



Newidiadau arfaethedig i'r Rheolau Sefydlog yn dilyn y refferendwm ar bwerau'r Cynulliad

Diben

1. Yn unol â Rheol Sefydlog 11.7(iv), mae'r Pwyllgor Busnes yn gyfrifol am wneud argymhellion ar arferion a gweithdrefnau cyffredinol y Cynulliad, gan gynnwys unrhyw gynigion ar gyfer ail-wneud y Rheolau Sefydlog, neu eu diwygio.
2. Mae'r Pwyllgor Busnes wedi cytuno ar y newidiadau mewn perthynas â Rheolau Sefydlog 21, 24, 25 a 26 ac adran ddehongli'r Rheolau Sefydlog (Atodiadau A a B). Bydd newidiadau dilynol i'r derminoleg a ddefnyddir yn y Rheolau Sefydlog hefyd yn angenrheidiol (e.e. Rheol Sefydlog 11.22).
3. Mae'r newidiadau hyn i'r Rheolau Sefydlog yn angenrheidiol yn sgil y bleidlais gadarnhaol yn y refferendwm ar bwerau'r Cynulliad ar 3 Mawrth 2011 a rhoi darpariaethau Rhan 4 o Ddeddf Llywodraeth Cymru 2006 ar waith.

Cefndir

4. Yn dilyn cychwyn Gorchymyn Deddf Llywodraeth Cymru 2006 (Cychwyn Darpariaethau Deddfau'r Cynulliad, Darpariaethau Trosiannol ac Arbed ac Addasiadau) 2011 ar 5 Mai 2011, gall y Cynulliad basio deddfwriaeth, ar ffurf "Deddfau'r Cynulliad", mewn perthynas â'r holl bynciau a amlinellir yn y 20 maes a nodir yn Atodlen 7 i'r Ddeddf.

5. Er mwyn galluogi Rheolau Sefydlog y Cynulliad i ddarparu ar gyfer pwerau o dan Ran 4 o'r Ddeddf ar unwaith, cafodd trefniadau dros dro eu cynnwys yn adran ddehongli'r Rheolau Sefydlog diwygiedig y cytunwyd arnynt ym mis Mawrth 2011. Roedd y trefniadau hyn yn nodi, o 5 Mai 2011 ymlaen a tan y gwnaed y newidiadau angenrheidiol i'r Rheolau Sefydlog, y byddai deddfwriaeth yn cael ei symud ymlaen yn unol â Rhan 4 o'r Ddeddf. Bydd y trefniadau dros dro yn cael eu disodli gan y newidiadau a gynigir yma.

6. Ni chynigir y bydd y weithdrefn sylfaenol ar gyfer craffu ar ddeddfwriaeth o dan Ran 4 yn wahanol i'r weithdrefn o dan Ran 3. Felly, mae'r rhan fwyaf o'r newidiadau angenrheidiol yn newidiadau i derminoleg. Gellir dod o hyd i'r cynigion manwl a'r nodiadau esboniadol yn Atodiad A. Gellir dod o hyd i gopi 'glân' o'r Rheolau Sefydlog perthnasol, sy'nadlewyrchu'r holl ddiwygiadau arfaethedig, yn Atodiad B.

Materion Cyfansoddiadol a Deddfwriaethol (Rheol Sefydlog 21)

7. Amlinella Rheol Sefydlog 21 y swyddogaethau sy'n gysylltiedig â materion cyfansoddiadol a deddfwriaethol y mae'n rhaid i strwythur pwyllgorau'r Cynulliad eu cyflawni. Bydd angen i'r newidiadau i derminoleg a nodir ym mharagraff 11 o'r papur hwn, a'r broses o gyflwyno Gorchmylion adran 109, fel y'i heglurwyd ym mharagraff 16, gael eu hadlewyrchu yn Rheol Sefydlog 21.

Aelodau sy'n gyfrifol (Rheol Sefydlog 24 a newidiadau canlyniadol i Reolau Sefydlog 25 a 26)

8. Yn ystod y Trydydd Cynulliad, rhoddwyd caniatâd i Lywodraeth Cymru, Comisiwn y Cynulliad, y pwyllgorau ac Aelodau unigol gynnig Mesurau a Gorchmylion Cymhwysedd Deddfwriaethol, yn amodol ar ofynion penodol a nodwyd yn y Rheolau Sefydlog. Cyfeiriwyd ar yr Aelod a oedd yn gyfrifol am lywio hynt y pedwar math o ddeddfwriaeth arfaethedig fel "yr Aelod sy'n gyfrifol".

9. Ni chynigir newidiadau i'r trefniadau ar gyfer cynnig Biliau. Mae'r Pwyllgor Busnes yn cynnig bod y newidiadau technegol angenrheidiol yn cael eu gwneud er mwynadlewyrchu'r newidiadau i derminoleg; hynny yw, Deddfau a Biliau.

Gorchmylion yn y Cyfrin Gyngor i'w gwneud o dan adran 109 o'r Ddeddf (Rheol Sefydlog 25)

10. Yn dilyn cychwyn darpariaethau Rhan 4 o'r Ddeddf, mae Atodlen 7 yn diffinio cymhwysedd deddfwriaethol y Cynulliad. Gellir diwygio Atodlen 7 (er enghraifft i ychwanegu pynciau newydd, ehangu neu egluro pynciau presennol, neu ddileu eithriadau) gan Orchymyn yn y Cyfrin Gyngor o dan adran 109 o'r Ddeddf ("Gorchymyn adran 109"). Rhaid cael cymeradwyaeth y Cynulliad a dau Dŷ Senedd y Deyrnas Unedig er mwyn i hyn ddigwydd.

11. Mae'n ofynnol cynnal proses lle bydd y Cynulliad yn gallu cynnig a thrafod Gorchmynion adran 109. Cynigir cadw proses debyg i'r un a ddefnyddiwyd yn ystod y Trydydd Cynulliad ar gyfer Gorchmynion Cymhwysedd Deddfwriaethol er mwyn caniatáu i'r Cynulliad gynnig a thrafod Gorchmynion o'r math hwn, lle bo hynny'n briodol.

12. Mae'r Pwyllgor Busnes wrthi'n adolygu'r gweithdrefnau i Aelodau unigol gynnig Gorchmynion adran 109, a bydd yn cyflwyno cynigion perthnasol o ran gwelliannau i Reolau Sefydlog 25.25 – 25.34 (ac eraill sy'n berthnasol i'r mater hwn) gerbron y Cynulliad yn ystod tymor yr hydref. Mae'r Pwyllgor Busnes yn cynnig cadw'r adrannau hyn o Reol Sefydlog 25 fel ag y maent, tan fydd yr adolygiad yn dod i ben.

Biliau a Deddfau (Rheol Sefydlog 26)

13. Yn dilyn y bleidlais gadarnhaol ac yn unol â Rhan 4 (adran 107(1)) o'r Ddeddf, gall y Cynulliad wneud deddfau a elwir yn "Ddeddfau Cynulliad Cenedlaethol Cymru" neu'n "Acts of the National Assembly for Wales". Yn unol ag adran 107(2) o'r Ddeddf, caiff Deddfau arfaethedig y Cynulliad eu galw'n Filiau. Felly, cynigir bod yr un derminoleg yn cael ei defnyddio yn y Rheolau Sefydlog ac y dylid:

- dileu'r holl gyfeiriadau presennol at "Fesurau" a rhoi cyfeiriadau at "Ddeddfau'r Cynulliad" yn eu lle; a
- dileu'r holl gyfeiriadau presennol at "Fesurau arfaethedig" a rhoi cyfeiriadau at "Filiau" yn eu lle.

14. Ar ôl cychwyn Rhan 4, ac yn unol ag adran 115 o'r Ddeddf, bydd Biliau yn cael eu cyflwyno ar gyfer Cydsyniad Brenhinol. Mae hyn yn wahanol i'r trefniadau ar gyfer Mesurau arfaethedig o dan Ran 3 a gafodd eu cyflwyno ar gyfer Cymeradwyaeth Brenhinol gan Ei Mawrhydi yn y Cyfrin Gyngor.

Croesgyfeirio

15. Bydd angen diweddaru'r cyfeiriadau at Ran 3 o'r Ddeddf yn y Rheolau Sefydlog hefyd gan roi croesgyfeiriadau cywir at Ran 4 yn eu lle.

Dehongli a newidiadau dilynol

16. Mae adran ddehongli'r Rheolau Sefydlog yn diffinio termau a ddefnyddir yn y Rheolau Sefydlog. Bydd angen diwygio'r adran ddehongli i adlewyrchu'r newidiadau i derminoleg a phroses sy'n ofynnol yn sgil y bleidlais gadarnhaol yn y refferendwm ar bwerau'r Cynulliad.

17. Bydd angen gwneud unrhyw newidiadau dilynol eraill i'r derminoleg a ddefnyddir yn y Rheolau Sefydlog hefyd – hynny yw, dileu cyfeiriadau at Fesurau arfaethedig a rhoi cyfeiriadau at Filiau yn eu lle a dileu cyfeiriadau at orchmynion cymhwysedd deddfwriaethol a rhoi yn eu lle gyfeiriadau at Orchmynion yn y Cyfrin Gyngor i'w gwneud o dan adran 109 o'r Ddeddf (er enghraift, Rheol Sefydlog 11.22).

