i) yr aelod o'r pwyllgor sydd wedi'i awdurdodi gan y pwyllgor a osododd neu a gyflwynodd y ddeddfwriaeth (neu, yn achos Gorchymyn drafft, yr aelod o'r pwyllgor sydd wedi'i awdurdodi gan y pwyllgor a gyflwynodd y Gorchymyn arfaethedig y mae'r Gorchymyn drafft yn ymwneud ag ef); neu
- (ii) os nad yw'r pwyllgor hwnnw yn bodoli mwyach a bod y Pwyllgor Busnes wedi pennu pwyllgor arall i fod yn gyfrifol am yr eitem honno o ddeddfwriaeth pwyllgor, aelod o'r pwyllgor arall hwnnw sydd wedi'i awdurdodi gan y pwyllgor arall hwnnw.

- 24.8 Nid yw awdurdodiad o dan Reol Sefydlog 24.7(i) na (ii) mewn grym mwyach os yw'r Aelod a awdurdodwyd felly yn peidio â bod yn aelod o'r pwyllgor.
- 24.9 Caiff pwyllgor, gyda chytundeb y llywodraeth, drosglwyddo eitem o ddeddfwriaeth pwyllgor i aelod o'r llywodraeth sydd wedi'i awdurdodi gan Brif Weinidog Cymru, ond dim ond â chytundeb (drwy benderfyniad unfrydol y sawl sy'n pleidleisio) y pwyllgor y cyfeirir ato yn Rheol Sefydlog 24.7(i) neu, os nad yw'r pwyllgor hwnnw'n bodoli mwyach, y pwyllgor a bennwyd gan y Pwyllgor Busnes o dan Reol Sefydlog 24.7(ii).
- 24.10 Pan fydd pwyllgor yn trosglwyddo eitem o ddeddfwriaeth pwyllgor i aelod o'r llywodraeth (yn unol â Rheol Sefydlog 24.9), mae'r eitem honno i'w hystyried, o hynny allan, fel eitem o ddeddfwriaeth llywodraeth.

Deddfwriaeth Comisiwn

- 24.11 Cyfeirir at ddeddfwriaeth a osodir neu a gyflwynir gan y Comisiwn fel "deddfwriaeth y Comisiwn".
- 24.12 Yr Aelod sy'n gyfrifol am eitem o ddeddfwriaeth Comisiwn yw'r aelod o'r Comisiwn sydd wedi'i awdurdodi gan y Comisiwn.
- 24.13 Nid yw awdurdodiad o dan Reol Sefydlog 24.12 mewn grym mwyach os yw'r Aelod a awdurdodwyd felly yn peidio â bod yn aelod o'r Comisiwn.

Deddfwriaeth Aelod

- 24.14 Cyfeirir at ddeddfwriaeth, nad yw naill ai'n ddeddfwriaeth llywodraeth, yn ddeddfwriaeth pwyllgor nac yn ddeddfwriaeth Comisiwn, fel "deddfwriaeth Aelod".
- 24.15 Yr Aelod sy'n gyfrifol am eitem o ddeddfwriaeth Aelod yw:
- (i) yr Aelod a osododd neu a gyflwynodd y ddeddfwriaeth, neu a gafodd cytundeb i gyflwyno neu osod y ddeddfwriaeth o dan Reol Sefydlog 25.30 neu Reol Sefydlog 26.91 (neu, yn achos Gorchymyn drafft, yr Aelod a gyflwynodd y Gorchymyn arfaethedig y mae'r Gorchymyn drafft yn ymwneud ag ef);
 - (ii) Aelod arall sydd wedi'i awdurdodi gan yr Aelod o dan Reol Sefydlog 24.15(i), drwy gyfrwng datganiad i'r perwyl hwnnw a osodwyd gan yr Aelod hwnnw; neu
 - (iii) os na wneir awdurdodiad o'r fath, unrhyw Aelod sydd wedi'i awdurdodi gan y Cynulliad.
- 24.16 Caiff Aelod drosglwyddo eitem o ddeddfwriaeth Aelod i aelod o'r llywodraeth sydd wedi'i awdurdodi gan Brif Weinidog Cymru, drwy gyfrwng datganiad i'r perwyl hwnnw a osodwyd gan yr Aelod hwnnw.

24.17 Pan fydd Aelod yn trosglwyddo eitem o ddeddfwriaeth Aelod i Aelod o'r llywodraeth (yn unol â Rheol Sefydlog 24.16), mae'r eitem honno i'w chyfrif, o hynny allan, fel eitem o ddeddfwriaeth llywodraeth.

RHEOL SEFYDLOG 25 – Gorchmynion Cymhwysedd Deddfwriaethol

Cyffredinol

- 25.1 Mae Rheol Sefydlog 25 yn gymwys i Orchmynion yn y Cyfrin Gyngor o fewn ystyr adran 95 o'r Ddeddf yn unig.
- 25.2 Mae "Gorchymyn arfaethedig" yn gynnig ar gyfer Gorchymyn yn y Cyfrin Gyngor sydd i fod yn destun gwaith craffu o dan Reolau Sefydlog 25.4 i 25.11.
- 25.3 Mae "Gorchymyn drafft" yn Orchymyn drafft yn y Cyfrin Gyngor sydd i fod yn destun cymeradwyaeth y Cynulliad o dan Reol Sefydlog 25.15.

Ffurf Gorchmynion Arfaethedig a Sut i'w Gosod

- 25.4 Yn ddarostyngedig i Reolau Sefydlog 25.25 i 25.34, caniateir i Orchymyn arfaethedig gael ei osod ar unrhyw ddiwrnod gwaith yn ystod wythnos eistedd.
- 25.5 Ar yr un pryd ag y bydd yr Aelod sy'n gyfrifol yn gosod Gorchymyn arfaethedig o dan Reol Sefydlog 25.4, rhaid iddo osod Memorandwm Esboniadol hefyd.
- 25.6 Rhaid peidio â gosod Gorchymyn arfaethedig oni bai ei fod ar y ffurf briodol yn unol ag unrhyw benderfyniadau a wnaed gan y Llywydd.

Ystyriaeth Fanwl ar Orchymyn Arfaethedig

- 25.7 Rhaid i'r Pwyllgor Busnes naill ai:
 - (i) cyfeirio'r Gorchymyn arfaethedig i gael ei ystyried yn fanwl at bwyllgor cyfrifol sydd i'w sefydlu yn unol â Rheol Sefydlog 16.1 (y cyfeirir ato yn Rheol Sefydlog 25 fel "y pwyllgor cyfrifol"); neu
 - (ii) cynnig yn y cyfarfod llawn na ddylid cael ystyriaeth fanwl ar y Gorchymyn arfaethedig.
- 25.8 Rhaid i'r pwyllgor cyfrifol ystyried y Gorchymyn arfaethedig a chyflwyno adroddiad arno.
- 25.9 Rhaid i'r Pwyllgor Busnes sefydlu a chyhoeddi amserlen ar gyfer ystyriaeth y pwyllgor cyfrifol ar Orchymyn arfaethedig a chaiff wneud newidiadau wedyn yn yr amserlen honno fel y gwêl yn dda ond rhaid iddo roi rhesymau dros y newidiadau hynny.
- 25.10 Os derbynnir cynnig o dan Reol Sefydlog 25.7(ii), caiff yr Aelod sy'n gyfrifol am Orchymyn arfaethedig gyflwyno Gorchymyn drafft, sydd ym marn y Llywydd, yn cyfeirio at y Gorchymyn arfaethedig, o dan Reol Sefydlog 25.12.
- 25.11 Os gwneir cynnig o dan Reol Sefydlog 25.7(ii) ond y'i gwrthodir, rhaid i'r Pwyllgor Busnes gyfeirio'r Gorchymyn arfaethedig i gael ei ystyried yn fanwl

at bwyllgor cyfrifol sydd i'w sefydlu yn unol â Rheol Sefydlog 16.1 (y cyfeirir ato yn Rheol Sefydlog 25 fel "y pwyllgor cyfrifol").

Cyflwyno Gorchymyn Drafft

25.12 Caniateir i Orchymyn drafft gael ei gyflwyno drwy gael ei osod ar ddiwrnod gwaith yn ystod wythnos eistedd, ar yr amod:

- (i) bod y Gorchymyn drafft yn cael ei gyflwyno yn unol â Rheol Sefydlog 25.10;
- (ii) bod pwyllgor wedi cyflwyno adroddiad ar Orchymyn arfaethedig y mae'r Gorchymyn drafft yn ymwneud ag ef yn unol â Rheol Sefydlog 25.8; neu
- (iii) nad oes pwyllgor wedi cyflwyno adroddiad felly o fewn yr amserlen a osodwyd gan y Pwyllgor Busnes yn unol â Rheol Sefydlog 25.9.

Y Memorandwm Esboniadol i Gyd-fynd â Gorchymyn Drafft

25.13 Ar yr un pryd ag y bydd yr Aelod sy'n gyfrifol amdano yn cyflwyno Gorchymyn drafft, rhaid gosod Memorandwm Esboniadol.

25.14 Rhaid i'r Memorandwm Esboniadol gynnwys:

- (i) esboniad o sut yr ystyriwyd yr argymhellion a wnaed gan unrhyw bwyllgor yn y Cynulliad, unrhyw bwyllgor yn Nhŷ'r Cyffredin neu Dŷ'r Arglwyddi, neu unrhyw gyd-bwyllgor rhwng dau Dŷ Senedd San Steffan; a
- (ii) y rhesymau am unrhyw wahaniaethau arwyddocaol rhwng y Gorchymyn drafft a'r Gorchymyn arfaethedig y mae'n ymwneud ag ef.

Yr Ystyriaeth Derfynol

25.15 Heb fod yn hwyrach na 40 diwrnod gwaith ar ôl i Orchymyn drafft gael ei gyflwyno, rhaid i'r Cynulliad ystyried cynnig gan yr Aelod sy'n gyfrifol amdano y dylai'r Gorchymyn drafft gael ei gymeradwyo.

25.16 Caiff cynnig a wneir o dan Reol Sefydlog 25.15 ei ystyried heb fod yn gynharach na deg diwrnod gwaith ar ôl i'r Gorchymyn drafft gael ei gyflwyno (heb gyfrif dyddiau gwaith mewn wythnos pan na fydd y Cynulliad yn eistedd), oni bai bod y Pwyllgor Busnes yn cytuno fel arall ar ôl ymgynghori â'r pwyllgor cyfrifol.

25.17 Ni chaniateir cyflwyno gwelliant i gynnig o dan Reol Sefydlog 25.15:

- (i) os na fyddai'n glir ar sail penderfyniad gan y Cynulliad i gymeradwyo'r cynnig fel y'i diwygiwyd gan welliant o'r fath fod y Cynulliad wedi cymeradwyo'r Gorchymyn drafft; neu

(ii) os yw'n ceisio diwygio'r Gorchymyn drafft.

