

Cynulliad
Cenedlaethol
Cymru
National
Assembly for
Wales



HYSBYSIAD YNGHYLCH GWELLIANNAU NOTICE OF AMENDMENTS

Cyflwynwyd ar 30 Tachwedd 2010
Tabled on 30 November 2010

Mesur Arfaethedig y Gymraeg (Cymru)
Proposed Welsh Language (Wales) Measure

Jenny Randerson

44

Gyda chefnogaeth / Supported by: Paul Davies

Section 103, page 69, at the beginning of line 24, insert 'Subject to the provisions of section []'.

Adran 103, tudalen 69, ar ddechrau llinell 26, ychwanegwch, 'Yn ddarostyngedig i ddarpariaethau adran []'.

Jenny Randerson

45

Gyda chefnogaeth / Supported by: Paul Davies

Section 105, page 70, line 23, after 'may', insert ', subject to the provisions of section []'.

Adran 105, tudalen 70, llinell 23, ar ôl 'Comisiynydd', ychwanegwch ', yn unol â darpariaethau adran []'.

Jenny Randerson

46

Gyda chefnogaeth / Supported by: Paul Davies

To insert a new Section –

[] Appeals to the Welsh Language Tribunal

- (1) P may appeal to the Tribunal against –
 - (a) Any decision of the Commissioner not to investigate pursuant to section 103 (2); or
 - (b) Any decision of the Commissioner to discontinue an investigation pursuant to section 105 (1)
- (2) The tribunal may, following an appeal under sub-section (1), if it is satisfied that it would be appropriate to do so, direct the Commissioner to investigate, or to continue an investigation, into the alleged interference.’.

I ychwanegu Adran newydd-

[] Apelau i Dribiwnlys y Gymraeg

- (1) Caiff P apelio i’r Tribiwnlys yn erbyn –
 - (a) unrhyw benderfyniad gan y Comisiynydd i beidio ag ymchwilio yn unol ag adran 103 (2); neu
 - (b) unrhyw benderfyniad gan y Comisiynydd i derfynu ymchwiliad yn unol ag adran 105 (1).
- (2) Caiff y Tribiwnlys, yn dilyn apêl o dan is-adran (1), roi cyfarwyddyd i’r Comisiynydd ymchwilio i’r ymyrraeth honedig, neu barhau i ymchwilio iddi, os yw’r Tribiwnlys yn fodlon y byddai’n briodol gwneud hynny.’

Jenny Randerson

47

Gyda chefnogaeth / Supported by: Paul Davies

Schedule 4, page 103, line 9, after ‘have’, insert ‘in addition to aiming to represent the diversity of the whole of Wales’.

Atodlen 4, tudalen 103, llinell 10, ar ôl ‘arno’, ychwanegwch ‘yn ogystal â cheisio cynrychioli amrywiaeth Cymru gyfan’.

Jenny Randerson 48

Gyda chefnogaeth / Supported by: Paul Davies

Section 22, page 27, line 9, after '5', insert 'but not more than 9'.

Adran 22, tudalen 27, llinell 9, ar ôl '5', ychwanegwch 'ond nid mwy na 9'.

Jenny Randerson 49

Gyda chefnogaeth / Supported by: Paul Davies

Section 22, page 27, line 8, leave out '3, but not more than'.

Adran 22, tudalen 27, llinell 8, gadewch allan '3 ond nid mwy na'.

Jenny Randerson 50

Gyda chefnogaeth / Supported by: Paul Davies

Schedule 1, page 93, after line 29, insert –

'() In the annual Budget motion provided for in section 125 of the Government of Wales Act 2006, Welsh Ministers must set out the amount of resources that may be used in the financial year for the purposes of the work of the Commissioner.'

Atodlen 1, tudalen 93, ar ôl llinell 28, ychwanegwch –

'() Yn y cynnig Cyllideb blynyddol a ddarperir ar ei gyfer yn adran 125 o Ddeddf Llywodraeth Cymru 2006, rhaid i Weinidogion Cymru bennu faint o adnoddau y caniateir eu defnyddio yn y flwyddyn ariannol at ddibenion gwaith y Comisiwn.'