Penderfyniad

18. Cytunodd y Pwyllgor Busnes ar y newidiadau i'r Rheolau Sefydlog ar 21 Mehefin 2011, a gwahoddir y Cynulliad i gymeradwyo'r cynnig.

STANDING ORDER 21 – Constitutional and Legislative Affairs	
Committee or Committees	No amendment to sub-heading necessary
Functions	No amendment to sub-heading necessary
<p>21.1 In proposing the remits of committees under Standing Order 16.2 or 16.3, the Business Committee must ensure that responsibility for the functions in Standing Order 21 is assigned to a committee or committees (referred to within Standing Order 21 as “a responsible committee”).</p>	No amendment necessary
<p>21.2 A responsible committee 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; 	No amendment necessary

	<ul style="list-style-type: none"> (v) that for any particular reason its form or meaning needs further explanation; (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).
21.3	<p>A responsible committee 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;

	<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.
21.4	A responsible committee must make any report under Standing Order 21.2 or 21.3 in respect of any statutory instrument or draft statutory instrument no later than 20 days after the instrument or draft has been laid.
21.5	In calculating for the purposes of Standing Order 21.4 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.
21.6	<p>Amend this Standing Order</p> <p>The amendment to this Standing Order ensures that any committee or committees responsible for constitutional and legislative affairs are not required by Standing Orders to consider the technical or merits aspects of any proposed or draft Orders to be made under section 109 ("section 109 Orders"). However, it does not preclude a responsible committee from reporting on a proposed or section 109 Order. If it transpires that section 109 Orders are routinely technical</p> <p>Legislative Competence Orders Orders in Council to be made, in accordance with Standing Order 25, under section 109 of the Act under Standing Order 25</p>

	in nature in the future, this exclusion may require reconsideration.
21.7 A responsible committee may consider and report on: <ul style="list-style-type: none"> (i) any other subordinate legislation laid before the Assembly other than that subject to Special Assembly Procedure under Standing Order 28; (ii) the appropriateness of provisions in proposed Assembly Measures Bills 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; (v) any legislative matter of a general nature within or relating to the competence of the Assembly or Welsh Ministers; or (vi) draft legislation which is the subject of consultation. 	Amend this Standing Order This is a linguistic change to replace “proposed Measures” with “Bills” to reflect Part 4 provisions of the Government of Wales Act 2006.
21.8 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 and of the Counsel General in order to consider whether it complies with the principle of subsidiarity.	No amendment necessary
21.9 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	No amendment necessary

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.	
21.10 If a responsible committee makes written representations in accordance with Standing Order 21.9, it must lay a copy of those written representations before the Assembly.	No amendment necessary
21.11 A responsible committee may, to enable its functions under Standing Order 21.9 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.	No amendment necessary

STANDING ORDER 24 – Definition of Member in Charge of Legislation	
General	No amendment to sub-heading necessary
24.1 Standing Order 24 defines the “Member in charge” of an item of legislation.	No amendment necessary
24.2 In Standing Order 24 “legislation” means: <ul style="list-style-type: none"> (i) proposed Orders under Standing Order 25; or (ii) draft Orders under Standing Order 25; or (iii) proposed Measures Bills under Standing Order 26. 	Amend this Standing Order Replace “proposed Measures” with “Bills” to reflect that the Assembly, following the March 2011 referendum result, will operate under Part 4 provisions of the Government of Wales Act 2006 after 5 May 2011.
Government Legislation	No amendment to sub-heading necessary
24.3 Legislation laid or introduced by a member of the government is referred to as “government legislation”.	No amendment necessary
24.4 The Member in charge of an item of government legislation is: <ul style="list-style-type: none"> (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); (ii) a member of the government who is authorised by the First Minister; or (iii) a member of the government who is authorised by virtue of Standing Orders 24.9 or 24.16. 	No amendment necessary

24.5 A Member who ceases to be a member of the government can no longer continue to be the Member in charge of government legislation.	No amendment necessary
Committee Legislation	No amendment to sub-heading necessary
24.6 Legislation laid or introduced by a committee is referred to as "committee legislation".	No amendment necessary
24.7 The Member in charge of an item of committee legislation is: <ul style="list-style-type: none"> (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 (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. 	No amendment necessary
24.8 An authorisation under Standing Orders 24.7 (i) or (ii) no longer has effect if the Member so authorised ceases to be a member of the committee.	No amendment necessary
24.9 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 24.7(i) or, if that committee no longer exists, of the committee specified by the Business Committee under Standing Order 24.7(ii).	No amendment necessary

24.10 When a committee transfers an item of committee legislation to a Member of the government (in accordance with Standing Order 24.9), that item of legislation is to be regarded, from then on, as an item of government legislation.	No amendment necessary
Commission Legislation	No amendment to sub-heading necessary
24.11 Legislation laid or introduced by the Commission is referred to as "Commission legislation".	No amendment necessary
24.12 The Member in charge of an item of Commission legislation is the member of the Commission authorised by the Commission.	No amendment necessary
24.13 An authorisation under Standing Order 24.12 no longer has effect if the Member so authorised ceases to be a member of the Commission.	No amendment necessary
Member Legislation	No amendment to sub-heading necessary
24.14 Legislation, which is neither government legislation, committee legislation nor Commission legislation, is referred to as "Member legislation".	No amendment necessary
24.15 The Member in charge of an item of Member legislation is: <ul style="list-style-type: none"> (i) the Member who laid or introduced the legislation, or who has had agreement to introduce or lay the legislation under Standing Orders 25.30 or 26.91 (or, in the case of a draft Order, the Member who introduced the proposed Order to which the draft Order relates); (ii) another Member authorised by the Member under Standing Order 24.15(i), by means of a statement 	<p>No amendment pending review</p> <p>The Business Committee is currently reviewing these Standing Orders as part of its review of Standing Orders 25.26 – 25.34. Pending this review, these Standing Orders remain unchanged.</p>

<p>to that effect laid by that Member; or</p> <p>(iii) if no such authorisation is made, any Member authorised by the Assembly.</p>	
24.16 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.	
24.17 When a Member transfers an item of Member legislation to a member of the government (in accordance with Standing Order 24.16), that item of legislation is to be regarded, from then on, as an item of government legislation.	

STANDING ORDER 25 - Legislative Competence Orders in Council to be made under section 109 of the Act	
STANDING ORDER 25 - Legislative Competence Orders in Council to be made under section 109 of the Act	<p>Amend the title of this Standing Order Following the ‘yes’ vote in March’s referendum (and the approval of the Government of Wales Act 2006 (Commencement of Assembly Act Provisions, Transitional and Saving Provisions and Modifications) Order 2011), provisions of Part 4 of the Government of Wales Act 2006 commenced on 5 May 2011.</p> <p>Schedule 7 – which outlines the Assembly’s legislative competence – can be amended (for example to add new subjects, to expand or clarify existing ones or to remove exceptions) by an Order in Council under section 109 of the Act. This can only happen with the approval of the Assembly and both houses of the UK Parliament.</p> <p>A process is required by which Orders of this kind can be considered by the National Assembly for Wales where necessary. It is proposed that the process used during the Third Assembly for Orders in Council made under section 95 of the Act (referred to as “Legislative Competence Orders”) is retained (subject to the amendments listed below) for the purpose of Orders in Council to be made under section 109 of the Act.</p>
General	No amendment to sub-heading necessary
25.1 Standing Order 25 applies only to Orders in Council within the meaning of section 95 <u>109</u> of the Act.	<p>Amend this Standing Order The reference to section 95 in current Standing Order 25.1 refers to Part 3 of the Act. The reference needs to be updated to reflect Part 4 provisions by replacing the reference to section 95 with a reference to section 109 of the Act.</p>
25.2 A “proposed Order” is a proposal for an Order in Council that is to be subject to scrutiny under Standing Order 25.4 to	No amendment necessary

25.11.	
25.3 A "draft Order" is a draft Order in Council that is to be subject to approval by the Assembly under Standing Order 25.15.	No amendment necessary
25.4 Subject to Standing Orders 25.25 to 25.34, a proposed Order may be laid on any working day in a sitting week.	No amendment necessary
Form and Laying of Proposed Orders	No amendment to sub-heading necessary
25.5 At the same time as the Member in charge lays a proposed Order under Standing Order 25.4, he or she must lay an Explanatory Memorandum.	No amendment necessary
25.6 A proposed Order must not be laid unless it is in proper form in accordance with any determinations made by the Presiding Officer.	No amendment necessary
Detailed Consideration of a Proposed Order	No amendment to sub-heading necessary
25.7 The Business Committee must either: (i) refer the proposed Order for detailed consideration to a responsible committee established in accordance with Standing Order 16.1 (referred to within Standing Order 25 as "the responsible committee"); or (ii) by motion in plenary propose that there should be no detailed consideration of the proposed Order.	No amendment necessary
25.8 The responsible committee must consider and report on the proposed Order.	No amendment necessary