25.18 Ni chaniateir gwneud gwelliannau i Orchymyn drafft.

Cyhoeddi Hysbysiad Gwrthod

25.19 Cyn gynted ag y bo'n rhesymol ymarferol, rhaid i'r Llywydd gyhoeddi unrhyw hysbysiad a osodir yn unol ag adran 95(8) o'r Ddeddf.

Tynnu Gorchymyn Arfaethedig neu Orchymyn Drafft yn ôl

25.20 Caniateir i Orchymyn arfaethedig neu Orchymyn drafft gael ei dynnu'n ôl ar unrhyw adeg gan yr Aelod sy'n gyfrifol amdano, ac eithrio yn achos Gorchymyn arfaethedig pwyllgor neu Orchymyn drafft pwyllgor, pryd y mae'n rhaid yn gyntaf i'r Aelod sy'n gyfrifol amdano sicrhau cytundeb (drwy benderfyniad unfrydol y sawl sy'n pleidleisio) y pwyllgor cyn tynnu'r Gorchymyn yn ôl.

Gorchymyn Arfaethedig neu Orchymyn Drafft yn Methu

25.21 Mae Gorchymyn arfaethedig neu Orchymyn drafft yn methu pan gaiff y Cynulliad ei ddiddymu.

25.22 Bydd cymeradwyaeth i osod Gorchymyn arfaethedig yn unol â Rheol Sefydlog 25.30 yn peidio â bod pan gaiff y Cynulliad ei ddiddymu.

25.23 Mae Gorchymyn arfaethedig yn methu os yw'r Gorchymyn drafft y mae'n ymwneud ag ef yn methu neu'n cael ei gymeradwyo.

25.24 Mae Gorchymyn drafft yn methu os na chaiff ei gymeradwyo gan y Cynulliad.

Gorchmynion Arfaethedig Pwyllgor a Gorchmynion Drafft Pwyllgor

25.25 Caiff unrhyw bwyllgor:

- (i) gosod Gorchymyn arfaethedig pwyllgor sy'n ymwneud â'i gylch gorchwyl; neu
- (ii) yn ddarostyngedig i Reol Sefydlog 25.12, gyflwyno Gorchymyn drafft sy'n ymwneud â'i gylch gorchwyl.

Gorchmynion Arfaethedig Aelod a Gorchmynion Drafft Aelod

25.26 Mae Rheolau Sefydlog 25.27 i 25.34 yn gymwys i Orchmynion arfaethedig Aelod a Gorchmynion drafft Aelod yn unig.

25.27 O dro i dro rhaid i'r Llywydd gynnal balot i benderfynu ar enw Aelod, ac eithrio aelod o'r llywodraeth, a gaiff ofyn cytundeb i osod Gorchymyn arfaethedig Aelod o dan Reol Sefydlog 25.30.

- 25.28 Rhaid i'r Llywydd gynnwys yn y balot enwau'r holl Aelodau hynny sydd wedi gwneud cais am gael eu cynnwys ac sydd wedi darparu Gorchymyn arfaethedig amlinellol a Memorandwm Esboniadol.
- 25.29 Ni chaiff Aelod sydd wedi cael cytundeb i osod Gorchymyn arfaethedig o'r blaen yn y Cynulliad hwnnw wneud cais i gael ei gynnwys yn y balot.
- 25.30 O fewn 25 diwrnod gwaith i ddyddiad y balot, caiff Aelod sy'n llwyddo mewn balot gyflwyno cynnig bod y Cynulliad yn cytuno y caiff yr Aelod gyflwyno Gorchymyn arfaethedig, a hynny er mwyn rhoi'r Gorchymyn arfaethedig amlinellol y mae'n ymwneud ag ef ar waith, a Memorandwm Esboniadol.
- 25.31 Ni chaniateir gwneud gwelliannau i gynnig o dan Reol Sefydlog 25.30.
- 25.32 Rhaid trefnu bod amser ar gael i drafod cynnig a gyflwynir o dan Reol Sefydlog 25.30 o fewn 35 diwrnod gwaith i ddyddiad y balot (a hynny heb gyfrif dyddiau gwaith mewn wythnos pan na fydd y Cynulliad yn eistedd).
- 25.33 Oni dderbynnir cynnig o dan Reol Sefydlog 25.30, rhaid peidio â chymryd dim rhagor o drafodion ar y Gorchymyn arfaethedig.
- 25.34 Os gwrthodir cynnig o dan Reol Sefydlog 25.30, ni chaiff Aelod ymuno ag unrhyw falot a gynhelir o dan Reol Sefydlog 25.27 am gyfnod o chwe mis ar ôl gwrthod y cynnig os yw'r Gorchymyn arfaethedig y mae'n bwriadu ei osod, ym marn y Llywydd, yn ceisio rhoi yr un cymhwysedd deddfwriaethol, neu yr un cymhwysedd deddfwriaethol i raddau helaeth, â'r Gorchymyn arfaethedig y cyfeiriwyd ato yn y cynnig a wrthodwyd.

RHEOL SEFYDLOG 26 – Mesurau Cynulliad

Ffurf Mesurau Arfaethedig a Sut i'w Cyflwyno

- 26.1 Yn ddarostyngedig i Reolau Sefydlog 26.80 i 26.94 caniateir i Fesur arfaethedig gael ei gyflwyno ar ddiwrnod gwaith mewn wythnos eistedd.
- 26.2 Rhaid i Fesur arfaethedig gael ei gyflwyno drwy gael ei osod.
- 26.3 Rhaid peidio â gosod Mesur arfaethedig oni bai ei fod ar y ffurf briodol yn unol ag unrhyw benderfyniadau a wnaed gan y Llywydd.
- 26.4 Pan gyflwynir Mesur arfaethedig, rhaid cael datganiad Cymraeg a Saesneg gan y Llywydd i gyd-fynd ag ef a rhaid i'r datganiad hwnnw:
- (i) nodi a fyddai darpariaethau'r Mesur arfaethedig, ym marn y Llywydd, o fewn cymhwysedd deddfwriaethol y Cynulliad; a
 - (ii) nodi unrhyw ddarpariaethau na fyddent, ym marn y Llywydd, o fewn cymhwysedd deddfwriaethol y Cynulliad a'r rhesymau dros y farn honno.
- 26.5 Rhaid i Fesur arfaethedig gael ei gyflwyno yn Gymraeg a Saesneg ac eithrio yn yr achosion canlynol:
- (i) os yw'r Aelod sy'n gyfrifol amdano yn datgan mewn ysgrifen, mewn perthynas â Mesur arfaethedig llywodraeth, na fyddai, am resymau penodedig, yn briodol o dan yr amgylchiadau neu yn rhesymol ymarferol i'r Mesur gael ei gyflwyno yn y ddwy iaith; neu
 - (ii) os nad yw gwneud hynny yn cyd-fynd â phenderfyniadau a gyhoeddwyd gan y Llywydd o dan Reol Sefydlog 26.3.

Dogfennau i Gyd-fynd â Mesur Arfaethedig

- 26.6 Ar yr un pryd ag y bydd yr Aelod sy'n gyfrifol yn cyflwyno Mesur arfaethedig, rhaid iddo osod Memorandwm Esboniadol y mae'n rhaid iddo:
- (i) datgan y byddai darpariaethau'r Mesur arfaethedig, ym marn yr Aelod, o fewn cymhwysedd deddfwriaethol y Cynulliad;
 - (ii) nodi amcanion polisi y Mesur arfaethedig;
 - (iii) nodi a gafodd ffyrdd eraill o wireddu'r amcanion polisi eu hystyried ac, os felly, pam y cafodd yr ymagwedd a gymerir yn y Mesur arfaethedig ei mabwysiadu;
 - (iv) nodi'r ymgynghori a gafwyd, os cafwyd unrhyw ymgynghori o gwbl, ar y canlynol:
 - (a) amcanion polisi y Mesur arfaethedig a'r ffyrdd o'u gwireddu; a

- (b) manylion y Mesur arfaethedig,
 - ynghyd â chrynodeb o ddeilliant yr ymgynghori hwnnw;
- (v) crynhoi yn wrthrychol yr hyn y bwriedir i bob un o ddarpariaethau'r Mesur arfaethedig ei wneud (i'r graddau y mae angen esbonio hynny neu y mae angen cyflwyno sylwadau ar hynny) a rhoi'r wybodaeth arall sy'n angenrheidiol i esbonio effaith y Mesur arfaethedig;
- (vi) nodi'r amcangyfrifon gorau o'r canlynol:
 - (a) y costau gweinyddol gros, y costau cydymffurfio gros a'r costau gros eraill y byddai darpariaethau'r Mesur arfaethedig yn arwain atynt;
 - (b) dros ba gyfnodau amser y disgwylid i'r costau hynny godi; ac
 - (c) ar bwy y byddai'r costau'n syrthio;
- (vii) os yw'r Mesur arfaethedig yn cynnwys unrhyw ddarpariaeth sy'n rhoi pŵer i wneud is-ddeddfwriaeth, nodi mewn perthynas â phob darpariaeth o'r fath:
 - (a) y person neu'r corff y rhoddir y pŵer iddo ac ym mha fodd y mae'r pŵer i gael ei arfer;
 - (b) pam y bernir ei bod yn briodol dirprwyo'r pŵer; ac
 - (c) y weithdrefn Cynulliad (os oes un) y mae'r is-ddeddfwriaeth a wnaed neu sydd i'w gwneud wrth arfer y pŵer i ddod odani, a pham y barnwyd ei bod yn briodol ei gosod o dan y weithdrefn honno (ac nid ei gosod o dan unrhyw weithdrefn arall); ac
- (viii) os yw'r Mesur arfaethedig yn cynnwys unrhyw ddarpariaeth sy'n codi gwariant ar Gronfa Gyfunol Cymru, ymgorffori adroddiad gan yr Archwilydd Cyffredinol sy'n nodi ei farn ef ar a yw'r tâl yn briodol neu beidio.

Yr Amserlen ar gyfer Ystyried Mesur Arfaethedig

- 26.7 Rhaid i'r Pwyllgor Busnes sefydlu a chyhoeddi amserlen ar gyfer ystyried Mesur arfaethedig, ac eithrio unrhyw gyfnod a gymerir yn y cyfarfod llawn (y mae'n rhaid ei drefnu o dan ddarpariaethau Rheolau Sefydlog 11.12 neu 11.7(ii), yn ôl fel y digwydd).
- 26.8 Caiff y Pwyllgor Busnes wneud unrhyw newidiadau dilynol mewn amserlen a sefydlwyd o dan Reol Sefydlog 26.7 ag y gwêl yn dda ond rhaid iddo roi rhesymau dros y newidiadau hynny.

