



RHESTR O WELLIANNAU WEDI’U GOSOD MEWN TREFN MARSHALLED LIST OF AMENDMENTS

Mesur Arfaethedig ynghylch Llywodraeth Leol (Cymru)
Proposed Local Government (Wales) Measure

Mae’r gwelliannau â * ar eu bwys yn rhai newydd neu’n rhai sydd wedi’u haddasu
Amendments marked * are new or have been altered

Caiff y Mesur ei ystyried yn y drefn a ganlyn –
The Measure will be considered in the following order –

Sections 1-51(1)	Adrannau 1-51 (1)
Schedule 1	Atodlen 1
Section 51 (2)	Adran 51 (2)
Schedule 2	Atodlen 2
New Schedule	Atodlen Newydd
Sections 51(3)-(6)	Adrannau 51(3)-(6)
Section 52	Adran 52
Schedule 3	Atodlen 3
Sections 53 - 54	Adrannau 53 - 54
New Sections	Adrannau Newydd
Long Title	Teitl Hir

Brian Gibbons

1

Section 4, page 6, line 5, after ‘services’, insert ‘or the way in which functions are otherwise exercised’.

Adran 4, tudalen 6, llinell 7, ar ôl ‘gwasanaethau’, ychwanegwch ‘neu i’r modd yr arferir swyddogaethau fel arall’.

Brian Gibbons

2

Section 4, page 6, line 6, after 'provided', insert 'or functions are otherwise exercised'.

Adran 4, tudalen 6, llinell 8, ar ôl 'darparu', ychwanegwch 'neu swyddogaethau eu harfer fel arall'.

Brian Gibbons

3

Section 4, page 6, line 9, after 'services', insert 'or in the way in which functions are otherwise exercised'.

Adran 4, tudalen 6, llinell 11, ar ôl 'gwasanaethau', ychwanegwch 'neu o ganlyniad i'r modd y caiff swyddogaethau eu harfer fel arall'.

Brian Gibbons

4

Section 4, page 6, line 10, leave out 'functions are exercised or services are provided' and insert 'services are provided or functions are otherwise exercised'.

Adran 4, tudalen 6, llinell 12, gadewch allan 'swyddogaethau'n cael eu harfer neu wasanaethau'n cael eu darparu' a rhowch yn ei le 'gwasanaethau'n cael eu darparu neu swyddogaethau'n cael eu harfer fel arall'.

Brian Gibbons

5

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

- '(3) Before making such an order, the Welsh Ministers must consult –
- (a) persons appearing to them to represent Welsh improvement authorities, and
 - (b) such other persons (if any) as they think fit.'

Adran 7, tudalen 8, ar ôl llinell 8, ychwanegwch –

- '(3) Cyn gwneud gorchymyn o'r fath, rhaid i Weinidogion Cymru ymgynghori â'r canlynol –
- (a) personau y mae'n ymddangos i Weinidogion Cymru eu bod yn cynrychioli awdurdodau gwella Cymreig, a
 - (b) unrhyw bersonau eraill (os oes rhai) y gwel Gweinidogion Cymru'n dda i ymgynghori â hwy.'

Brian Gibbons 35

Adran 8, tudalen 8, llinell 24, gadewch allan ‘iddynt’ a rhowch yn ei le ‘i Weinidogion Cymru’.

(Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version.)

Brian Gibbons 6

Section 8, page 8, line 24, leave out ‘and’.

Adran 8, tudalen 8, llinell 25, gadewch allan ‘a’.

Brian Gibbons 7

Section 8, page 8, after line 24, insert –

‘() the Auditor General for Wales, and’.

Adran 8, tudalen 8, ar ôl llinell 25, ychwanegwch –

‘() Archwilydd Cyffredinol Cymru, a’.

Brian Gibbons 36

Adran 8, tudalen 8, llinell 26, gadewch allan ‘y gwelant yn dda’ a rhowch yn ei le ‘y gwêl Gweinidogion Cymru’n dda i ymgynghori â hwy’.

(Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version.)

Brian Gibbons 8

Section 9, page 9, line 7, leave out the last ‘the’ and insert ‘its’.

Adran 9, tudalen 9, llinell 8, gadewch allan ‘cyflawni’r dyletswyddau’ a rhowch yn ei le ‘cyflawni ei ddyletswyddau ei hun’.

Brian Gibbons

9

Section 9, page 9, line 8, after '8(7)', insert 'or the duties of another Welsh improvement authority under those sections'.

Adran 9, tudalen 9, llinell 8, gadewch allan 'o dan adrannau 2(1), 3(2) a 8(7) neu hwyluso'r modd y maent yn' a rhowch yn ei le 'neu ddyletswyddau awdurdod gwella Cymreig arall o dan adrannau 2(1), 3(2) ac 8(7), neu er mwyn hwyluso'r modd y mae'r dyletswyddau hynny'n'.