25.9 The Business Committee must establish and publish a timetable for the responsible 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.	No amendment necessary
25.10 If a motion under Standing Order 25.7(ii) is agreed, the Member in charge of the proposed Order may introduce a draft Order, which, in the view of the Presiding Officer, relates to the proposed Order, under Standing Order 25.12.	No amendment necessary
25.11 If a motion under Standing Order 25.7(ii) is proposed but not agreed, the Business Committee must refer the proposed Order for detailed consideration to a responsible committee established in accordance with Standing Order 16.1 (referred to within Standing Order 25 as "the responsible committee").	No amendment necessary
Introduction of a Draft Order	No amendment to sub-heading necessary
25.12 A draft Order may be introduced by being laid on a working day in a sitting week, provided that: <ul style="list-style-type: none"> (i) the draft Order is introduced in accordance with Standing Order 25.10; (ii) a committee has reported on a proposed Order to which the draft Order relates in accordance with Standing Order 25.8; or (iii) a committee has not so reported within the timetable set by the Business Committee in accordance with Standing Order 25.9. 	No amendment necessary

Explanatory Memorandum to Accompany a Draft Order	No amendment to sub-heading necessary
25.13 At the same time as the Member in charge introduces a draft Order, he or she must lay an Explanatory Memorandum.	No amendment necessary
25.14 The Explanatory Memorandum must include: <ul style="list-style-type: none"> (i) an explanation of how account has been taken of the recommendations made by any Assembly committee, any committee of the House of Commons or the House of Lords or any Joint Committee of both Houses of Parliament; and (ii) the reasons for any significant differences between the draft Order and the proposed Order to which it relates. 	No amendment necessary
Final Consideration	No amendment to sub-heading necessary
25.15 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
25.16 A motion proposed under Standing Order 25.15 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 otherwise.	No amendment necessary
25.17 No amendment to a motion under Standing Order 25.15 may be tabled if:	No amendment necessary

(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.	
25.18 A draft Order cannot be amended.	No amendment necessary
Publication of Notice of Refusal	Remove this sub-heading
25.19 The Presiding Officer must, as soon as reasonably practicable, publish any notice laid in accordance with section 95(8) of the Act.	Remove this Standing Order The requirement to publish any notice of refusal by the Secretary of State for Wales to lay a draft Legislative Competence Order was a requirement under Part 3 of the Government of Wales Act 2006. There is no equivalent requirement under Part 4 provisions of the 2006 Act therefore this Standing Order is no longer required.
Withdrawal of a Proposed or Draft Order	No amendment to sub-heading necessary
25.20 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 agreement (by unanimous resolution of those voting) of the committee before withdrawing the Order.	No amendment necessary
Fall of a Proposed or Draft Order	No amendment to sub-heading necessary
25.21 A proposed or draft Order falls at dissolution.	No amendment necessary
25.22 Approval to lay a proposed Order in accordance with Standing Order 25.30 ceases at dissolution.	No amendment necessary
25.23 A proposed Order falls if the draft Order to which it relates is	No amendment necessary

approved or falls.	
25.24 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
25.25 Any committee may: <ul style="list-style-type: none"> (i) lay a committee proposed Order relating to its remit; or (ii) subject to Standing Order 25.12, introduce a draft Order relating to its remit. 	No amendment necessary
Member Proposed and Draft Orders	No amendment pending review
25.26 Standing Orders 25.27 to 25.34 apply only to Member proposed and draft Orders.	The Business Committee is currently reviewing these Standing Orders and will bring forward proposed amendments to the Assembly in the autumn term.
25.27 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 agreement to lay a Member proposed Order under Standing Order 25.30.	In the meantime, the Business Committee proposes that these Standing Orders remain unchanged.
25.28 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.	
25.29 No Member who has previously had agreement to lay a proposed Order in that Assembly may apply to be included in the ballot.	
25.30 A Member who is successful in a ballot 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.	
25.31 A motion under Standing Order 25.30 is not amendable.	
25.32 Time must be made available for a motion tabled under Standing Order 25.30 to be debated within 35 working days of the date of the ballot (not counting working days in a non-sitting week).	
25.33 Unless a motion under Standing Order 25.30 is agreed to, no further proceedings are to be taken on the proposed Order.	
25.34 If a motion under Standing Order 25.30 is disagreed to, then no Member may enter any ballot held under Standing Order 25.27 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.	

STANDING ORDER 26 - Assembly Measures <u>Acts of the Assembly</u>	
STANDING ORDER 26 - Assembly Measures <u>Acts of the Assembly</u>	<p>Amend title of Standing Order</p> <p>In accordance with Part 4 (section 107) of the Government of Wales Act 2006, the Assembly may make laws to be known as Acts of the National Assembly for Wales or "Deddfau Cynulliad Cenedlaethol Cymru". These are referred to throughout the 2006 Act as "Acts of the Assembly".</p> <p>It is proposed that the same terminology is used in the Standing Orders and that there is a general interpretation provision in the Standing Orders which says that a reference to an Act of the Assembly means an Act of the National Assembly for Wales as defined in section 107(1) of the Government of Wales Act 2006.</p>
Form and Introduction of <u>Proposed Measures Bills</u>	<p>Amend sub-heading</p> <p>In accordance with section 107(2) of the Government of Wales Act 2006, proposed Acts of the Assembly are to be known as Bills.</p>
26.1 Subject to Standing Orders 26.80 to 26.94, a <u>proposed Measure Bill</u> may be introduced on a working day in a sitting week.	<p>Amend this Standing Order</p> <p>Replace "proposed Measure" with "Bill" to reflect that the Assembly, following the March 2011 referendum result, will operate under Part 4 provisions of the Government of Wales Act 2006 after 5 May 2011.</p>
26.2 A <u>proposed Measure Bill</u> must be introduced by being laid.	<p>Amend this Standing Order</p> <p>Replace "proposed Measure" with "Bill".</p>
26.3 A <u>proposed Measure Bill</u> must not be laid unless it is in proper form in accordance with any determinations made by the Presiding Officer.	<p>Amend this Standing Order</p> <p>Replace "proposed Measure" with "Bill".</p>
26.4 A <u>proposed Measure Bill</u> must on its introduction be accompanied by a statement in English and Welsh by the Presiding Officer which must:	<p>Amend this Standing Order</p> <p>Replace "proposed Measure" with "Bill".</p>
(i) indicate whether or not the provisions of the	

	<p>proposed Measure Bill would be, in his or her 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>	
26.5	<p>A proposed Measure Bill must be introduced in both English and Welsh except in the following cases:</p> <p>(i) when, in respect of a government proposed Measure Bill, 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 Bill 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 26.3.</p>	<p>Amend this Standing Order Replace “proposed Measure” with “Bill”.</p>
	Documentation to Accompany a Proposed Measure Bill	<p>Amend this sub-heading Replace “proposed Measure” with “Bill”.</p>
26.6	<p>At the same time as the Member in charge introduces a proposed Measure Bill, 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 Bill would be within the</p>	<p>Amend this Standing Order Replace “proposed Measure” with “Bill”.</p>

<p>legislative competence of the Assembly;</p> <p>(ii) set out the policy objectives of the proposed Measure Bill;</p> <p>(iii) set out whether alternative ways of achieving the policy objectives were considered and, if so, why the approach taken in the proposed Measure Bill was adopted;</p> <p>(iv) set out the consultation, if any, which was undertaken on:</p> <p style="padding-left: 2em;">(a) the policy objectives of the proposed Measure Bill and the ways of meeting them; and</p> <p style="padding-left: 2em;">(b) the detail of the proposed Measure Bill,</p> <p>together with a summary of the outcome of that consultation;</p> <p>(v) summarise objectively what each of the provisions of the proposed Measure Bill 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 Bill;</p>	
--	--

<p>(vi) set out the best estimates of:</p> <ul style="list-style-type: none">(a) the gross administrative, compliance and other costs to which the provisions of the proposed Measure Bill would give rise;(b) the timescales over which such costs would be expected to arise; and(c) on whom the costs would fall; <p>(vii) where the proposed Measure Bill contains any provision conferring power to make subordinate legislation, set out, in relation to each such provision:</p> <ul style="list-style-type: none">(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;(b) why it is considered appropriate to delegate the power; and(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	
--	--