Cyfnod 1: Ystyried yr Egwyddorion Cyffredinol

- 26.9 Pan fydd Mesur arfaethedig wedi'i gyflwyno, rhaid i'r Pwyllgor Busnes benderfynu a ddylid cyfeirio'r ystyriaeth ar yr egwyddorion cyffredinol at bwyllgor cyfrifol (y cyfeirir ato yn Rheol Sefydlog 26 fel "y pwyllgor cyfrifol") a sefydlwyd o dan Reol Sefydlog 16.1 neu beidio.
- 26.10 Os bydd y Pwyllgor Busnes yn cytuno o dan Reol Sefydlog 26.9 i gyfeirio'r Mesur arfaethedig at bwyllgor cyfrifol, rhaid i'r pwyllgor cyfrifol hwnnw ystyried egwyddorion cyffredinol y Mesur arfaethedig a chyflwyno adroddiad arnynt.
- 26.11 Heb fod yn gynharach na phum diwrnod gwaith ar ôl naill ai:
- (i) i bwyllgor cyfrifol gyflwyno adroddiad ar egwyddorion cyffredinol y Mesur; neu
 - (ii) y dyddiad cau erbyn pryd y mae'n ofynnol i'r pwyllgor cyfrifol gyflwyno adroddiad,
- caiff yr Aelod sy'n gyfrifol am y Mesur arfaethedig gynnig y dylai'r Cynulliad gytuno ar egwyddorion cyffredinol y Mesur arfaethedig.
- 26.12 Os bydd y Pwyllgor Busnes yn penderfynu peidio â chyfeirio'r ystyriaeth ar yr egwyddorion cyffredinol at bwyllgor cyfrifol, caiff yr Aelod sy'n gyfrifol amdano gynnig y dylai'r Cynulliad gytuno ar egwyddorion cyffredinol y Mesur arfaethedig.
- 26.13 Os bydd y Cynulliad yn cytuno ar egwyddorion cyffredinol y Mesur arfaethedig o dan Reolau Sefydlog 26.11, 26.12, 26.83 neu 26.102, mae'r Mesur arfaethedig yn symud ymlaen i Gyfnod 2.
- 26.14 Os na fydd y Cynulliad yn cytuno ar egwyddorion cyffredinol y Mesur arfaethedig o dan Reolau Sefydlog 26.11, 26.12, 26.83 neu 26.102, mae'r Mesur arfaethedig yn methu.
- 26.15 Mae Cyfnod 1 ar ben pan gytunir ar egwyddorion cyffredinol y Mesur arfaethedig neu pan fydd y Mesur arfaethedig yn methu o dan Gyfnod 1.

Cyfnod 2: Ystyriaeth Fanwl y Pwyllgor

- 26.16 Mae Cyfnod 2 yn dechrau ar y diwrnod gwaith cyntaf ar ôl i Gyfnod 1 ddod i ben.
- 26.17 Rhaid i 15 diwrnod gwaith o leiaf fynd heibio rhwng dechrau Cyfnod 2 a dyddiad cyfarfod cyntaf y bydd y pwyllgor cyfrifol yn ystyried gwelliannau i'r Mesur arfaethedig.
- 26.18 Os yw'r Cynulliad wedi cytuno ar egwyddorion cyffredinol y Mesur arfaethedig, rhaid i'r Pwyllgor Busnes:

- (i) cyfeirio'r Mesur arfaethedig yn ôl at y pwyllgor cyfrifol ar gyfer trafodion Cyfnod 2;
- (ii) cyfeirio'r Mesur arfaethedig at bwyllgor cyfrifol ar gyfer trafodion Cyfnod 2 os cytunodd y Pwyllgor Busnes o dan Reol Sefydlog 26.9 i beidio â chyfeirio'r ystyriaeth ar yr egwyddorion cyffredinol at bwyllgor cyfrifol; neu
- (iii) cynnig, drwy gyfrwng cynnig yn y cyfarfod llawn, y dylai trafodion Cyfnod 2 gael eu hystyried gan Bwyllgor o'r Cynulliad cyfan i'w gadeirio gan y Llywydd. Dim ond er mwyn arfer pleidlais fwrw yn unol â Rheol Sefydlog 6.20 y caniateir i'r Llywydd neu'r Dirprwy bleidleisio mewn trafodion o'r fath.

26.19 Caniateir i Fesur arfaethedig gael ei ddiwygio yn nhrefodion Cyfnod 2.

26.20 Caniateir i welliannau i'w hystyried yn nhrefodion Cyfnod 2 gael eu cyflwyno gan unrhyw Aelod o'r diwrnod cyntaf y bydd Cyfnod 2 yn dechrau.

26.21 Mae'r gwelliannau i'w gwaredu yn y drefn y mae'r adrannau a'r atodlenni y maent yn cyfeirio atynt yn codi yn y Mesur arfaethedig, oni bai bod y pwyllgor sy'n ystyried trafodion Cyfnod 2 wedi penderfynu fel arall.

26.22 Dim ond Aelod sy'n aelod o'r pwyllgor sy'n ystyried trafodion Cyfnod 2 a gaiff gymryd rhan yn y trafodion hynny er mwyn:

- (i) cynnig gwelliant neu ofyn am gytundeb i dynnu gwelliant yn ôl; neu
- (ii) pleidleisio.

26.23 Caniateir i welliant, a gyflwynir gan Aelod nad yw'n aelod o'r pwyllgor sy'n ystyried trafodion Cyfnod 2, gael ei gynnis gan aelod o'r pwyllgor.

26.24 Os cyflwynir gwelliant i adran o'r Mesur arfaethedig neu atodlen iddo, pan fydd y gwelliant olaf i'r adran neu'r atodlen honno wedi'i waredu, rhaid barnu bod y pwyllgor wedi cytuno ar yr adran neu'r atodlen honno fel y'i diwygiwyd at ddibenion trafodion Cyfnod 2.

26.25 Os na chyflwynir gwelliant i adran o'r Mesur arfaethedig neu atodlen iddo, bernir bod y pwyllgor wedi cytuno ar yr adran neu'r atodlen honno at ddibenion trafodion Cyfnod 2.

26.26 Mae Cyfnod 2 ar ben pan fydd y gwelliant olaf wedi'i gwblhau neu pan fernir bod yr adran neu'r atodlen olaf wedi'i chytuno, pa un bynnag yw'r olaf.

26.27 Os caiff Mesur arfaethedig ei ddiwygio yn nhrefodion Cyfnod 2 i fewnosod adran neu atodlen, neu i newid yn sylweddol ar unrhyw ddarpariaeth bresennol, caiff y pwyllgor sy'n ystyried trafodion Cyfnod 2 ofyn i'r Aelod sy'n gyfrifol amdano baratoi Memorandwm Esboniadol diwygiedig.

26.28 Rhaid i unrhyw Femorandwm Esboniadol diwygiedig y gofynnir amdano o dan Reol Sefydlog 26.27 gael ei osod o leiaf bum diwrnod gwaith cyn dyddiad cyfarfod cyntaf y Cynulliad sy'n ystyried trafodion Cyfnod 3.

Cyfnod 3: Ystyriaeth Fanwl gan y Cynulliad

26.29 Mae Cyfnod 3 yn dechrau ar y diwrnod gwaith cyntaf ar ôl i Gyfnod 2 ddod i ben.

26.30 Rhaid i 15 diwrnod gwaith o leiaf fynd heibio rhwng dechrau Cyfnod 3 a dyddiad cyfarfod cyntaf y Cynulliad sy'n ystyried trafodion Cyfnod 3.

26.31 Rhaid i drafodion Cyfnod 3 ar Fesur arfaethedig gael eu hystyried gan y Cynulliad mewn cyfarfod llawn.

26.32 Caniateir i Fesur arfaethedig gael ei ddiwygio yn nhrefodion Cyfnod 3.

26.33 Caniateir i welliannau i'w hystyried yn nhrefodion Cyfnod 3 gael eu cyflwyno gan unrhyw Aelod o'r diwrnod cyntaf y bydd Cyfnod 3 yn dechrau.

26.34 Caiff y Llywydd ddethol y gwelliannau hynny yr ymdrinnir â hwy yn nhrefodion Cyfnod 3.

26.35 O dan amgylchiadau eithriadol, caiff y Llywydd dderbyn gwelliant yn nhrefodion Cyfnod 3 y rhoddyd llai o hysbysiad ohono na'r hyn sy'n ofynnol o dan Reol Sefydlog 26.59. Cyfeirir at welliant o'r fath fel "gwelliant hwyr".

26.36 Mae'r gwelliannau i gael eu gwaredu yn y drefn y mae'r adrannau a'r atodlenni y maent yn cyfeirio atynt yn codi yn y Mesur arfaethedig, oni bai bod y Cynulliad wedi penderfynu fel arall drwy gynnig gan y Gweinidog sy'n gyfrifol am fusnes y llywodraeth neu'r Pwyllgor Busnes (yn unol â Rheolau Sefydlog 11.12 neu 11.7(ii) yn ôl fel y digwydd).

26.37 Drwy gynnig gan y Gweinidog sy'n gyfrifol am fusnes y llywodraeth neu gan y Pwyllgor Busnes (yn unol â Rheolau Sefydlog 11.12 neu 11.7(ii) yn ôl fel y digwydd), caiff y Cynulliad gytuno ar un neu fwy o derfynau amser sydd i fod yn gymwys mewn dadleuon ar welliannau (fel y maent wedi'u grwpio gan y Llywydd).

26.38 Os derbynnir cynnig o dan Reol Sefydlog 26.37, rhaid i'r dadleuon ar y grwpiau hynny o welliannau gael eu gorffen erbyn y terfynau amser a bennwyd yn y cynnig, ac eithrio i'r graddau y mae'r Llywydd yn barnu eu bod yn angenrheidiol:

- (i) am fod peidio â chynnig gwelliant wedi arwain at newid trefn trafod y grwpiau; neu
- (ii) i atal unrhyw ddadl ar grŵp o welliannau sydd eisoes wedi dechrau pan gyrhaeddir y terfyn amser rhag cael ei chwtdogi'n afresymol.

- 26.39 Pan fydd yr holl welliannau a ddetholwyd yng Nghyfnod 3 wedi'u gwaredu, caiff yr Aelod sy'n gyfrifol, neu unrhyw aelod o'r llywodraeth, heb hysbysiad, gynnig bod y Cynulliad yn ystyried rhagor o welliannau mewn trafodion Cyfnod 3 pellach. Ni chaniateir trafod cynnig o'r fath na'i ddiwygio.
- 26.40 Os derbynnir cynnig o dan Reol Sefydlog 26.39, caiff yr Aelod sy'n gyfrifol am y Mesur arfaethedig, neu unrhyw aelod o'r llywodraeth, gyflwyno gwelliannau i'r Mesur arfaethedig i'w cynnig yn y trafodion Cyfnod 3 pellach.
- 26.41 Yn ychwanegol at feini prawf Rheol Sefydlog 26.61, dim ond os ydynt wedi'u bwriadu i egluro darpariaeth mewn Mesur arfaethedig (gan gynnwys sicrhau cysondeb rhwng y testun Cymraeg a'r testun Saesneg) neu i weithredu ymrwymadau a roddwyd yn nhrefodion cynharach Cyfnod 3 y mae gwelliannau o dan Reol Sefydlog 26.40 yn dderbyniadwy.
- 26.42 Os cyflwynir gwelliant i adran o'r Mesur arfaethedig neu atodlen iddo, pan fydd y gwelliant olaf i'r adran neu'r atodlen honno wedi'i waredu, rhaid barnu bod y Cynulliad wedi derbyn yr adran neu'r atodlen honno fel y'i diwygiwyd at ddibenion trafodion Cyfnod 3.
- 26.43 Os na chyflwynir gwelliant i adran o'r Mesur arfaethedig neu atodlen iddo, bernir bod y Cynulliad wedi derbyn yr adran neu'r atodlen honno at ddibenion trafodion Cyfnod 3.
- 26.44 Mae Cyfnod 3 ar ben pan fydd y gwelliant olaf wedi'i waredu neu pan fernir bod yr adran neu'r atodlen olaf wedi'i derbyn, pa un bynnag yw'r olaf.

