



HYSBYSIAD YNGHYLCH GWELLIANNAU NOTICE OF AMENDMENTS

Cyflwynwyd ar 15 Mehefin 2009
Tabled on 15 June 2009

Mesur Arfaethedig Comisiynydd Safonau Cynulliad Cenedlaethol
Cymru
Proposed National Assembly for Wales Commissioner for Standards
Measure

Jeff Cuthbert

1

Section 5, page 3, at the beginning of line 8, insert 'Subject to section (),'.

Adran 5, tudalen 3, ar ddechrau llinell 9, ychwanegwch 'Yn ddarostyngedig i adran (),'.

Jeff Cuthbert

2

Section 5, page 3, after line 22, insert –

- '() A relevant provision is not to be regarded as having effect in relation to a person who holds the office of Counsel General unless –
- (a) that person was, at the relevant time, an Assembly Member, or
 - (b) the provision in question is a provision of the Standing Orders which gives effect to a requirement of section 36(1),(2),(3),(4) or (5) of the Act.'

Adran 5, tudalen 3, ar ôl llinell 26, ychwanegwch –

- () Rhaid peidio â barnu bod darpariaeth berthnasol yn effeithiol mewn perthynas â pherson sy'n dal swydd y Cwnsler Cyffredinol oni bai -
- (a) bod y person hwnnw, ar yr adeg berthnasol, yn Aelod Cynulliad, neu
 - (b) bod y ddarpariaeth o dan sylw yn ddarpariaeth yn y Rheolau Sefydlog sy'n rhoi ei effaith i un o ofynion adran 36(1), (2), (3), (4) neu (5) o'r Ddeddf.'

Jeff Cuthbert

3

Section 13, page 7, line 8, leave out 'or'.

Adran 13, tudalen 7, llinell 10, gadewch allan 'neu'.

Jeff Cuthbert

4

Section 13, page 7, after line 8, insert –

- () enabling the Commissioner to comply with any duty imposed on the Commissioner by or under any other enactment, or'.

Adran 13, tudalen 7, ar ôl llinell 10, ychwanegwch –

- () galluogi'r Comisiynydd i gydymffurfio ag unrhyw ddyletswydd a osodir ar y Comisiynydd gan neu o dan unrhyw ddeddfiad arall, neu'.

Jeff Cuthbert

5

Section 17, page 8, line 35, leave out 'and 3' and insert ', 3, 5(3)(b), (c) and (d)'.

Adran 17, tudalen 8, llinell 35, gadewch allan 'a 3' ac ychwanegwch ', 3, 5(3)(b), (c) a (d)'.

Dafydd Elis -Thomas

6

To insert a new Section –

() Principal aim of the Commissioner

The principal aim of the Commissioner in exercising functions under this Measure is to promote, encourage and safeguard high standards of conduct in the public office of Assembly Member.'

() Prif nod y Comisiynydd

Prif nod y Comisiynydd wrth arfer swyddogaethau o dan y Mesur hwn yw hybu, annog a diogelu safonau ymddygiad uchel yn swydd gyhoeddus Aelod Cynulliad.'

Dafydd Elis -Thomas

7

Section 5, page 3, line 3, after 'investigation', insert –

- '() to advise Assembly Members and members of the public about the procedures for making and investigating complaints to which paragraph (a) applies,'.

Adran 5, tudalen 3, llinell 4, ar ôl 'fath', ychwanegwch-

- '() cyngori Aelodau Cynulliad ac aelodau'r cyhoedd am y gweithdrefnau ynglŷn â gwneud cwynion ac ymchwilio i gwynion y mae paragraff (a) yn gymwys iddynt,'.

Dafydd Elis -Thomas

8

Section 6, page 3, line 32, after 'any', insert 'other'.

Adran 6, tudalen 3, llinell 36, ar ôl 'fater', ychwanegwch 'arall'.

Dafydd Elis -Thomas

9

Section 6, page 3, line 32, leave out 'the promotion of high standards of conduct in public life' and insert 'promoting, encouraging and safeguarding high standards of conduct in the public office of Assembly Member.'.

Adran 6, tudalen 3, llinell 36, gadewch allan 'hybu safonau uchel o ymddygiad mewn bywyd cyhoeddus' ac ychwanegwch 'hybu, annog a diogelu safonau ymddygiad uchel yn swydd gyhoeddus Aelod Cynulliad.'.

Dafydd Elis -Thomas

10

To insert a new Section –

'Functions of the Clerk

() Duty of the Clerk to refer a matter to the Commissioner

If the Clerk has reasonable grounds for suspecting –

- (a) that the conduct of an Assembly Member has, at a relevant time, failed to comply with a requirement of a relevant provision, and
- (b) that the conduct in question is relevant to the Clerk's functions under section 138 of the Act (Clerk to be the principal accounting officer for the Commission),

the Clerk must communicate those grounds in writing to the Commissioner and the Commissioner must treat the communication as a complaint to which section 5(1)(a) applies.'.

Ychwanegwch Adran newydd –

‘Swyddogaethau’r Clerc

(i) Dyletswydd y Clerc i gyfeirio mater at y Comisiynydd

Os oes gan y Clerc sail resymol dros amau –

- (a) bod ymddygiad Aelod Cynulliad, ar adeg berthnasol, wedi methu â chydymffurfio â gofyniad mewn darpariaeth berthnasol, a
- (b) bod yr ymddygiad o dan sylw yn berthnasol i swyddogaethau’r Clerc o dan adran 138 o’r Ddeddf (y Clerc i fod yn brif swyddog cyfrifyddu i’r Comisiwn), rhaid i’r Clerc fynegi’r sail honno mewn ysgrifen i’r Comisiynydd a rhaid i’r Comisiynydd drin yr ohebiaeth fel cwyn y mae adran 5(1)(a) yn gymwys iddi.’

Dafydd Elis -Thomas

11

Section 7, page 4, line 21, after ‘Commission)’, insert –

‘or,

- (b) could, upon further consideration by the Clerk, give rise to a duty on the Clerk under section (),’.

Adran 7, tudalen 4, llinell 23, ar ôl “Comisiynydd)”, ychwanegwch –

‘neu

- (b) a allai, ar ôl rhagor o ystyriaeth gan y Clerc, arwain at ddyletswydd ar y Clerc o dan adran (),’.