<p>make it subject to any other procedure); and</p> <p>(viii) where the proposed Measure Bill contains any provision charging expenditure on the Welsh Consolidated Fund, incorporate a report of the Auditor General setting out his or her views on whether the charge is appropriate.</p>	
<p>Timetable for Consideration of a Proposed Measure Bill</p>	<p>Amend this sub-heading Replace “proposed Measure” with “Bill”.</p>
<p>26.7 The Business Committee must establish and publish a timetable for the consideration of a proposed Measure Bill, except for any stage taken in plenary (which must be arranged under the provisions of Standing Orders 11.12 or 11.7(ii), as the case may be).</p>	<p>Amend this Standing Order Replace “proposed Measure” with “Bill”.</p>
<p>26.8 The Business Committee may make such subsequent changes to a timetable established under Standing Order 26.7 as it considers appropriate but must give reasons for such changes.</p>	<p>No amendment necessary</p>
<p>Stage 1: Consideration of General Principles</p>	<p>No amendment necessary</p>
<p>26.9 Once a proposed Measure Bill has been introduced, the Business Committee must decide whether or not to refer consideration of the general principles to a responsible committee established under Standing Order 16.1 (referred to within Standing Order 26 as “the responsible committee”).</p>	<p>Amend this Standing Order Replace “proposed Measure” with “Bill”.</p>
<p>26.10 If the Business Committee agrees under Standing Order 26.9 to refer the proposed Measure Bill to a responsible committee, that responsible committee must consider and report on the general principles of the proposed Measure Bill.</p>	<p>Amend this Standing Order Replace “proposed Measure” with “Bill”.</p>

<p>26.11 Not earlier than five working days after either:</p> <ul style="list-style-type: none"> (i) the responsible committee has reported on the general principles of the proposed Measure Bill; or (ii) the deadline by which the responsible committee is required to report has been reached, <p>the Member in charge of the proposed Measure Bill may propose that the Assembly agree to the general principles of the proposed Measure Bill.</p>	<p>Amend this Standing Order Replace “proposed Measure” with “Bill”.</p>
<p>26.12 If the Business Committee decides not to refer consideration of the general principles to a responsible committee, the Member in charge may propose that the Assembly agree to the general principles of the proposed Measure Bill.</p>	<p>Amend this Standing Order Replace “proposed Measure” with “Bill”.</p>
<p>26.13 If the Assembly agrees to the general principles of the proposed Measure Bill under Standing Orders 26.11, 26.12, 26.83 or 26.102, the proposed Measure Bill proceeds to Stage 2.</p>	<p>Amend this Standing Order Replace “proposed Measure” with “Bill”.</p>
<p>26.14 If the Assembly does not agree to the general principles of the proposed Measure Bill under Standing Orders 26.11, 26.12, 26.83 or 26.102, the proposed Measure Bill falls.</p>	<p>Amend this Standing Order Replace “proposed Measure” with “Bill”.</p>
<p>26.15 Stage 1 is completed when the general principles of the</p>	<p>Amend this Standing Order</p>

proposed Measure Bill have been agreed to or the proposed Measure Bill falls under Stage 1.	Replace “proposed Measure” with “Bill”.
Stage 2: Detailed Consideration by Committee	No amendment necessary
26.16 Stage 2 starts on the first working day after Stage 1 is completed.	No amendment necessary
26.17 At least 15 working days must elapse between the start of Stage 2 and the date of the first meeting at which the responsible committee considers amendments to the proposed Measure Bill .	Amend this Standing Order Replace “proposed Measure” with “Bill”.
26.18 If the Assembly has agreed to the proposed Measure Bill 's general principles, the Business Committee must: <ul style="list-style-type: none"> (i) refer the proposed Measure Bill back to the responsible committee for Stage 2 proceedings; (ii) refer the proposed Measure Bill to a responsible committee for Stage 2 proceedings if the Business Committee agreed under Standing Order 26.9 not to refer consideration of the general principles to a responsible committee; or (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 6.20. 	Amend this Standing Order Replace “proposed Measure” with “Bill”.
26.19 A proposed Measure Bill may be amended in Stage 2	Amend this Standing Order

proceedings.	Replace “proposed Measure” with “Bill”.
26.20 Amendments to be considered at Stage 2 proceedings may be tabled by any Member, from the first day on which Stage 2 starts.	No amendment necessary
26.21 Amendments are to be disposed of in the order in which the sections and schedules to which they relate arise in the proposed Measure Bill , unless the committee considering Stage 2 proceedings has decided otherwise.	Amend this Standing Order Replace “proposed Measure” with “Bill”.
26.22 Only a Member who is a member of the committee considering Stage 2 proceedings may participate in those proceedings for the purpose of: (i) moving or seeking agreement to withdraw an amendment; or (ii) voting.	No amendment necessary
26.23 An amendment tabled by a Member who is not a member of the committee considering Stage 2 proceedings, may be moved by a member of the committee.	No amendment necessary
26.24 Where any amendment is tabled to a section or schedule of the proposed Measure Bill , 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.	Amend this Standing Order Replace “proposed Measure” with “Bill”.
26.25 If no amendment is tabled to a section or schedule of the proposed Measure Bill , then that section or schedule is to be deemed agreed by the committee for the purpose of Stage 2	Amend this Standing Order Replace “proposed Measure” with “Bill”.

proceedings.	
26.26 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.	No amendment necessary
26.27 If a <u>proposed Measure Bill</u> 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.	Amend this Standing Order Replace "proposed Measure" with "Bill".
26.28 Any revised Explanatory Memorandum requested under Standing Order 26.27 must be laid at least five working days before the date of the first meeting of the Assembly that considers Stage 3 proceedings.	No amendment necessary
Stage 3: Detailed Consideration by the Assembly	No amendment necessary
26.29 Stage 3 starts on the first working day after Stage 2 is completed.	No amendment necessary
26.30 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.	No amendment necessary
26.31 Stage 3 proceedings of a <u>proposed Measure Bill</u> must be considered by the Assembly in plenary.	Amend this Standing Order Replace "proposed Measure" with "Bill".
26.32 A <u>proposed Measure Bill</u> may be amended in Stage 3 proceedings.	Amend this Standing Order Replace "proposed Measure" with "Bill".
26.33 Amendments to be considered at Stage 3 proceedings may be tabled by any Member from the first day on which Stage 3 starts.	No amendment necessary
26.34 The Presiding Officer may select those amendments which are	No amendment necessary

to be taken at Stage 3 proceedings.	
26.35 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 26.59. Such an amendment is referred to as a "late amendment".	No amendment necessary
26.36 Amendments are to be disposed of in the order in which the sections and schedules to which they relate arise in the <u>proposed Measure Bill</u> , 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 11.12 or 11.7(ii) as the case may be).	Amend this Standing Order Replace "proposed Measure" with "Bill".
26.37 The Assembly may, on a motion without notice of the Minister with responsibility for government business or the Business Committee (in accordance with Standing Orders 11.12 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).	No amendment necessary
26.38 If a motion under Standing Order 26.37 is agreed to, debates on those groups of amendments must be concluded by the time-limits specified in the motion, except to the extent considered necessary by the Presiding Officer: <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 	No amendment necessary

	reached from being unreasonably curtailed.	
26.39	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.	No amendment necessary
26.40	If a motion under Standing Order 26.39 is agreed to, the Member in charge of the proposed Measure Bill , or any member of the government, may table amendments to the proposed Measure Bill to be moved at the further Stage 3 proceedings.	Amend this Standing Order Replace “proposed Measure” with “Bill”.
26.41	Amendments under Standing Order 26.40 are only admissible if, in addition to the criteria in Standing Order 26.61, they are for the purpose of clarifying a provision of a proposed Measure Bill (including ensuring consistency between the English and Welsh texts) or giving effect to commitments given at the earlier Stage 3 proceedings.	Amend this Standing Order Replace “proposed Measure” with “Bill”.
26.42	Where any amendment is tabled to a section or schedule of the proposed Measure Bill , 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.	Amend this Standing Order Replace “proposed Measure” with “Bill”.
26.43	If no amendment is tabled to a section or schedule of the proposed Measure Bill , then that section or schedule is to be deemed agreed by the Assembly for the purpose of Stage 3 proceedings.	Amend this Standing Order Replace “proposed Measure” with “Bill”.
26.44	Stage 3 is completed when the last amendment has been disposed of or the last section or schedule has been deemed	No amendment necessary

to be agreed, whichever is the later.	
Report Stage	No amendment necessary
26.45 Once Stage 3 is completed in accordance with Standing Order 26.44, 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.	No amendment necessary
26.46 Standing Orders 26.29 to 26.44 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.	No amendment necessary
Stage 4: Final Stage	No amendment necessary
26.47 Subject to Standing Order 26.50, immediately after the completion of Stage 3 proceedings, or Report Stage proceedings where undertaken, any Member may without notice move that the proposed Measure <u>Bill</u> be passed.	Amend this Standing Order Replace "proposed Measure" with "Bill".
26.48 If no motion is moved under Standing Order 26.47, 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 11.12 or 11.7(ii) as the case may be) when the motion that the proposed Measure <u>Bill</u> be passed is to be considered in plenary.	Amend this Standing Order Replace "proposed Measure" with "Bill".
26.49 A motion that a proposed Measure <u>Bill</u> be passed may not be amended.	Amend this Standing Order Replace "proposed Measure" with "Bill".
26.50 No motion that a proposed Measure <u>Bill</u> be passed may be moved unless the text of the proposed Measure <u>Bill</u> is available in both English and Welsh.	Amend this Standing Order Replace "proposed Measure" with "Bill".
26.51 No motion under Standing Order 12.31(ii) may be moved in	No amendment necessary