Brian Gibbons

10

Section 16, page 14, after line 3, insert—

- '(5) The Welsh Ministers must not make such an order unless they have consulted—
- (a) persons appearing to them to represent Welsh improvement authorities;
 - (b) the Auditor General for Wales;
 - (c) where the order alters the relevant functions specified in respect of a relevant regulator, that regulator;
 - (d) where the order adds a person to the list of relevant regulators, that person.
- (6) But subsection (5)(d) does not require the Welsh Ministers to have consulted a person established by or under any enactment if the enactment is not in force at the date on which the order is made.'

Adran 16, tudalen 14, ar ôl llinell 3, ychwanegwch—

- '(5) Rhaid i Weinidogion Cymru beidio â gwneud gorchymyn o'r fath onid ydynt wedi ymgynghori â'r canlynol—
- (a) personau y mae'n ymddangos iddynt eu bod yn cynrychioli awdurdodau gwella Cymreig;
 - (b) Archwilydd Cyffredinol Cymru;
 - (c) pan fo'r gorchymyn yn newid y swyddogaethau perthnasol sydd wedi'u pennu mewn cysylltiad â rheoleiddiwr perthnasol, y rheoleiddiwr hwnnw; a
 - (d) pan fo'r gorchymyn yn ychwanegu person at y rhestr o reoleiddwyr perthnasol, y person hwnnw.
- (6) Ond nid yw is-adran (5)(d) yn ei gwneud yn ofynnol i Weinidogion Cymru fod wedi ymgynghori â pherson a sefydlwyd drwy neu o dan unrhyw ddeddfiad os nad yw'r deddfiad mewn grym ar y dyddiad y gwneir y gorchymyn.'

Brian Gibbons**11**

Section 18, page 14, line 16, leave out subsection (2) and insert –

‘(2) In conjunction with an assessment under subsection (1), the Auditor General may carry out an assessment for the purpose of determining whether the Welsh improvement authority is likely to comply with the requirements of this Part in subsequent financial years.’.

Adran 18, tudalen 14, llinell 16, gadewch allan is-adran (2) a rhowch yn ei le –

‘(2) Ynghyd ag asesiad o dan is-adran (1), caiff Archwilydd Cyffredinol Cymru gynnal asesiad er mwyn penderfynu a yw’r awdurdod gwella Cymreig yn debyg o gydymffurfio â gofynion y Rhan hon yn ystod blynyddoedd ariannol dilynol.’.

Brian Gibbons**12**

Page 14, line 18, leave out section 19.

Tudalen 14, llinell 19, gadewch allan adran 19.

Brian Gibbons**13**

Section 20, page 15, after line 7, insert –

‘() describing the extent to which information and documents provided to the Auditor General under section [] have been taken into account in carrying out that assessment;’.

Adran 20, tudalen 15, ar ôl llinell 8, ychwanegwch –

‘() sy’n disgrifio i ba raddau y mae gwybodaeth a dogfennau a ddarparwyd i’r Archwilydd Cyffredinol o dan adran [] wedi eu cymryd i ystyriaeth wrth gynnal yr asesiad hwnnw;’.

Brian Gibbons**14**

Section 20, page 15, after line 28, insert –

‘(4) But the Welsh Ministers may by direction set a date for the sending of a report in relation to a specified Welsh improvement authority which differs from the date which would otherwise apply under subsection (3) if –

- (a) the Auditor General for Wales has requested that the Welsh Ministers give such a direction; and
- (b) in the opinion of the Welsh Ministers, the circumstances are exceptional.’.

Adran 20, tudalen 15, ar ôl llinell 29, ychwanegwch—

‘(4) Ond caiff Gweinidogion Cymru, drwy gyfarwyddyd, bennu dyddiad ar gyfer anfon adroddiad mewn perthynas ag awdurdod gwella Cymreig penodedig sy’n wahanol i’r dyddiad a fyddai’n gymwys fel arall o dan is-adran (3)—

(a) os yw Archwilydd Cyffredinol Cymru wedi gwneud cais am i Weinidogion Cymru roi cyfarwyddyd o’r fath; a

(b) os yw Gweinidogion Cymru o’r farn bod y amgylchiadau’n eithriadol.’.

Brian Gibbons

15

Section 23, page 17, line 30, leave out the first ‘the’ and insert ‘a’.

Adran 23, tudalen 17, llinell 33, gadewch allan ‘o’r’ a rhowch yn ei le ‘o’.

Brian Gibbons

16

Section 23, page 17, line 32, leave out ‘the’ and insert ‘a’.

Adran 23, tudalen 17, llinell 35, gadewch allan ‘yn yr’ a rhowch yn ei le ‘mewn’.

Brian Gibbons

17

Section 23, page 18, after line 5, insert—

‘(5) If a report relates to any extent to the administration of housing benefit or council tax benefit and the Auditor General thinks fit to do so, the Auditor General must as soon as reasonably practicable send a copy of the report to the Secretary of State.’.

Adran 23, tudalen 18, ar ôl llinell 6, ychwanegwch—

‘(5) Os bydd adroddiad yn ymwneud i unrhyw raddau â gweinyddiaeth budd-dal tai neu fudd-dal y dreth gyngor, a bod yr Archwilydd Cyffredinol yn gweld yn dda i wneud hynny, rhaid i’r Archwilydd Cyffredinol anfon copi o’r adroddiad at yr Ysgrifennydd Gwladol cyn gynted ag y bo’n rhesymol ymarferol.’.