Y Cyfnod Adrodd

- 26.45 Unwaith y bydd Cyfnod 3 ar ben yn unol â Rheol Sefydlog 26.44, caiff yr Aelod sy'n gyfrifol, heb hysbysiad, gynnig bod y Cynulliad yn ystyried gwelliannau yn y Cyfnod Adrodd. Caniateir trafod cynnig o'r fath ond ni chaniateir ei ddiwygio.
- 26.46 Mae Rheolau Sefydlog 26.29 i 26.44 yn gymwys i drafodion y Cyfnod Adrodd. Dylid dehongli cyfeiriadau at "Cyfnod 3" a "Cyfnod 3 pellach" yn gyfeiriadau at "y Cyfnod Adrodd" a "y Cyfnod Adrodd pellach" yn unol â hynny.

Cyfnod 4: Y Cyfnod Terfynol

- 26.47 Yn ddarostyngedig i Reol Sefydlog 26.50, yn union ar ôl cwblhau trafodion Cyfnod 3, neu drafodion y Cyfnod Adrodd os y'u cynhaliwyd, caiff unrhyw Aelod gynnig heb hysbysiad fod y Mesur arfaethedig yn cael ei basio.
- 26.48 Os na wneir cynnig o dan Reol Sefydlog 26.47, neu os gwneir cynnig o dan y Rheol Sefydlog honno ond ni chymerir penderfyniad arno, rhaid i'r llywodraeth neu'r Pwyllgor Busnes benderfynu (o dan Reol Sefydlog 11.12 neu 11.7(ii) yn ôl fel y digwydd) pryd y caiff y cynnig bod y Mesur arfaethedig yn cael ei basio ei ystyried yn y cyfarfod llawn.

26.49 Ni chaniateir gwneud gwelliannau i gynnig y dylai Mesur arfaethedig gael ei basio.

26.50 Ni chaniateir gwneud cynnig bod Mesur arfaethedig yn cael ei basio oni bai bod testun y Mesur arfaethedig ar gael yn Gymraeg ac yn Saesneg.

26.51 Ni chaniateir gwneud cynnig o dan Reol Sefydlog 12.31(ii) mewn unrhyw drafodion Cyfnod 4.

Ailystyried Mesurau Arfaethedig a Basiwyd

26.52 Ar ôl i'r Mesur arfaethedig gael ei basio, caiff unrhyw Aelod wneud cynnig y dylai'r Cynulliad ailystyried y Mesur arfaethedig, neu unrhyw ddarpariaeth ynddo:

- (i) os oes cwestiwn wedi'i gyfeirio at y Goruchaf Lys o dan adran 99 o'r Ddeddf;
- (ii) os oes cyfeiriad i gael dyfarniad rhagarweiniol (o fewn ystyr adran 100(1)(b) o'r Ddeddf) wedi'i wneud gan y Goruchaf Lys mewn cysylltiad â'r cyfeiriad hwnnw; a
- (iii) os nad yw'r naill gyfeiriad na'r llall wedi'i benderfynu neu wedi'i waredu fel arall.

26.53 Caiff unrhyw Aelod wneud cynnig y dylai'r Cynulliad ailystyried y Mesur arfaethedig:

- (i) os bydd y Goruchaf Lys yn penderfynu na fyddai'r Mesur arfaethedig neu unrhyw ddarpariaeth ynddo o fewn cymhwysedd deddfwriaethol y Cynulliad; neu
- (ii) os gwneir gorchymyn mewn perthynas â'r Mesur arfaethedig o dan adran 101 o'r Ddeddf.

26.54 Rhaid i'r trafodion yn y Cyfnod Ailystyried gael eu hystyried gan y Cynulliad mewn cyfarfod llawn.

26.55 Ni chaniateir gwneud gwelliannau i Fesur arfaethedig yn y Cyfnod Ailystyried oni bai bod y gwelliannau, yn ychwanegol at feini prawf Rheol Sefydlog 26.61, ac ym marn y Llywydd, wedi'u bwriadu dim ond i ddatrys y mater sy'n destun y canlynol:

- (i) y cyfeiriad i gael dyfarniad rhagarweiniol;
- (ii) penderfyniad y Goruchaf Lys; neu
- (iii) y Gorchymyn o dan adran 101 o'r Ddeddf.

26.56 Caiff unrhyw Aelod gynnig bod y Cynulliad yn cymeradwyo Mesur arfaethedig a ddiwygiwyd wrth gael ei ailystyried. Ni chaniateir gwneud gwelliannau i gynnig o'r fath.

Darpariaethau Cyffredinol mewn Perthynas â Gwelliannau i Fesurau Arfaethedig

26.57 Mae Rheolau Sefydlog 26.58 i 26.66 yn gymwys i welliannau yn nhrefodion Cyfnod 2, trafodion Cyfnod 3, trafodion y Cyfnod Adrodd, neu yn y Cyfnod Ailystyried.

26.58 Rhaid i'r Llywydd benderfynu ar ffurf briodol gwelliannau i Fesur arfaethedig.

26.59 Ni chaniateir ystyried gwelliant, ac eithrio gwelliant hwyr, oni bai ei fod wedi'i gyflwyno bum diwrnod gwaith cyn iddo gael ei ystyried.

26.60 Caiff unrhyw Aelod ychwanegu ei enw i welliant (ac eithrio gwelliant hwyr) drwy hysbysu'r Clerc ar unrhyw adeg hyd at ddiwedd y diwrnod gwaith cyn bod y gwelliant i fod i gael ei ystyried.

26.61 Nid yw gwelliant yn dderbyniadwy:

- (i) os nad yw ar ei ffurf briodol yn unol â Rheol Sefydlog 26.58;
- (ii) os nad yw'n berthnasol i'r Mesur arfaethedig neu ddarpariaethau'r Mesur arfaethedig y byddai'n ei ddiwygio;
- (iii) os yw'n anghyson ag egwyddorion cyffredinol y Mesur arfaethedig fel y cytunwyd arnynt gan y Cynulliad; neu
- (iv) os yw'n anghyson â phenderfyniad sydd eisoes wedi'i wneud yn y Cyfnod pryd y mae'r gwelliant yn cael ei gynnig.

26.62 Caniateir cyflwyno gwelliant i welliant ac, o'i ddethol, rhaid iddo gael ei waredu cyn y gwelliant y byddai'n ei ddiwygio, a rhaid i Reolau Sefydlog 26.57 i 26.66 fod yn gymwys yn unol â hynny.

26.63 Yn ddarostyngedig i Reol Sefydlog 26.22, caniateir i welliant (ac eithrio gwelliant hwyr) gael ei dynnu'n ôl gan yr Aelod a'i cyflwynodd ar unrhyw adeg cyn y diwrnod y mae'n cael ei ystyried ond dim ond gyda chytundeb unfrydol unrhyw Aelodau sydd wedi ychwanegu eu henwau i'r gwelliant. Os na sicrheir cytundeb o'r fath, daw'r gwelliant yn welliant yn enw'r Aelod cyntaf a ychwanegodd ei enw i'r gwelliant ac nad yw'n cytuno i'r gwelliant gael ei dynnu'n ôl.

26.64 Caiff cadeirydd pwyllgor sy'n ystyried trafodion Cyfnod 2 neu'r Llywydd, yn ôl fel y digwydd, grwpio gwelliannau at ddibenion dadleuon fel y gwêl yn dda. Ni chaniateir i welliant a drafodwyd fel rhan o grŵp gael ei drafod eto pan ddaw'n amser ei waredu.

26.65 Os na fydd Aelod a gyflwynodd welliant yn cynnig y gwelliant pan ddaw'n amser trafod y gwelliant hwnnw, caniateir i'r gwelliant gael ei gynnig:

- (i) mewn pwyllgor sy'n ystyried trafodion Cyfnod 2, gan aelod o'r pwyllgor hwnnw; neu

- (ii) mewn trafodion Cyfnod 3, trafodion y Cyfnod Adrodd, neu yn y Cyfnod Ailystyried, gan unrhyw Aelod arall.

26.66 Caniateir i welliant sydd wedi'i gynnig gael ei dynnu'n ôl gan yr Aelod a'i cynigiodd, ond dim ond:

- (i) mewn pwyllgor sy'n ystyried trafodion Cyfnod 2, os na fydd aelod o'r pwyllgor hwnnw yn gwrthwynebu; neu
- (ii) mewn trafodion Cyfnod 3, trafodion y Cyfnod Adrodd, neu yn y Cyfnod Ailystyried, os na fydd Aelod yn gwrthwynebu.

Cydsyniad Ei Mawrhydi a Dug Cernyw

26.67 Os yw Mesur arfaethedig yn cynnwys unrhyw ddarpariaeth, neu'n cael ei ddiwygio i gynnwys unrhyw ddarpariaeth a fyddai, pe bai'n cael ei chynnwys mewn Bil ar gyfer Deddf Senedd y Deyrnas Unedig, yn gofyn cydsyniad Ei Mawrhydi neu gydsyniad Dug Cernyw, rhaid i'r Cynulliad beidio â thrafod y cwestiwn a ddylai'r Mesur arfaethedig gael ei basio (neu ei gymeradwyo yn dilyn y Cyfnod Ailystyried) nes bod y cydsyniad hwnnw ar gyfer y ddarpariaeth honno wedi'i ddynodi gan aelod o'r llywodraeth yn ystod y trafodion ar y Mesur arfaethedig mewn cyfarfod o'r Cynulliad.

Penderfyniadau Ariannol

26.68 Rhaid i'r Llywydd benderfynu ym mhob achos a oes angen penderfyniad ariannol ar gyfer Mesur arfaethedig o dan Reolau Sefydlog 26.69 i 26.74.