any Stage 4 proceedings.	
Reconsideration of proposed Measures Bills Passed	Amend this sub-heading Replace “proposed Measures” with “Bills”.
26.52 Any Member may, after the proposed Measure Bill is passed, by motion propose that the Assembly reconsider the proposed Measure Bill , or any provision of it, if: <ul style="list-style-type: none"> (i) a question has been referred to the Supreme Court under section 99 <u>112</u> of the Act; (ii) a reference for a preliminary ruling (within the meaning of section 100(1)(b) <u>113(1)(b)</u> 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. 	Amend this Standing Order <ul style="list-style-type: none"> • Replace “proposed Measure” with “Bill”. • Replace reference to section 99 of the 2006 Act – which relates to Part 3 provisions – with a reference to the equivalent Part 4 provision under section 112. • Replace reference to section 100(1)(b) of the 2006 Act – which relates to Part 3 provisions – with a reference to the equivalent Part 4 provision under section to 113(1)(b).
26.53 Any Member may by motion propose that the Assembly reconsider the proposed Measure Bill if: <ul style="list-style-type: none"> (i) the Supreme Court decides that the proposed Measure Bill or any provision of it would not be within the legislative competence of the Assembly; or (ii) an order is made in relation to the proposed Measure Bill under section 101 <u>114</u> of the Act. 	Amend this Standing Order <ul style="list-style-type: none"> • Replace “proposed Measure” with “Bill”. • Replace reference to section 101 of the 2006 Act – which relates to Part 3 provisions – with a reference to the equivalent Part 4 provision under section 114.
26.54 Proceedings at Reconsideration Stage must be considered by the Assembly in plenary.	No amendment necessary

<p>26.55 A proposed Measure Bill may not be amended at Reconsideration Stage unless in addition to the criteria in Standing Order 26.61, 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> <ul style="list-style-type: none"> (i) the reference to the Supreme Court for a preliminary ruling; (ii) the decision of the Supreme Court; or (iii) the Order under section 101 <u>114</u> of the Act. 	<p>Amend this Standing Order</p> <ul style="list-style-type: none"> • Replace “proposed Measure” with “Bill”. • Replace reference to section 101 of the 2006 Act – which relates to Part 3 provisions – with a reference to the equivalent Part 4 provision under section 114.
<p>26.56 Any Member may propose that the Assembly approves a proposed Measure Bill amended on reconsideration. Such a motion may not be amended.</p>	<p>Amend this Standing Order Replace “proposed Measure” with “Bill”.</p>
<p>General Provisions in Relation to Amendments to proposed Measures Bills</p>	<p>Amend this sub-heading Replace “proposed Measures” with “Bills”.</p>
<p>26.57 Standing Orders 26.58 to 26.66 apply to amendments in Stage 2 proceedings, Stage 3 proceedings, Report Stage proceedings or on Reconsideration.</p>	<p>No amendment necessary</p>
<p>26.58 The Presiding Officer must determine the proper form of amendments to a proposed Measure Bill.</p>	<p>Amend this Standing Order Replace “proposed Measure” with “Bill”.</p>
<p>26.59 No amendment, other than a late amendment, may be considered unless it has been tabled five working days before it is considered.</p>	<p>No amendment necessary</p>
<p>26.60 Any Member may add his or her name to an amendment (other than a late amendment) by notifying the Clerk at any time until the end of the working day before the amendment is due to be</p>	<p>No amendment necessary</p>

considered.	
26.61 An amendment is not admissible if: <ul style="list-style-type: none"> (i) it is not in its proper form in accordance with Standing Order 26.58; (ii) it is not relevant to the proposed Measure Bill or the provisions of the proposed Measure Bill which it would amend; (iii) it is inconsistent with the general principles of the proposed Measure Bill as agreed by the Assembly; or (iv) it is inconsistent with a decision already taken at the Stage at which the amendment is proposed. 	Amend this Standing Order Replace “proposed Measure” with “Bill”.
26.62 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 26.57 to 26.66 must apply accordingly.	No amendment necessary
26.63 Subject to Standing Order 26.22, 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.	No amendment necessary

26.64 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.	No amendment necessary
26.65 If a Member who tabled an amendment does not move the amendment when that amendment comes to be debated, the amendment may be moved: <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, Report Stage proceedings or on Reconsideration, by any other Member. 	No amendment necessary
26.66 An amendment which has been moved may be withdrawn by the Member who moved it, but only: <ul style="list-style-type: none"> (i) in a committee considering Stage 2 proceedings, if no member of that committee objects ; or (ii) in Stage 3 proceedings, Report Stage proceedings or on Reconsideration, if no Member objects. 	No amendment necessary
Her Majesty's and Duke of Cornwall's Consent	No amendment necessary
26.67 If a <u>proposed Measure Bill</u> 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	Amend this Standing Order Replace "proposed Measure" with "Bill".

<p>the proposed Measure Bill be passed (or approved following Reconsideration) unless such consent to such a provision has been signified by a member of the government during proceedings on the proposed Measure Bill at a meeting of the Assembly.</p>	
<p>Financial Resolutions</p>	<p>No amendment necessary</p>
<p>26.68 The Presiding Officer must decide in every case whether a financial resolution is required for a proposed Measure Bill under Standing Orders 26.69 to 26.74.</p>	<p>Amend this Standing Order Replace "proposed Measure" with "Bill".</p>
<p>26.69 If a proposed Measure Bill 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 Bill at any Stage after Stage 1 unless the Assembly has by financial resolution agreed to the expenditure or the increase in</p>	<p>Amend this Standing Order Replace "proposed Measure" with "Bill".</p>

expenditure being charged on or, as the case may be, payable out of that Fund.	
<p>26.70 If:</p> <ul style="list-style-type: none"> (i) a proposed Measure Bill 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)), <p>no proceedings may be taken on the proposed Measure Bill at any Stage after Stage 1 unless the Assembly has by financial resolution agreed to the charge, increase or payment.</p>	<p>Amend this Standing Order Replace “proposed Measure” with “Bill”.</p>
<p>26.71 Standing Order 26.70:</p> <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (a) in respect of the provision of goods and is reasonable in relation to the goods provided; or 	<p>No amendment necessary</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.	
26.72	Where the effect of an amendment (or amendments) to a proposed Measure Bill if agreed to, would be that the proposed Measure Bill 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.	Amend this Standing Order Replace “proposed Measure” with “Bill”.
26.73	Only a member of the government may move a motion for a financial resolution. Such a motion cannot be amended.	No amendment necessary
26.74	Unless: (i) notice of a motion for any financial resolution required in relation to a proposed Measure Bill by Standing Orders 26.69 or 26.70 is tabled within 6 months of the completion of Stage 1; and (ii) the motion is agreed to, the proposed Measure Bill falls.	Amend this Standing Order Replace “proposed Measure” with “Bill”.
	Notification of Approved Measures Royal Assent to Acts of the Assembly	Amend this sub-heading Replace “Approved Measures” with “Royal Assent to Acts of the Assembly”. This change is necessary to reflect the fact that Acts of the Assembly under Part 4 of the Government of Wales Act 2006 receive Royal Assent. This contrasts with Assembly Measures which were

	given Royal Approval by Her Majesty in Council under Part 3 arrangements.
26.75 The Clerk must notify the Assembly of the date of the approval Royal Assent to of an Assembly Measure Act of the Assembly by Her Majesty in Council.	Amend this Standing Order These changes are necessary to ensure that Standing Orders adhere to section 115(6) of the Act which states that the Standing Orders must include provision for notification by the Clerk to the Assembly of the date of Royal Assent to an Act of the Assembly.
Fall, Rejection or Withdrawal of Proposed Measures Bills	Amend this sub-heading Replace "proposed Measures" with "Bills".
26.76 If a proposed Measure Bill falls or is rejected by the Assembly, no further proceedings may be taken on that proposed Measure Bill and a proposed Measure Bill 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 Bill fell or was rejected.	Amend this Standing Order Replace "proposed Measure" with "Bill".
26.77 A proposed Measure Bill falls if it has not been passed or approved by the Assembly before the end of the Assembly in which it was introduced.	Amend this Standing Order Replace "proposed Measure" with "Bill".
26.78 Approval to introduce a proposed Measure Bill in accordance with Standing Order 26.91 ceases at dissolution.	Amend this Standing Order Replace "proposed Measure" with "Bill".
26.79 A proposed Measure Bill 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.	Amend this Standing Order Replace "proposed Measure" with "Bill".
Committee proposed Measures Bills	Amend this sub-heading Replace "proposed Measures" with "Bills".
26.80 Standing Orders 26.81 to 26.83 apply only to committee	Amend this Standing Order