Jenny Randerson 51

Gyda chefnogaeth / Supported by: Paul Davies

Page 12, line 15, leave out section 1 and insert –

'English and Welsh are the official languages of Wales, and have equal validity and status.'

Tudalen 12, llinell 14, gadewch allan adran 1 a rhwch yn ei lle –

'Y Gymraeg a'r Saesneg yw ieithoedd swyddogol Cymru, ac mae eu dilysrwydd a'u statws yn gyfartal.'

Jenny Randerson

52

Gyda chefnogaeth / Supported by: Paul Davies

Section 38, page 35, after line 14, insert –

- ‘() Before making regulations under this section, Welsh Ministers must consult the Commissioner, the persons to whom it is proposed to make the standards specifically applicable, and such other persons as they consider appropriate.’.

Adran 38, tudalen 35, ar ôl llinell 15, ychwanegwch –

- ‘() Cyn gwneud rheoliadau o dan yr adran hon, rhaid i Weinidogion Cymru ymgynghori â’r Comisiynydd, y personau arfaethedig y bydd y safonau yn benodol gymwys iddynt, ac unrhyw bersonau eraill y mae Gweinidogion Cymru o’r farn eu bod yn briodol.’.

Jenny Randerson

53

Gyda chefnogaeth / Supported by: Paul Davies

Section 34, page 32, after line 30, insert –

- ‘() Before making an order under this section, Welsh Ministers must consult the Commissioner, the persons to whom it is proposed to add to or remove from Schedules 6 or 8, and such other persons as they consider appropriate.’.

Adran 34, tudalen 32, ar ôl llinell 31, ychwanegwch –

- ‘() Cyn gwneud gorchymyn o dan yr adran hon, rhaid i Weinidogion Cymru ymgynghori â’r Comisiynydd, y personau arfaethedig a gaiff eu hychwanegu at Atodlenni 6 neu 8 neu eu dileu o Atodlenni 6 neu 8, ac unrhyw bersonau eraill y mae Gweinidogion Cymru o’r farn eu bod yn briodol.’.

Jenny Randerson

54

Gyda chefnogaeth / Supported by: Paul Davies

Section 25, page 28, after line 16, insert –

- ‘() Before making regulations under this section, Welsh Ministers must consult the Commissioner and such other persons as they consider appropriate.’.

Adran 25, tudalen 28, ar ôl llinell 16, ychwanegwch—

- ‘() Cyn gwneud rheoliadau o dan yr adran hon, rhaid i Weinidogion Cymru ymgynghori â’r Comisiynydd ac unrhyw bersonau eraill y mae Gweinidogion Cymru o’r farn eu bod yn briodol.’.

Jenny Randerson

55

Gyda chefnogaeth / Supported by: Paul Davies

To insert a new Section—

[] Compensation

- (1) Welsh Ministers may, by regulation, make provision for compensation to be paid to individual persons who have suffered loss, damage or harm as a result of a failure to comply with a standard.
- (2) Such regulations may provide a power for the Commissioner to award compensation following an investigation pursuant to section 70.
- (3) The receipt of compensation is not to be limited to persons who have made complaints under section 94.’.

I ychwanegu Adran newydd—

[] Iawndal

- (1) Caiff Gweinidogion Cymru, drwy reoliad, wneud darpariaeth ar gyfer talu iawndal i bersonau unigol sydd wedi dioddef colled neu niwed o ganlyniad i fethiant i gydymffurfio â safon.
- (2) Caiff rheoliadau o’r fath roi pŵer i’r Comisiynydd ddyfarnu iawndal yn dilyn ymchwiliad yn unol ag adran 70.
- (3) Nid yw derbyn iawndal i’w gyfyngu i bersonau sydd wedi gwneud cwynion o dan adran 94.’.

Jenny Randerson

56

Gyda chefnogaeth / Supported by: Paul Davies

Section 139, page 85, after line 26, insert—

- ‘() regulations under section [] (compensation);’.