26.69 Os yw Mesur arfaethedig yn cynnwys darpariaeth:

- (i) sy'n codi gwariant ar Gronfa Gyfunol Cymru; neu
- (ii) y byddai ei heffaith debygol yn arwain at:
 - (a) cynnydd arwyddocaol yn y gwariant a godir ar y Gronfa honno;
 - (b) gwariant arwyddocaol sy'n daladwy o'r Gronfa honno ar wasanaeth neu ddiben newydd; neu
 - (c) cynnydd arwyddocaol yn y gwariant sy'n daladwy o'r Gronfa honno ar wasanaeth neu ddiben presennol,

ni chaniateir cymryd dim trafodion ar y Mesur arfaethedig mewn unrhyw Gyfnod ar ôl Cyfnod 1 oni bai bod y Cynulliad wedi cytuno, drwy benderfyniad ariannol, y caniateir i'r gwariant neu'r cynnydd yn y gwariant gael ei godi o'r Gronfa honno neu, yn ôl fel y digwydd, ei dalu ohoni.

26.70 Os yw:

- (i) Mesur arfaethedig yn cynnwys unrhyw ddarpariaeth sy'n gosod neu'n cynyddu (neu sy'n rhoi pŵer i osod neu i gynyddu)

unrhyw dâl, neu fel arall yn ei gwneud yn ofynnol (neu'n rhoi pŵer i'w gwneud yn ofynnol) i unrhyw daliad gael ei wneud; a

- (ii) yn ofynnol, gan neu o dan adran 120(1) o'r Ddeddf, i'r person y mae'r tâl neu'r taliad yn daladwy iddo dalu symiau a dderbynnir i Gronfa Gyfunol Cymru (neu os byddai'n ofynnol gwneud hynny heblaw am unrhyw ddarpariaeth a wnaed o dan adran 120(2)),

ni chaniateir cymryd dim trafodion ar y Mesur arfaethedig mewn unrhyw Gyfnod ar ôl Cyfnod 1 oni bai bod y Cynulliad, drwy benderfyniad ariannol, wedi cytuno â'r tâl, y cynnydd neu'r taliad.

26.71 Mewn perthynas â Rheol Sefydlog 26.70:

- (i) bydd yn gymwys dim ond os yw'r tâl, y cynnydd yn y tâl neu'r taliad yn arwyddocaol; a
- (ii) ni fydd yn gymwys os yw'r tâl, y cynnydd yn y tâl neu'r taliad:
 - (a) yn ymwneud â darparu nwyddau ac yn rhesymol o'i gymharu â'r nwyddau a ddarperir; neu
 - (b) wedi'i gyfeirio'n gyfan gwbl neu'n bennaf at adennill cost darparu unrhyw wasanaeth y mae'r tâl yn cael ei osod ar ei gyfer neu y mae'n ofynnol gwneud y taliad ar ei gyfer.

26.72 Os byddai gwelliant (neu welliannau) i Fesur arfaethedig, o'i dderbyn (neu o'u derbyn), yn golygu y byddai angen penderfyniad ariannol ar gyfer y Mesur arfaethedig hwnnw na fyddai ei angen fel arall, ni chaniateir cymryd dim trafodion ar y gwelliant (neu'r gwelliannau) oni bai bod y Cynulliad wedi derbyn cynnig ar gyfer penderfyniad ariannol o'r fath.

26.73 Dim ond aelod o'r llywodraeth a gaiff wneud cynnig ar gyfer penderfyniad ariannol. Ni chaniateir gwneud gwelliannau i gynnig o'r fath.

26.74 Oni bai:

- (i) bod hysbysiad ynglŷn â chynnig ar gyfer unrhyw benderfyniad ariannol y gofynnir amdano mewn perthynas â Mesur arfaethedig gan Reol Sefydlog 26.69 neu 26.70 yn cael ei gyflwyno o fewn chwe mis ar ôl cwblhau Cyfnod 1; a
- (ii) bod y cynnig yn cael ei dderbyn,

mae'r Mesur arfaethedig yn methu.

Hysbysu ynghylch Mesurau a Gymeradwywyd

26.75 Rhaid i'r Clerc hysbysu'r Cynulliad ynglŷn â'r dyddiad y bydd Mesur Cynulliad yn cael ei gymeradwyo gan Ei Mawrhydi yn y Cyfrin Gyngor.

Mesurau Arfaethedig yn Methu, yn Cael eu Gwrthod neu'n Cael eu Tynnu'n ôl

- 26.76 Os bydd Mesur arfaethedig yn methu neu'n cael ei wrthod gan y Cynulliad, rhaid peidio â chymryd dim trafodion pellach ar y Mesur arfaethedig hwnnw a rhaid peidio â chyflwyno Mesur arfaethedig sydd, ym marn y Llywydd, yn yr un telerau neu delerau tebyg, yn yr un Cynulliad o fewn y cyfnod o chwe mis ar ôl y dyddiad y methodd y Mesur arfaethedig neu y cafodd ei wrthod.
- 26.77 Mae Mesur arfaethedig yn methu os nad yw wedi'i basio neu wedi'i gymeradwyo gan y Cynulliad cyn diwedd y Cynulliad y'i cyflwynwyd ynddo.
- 26.78 Bydd cymeradwyaeth i gyflwyno Mesur arfaethedig yn unol â Rheol Sefydlog 26.91 yn peidio â bod pan gaiff y Cynulliad ei ddiddymu.
- 26.79 Caniateir i Fesur arfaethedig gael ei dynnu'n ôl ar unrhyw adeg gan yr Aelod sy'n gyfrifol amdano ond rhaid peidio â'i dynnu'n ôl ar ôl i Gyfnod 1 gael ei gwblhau ac eithrio gyda chytundeb y Cynulliad.

Mesurau Arfaethedig Pwyllgor

- 26.80 Mae Rheolau Sefydlog 26.81 i 26.83- yn gymwys i Fesurau arfaethedig pwyllgor yn unig.
- 26.81 Caiff unrhyw bwyllgor gyflwyno Mesur arfaethedig pwyllgor sy'n ymwneud â chylch gorchwyl y pwyllgor.
- 26.82 Nid yw Rheolau Sefydlog 26.9 i 26.12 yn gymwys i Fesurau arfaethedig pwyllgor.
- 26.83 Yng Nghyfnod 1, caiff yr Aelod sy'n gyfrifol am Fesur arfaethedig pwyllgor gyflwyno cynnig bod y Cynulliad yn cytuno ar egwyddorion cyffredinol y Mesur arfaethedig.

Mesurau Arfaethedig Comisiwn

- 26.84 Caiff y Comisiwn gyflwyno Mesur arfaethedig sy'n ymwneud â swyddogaethau'r Comisiwn.

Mesurau Arfaethedig Aelod

- 26.85 Mae Rheolau Sefydlog 26.86 i 26.94 yn gymwys i Fesurau arfaethedig Aelod yn unig.
- 26.86 Mewn achos pan oedd Aelod yn Aelod sy'n gyfrifol am Orchymyn arfaethedig Aelod a ddaeth yn Orchymyn yn y Cyfrin Gyngor a wnaed gan Ei Mawrhydi o dan adran 95 o'r Ddeddf, caiff yr Aelod hwnnw gyflwyno un Mesur arfaethedig Aelod sy'n ymwneud â'r Gorchymyn hwnnw o fewn naw mis i'r dyddiad y cafodd y Gorchymyn ei wneud. Nid yw hyn yn effeithio ar hawl yr Aelod i ymuno â balot a gynhelir o dan Reol Sefydlog 26.87.

- 26.87 O dro i dro, rhaid i'r Llywydd gynnal balot i benderfynu ar enw Aelod heblaw aelod o'r llywodraeth a gaiff ofyn am gytundeb i gyflwyno Mesur arfaethedig Aelod.
- 26.88 Rhaid i'r Llywydd gynnwys yn y balot enwau'r holl Aelodau hynny sydd wedi gwneud cais am gael eu cynnwys ac sydd wedi cyflwyno'r wybodaeth cyn y balot sy'n angenrheidiol o dan Reol Sefydlog 26.90.
- 26.89 Ni chaiff Aelod sydd wedi cael cytundeb i gyflwyno Mesur arfaethedig Aelod o'r blaen yn y Cynulliad hwnnw wneud cais i gael ei gynnwys yn y balot.
- 26.90 Yr wybodaeth sy'n angenrheidiol cyn y balot yw:
- (i) teitl arfaethedig y Mesur arfaethedig; a
 - (ii) Memorandwm Esboniadol y mae'n rhaid iddo gynnwys:
 - (a) amcanion polisi y Mesur arfaethedig; a
 - (b) manylion unrhyw gefnogaeth a gafwyd i'r Mesur arfaethedig, gan gynnwys manylion unrhyw ymgynghori a wnaed.
- 26.91 O fewn 25 diwrnod gwaith i ddyddiad y balot, caiff Aelod sy'n llwyddo mewn balot gyflwyno cynnig sy'n gofyn i'r Cynulliad gytuno iddo gyflwyno Mesur arfaethedig Aelod er mwyn i'r wybodaeth cyn y balot a gyflwynwyd o dan Reol Sefydlog 26.90 gael ei rhoi ar waith.
- 26.92 Rhaid trefnu bod amser ar gael i drafod cynnig a gyflwynir o dan Reol Sefydlog 26.91 o fewn 35 diwrnod gwaith ar ôl dyddiad y balot (heb gyfrif dyddiau gwaith mewn wythnos pan na fydd y Cynulliad yn eistedd).
- 26.93 Os derbynnir cynnig o dan Reol Sefydlog 26.91, caiff yr Aelod sydd wedi cael cytundeb i gyflwyno Mesur arfaethedig, o fewn naw mis i dderbyn y cynnig, gyflwyno Mesur arfaethedig Aelod er mwyn i'r wybodaeth cyn y balot a gyflwynwyd o dan Reol Sefydlog 26.90 gael ei rhoi ar waith.
- 26.94 Os gwrthodir cynnig o dan Reol Sefydlog 26.91, ni chaiff Aelod ymuno ag unrhyw falot a gynhelir o dan Reol Sefydlog 26.87 am gyfnod o chwe mis ar ôl gwrthod y cynnig os yw amcanion polisi y Mesur arfaethedig y mae'n ceisio cytundeb i'w gyflwyno yr un fath i raddau helaeth ag amcanion polisi y Mesur arfaethedig y cyfeiriwyd ato yn y cynnig a wrthodwyd.

Mesurau Brys Arfaethedig Llywodraeth

- 26.95 Os yw'n ymddangos i aelod o'r llywodraeth fod angen Mesur Brys, caiff gynnig bod Mesur arfaethedig llywodraeth, a gyflwynir yn y Cynulliad, yn cael ei drin fel Mesur Brys arfaethedig llywodraeth.
- 26.96 Caiff cynnig o dan Reol Sefydlog 26.95 gynnig hefyd y caiff Mesur Brys arfaethedig llywodraeth gael ei gyflwyno heb y Memorandwm Esboniadol sy'n ofynnol o dan Reol Sefydlog 26.6.

26.97 Pan gyflwynir Mesur Brys arfaethedig llywodraeth, rhaid cael datganiad gan yr Aelod sy'n gyfrifol amdano i gyd-fynd ag ef, sef datganiad y byddai darpariaethau'r Mesur arfaethedig ym marn yr Aelod o fewn cymhwysedd deddfwriaethol y Cynulliad.