<u>proposed Measures Bills.</u>	Replace “proposed Measure” with “Bill”.
26.81 Any committee may introduce a committee <u>proposed Measure Bill</u> relating to the committee’s remit.	Amend this Standing Order Replace “proposed Measure” with “Bill”.
26.82 Standing Orders 26.9 to 26.12 do not apply to committee <u>proposed Measures Bills.</u>	Amend this Standing Order Replace “proposed Measure” with “Bill”.
26.83 At Stage 1, the Member in charge of a committee <u>proposed Measure Bill</u> may table a motion proposing that the Assembly agree to the general principles of the <u>proposed Measure Bill.</u>	Amend this Standing Order Replace “proposed Measure” with “Bill”.
<u>Commission Proposed Measures Bills</u>	Amend this sub-heading Replace “proposed Measures” with “Bills”.
26.84 The Commission may introduce a <u>proposed Measure Bill</u> relating to the Commission’s functions.	Amend this Standing Order Replace “proposed Measure” with “Bill”.
<u>Member Proposed Measures Bills</u>	Amend this sub-heading Replace “proposed Measures” with “Bills”.
26.85 Standing Orders 26.86 to 26.94 apply only to Member <u>proposed Measures Bills.</u>	Amend this Standing Order Replace “proposed Measures” with “Bills”.
26.86 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 <u>95</u> <u>109</u> of the Act, that Member may introduce <u>one Member proposed Measure a Bill</u> relating to that Order within nine months of the Order being made. This does not affect a Member’s right to enter a ballot held under Standing Order 26.87.	Amend this Standing Order Replace “section 95” with “section 109”. Replace “one Member proposed Measure” with “a Bill” The Business Committee is considering whether the same provision to introduce a related Bill should apply in the case of a Member initiating a section 109 Order as part of its review of Standing Orders 25.26 – 25.34. Pending this review, these Standing Orders remain unchanged.
26.87 The Presiding Officer must from time to time hold a ballot to determine the name of a Member, other than a member of the	Amend this Standing Order Replace “Member proposed Measure” with “Bill”.

government, who may seek agreement to introduce a Member proposed Measure Bill .	
26.88 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 26.90.	No amendment necessary
26.89 No Member who has previously had agreement to introduce a Member proposed Measure Bill in that Assembly may apply to be included in the ballot.	Amend this Standing Order Replace "Member proposed Measure" with "Bill".
26.90 The required pre-ballot information is: (i) the proposed title of the proposed Measure Bill ; and (ii) an Explanatory Memorandum which must contain: (a) the policy objectives of the proposed Measure Bill ; and (b) details of any support received for the proposed Measure Bill , including details of any consultation carried out.	Amend this Standing Order Replace "proposed Measure" with "Bill".
26.91 A Member who is successful in a ballot may within 25 working days of the date of the ballot table a motion seeking the Assembly's agreement to introduce a Member proposed Measure Bill to give effect to the pre-ballot information tabled under Standing Order 26.90.	Amend this Standing Order Replace "Member proposed Measure" with "Bill".

26.92 Time must be made available for a motion tabled under Standing Order 26.91 to be debated within 35 working days of the date of the ballot (not counting working days in a non-sitting week).	No amendment necessary
26.93 If a motion under Standing Order 26.91 is agreed to, then the Member who has had agreement to introduce a proposed Measure Bill may within nine months of the motion being agreed introduce a Member proposed Measure Bill to give effect to the pre-ballot information tabled under Standing Order 26.90.	Amend this Standing Order Replace “Member proposed Measure” with “Bill”.
26.94 If a motion under Standing Order 26.91 is disagreed to, then no Member may enter any ballot held under Standing Order 26.87 for a period of six months after the motion has been disagreed to if the policy objectives of the proposed Measure Bill which he or she seeks agreement to introduce are substantially the same as those of the proposed Measure Bill referred to in the motion which has been disagreed to.	Amend this Standing Order Replace “proposed Measure” with “Bill”.
Government Proposed Emergency Measures Bills	Amend this sub-heading Replace “proposed Measures” with “Bills”.
26.95 If it appears to a member of the government that an Emergency proposed Measure Bill is required, he or she may by motion propose that a government proposed Measure Bill , to be introduced in the Assembly, be treated as a government proposed Emergency Measure Bill.	Amend this Standing Order Replace “proposed Measure” with “Bill”.
26.96 A motion under Standing Order 26.95 may also propose that a government Proposed -Emergency Measure Bill may be introduced without the Explanatory Memorandum required by Standing Order 26.6.	Amend this Standing Order Replace “proposed Measure” with “Bill”.

<p>26.97 A government proposed Emergency Measure Bill 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 Bill would be within the legislative competence of the Assembly.</p>	<p>Amend this Standing Order Replace “proposed Measure” with “Bill”.</p>
<p>26.98 If the Assembly agrees to a motion under Standing Order 26.95:</p> <ul style="list-style-type: none"> (i) the provisions of Standing Orders 26.99 to 26.104 must apply to such a proposed Measure Bill; 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 Bill. 	<p>Amend this Standing Order Replace “proposed Measure” with “Bill”.</p>
<p>26.99 A motion under Standing Order 26.98(ii) may propose that all stages be taken on a single working day in a sitting week.</p>	<p>No amendment necessary</p>
<p>26.100 The Member in charge may make such subsequent changes to a timetable established under Standing Order 26.98(ii) as he or she considers appropriate, but must give reasons for such changes.</p>	<p>No amendment necessary</p>
<p>26.101 Standing Orders 26.7 to 26.12, 26.16 to 26.18, 26.28 to 26.30, 26.45 and 26.46, 26.50 and 26.59 do not apply in relation to government proposed Emergency Bills Measures.</p>	<p>Amend this Standing Order Replace “proposed Measure” with “Bill”.</p>
<p>26.102 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 Bill Measure.</p>	<p>Amend this Standing Order Replace “proposed Measure” with “Bill”.</p>

26.103 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 6.20.	No amendment necessary
26.104 When a Member intends to table an amendment to a government proposed Emergency <u>Bill Measure</u> , he or she must give such notice of that amendment as the Presiding Officer may determine for that Stage.	Amend this Standing Order Replace “proposed Measure” with “Bill”.

INTERPRETATION	
In these Standing Orders: “the Act” means the Government of Wales Act 2006;	No amendment necessary
“an Act of the Assembly” means an Act of the National Assembly for Wales as defined in section 107(1) of the Act;	Insert new interpretation Following the ‘yes’ vote in March’s referendum (and the approval of the Government of Wales Act 2006 (Commencement of Assembly Act Provisions, Transitional and Saving Provisions and Modifications) Order 2011), provisions of Part 4 of the Government of Wales Act 2006 commenced on 5 May 2011. This means that primary legislation which has been passed by the Assembly and has received Royal Assent is to be known as “an Act of the Assembly” in accordance with section 107(1) of the Act.
“an Assembly” means the period from an Assembly election to dissolution; “Assembly election” means a general election held under the Act; “Assembly proceedings” means any proceedings of the Assembly, any committee of the Assembly or a sub-committee of such a committee; “Assembly year” means the period from 1 May in one year to 30 April in the following year; “Auditor General” means the Auditor General for Wales appointed under paragraph 1 of Schedule 8 to the Act;	No amendment necessary
“a Bill” means a proposed Act of the Assembly as defined in section 107(2) of the Act;	Insert new interpretation Following the ‘yes’ vote in March’s referendum (and the approval of

	the Government of Wales Act 2006 (Commencement of Assembly Act Provisions, Transitional and Saving Provisions and Modifications) Order 2011), provisions of Part 4 of the Government of Wales Act 2006 commenced on 5 May 2011. This means that proposed Acts of the Assembly are to be known as Bills and a Bill becomes an Act of the Assembly when it has been passed by the Assembly and has received Royal Assent.
<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>"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 accordance with Standing Order 29;</p>	
<p>"legislative competence order" means an Order in Council under section 95 of the Act;</p>	<p>Remove this interpretation</p> <p>Following the 'yes' vote in March's referendum (and the approval of the Government of Wales Act 2006 (Commencement of Assembly Act</p>

	<p>Provisions, Transitional and Saving Provisions and Modifications) Order 2011), provisions of Part 4 of the Government of Wales Act 2006 commenced on 5 May 2011. This means that there is no longer a need to amend Schedule 5 of the Act by Legislative Competence Order.</p> <p>As such, this interpretation is no longer necessary.</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>“non-sitting week” means 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>	No amendment necessary
<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 <u>Act of the Assembly</u>, Act of the UK Parliament or Assembly Measure, or made or to be made under subordinate legislation;</p>	<p>Amend this interpretation</p> <p>Following the commencement of Part 4 provisions of the Government of Wales Act 2006, subordinate legislation can now be made under any Act of the Assembly. To reflect this, the underlined change is necessary.</p> <p>The reference to Assembly Measures must be retained to ensure that Standing Orders reflect the fact that subordinate legislation may still be made under Assembly Measures made in accordance with Part 3 of the Act during the Third Assembly.</p>

<p>"the Supreme Court" means the Supreme Court of the United Kingdom established under section 23(1) of the Constitutional Reform Act 2005;</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> <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>No amendment necessary</p>
<p>Transitional arrangements</p> <p>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:</p> <p>(i) 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</p>	<p>Remove this interpretation</p> <p>This interpretation was included as a temporary measure following the result of the March 2011 powers referendum. It was included to ensure that the introduction of legislation was not prohibited whilst changes to reflect the commencement of Part 4 provisions of the Government of Wales Act 2006 were considered by the Business Committee early in the Fourth Assembly.</p> <p>The provisions contained here are no longer necessary as they are superseded by the changes proposed in this Report.</p>

<p>(ii) — 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; and</p> <p>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, respectively.</p>	
--	--

ATODIAD B – Rheolau Sefydlog wedi eu diwygio sy'n adlewrych u'r newidiadau a gynigyr yn dilyn y refferendwm ar bwerau'r Cynulliad

Mae Atodiad B yn cynnwys testun yr holl Reolau Sefydlog (a'r adran ddehongli) a effeithir gan y newidiadau a gynigir yn dilyn canlyniad y refferendwm ar bwerau'r Cynulliad.