Adran 139, tudalen 85, ar ôl llinell 25, ychwanegwch—

- ‘() rheoliadau o dan adran [] (iawndal);’.

Paul Davies

57

Gyda chefnogaeth / Supported by: Jenny Randerson

Section 2, page 13, line 32, leave out subsection (2) and insert –

- ‘() The Commissioner is to be appointed by resolution of the National Assembly for Wales on a motion proposed by the First Minister.’.

Adran 2, tudalen 13, llinell 32, gadewch allan is-adran (2) a rhowch yn ei lle –

- ‘() Mae’r Comisiynydd i’w benodi drwy benderfyniad Cynulliad Cenedlaethol Cymru drwy gynnig a roddir gerbron gan Brif Weinidog Cymru.’.

Paul Davies

58

Gyda chefnogaeth / Supported by: Jenny Randerson

Section 11, page 19, after line 32, insert –

- ‘() The Commissioner must delegate to the Deputy Commissioner (or another member of staff) the primary responsibility for promoting and facilitating the use of Welsh outside the scope of the standards provided for in this Measure.’.

Adran 11, tudalen 19, ar ôl llinell 31, ychwanegwch

- ‘() Rhaid i’r Comisiynydd ddirprwyo i’r Dirprwy Weinidog (neu aelod arall o staff) y prif gyfrifoldeb dros hybu a hwyluso defnyddio’r Gymraeg y tu allan i gwmpas y safonau y darperir ar eu cyfer yn y Mesur hwn.’.

Paul Davies

59

Gyda chefnogaeth / Supported by: Jenny Randerson

Section 22, page 27, line 4, leave out subsection (1) and insert –

- ‘() The members of a panel of advisers to the Commissioner are to be appointed by resolution of the National Assembly for Wales on a motion proposed by the First Minister, the Counsel General or one of the Welsh Ministers.’.

Adran 22, tudalen 27, llinell 4, gadewch allan is-adran (1) a rhowch yn ei lle –

- ‘() Mae aelodau panel o gynghorwyr i’r Comisiynydd i’w penodi drwy benderfyniad Cynulliad Cenedlaethol Cymru drwy gynnig a roddir gerbron gan Brif Weinidog Cymru, y Cwnsler Cyffredinol neu un o Weinidogion Cymru.’.

Paul Davies 60

Gyda chefnogaeth / Supported by: Jenny Randerson

Section 61, page 46, after line 34, insert –

‘() any relevant regulatory or professional body, and’.

Adran 61, tudalen 46, ar ôl llinell 33 ychwanegwch –

‘() unrhyw gorff rheoleiddio neu gorff proffesiynol, a’.

Paul Davies 61

Gyda chefnogaeth / Supported by: Jenny Randerson

Section 72, page 52, line 25, after ‘must’, insert ‘on the same day’.

Adran 72, tudalen 52, llinell 24, ar ôl ‘Comisiynydd’, ychwanegwch ‘ar yr un diwrnod’.

Paul Davies 62

Gyda chefnogaeth / Supported by: Jenny Randerson

Section 109, page 73, line 12, leave out subsection (3) and insert –

‘() The members of the Tribunal are to be appointed by resolution of the National Assembly for Wales on a motion proposed by the First Minister, the Counsel General or one of the Welsh Ministers.’.

Adran 109, tudalen 73, llinell 11, gadewch allan is-adran (3) a rhowch yn ei lle –

‘() Mae aelodau’r Tribiwnlys i’w penodi drwy benderfyniad Cynulliad Cenedlaethol Cymru drwy gynnig a roddir gerbron gan Brif Weinidog Cymru, y Cwnsler Cyffredinol neu un o Weinidogion Cymru.’.

Paul Davies 63

Gyda chefnogaeth / Supported by: Jenny Randerson

Section 134, page 82, line 14, leave out subsection (3).

Adran 134, tudalen 82, llinell 15, gadewch allan is-adran (3).