26.98 Os yw'r Cynulliad yn cytuno ar gynnig o dan Reol Sefydlog 26.95:

- (i) rhaid i ddarpariaethau Rheolau Sefydlog 26.99 i 26.104 fod yn gymwys i Fesur arfaethedig o'r fath; a
- (ii) rhaid i'r Aelod sy'n gyfrifol amdano gynnig yr amserlen ar gyfer ystyried Cyfnodau 1 i 4 (neu unrhyw Gyfnod Ailystyried) ar gyfer y Mesur Brys arfaethedig llywodraeth.

26.99 Caiff cynnig o dan Reol Sefydlog 26.98(ii) gynnig ymdrin â'r holl gyfnodau mewn un diwrnod mewn wythnos eistedd.

26.100 Caiff yr Aelod sy'n gyfrifol wneud unrhyw newidiadau dilynol mewn amserlen a sefydlwyd o dan Reol Sefydlog 26.98(ii) ag y gwêl yn dda, ond rhaid rhoi rhesymau dros y newidiadau hynny.

26.101 Nid yw Rheolau Sefydlog 26.7 i 26.12, 26.16 i 26.18, 26.28 i 26.30, 26.45 a 26.46, a 26.50 a 26.59 yn gymwys mewn perthynas â Mesurau Brys arfaethedig llywodraeth.

26.102 Yng Nghyfnod 1, rhaid i'r Aelod sy'n gyfrifol amdano gyflwyno cynnig bod y Cynulliad yn cytuno ar egwyddorion cyffredinol y Mesur Brys arfaethedig llywodraeth.

26.103 Rhaid i Gyfnod 2 gael ei ystyried gan bwyllgor o'r Cynulliad cyfan a'i gadeirio gan y Llywydd. Caiff y Llywydd a'r Dirprwy bleidleisio mewn trafodaethau o'r fath dim ond wrth ddefnyddio pleidlais fwrw yn unol â Rheol Sefydlog 6.20.

26.104 Os yw Aelod yn bwriadu cyflwyno gwelliant i Fesur Brys arfaethedig llywodraeth, rhaid i'r Aelod roi unrhyw hysbysiad ynglŷn â'r gwelliant hwnnw y bydd y Llywydd yn penderfynu arno ar gyfer y Cyfnod hwnnw.

RHEOL SEFYDLOG 27 – Is-ddeddfwriaeth (ac eithrio Is-ddeddfwriaeth sy'n Ddarostyngedig i Weithdrefn Cynulliad Arbennig)

Memoranda Esboniadol

27.1 Rhaid cael Memorandwm Esboniadol i gyd-fynd ag unrhyw offeryn statudol neu offeryn statudol drafft a osodir gerbron y Cynulliad a rhaid i'r Memorandwm Esboniadol gynnwys unrhyw Asesiad Effaith Reoliadol a baratoir mewn perthynas â'r offeryn.

Cynnig ar gyfer Dirymu (Gweithdrefn Penderfyniad Negyddol)

27.2 Yn achos unrhyw offeryn statudol:

- (i) sy'n agored i gael ei ddirymu yn unol â phenderfyniad gan y Cynulliad; neu
- (ii) sy'n cael ei osod ar ffurf drafft ond nad yw'n gallu cael ei wneud os caiff y drafft ei anghymeradwyo,

caiff y Cynulliad, heb fod yn hwyrach na 40 diwrnod ar ôl i'r offeryn gael ei osod, benderfynu i ddirymu'r offeryn neu, yn ôl fel y digwydd, i anghymeradwyo'r drafft.

27.3 Caiff unrhyw Aelod gyflwyno cynnig sydd i'w benderfynu o dan Reol Sefydlog 27.2.

27.4 Ni chaniateir gwneud gwelliannau i gynnig sydd i'w benderfynu o dan Reol Sefydlog 27.2.

Cynnig ar gyfer Cymeradwyo (Gweithdrefn Penderfyniad Cadarnhaol)

27.5 Yn achos unrhyw offeryn statudol neu offeryn statudol drafft a osodir gerbron y Cynulliad nad yw, oni bai bod y Cynulliad yn ei gymeradwyo drwy gynnig, yn gallu:

- (i) cael ei wneud;
- (ii) dod i rym; neu
- (iii) parhau mewn grym ar ôl y cyfnod a bennwyd yn y deddfiad sy'n rhoi'r pŵer i wneud yr offeryn,

caiff unrhyw aelod o'r llywodraeth gyflwyno cynnig o dan Reol Sefydlog 27.5 i gymeradwyo'r offeryn neu'r offeryn drafft.

27.6 Ni chaniateir gwneud gwelliannau i gynnig o dan Reol Sefydlog 27.5.

27.7 Ni chaniateir ystyried cynnig o dan Reol Sefydlog 27.5 yn y cyfarfod llawn nes y bydd naill ai:

- (i) y pwyllgor sy'n gyfrifol am y swyddogaethau a ragnodir yn Rheolau Sefydlog 21.2 a 21.3 ac unrhyw bwyllgor arall, sydd

wedi rhoi'r hysbysiad a grybyllir yn Rheol Sefydlog 27.8, wedi cyflwyno adroddiad ar yr offeryn neu'r drafft; neu

- (ii) 20 diwrnod wedi mynd heibio ers i'r offeryn neu'r offeryn drafft gael ei osod,

pa un bynnag yw'r cyntaf.

- 27.8 Os bydd unrhyw bwyllgor, ac eithrio'r pwyllgor sy'n gyfrifol am y swyddogaethau a ragnodir yn Rheolau Sefydlog 21.2 a 21.3, yn bwriadu cyflwyno adroddiad ar offeryn neu offeryn drafft y mae Rheol Sefydlog 27.5 yn gymwys iddo, rhaid iddo roi hysbysiad i'r llywodraeth ei fod yn bwriadu gwneud hynny heb fod yn hwyrach na saith diwrnod ar ôl i'r offeryn neu'r drafft gael ei osod.
- 27.9 Os bydd unrhyw bwyllgor yn ystyried unrhyw offeryn neu offeryn drafft y mae Rheol Sefydlog 27.5 yn gymwys iddo, caiff yr aelod o'r llywodraeth a'i gosododd (neu aelod arall o'r llywodraeth a enwebir gan Brif Weinidog Cymru i fod yn gyfrifol amdano) fod yn bresennol yn y pwyllgor a chymryd rhan yn nhrefodion y pwyllgor sy'n ymwneud â'r offeryn neu'r drafft ond ni chaiff bleidleisio.

Peidio â Diwygio Offerynnau

- 27.10 Ni chaniateir diwygio offeryn statudol neu offeryn statudol drafft y mae Rheolau Sefydlog 27.2 neu 27.5 yn gymwys iddo.

Tynnu Offerynnau yn ôl

- 27.11 Caniateir i offeryn statudol neu offeryn statudol drafft a osodwyd gerbron y Cynulliad gael ei dynnu'n ôl ar unrhyw adeg gan yr aelod o'r llywodraeth sy'n gyfrifol am yr offeryn hwnnw.

Cyfrifo Dyddiau

- 27.12 Wrth gyfrifo unrhyw gyfnod o ddyddiau at ddibenion Rheol Sefydlog 27, rhaid peidio â chymryd i ystyriaeth unrhyw amser pryd y bydd y Cynulliad wedi'i ddiddymu neu ar doriad am fwy na phedwar diwrnod.

Cynigion Eraill mewn Perthynas ag Offerynnau neu Offerynnau Drafft

- 27.13 Nid yw Rheolau Sefydlog 27.1 i 27.9 yn rhagfarnu hawl unrhyw Aelod i gyflwyno unrhyw gynig arall mewn perthynas ag offeryn neu offeryn drafft.

Cymhwyso'r Rheol Sefydlog at Is-ddeddfwriaeth Arall

- 27.14 Mae Rheolau Sefydlog 27.1 i 27.13 yn gymwys hefyd, gydag unrhyw addasiadau angenrheidiol, i unrhyw is-ddeddfwriaeth arall (ac eithrio is-ddeddfwriaeth sy'n ddarostyngedig i'r Weithdrefn Cynulliad Arbennig o dan Reol Sefydlog 28) ar ffurf adroddiad, canllawiau, cod ymarfer neu ddogfen arall y mae unrhyw ddeddfiad yn ei gwneud yn ofynnol iddynt:

- (i) cael eu gosod gerbron y Cynulliad, a
- (ii) bod yn ddarostyngedig i unrhyw fath o weithdrefn Cynulliad sydd â'r un effaith neu effaith gyfatebol i'r rhai a grybwyllir yn Rheol Sefydlog 27.2 neu 27.5.

RHEOL SEFYDLOG 28 – Gweithdrefn Cynulliad Arbennig

- 28.1 Mae Rheol Sefydlog 28 yn gymwys i sut mae Gweinidogion Cymru, Prif Weinidog Cymru neu'r Cwnsler Cyffredinol yn arfer unrhyw bŵer i wneud neu i gadarnhau is-ddeddfwriaeth sydd, yn rhinwedd unrhyw ddeddfiad, yn destun gweithdrefn Cynulliad arbennig.
- 28.2 Rhaid peidio â chymryd bod deiseb a gyflwynir yn unol â Rheol Sefydlog 28 yn ddeiseb sy'n dod o fewn Rheol Sefydlog 23 ac, at ddibenion Rheolau Sefydlog 28, y "deisebydd" neu'r "gwrth-ddeisebydd" yw'r person sy'n cyflwyno'r ddeiseb neu'r wrth-ddeiseb yn y drefn honno.
- 28.3 Ni chaniateir i unrhyw is-ddeddfwriaeth sy'n ddarostyngedig i weithdrefn Cynulliad arbennig gael ei gwneud neu ei chadarnhau oni bai ei bod wedi'i gosod gerbron y Cynulliad a'i bod wedi cydymffurfio â Rheolau Sefydlog 28.4 i 28.26.
- 28.4 Ni chaniateir i is-ddeddfwriaeth y mae Rheol Sefydlog 28 yn gymwys iddi gael ei gosod gerbron y Cynulliad nes y cydymffurfiwyd â gofynion y deddfiad galluogi (os oes gofynion o'r fath) mewn perthynas â'r canlynol:
- (i) cyhoeddi neu gyflwyno hysbysiadau;
 - (ii) ystyried gwrthwynebiadau;
 - (iii) cynnal ymchwiliadau neu drafodion eraill cyn i'r is-ddeddfwriaeth gael ei gwneud neu ei chadarnhau,
- ac nes y bydd yr aelod o'r llywodraeth sy'n gyfrifol am yr is-ddeddfwriaeth wedi ardystio y cydymffurfiwyd â hwy.
- 28.5 Yn ddarostyngedig i Reol Sefydlog 28.4, caiff yr aelod o'r llywodraeth sy'n gyfrifol am yr is-ddeddfwriaeth osod drafft ohoni gerbron y Cynulliad a rhaid iddo roi hysbysiad cyhoeddus ynglŷn â hawl unrhyw berson i gyflwyno deiseb i'r Cynulliad yn erbyn ei gwneud neu ei chadarnhau.
- 28.6 Rhaid i'r hysbysiad gael ei gyhoeddi o leiaf unwaith mewn o leiaf un papur newydd sy'n cylchredeg yn yr ardal y mae'r is-ddeddfwriaeth ddrafft yn ymwneud â hi. Rhaid i'r hysbysiad ddatgan:
- (i) effaith gyffredinol yr is-ddeddfwriaeth ddrafft a lle y gall gael ei harchwilio yn y Cynulliad ac mewn man yn yr ardal y mae'n ymwneud â hi;
 - (ii) y caniateir i ddeisebau gael eu cyflwyno i'r Llywydd yn erbyn yr is-ddeddfwriaeth ddrafft o fewn y cyfnod o 20 diwrnod gwaith sy'n dechrau ar y diwrnod y cyhoeddir yr hysbysiad gyntaf mewn papur newydd;
 - (iii) y caiff deiseb naill ai gofyn i ddiwygiadau penodol gael eu gwneud i'r is-ddeddfwriaeth ddrafft cyn iddi gael ei gwneud (gan bennu'r diwygiadau y gofynnir amdanynt), neu ofyn iddi beidio â chael ei gwneud; a

- (iv) bod yn rhaid i'r deisebydd roi sylw i unrhyw ganllawiau ysgrifenedig a gyhoeddir gan y Llywydd ar y mater hwn.