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 Ilywodraeth**” 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 “**Bil**” yw Bil arfaethedig Cynulliad fel y'i diffinnir yn adran 107(2) o'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 Ilywodraeth a benodir o dan adran 49 o'r Ddeddf;

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

ystyr “**Deddfau Cynulliad**” yw Deddf Cynulliad Cenedlaethol Cymru fel y'i diffinnir yn adran 107(1) o'r Ddeddf;

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 “**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 Ddeddfa Senedd y DU neu Ddeddf Cynulliad, neu a wnaed neu sydd i'w gwneud o dan is-ddeddfwriaeth;

ystyr “**Ilywodraeth**” 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 pwylgor 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.

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 grwpiad at ddibenion Rheol Sefydlog 11) Aelod a enwebir gan bob grwpiad 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 grwpiad 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 grwpiad 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 grwpiad gwleidyddol, bydd gan bob Aelod o'r fath hawl i fod yn bresennol yn nhrafodion y Pwyllgor a chaiff bleidleisio;
 - (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.

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 yngylch 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 neilltu 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.

Categorïau 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 ddadl 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 bwylgorau;
- (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 pwylgorau, 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 arfaethedig a drafft yn y Cyfrin Gyngor i'w gwneud o dan adran 109 o'r Ddeddf;
- (iv) Biliau a gwelliannau i Filiau;
- (v) is-ddeddfwriaeth neu is-ddeddfwriaeth ddrafft; a
- (vi) unrhyw ddogfennau a osodwyd gerbron y Cynulliad.

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 aseiniio 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 ddiffygol 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 ddeddfiad 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 gwreddu 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 Orchmyntion arfaethedig na drafft yn y Cyfrin Gyngor i'w gwneud, yn unol â Rheol Sefydlog 25, o dan adran 109 o'r Ddeddf 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 Biliau'r Cynulliad 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; defnydd Gweinidogion Cymru ar bwerau cychwyn;
 - (iv) unrhyw fater deddfwriaethol gyffredinol ei natur sy'n ymwneud â chymhwysedd y Cynulliad neu gymhwysedd Gweinidogion Cymru; neu
 - (v) 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 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) Gorchymynion arfaethedig o dan Reol Sefydlog 25;
- (ii) Gorchymynion drafft o dan Reol Sefydlog 25;
- (iii) Biliau 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 pwylgor a gyflwynodd y Gorchymyn arfaethedig y mae'r Gorchymyn drafft yn ymwneud ag ef); neu
- (ii) os nad yw'r pwylgor hwnnw yn bodoli mwyach a bod y Pwyllgor Busnes wedi pennu pwylgor arall i fod yn gyfrifol am yr eitem honno o ddeddfwriaeth pwylgor, aelod o'r pwylgor arall hwnnw sydd wedi'i awdurdodi gan y pwylgor 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 pwylgor.
- 24.9 Caiff pwylgor, gyda chytundeb y llywodraeth, drosglwyddo eitem o ddeddfwriaeth pwylgor 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 pwylgor y cyfeirir ato yn Rheol Sefydlog 24.7(i) neu, os nad yw'r pwylgor hwnnw'n bodoli mwyach, y pwylgor a bennwyd gan y Pwyllgor Busnes o dan Reol Sefydlog 24.7(ii).
- 24.10 Pan fydd pwylgor yn trosglwyddo eitem o ddeddfwriaeth pwylgor 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 pwylgor 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 Ilywodraeth 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 Ilywodraeth (yn unol â Rheol Sefydlog 24.16), mae'r eitem honno i'w chyfrif, o hynny allan, fel eitem o ddeddfwriaeth Ilywodraeth.

RHEOL SEFYDLOG 25 – Gorchmynion yn y Cyfrin Gyngor i’w gwneud o dan adran 109 o’r Ddeddf

Cyffredinol

- 25.1 Mae Rheol Sefydlog 25 yn gymwys i Orchmynion yn y Cyfrin Gyngor o fewn ystyr adran 109 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 derbynir 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 bwylgor cyfrifol sydd i'w sefydlu yn unol â Rheol Sefydlog 16.1 (y cyfeirir ato yn Rheol Sefydlog 25 fel "y pwylgor 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 pwylgor 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 pwylgor 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 bwylgor yn y Cynulliad, unrhyw bwylgor yn Nhŷ'r Cyffredin neu Dŷ'r Arglwyddi, neu unrhyw gyd-bwylgor 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.
- 25.19 [Dilëwyd y Rheol Sefydlog hon drwy benderfyniad y Cynulliad ar (nodi dyddiad y penderfyniad yn y Cyfarfod Llawn)]
- 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 Ilywodraeth, 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 dderbynir 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 – Deddfau'r Cynulliad

Ffurf Biliau a Sut i'w Cyflwyno

- 26.1 Yn ddarostyngedig i Reolau Sefydlog 26.80 i 26.94 caniateir i Fil gael ei gyflwyno ar ddiwrnod gwaith mewn wythnos eistedd.
- 26.2 Rhaid i Fil gael ei gyflwyno drwy gael ei osod.
- 26.3 Rhaid peidio â gosod Bil oni bai ei fod ar y ffurf briodol yn unol ag unrhyw benderfyniadau a wnaed gan y Llywydd.
- 26.4 Pan gyflwynir Bil, 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 Bil, 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 Fil 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 Bil llywodraeth, na fyddai, am resymau penodedig, yn briodol o dan yr amgylchiadau neu yn rhesymol ymarferol i'r Bil 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 Bil

- 26.6 Ar yr un pryd ag y bydd yr Aelod sy'n gyfrifol yn cyflwyno Bil, rhaid iddo osod Memorandwm Esboniadol y mae'n rhaid iddo:
- (i) datgan y byddai darpariaethau'r Bil, ym marn yr Aelod, o fewn cymhwysedd deddfwriaethol y Cynulliad;
 - (ii) nodi amcanion polisi y Bil;
 - (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 Bil ei mabwysiadu;

- (iv) nodi'r ymgynghori a gafwyd, os cafwyd unrhyw ymgynghori o gwbl, ar y canlynol:
- (a) amcanion polisi y Bil a'r ffyrdd o'u gwired; a
 - (b) manylion y Bil,
- ynghyd â chrynodeb o ddeilliant yr ymgynghori hwnnw;
- (v) crynhoi yn wrthrychol yr hyn y bwriedir i bob un o ddarpariaethau'r Bil 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 Bil;
- (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 Bil yn arwain atynt;
 - (b) dros ba gyfnodau amser y disgwyliid i'r costau hynny godi; ac
 - (c) ar bwy y byddai'r costau'n syrthio;
- (vii) os yw'r Bil 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 foddy 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 Bil 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 Bil

- 26.7 Rhaid i'r Pwyllgor Busnes sefydlu a chyhoeddi amserlen ar gyfer ystyried Bil, 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 Bil 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 Bil at bwyllgor cyfrifol, rhaid i'r pwyllgor cyfrifol hwnnw ystyried egwyddorion cyffredinol y Bil 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 Bil; 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 Bil gynnig y dylai'r Cynulliad gytuno ar egwyddorion cyffredinol y Bil.
- 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 Bil.
- 26.13 Os bydd y Cynulliad yn cytuno ar egwyddorion cyffredinol y Bil o dan Reolau Sefydlog 26.11, 26.12, 26.83 neu 26.102, mae'r Bil yn symud ymlaen i Gyfnod 2.
- 26.14 Os na fydd y Cynulliad yn cytuno ar egwyddorion cyffredinol y Bil o dan Reolau Sefydlog 26.11, 26.12, 26.83 neu 26.102, mae'r Bil yn methu.
- 26.15 Mae Cyfnod 1 ar ben pan gytunir ar egwyddorion cyffredinol y Bil neu pan fydd y Bil 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 Bil.

26.18 Os yw'r Cynulliad wedi cytuno ar egwyddorion cyffredinol y Bil, rhaid i'r Pwyllgor Busnes:

- (i) cyfeirio'r Bil yn ôl at y pwyllgor cyfrifol ar gyfer trafodion Cyfnod 2;
- (ii) cyfeirio'r Bil 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 Fil gael ei ddiwygio yn nhrafodion Cyfnod 2.

26.20 Caniateir i welliannau i'w hystyried yn nhrafodion 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 atodleni y maent yn cyfeirio atynt yn codi yn y Bil, 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 gynnig gan aelod o'r pwyllgor.