Paul Davies

64

Gyda chefnogaeth / Supported by: Jenny Randerson

Section 136, page 83, after line 7, insert –

‘(3) No order may be made under section 145 in relation to the repeal of Part 2 of the 1993 Act until that Part has ceased to apply to all bodies as a consequence of the application of section 135(2).’.

Adran 136, tudalen 83, ar ôl llinell 7, ychwanegwch –

‘(3) Ni chaniateir gwneud unrhyw orchymyn o dan adran 145 mewn perthynas â diddymu Rhan 2 o Ddeddf 1993 hyd oni fydd y Rhan honno wedi peidio â bod yn gymwys i bob corff o ganlyniad i gymhwyso adran 135(2).’.

Paul Davies

65

Gyda chefnogaeth / Supported by: Jenny Randerson

Section 138B, page 84, line 16, leave out ‘chair’ and insert ‘be a joint chair of’.

Adran 138B, tudalen 84, llinell 16, gadewch allan ‘gadeirio’r’ a rhowch yn ei le ‘fod yn gyd-gadeirydd y’.

Paul Davies

66

Gyda chefnogaeth / Supported by: Jenny Randerson

Section 138B, page 84, line 31, leave out ‘may make provision about who is to chair the Partnership Council in the absence of the Welsh Minister with responsibility for the Welsh language’ and insert ‘must provide for the election of a member other than a Welsh Minister or Deputy Welsh Minister as the other joint chair of the Partnership Council.’.

Adran 138B, tudalen 84, llinell 31, gadewch allan is-adran (5) a rhowch yn ei lle –

‘(5) Rhaid i’r Rheolau Sefydlog ddarparu ar gyfer ethol aelod ac eithrio un o Weinidogion Cymru neu Ddirprwy Weinidogion Cymru fel cyd-gadeirydd arall y Cyngor Partneriaeth.’.

Paul Davies

67

Gyda chefnogaeth / Supported by: Jenny Randerson

Schedule 1, page 93, line 5, after ‘may’, insert ‘, with the agreement of the National Assembly for Wales,’.

Atodlen 1, tudalen 93, llinell 5, ar ôl 'Cymru', ychwanegwch ' , gyda chytundeb Cynulliad Cenedlaethol Cymru,'.

Paul Davies 68

Gyda chefnogaeth / Supported by: Jenny Randerson

Schedule 4, page 103, line 25, after 'may', insert ' , with the agreement of the National Assembly for Wales,'.

Atodlen 4, tudalen 103, llinell 28, ar ôl 'Cymru', ychwanegwch ' , gyda chytundeb Cynulliad Cenedlaethol Cymru,'.

Paul Davies 69

Gyda chefnogaeth / Supported by: Jenny Randerson

Schedule 11, page 138, line 13, after 'may', insert ' , with the agreement of the National Assembly for Wales,'.

Atodlen 11, tudalen 138, llinell 15, ar ôl 'Cymru', ychwanegwch ' , gyda chytundeb Cynulliad Cenedlaethol Cymru,'.

Bethan Jenkins 70

Section 1, page 12, at the beginning of line 16, insert –

'() Without restricting the general legal effect of section 1(1) above,'.

Adran 1, tudalen 12, ar ddechrau llinell 15, ychwanegwch –

'() Heb gyfyngu ar effaith gyfreithiol gyffredinol adran 1(1) uchod,'.

Bethan Jenkins 71

To insert a new Section –

[] Establishing general rights to accompany standards

- (1) Everyone has the right to use the Welsh language in Wales as far as that is reasonable and proportionate in the circumstances.
- (2) Subsection (1) above does not place duties on persons except those under Part 4 of this Measure.'

I ychwanegu Adran newydd –

[] Sefydlu hawliau cyffredinol i fynd gyda'r safonau

- (1) Mae gan bawb yr hawl i ddefnyddio'r Gymraeg yng Nghymru cyn belled ag y bo hynny'n rhesymol ac yn gymesur o dan yr amgylchiadau.
- (2) Nid yw is-adran (1) uchod yn gosod dyletswyddau ar bersonau ac eithrio'r dyletswyddau hynny o dan Ran 4 o'r Mesur hwn.'.