- 28.7 Y Llywydd sydd i fod yn gyfrifol am dderbyn deisebau.
- 28.8 Os na ddaw deiseb i law o fewn y cyfnod a bennwyd yn Rheol Sefydlog 28.6(ii), rhaid i'r Llywydd gyflwyno adroddiad yn unol â hynny i'r Cynulliad cyn gynted â phosibl.
- 28.9 Os bydd y Llywydd yn cyflwyno adroddiad yn unol â Rheol Sefydlog 28.8, caiff yr aelod o'r llywodraeth sy'n gyfrifol am yr is-ddeddfwriaeth ei gwneud neu ei chadarnhau.
- 28.10 Rhaid i'r Llywydd ystyried unrhyw ddeiseb sy'n dod i law a rhoi gwybod i'r Cynulliad am ei chynnwys a nifer y llofnodion arni cyn gynted â phosibl ar ôl i'r cyfnod a bennwyd yn yr hysbysiad cyhoeddus ddod i ben.
- 28.11 Mae gan ddeisebydd sail wreiddiol dros wrthwynebu os byddai'r is-ddeddfwriaeth yn effeithio ar ei eiddo neu ei fuddiannau. Mae gan ddeisebydd sy'n gymdeithas amwynder neu'n gorff tebyg sail wreiddiol o'r fath dros wrthwynebu os byddai'r is-ddeddfwriaeth yn effeithio ar fuddiant y mae'n ei gynrychioli.
- 28.12 Os yw'r Llywydd o'r farn nad yw unrhyw ddeiseb sy'n dod i law yn datgelu sail wreiddiol dros wrthwynebu'r is-ddeddfwriaeth (neu ran ohoni), rhaid i'r Llywydd hysbysu'r deisebydd yn unol â hynny a chaniatáu i'r deisebydd gyflwyno sylwadau iddo.
- 28.13 Ar ôl ystyried unrhyw sylwadau o'r fath, os daw'r Llywydd i'r casgliad bod deiseb:
- (i) yn datgelu sail wreiddiol dros wrthwynebu'r is-ddeddfwriaeth (neu ran ohoni); neu
 - (ii) heb ddatgelu sail wreiddiol o'r fath dros wrthwynebu,
- rhaid i'r Llywydd gyflwyno adroddiad ar y ffaith honno i'r Cynulliad cyn gynted â phosibl a hysbysu'r deisebydd yn unol â hynny.
- 28.14 Mewn achos sy'n dod o fewn Rheol Sefydlog 28.13(i), rhaid i adroddiad y Llywydd ddatgan bod yn rhaid i'r ddeiseb gael ei hystyried gan y Cynulliad.
- 28.15 Mewn achos sy'n dod o fewn Rheol Sefydlog 28.13(ii), caiff yr aelod o'r llywodraeth sy'n gyfrifol am yr is-ddeddfwriaeth ei gwneud neu ei chadarnhau.
- 28.16 Mewn achos sy'n dod o fewn Rheol Sefydlog 28.13(i) ac os yw'r ddeiseb yn gofyn i ddiwygiadau gael eu gwneud i'r is-ddeddfwriaeth, caiff y Llywydd benderfynu y byddai'r diwygiadau y gofynnwyd amdanynt, ym marn y Llywydd, yn effeithio ar fuddiannau personau eraill.

28.17 Os bydd y Llywydd yn penderfynu o dan Reol Sefydlog 28.16 fod y ddeiseb yn gofyn am unrhyw ddiwygiad o'r fath, rhaid i'r Llywydd:

- (i) cynnwys yn ei adroddiad i'r Cynulliad o dan Reol Sefydlog 28.13 ei benderfyniad o dan Reol Sefydlog 28.16;
- (ii) rhoi gwybod i'r deisebydd am ei benderfyniad o dan Reol Sefydlog 28.16; a
- (iii) gwahodd gwrth-ddeisebau.

28.18 Os caiff gwrth-ddeisebau eu gwahodd yn unol â Rheol Sefydlog 28.17(iii), mae darpariaethau Rheolau Sefydlog 28.6 i 28.15 yn gymwys i'r gwrth-ddeisebau hynny fel y maent yn gymwys i ddeisebau.

28.19 Os bydd y Llywydd yn cyflwyno adroddiad i'r Cynulliad fod yn rhaid i ddeiseb gael ei hystyried gan y Cynulliad, rhaid i'r Pwyllgor Busnes gyfeirio deiseb o'r fath (ac unrhyw wrth-ddeiseb) at bwyllgor sydd i'w sefydlu yn unol â Rheol Sefydlog 16.5 i ystyried y ddeiseb (a'r wrth-ddeiseb) ac i gyflwyno adroddiad yn unol â Rheol Sefydlog 28.22.

28.20 Nid yw Rheolau Sefydlog 17.12 (Aelod yn peidio â bod yn aelod o bwyllgor os yw'n ymuno â grŵp gwleidyddol neu'n ymadael ag ef), 17.48 (dirprwyo yng nghyfarfodydd pwyllgorau) a 17.49 (Aelodau nad ydynt yn aelodau o'r pwyllgor yn cymryd rhan mewn cyfarfod pwyllgor) yn gymwys i bwyllgor a sefydlir o dan Reol Sefydlog 28.19.

28.21 Mae gan y deisebydd, unrhyw wrth-ddeisebydd, yr aelod o'r llywodraeth sy'n gyfrifol am yr is-ddeddfwriaeth ac unrhyw geisydd am yr is-ddeddfwriaeth hawl i gael eu gwranddo gerbron y pwyllgor naill ai yn bersonol neu drwy gael eu cynrychioli.

28.22 Rhaid i'r pwyllgor gyflwyno adroddiad i'r Cynulliad gydag argymhelliad y dylai'r is-ddeddfwriaeth:

- (i) peidio â chael ei gwneud neu ei chadarnhau;
- (ii) cael ei gwneud neu ei chadarnhau heb ei diwygio; neu
- (iii) cael ei gwneud neu ei chadarnhau gydag unrhyw ddiwygiadau sy'n hwylus ym marn y pwyllgor er mwyn rhoi ar waith yn llwyr neu'n rhannol unrhyw ddeiseb (neu wrth-ddeiseb) a chydag unrhyw ddiwygiadau canlyniadol, os oes rhai, sy'n briodol ym marn y pwyllgor.

28.23 Os bydd y pwyllgor yn adrodd na ddylai'r is-ddeddfwriaeth gael ei gwneud neu ei chadarnhau, ni chaniateir cymryd rhagor o drafodion ynglŷn â hi, ond nid yw hyn yn atal aelod o'r llywodraeth rhag gosod rhagor o is-ddeddfwriaeth ddrafft gerbron y Cynulliad.

28.24 Os bydd y pwyllgor yn adrodd y dylai'r is-ddeddfwriaeth gael ei gwneud neu ei chadarnhau heb ei diwygio, caiff yr aelod o'r llywodraeth sy'n gyfrifol am yr is-ddeddfwriaeth ei gwneud neu ei chadarnhau.

- 28.25 Os bydd y pwyllgor yn adrodd y dylai'r is-ddeddfwriaeth gael ei gwneud neu ei chadarnhau gyda diwygiadau, caniateir iddi gael ei gwneud neu ei chadarnhau gyda'r diwygiadau hynny.
- 28.26 Os bydd yr aelod o'r llywodraeth sy'n gyfrifol am yr is-ddeddfwriaeth o'r farn nad yw'n hwylus ei gwneud neu ei chadarnhau fel y cynigiwyd ei diwygio, naill ai mae'n rhaid iddi gael ei thynnu'n ôl (heb ragfarnu gosod rhagor o is-ddeddfwriaeth ddrafft gerbron y Cynulliad) neu caiff yr aelod o'r llywodraeth sy'n gyfrifol amdani gyflwyno cynnig y dylai'r Cynulliad gytuno iddi gael ei gwneud neu ei chadarnhau heb y diwygiadau a argymhellwyd gan y pwyllgor.

RHEOL SEFYDLOG 29 – Cydsyniad mewn Perthynas â Biliau Senedd y DU

Biliau Senedd y DU sy'n Gwneud Darpariaeth y mae Angen Cydsyniad y Cynulliad ar ei chyfer

29.1 Yn Rheol Sefydlog 29, ystyr “Bil perthnasol” yw Bil sy'n cael ei ystyried yn Senedd y DU ac sy'n gwneud darpariaeth (“darpariaeth berthnasol”) mewn perthynas â Chymru:

- (i) at unrhyw ddiben sydd o fewn cymhwysedd deddfwriaethol y Cynulliad (ac eithrio darpariaethau cysylltiedig, canlyniadol, trosiannol, dros dro, atodol neu ddarpariaethau arbed sy'n ymwneud â materion nad ydynt o fewn cymhwysedd deddfwriaethol y Cynulliad); neu
- (ii) sy'n dwyn effaith negyddol ar gymhwysedd deddfwriaethol y Cynulliad.