- 26.24 Os cyflwynir gwelliant i adran o'r Bil neu atodlen iddo, pan fydd y gwelliant olaf i'r adran neu'r atodlen honno wedi'i waredu, rhaid barnu bod y pwylgor 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 Bil neu atodlen iddo, bennir bod y pwylgor 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 ffernir bod yr adran neu'r atodlen olaf wedi'i chytuno, pa un bynnag yw'r olaf.
- 26.27 Os caiff Bil ei ddiwygio yn nhrafodion Cyfnod 2 i fewnosod adran neu atodlen, neu i newid yn sylweddol ar unrhyw ddarpariaeth bresennol, caiff y pwylgor 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 Fil gael eu hystyried gan y Cynulliad mewn cyfarfod llawn.
- 26.32 Caniateir i Fil gael ei ddiwygio yn nhrafodion Cyfnod 3.
- 26.33 Caniateir i welliannau i'w hystyried yn nhrafodion 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 nhrafodion Cyfnod 3.
- 26.35 O dan amgylchiadau eithriadol, caiff y Llywydd dderbyn gwelliant yn nhrafodion Cyfnod 3 y rhoddwyd 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 Bil, 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 derbynir 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 chwtogi'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 derbynir cynnig o dan Reol Sefydlog 26.39, caiff yr Aelod sy'n gyfrifol am y Bil, neu unrhyw aelod o'r llywodraeth, gyflwyno gwelliannau i'r Bil 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 Bil (gan gynnwys sicrhau cysondeb rhwng y testun Cymraeg a'r testun Saesneg) neu i weithredu ymrwymiadau a roddwyd yn nhrafodion cynharach Cyfnod 3 y mae gwelliannau o dan Reol Sefydlog 26.40 yn dderbyniadwy.
- 26.42 Os cyflwynir gwelliant i adran o'r Bil 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 Bil neu atodlen iddo, bennir 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 ffernir 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 hyunny.

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 Bil 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 Ilywodraeth 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 Bil yn cael ei basio ei ystyried yn y cyfarfod llawn.

26.49 Ni chaniateir gwneud gwelliannau i gynnig y dylai Bil gael ei basio.

26.50 Ni chaniateir gwneud cynnig bod Bil yn cael ei basio oni bai bod testun y Bil 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 Biliau a Basiwyd

26.52 Ar ôl i'r Bil gael ei basio, caiff unrhyw Aelod wneud cynnig y dylai'r Cynulliad ailystyried y Bil, neu unrhyw ddarpariaeth ynddo:

- (i) os oes cwestiwn wedi'i gyfeirio at y Goruchaf Lys o dan adran 112 o'r Ddeddf;

- (ii) os oes cyfeiriad i gael dyfarniad rhagarweiniol (o fewn ystyr adran 113(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 Bil:

- (i) os bydd y Goruchaf Lys yn penderfynu na fyddai'r Bil neu unrhyw ddarpariaeth ynddo o fewn cymhwysedd deddfwriaethol y Cynulliad; neu
- (ii) os gwneir gorchymyn mewn perthynas â'r Bil o dan adran 114 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 Fil 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 114 o'r Ddeddf.

26.56 Caiff unrhyw Aelod gynnig bod y Cynulliad yn cymeradwyo Bil a ddiwygiwyd wrth gael ei ailystyried. Ni chaniateir gwneud gwelliannau i gynnig o'r fath.

Darpariaethau Cyffredinol mewn Perthynas â Gwelliannau i Filiau

26.57 Mae Rheolau Sefydlog 26.58 i 26.66 yn gymwys i welliannau yn nhrafodion 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 Fil.

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 Bil neu ddarpariaethau'r Bil y byddai'n ei ddiwygio;
- (iii) os yw'n anghyson ag egwyddorion cyffredinol y Bil 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 pwylgor 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 pwylgor sy'n ystyried trafodion Cyfnod 2, gan aelod o'r pwylgor 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 pwylgor sy'n ystyried trafodion Cyfnod 2, os na fydd aelod o'r pwyllogr 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 Bil 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 Bil 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 Ilywodraeth yn ystod y trafodion ar y Bil mewn cyfarfod o'r Cynulliad.

Penderfyniadau Ariannol

26.68 Rhaid i'r Llywydd benderfynu ym mhob achos a oes angen penderfyniad ariannol ar gyfer Bil o dan Reolau Sefydlog 26.69 i 26.74.

26.69 Os yw Bil 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 Bil 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) Bil 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 pwer 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 dderbynir 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 Bil 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 Fil, o'i dderbyn (neu o'u derbyn), yn golygu y byddai angen penderfyniad ariannol ar gyfer y Bil 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 Bil 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 Bil yn methu.

Hysbysu ynghylch Cydsyniad Brenhinol i Ddeddfau'r Cynulliad

26.75 Rhaid i'r Clerc hysbysu'r Cynulliad ynglŷn â'r dyddiad y bydd Deddf Cynulliad yn cael Cydsyniad Brenhinol.

Biliau yn Methu, yn Cael eu Gwrthod neu'n Cael eu Tynnu'n ôl

26.76 Os bydd Bil yn methu neu'n cael ei wrthod gan y Cynulliad, rhaid peidio â chymryd dim trafodion pellach ar y Bil hwnnw a rhaid peidio â chyflwyno Bil 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 Bil neu y cafodd ei wrthod.

26.77 Mae Bil yn methu os nad yw wedi'i basio neu wedi'i gymeradwyo gan y Cynulliad cyn diwedd y Cynulliad y'i cyflwynwyd yn ddi.

26.78 Bydd cymeradwyaeth i gyflwyno Bil yn unol â Rheol Sefydlog 26.91 yn peidio â bod pan gaiff y Cynulliad ei ddiddymu.

26.79 Caniateir i Fil 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.

Biliau Pwyllgor

26.80 Mae Rheolau Sefydlog 26.81 i 26.83- yn gymwys i Filiau pwyllgor yn unig.

26.81 Caiff unrhyw bwyllgor gyflwyno Bil pwyllgor sy'n ymwneud â chylch gorchwyl y pwyllgor.

26.82 Nid yw Rheolau Sefydlog 26.9 i 26.12 yn gymwys i Filiau pwyllgor.

26.83 Yng Nghyfnod 1, caiff yr Aelod sy'n gyfrifol am Fil pwyllgor gyflwyno cynnig bod y Cynulliad yn cytuno ar egwyddorion cyffredinol y Bil.

Biliau'r Comisiwn

26.84 Caiff y Comisiwn gyflwyno Bil sy'n ymwneud â swyddogaethau'r Comisiwn.

Biliau Aelod

26.85 Mae Rheolau Sefydlog 26.86 i 26.94 yn gymwys i Filiau 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 109 o'r Ddeddf, caiff yr Aelod hwnnw gyflwyno Bil 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 bryd i'w gilydd, rhaid i'r Llywydd gynnal balot i benderfynu ar enw Aelod heblaw aelod o'r llywodraeth a gaiff ofyn am gytundeb i gyflwyno Bil 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 Bil 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 Bil; a
 - (ii) Memorandwm Esboniadol y mae'n rhaid iddo gynnwys:
 - (a) amcanion polisi y Bil; a
 - (b) manylion unrhyw gefnogaeth a gafwyd i'r Bil, 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 Bil 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 derbynir cynnig o dan Reol Sefydlog 26.91, caiff yr Aelod sydd wedi cael cytundeb i gyflwyno Bil, o fewn naw mis i dderbyn y cynnig, gyflwyno Bil 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 Bil y mae'n ceisio cytundeb i'w

gyflwyno yr un fath i raddau helaeth ag amcanion polisi y Bil y cyfeiriwyd ato yn y cynnig a wrthodwyd.

Biliau Brys Llywodraeth

- 26.95 Os yw'n ymddangos i aelod o'r Ilywodraeth fod angen Bil Brys, caiff gynnig bod Bil Ilywodraeth, a gyflwynir yn y Cynulliad, yn cael ei drin fel Bil Brys Ilywodraeth.
- 26.96 Caiff cynnig o dan Reol Sefydlog 26.95 gynnig hefyd y caiff Bil Brys Ilywodraeth gael ei gyflwyno heb y Memorandwm Esboniadol sy'n ofynnol o dan Reol Sefydlog 26.6.
- 26.97 Pan gyflwynir Bil Brys Ilywodraeth, rhaid cael datganiad gan yr Aelod sy'n gyfrifol amdano i gyd-fynd ag ef, sef datganiad y byddai darpariaethau'r Bil 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 Fil 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 Bil Brys arfaethedig Ilywodraeth.
- 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 Bil Brys Ilywodraeth.
- 26.102 Yng Nghyfnod 1, rhaid i'r Aelod sy'n gyfrifol amdano gyflwyno cynnig bod y Cynulliad yn cytuno ar egwyddorion cyffredinol y Bil Brys Ilywodraeth.
- 26.103 Rhaid i Gyfnod 2 gael ei ystyried gan bwylgor 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 Fil Brys 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.