Memorandwm Cydsyniad Deddfwriaethol

29.2 Rhaid i aelod o'r llywodraeth osod memorandwm (“memorandwm cydsyniad deddfwriaethol”) mewn perthynas â'r canlynol:

- (i) unrhyw Fil gan Lywodraeth y DU sy'n Fil perthnasol pan y'i cyflwynir i'r Tŷ cyntaf, a hynny dim mwy na phythefnos fel rheol ar ôl ei gyflwyno;
- (ii) unrhyw Fil Aelod Preifat yn Senedd y DU a oedd yn Fil perthnasol pan y'i cyflwynwyd ac sy'n dal yn Fil perthnasol ar ôl y cyfnod diwygio cyntaf yn y Tŷ y'i cyflwynwyd ynddo, a hynny dim mwy na phythefnos fel rheol ar ôl iddo gwblhau'r cyfnod hwnnw;
- (iii) unrhyw Fil a gyflwynir yn Senedd y DU sydd (neu a fyddai), yn rhinwedd gwelliannau:
 - (a) a dderbynnir; neu
 - (b) a gyflwynir gan un o Weinidogion y Goron neu a gyhoeddir gydag enw un o Weinidogion y Goron yn eu cefnogi,

yn y naill Dŷ neu'r llall, yn gwneud darpariaeth berthnasol am y tro cyntaf neu y tu hwnt i derfynau unrhyw gydsyniad a roddwyd o'r blaen gan y Cynulliad, a hynny dim mwy na phythefnos fel rheol ar ôl i'r gwelliannau gael eu cyflwyno neu eu derbyn.

29.3 Rhaid i femorandwm cydsyniad deddfwriaethol:

- (i) crynhoi amcanion polisi'r Bil;

- (ii) pennu i ba raddau y mae (neu y byddai) y Bil yn gwneud darpariaeth berthnasol; a
- (iii) esbonio a ferner ei bod yn briodol i'r ddarpariaeth honno gael ei gwneud ac iddi gael ei gwneud drwy gyfrwng y Bil.

29.4 Caiff y Pwyllgor Busnes gyfeirio unrhyw femorandwm cydsyniad deddfwriaethol at bwyllgor neu bwyllgorau i'w ystyried.

29.5 Os caiff memorandwm cydsyniad deddfwriaethol ei gyfeirio at bwyllgor neu bwyllgorau i'w ystyried yn unol â Rheol Sefydlog 29.4, rhaid i'r Pwyllgor Busnes sefydlu a chyhoeddi amserlen i'r pwyllgor neu'r pwyllgorau ystyried y memorandwm a chyflwyno adroddiad arno.

Cynnig Cydsyniad Deddfwriaethol

29.6 Pan gaiff memorandwm cydsyniad deddfwriaethol ei osod, rhaid i'r llywodraeth gyflwyno cynnig ("cynnig cydsyniad deddfwriaethol") y mae'n rhaid iddo ofyn i'r Cynulliad gytuno i ddarpariaeth berthnasol gael ei chynnwys mewn Bil perthnasol.

29.7 Rhaid i gynnis cydsyniad deddfwriaethol sydd wedi'i gyflwyno gael ei ystyried gan y Cynulliad.

29.8 Os caiff memorandwm cydsyniad deddfwriaethol ei gyfeirio gan y Pwyllgor Busnes i'w ystyried gan bwyllgor neu bwyllgorau yn unol â Rheol Sefydlog 29.4, ni chaniateir trafod y cynnig cydsyniad deddfwriaethol naill ai:

- (i) nes bod y pwyllgor wedi cyflwyno adroddiad arno yn unol â Rheol Sefydlog 29.4; neu
- (ii) nes y dyddiad cau erbyn pryd y mae'n ofynnol i bwyllgor gyflwyno adroddiad arno yn unol â Rheol Sefydlog 29.5.

RHEOL SEFYDLOG 30 – Hysbysu mewn Perthynas â Biliau Senedd y DU

Biliau Senedd y DU sy'n Gwneud Darpariaeth y mae Angen Hysbysu'r Cynulliad yn ei chylch

30.1 Yn Rheol Sefydlog 30, ystyr “Bil perthnasol” yw Bil sy'n cael ei ystyried yn Senedd y DU ac sy'n gwneud darpariaeth (“darpariaeth berthnasol”) mewn perthynas â Chymru (ac eithrio darpariaeth berthnasol sy'n ddarpariaeth berthnasol o fewn ystyr Rheol Sefydlog 29.1):

- (i) sy'n cael effaith sylweddol ar swyddogaethau Gweinidogion Cymru neu'r Cwnsler Cyffredinol; neu
- (ii) sy'n cael effaith ar gymhwysedd deddfwriaethol y Cynulliad (ac eithrio darpariaethau cysylltiedig, canlyniadol, trosiannol, dros dro, atodol neu ddarpariaethau arbed).

Datganiadau Ysgrifenedig mewn Perthynas â Biliau Perthnasol Senedd y DU

30.2 Rhaid i aelod o'r llywodraeth osod datganiad ysgrifenedig mewn perthynas â:

- (i) unrhyw Fil gan Lywodraeth y DU sy'n Fil perthnasol pan y'i cyflwynir i'r Tŷ cyntaf, a hynny dim mwy na phythefnos fel rheol ar ôl ei gyflwyno;
- (ii) unrhyw Fil Aelod Preifat yn Senedd y DU a oedd yn Fil perthnasol pan y'i cyflwynwyd ac sy'n dal yn Fil perthnasol ar ôl y cyfnod diwygio cyntaf yn y Tŷ y'i cyflwynwyd ynddo, a hynny dim mwy na phythefnos fel rheol ar ôl iddo gwblhau'r cyfnod hwnnw;
- (iii) unrhyw Fil a gyflwynir yn Senedd y DU sydd (neu a fyddai), yn rhinwedd gwelliannau:
 - (a) a dderbynnir; neu
 - (b) a gyflwynir gan un o Weinidogion y Goron neu a gyhoeddir gydag enw un o Weinidogion y Goron yn eu cefnogi,

yn y naill Dŷ neu'r llall, yn gwneud darpariaeth berthnasol, a hynny dim mwy na phythefnos fel rheol ar ôl i'r gwelliannau gael eu cyflwyno neu eu derbyn.

30.3 Rhaid i'r datganiad ysgrifenedig:

- (i) crynhoi amcanion polisi'r Bil;
- (ii) pennu i ba raddau y mae (neu y byddai) y Bil yn gwneud darpariaeth berthnasol; a

- (iii) esbonio a fernir ei bod yn briodol i'r ddarpariaeth honno gael ei gwneud ac iddi gael ei gwneud drwy gyfrwng y Bil.

RHEOL SEFYDLOG 31 – Adroddiadau ar y Trafodion

31.1 Rhaid i'r Comisiwn wneud trefniadau, yn unol â gofynion adran 31(6) o'r Ddeddf, lle y bo'n gymwys, ar gyfer:

- (i) cadw cofnod o benderfyniadau'r Cynulliad, gan gynnwys penderfyniadau pwyllgorau ac is-bwyllgorau;
- (ii) cofnodi trafodion y Cynulliad, gan gynnwys trafodion pwyllgorau ac is-bwyllgorau a gynhelir yn gyhoeddus; a
- (iii) cyhoeddi'r cofnod hwnnw o benderfyniadau ac adroddiad ar y trafodion.

RHEOL SEFYDLOG 32 – Ymddygiad y Cyhoedd

- 32.1 Caiff y Llywydd wneud rheolau a fydd yn pennu'r amodau y mae'n rhaid i aelodau'r cyhoedd a fydd yn bresennol yn nhrefodion y Cynulliad neu'n cymryd rhan ynddynt gydymffurfio â hwy.
- 32.2 Caiff y Llywydd ei gwneud yn ofynnol i unrhyw aelod o'r cyhoedd gael ei wahardd o drafodion y Cynulliad os yw'n ymddwyn yn anystywallt neu'n groes i'r drefn, neu os yw'n ymyrryd fel arall â chynnal busnes y Cynulliad yn y modd priodol.
- 32.3 Mae gan gadeirydd pwyllgor bwerau cyfatebol i bwerau'r Llywydd o dan Reol Sefydlog 32.2 os yw'r aelod o'r cyhoedd yn bresennol yn unrhyw un o drafodion y pwyllgor hwnnw neu'n cymryd rhan ynddynt.

RHEOL SEFYDLOG 33 – Ail-wneud y Rheolau Sefydlog, eu Diwygio a'u Hatal

Ail-wneud y Rheolau Sefydlog a'u Diwygio

- 33.1 Rhaid i'r Pwyllgor Busnes, o fewn amser rhesymol, ystyried unrhyw gynnig a wneir iddo gan o leiaf chwe Aelod ar gyfer ail-wneud y Rheolau Sefydlog neu ddiwygio'r Rheolau Sefydlog, a chyflwyno adroddiad ar y cynnig hwnnw (a chaiff unrhyw ddiwygiad o'r fath fod yn ddiwygiad ar unrhyw Reol Sefydlog neu ran o Reol Sefydlog).
- 33.2 Rhaid i gynnig ar gyfer ail-wneud y Rheolau Sefydlog neu ddiwygio'r Rheolau Sefydlog gael ei gyflwyno a'i gynnig mewn cyfarfod llawn gan y Pwyllgor Busnes.
- 33.3 Os caiff penderfyniad i ail-wneud y Rheolau Sefydlog neu i ddiwygio'r Rheolau Sefydlog ei basio drwy bleidlais, nid yw'n dod i rym oni bai bod o leiaf ddwy ran o dair o'r Aelodau sy'n pleidleisio yn cefnogi'r cynnig.
- 33.4 Daw penderfyniad i ail-wneud y Rheolau Sefydlog neu i ddiwygio'r Rheolau sefydlog i rym ar unwaith oni bai bod y penderfyniad yn darparu fel arall.
- 33.5 Caiff penderfyniad i ddiwygio'r Rheolau Sefydlog ddarparu bod unrhyw Reol Sefydlog, neu unrhyw ddiwygiad iddi, yn un dros dro (a phennu pa mor hir y bydd yn parhau).

Atal y Rheolau Sefydlog

- 33.6 Caniateir i unrhyw Reol Sefydlog neu unrhyw ran ohoni gael ei hatal dros dro at ddiben neu ddibenion penodol ac mewn perthynas â diwrnod penodol drwy gynnig a gyflwynir gan unrhyw Aelod.
- 33.7 Os caiff cynnig i atal Rheol Sefydlog neu ran ohoni dros dro ei basio drwy bleidlais, nid yw'n dod i rym oni bai bod o leiaf ddwy ran o dair o'r Aelodau sy'n pleidleisio yn cefnogi'r cynnig.
- 33.8 Rhaid i gynnig o dan Reol Sefydlog 33.6 gael ei gyflwyno nid llai nag un diwrnod gwaith cyn ei fod i gael ei ystyried gan y Cynulliad, ond caiff y Llywydd ganiatáu i gynnig o'r fath gael ei wneud heb hysbysiad os yw'n fodlon na fyddai gwneud hynny yn gamddefnydd ar weithdrefnau'r Cynulliad nac yn amharu ar hawliau lleiafrifoedd yn y Cynulliad.
- 33.9 Rhaid hysbysu'r Aelodau ar unwaith cyn gynted ag y caiff cynnig o dan Reol Sefydlog 33.6 ei gyflwyno.