Brian Gibbons

18

Section 25, page 18, leave out lines 36 to 37

Adran 25, tudalen 18, gadewch allan linellau 38 hyd at 39

Brian Gibbons

19

Section 26, page 19, leave out line 33.

Adran 26, tudalen 19, gadewch allan linell 31.

Brian Gibbons

20

Section 28, page 22, line 8, after 'section', insert –

'as it has effect in relation to a scale or scales prescribed under section 20(1) of that Act, but subject to the following modifications –

- (a) in subsections (3) and (4) of section 21, for "section 20(4) and (5)" there is substituted "section 28(3) and (4) of the Local Government (Wales) Measure 2009";
- (b) subsection (5)(c) is omitted.'

Adran 28, tudalen 22, llinell 9, ar ôl 'hon', ychwanegwch –

'yn yr un modd ag y mae'n cael effaith mewn perthynas â graddfa neu raddfeydd a ragnodir o dan adran 20(1) o'r Ddeddf honno, ond gyda'r addasiadau canlynol –

- (a) yn is-adrannau (3) a (4) o adran 21, bod "section 28(3) and (4) of the Local Government (Wales) Measure 2009" wedi ei roi yn lle "section 20(4) and (5)";
- (b) bod is-adran (5)(c) wedi ei hepgor.'

Brian Gibbons

21

Section 29, page 22, at the beginning of line 11, insert 'If they have carried out consultation in compliance with subsection (3),'

Adran 29, tudalen 22, ar ddechrau llinell 12, ychwanegwch 'Os ydynt wedi ymgynghori yn unol ag is-adran (3),'

Kirsty Williams

38

Section 29, page 22, line 11, after 'may', insert, 'subject to section (),'.

Adran 29, tudalen 22, ar ddechrau llinell 12, ychwanegwch, 'Yn ddarostyngedig i adran (),'.

Paul Davies**22A**

As an amendment to amendment 22, line 3, after ‘authorities’, insert ‘and key stakeholders’.

Fel gwelliant i welliant 22, llinell 3, ar ôl ‘awdurdodau gwella Cymreig’ ychwanegwch ‘a’r rhanddeiliaid allweddol’.

Brian Gibbons**22**

Section 29, page 22, after line 17, insert—

- ‘() Unless they are exercising the power under subsection (1) in response to a request made under subsection (3), the Welsh Ministers must, before exercising that power, consult the Welsh improvement authority or authorities whom they propose to assist by the exercise of the power.’.

Adran 29, tudalen 22, ar ôl llinell 19, ychwanegwch—

- ‘() Onid ydynt yn arfer y pŵer o dan is-adran (1) mewn ymateb i gais a wneir o dan is-adran (3), rhaid i Weinidogion Cymru, cyn arfer y pŵer hwnnw, ymgynghori â’r awdurdod gwella Cymreig neu’r awdurdodau gwella Cymreig y maent yn bwriadu ei gynorthwyo neu eu cynorthwyo wrth arfer y pŵer.’.

Paul Davies**37**

Section 29, page 22, after line 17, insert—

- ‘() Welsh Ministers must take account of the consultation process detailed in subsection () and the opinions expressed therein.’.

Adran 29, tudalen 22, ar ôl llinell 19, ychwanegwch—

- ‘() Rhaid i Weinidogion Cymru gymryd i ystyriaeth y broses ymgynghori y manylir arni yn is-adran () a’r safbwyntiau a fynegir ynddi.’.

Kirsty Williams**40**

Section 30, page 23, after line 13, insert—

- () The circumstances in which an authority is to be regarded as failing or is likely to fail must be set out in the agreement referred to in section ()(1)(a).

Adran 30, tudalen 23, ar ôl llinell 14, ychwanegwch—

- () Rhaid nodi yn y cytundeb y cyfeirir ato yn adran () (1)(a) o dan ba amgylchiadau y mae'n rhaid barnu bod awdurdod yn methu neu'n debyg o fethu.

Kirsty Williams

41

Section 30, page 23, line 34, leave out 'the Welsh Ministers or a person nominated by them' and insert 'a person nominated by the Welsh Ministers'.

Adran 30, tudalen 23, llinell 36, gadewch allan 'Weinidogion Cymru neu berson a enwebwyd ganddynt' ac ychwanegwch 'person a enwebwyd gan Weinidogion Cymru'.

Kirsty Williams

42

Section 30, page 23, line 37, leave out 'Welsh Ministers or their nominee' and insert 'nominee of the Welsh Ministers'.

Adran 30, tudalen 23, llinell 41, gadewch allan 'Weinidogion Cymru neu berson a enwebwyd ganddynt' ac ychwanegwch 'enwebai Gweinidogion Cymru'.

Kirsty Williams

43

Section 30, page 23, line 39, leave out 'Welsh Ministers or their nominee' and insert 'nominee of the Welsh Ministers'.

Adran 30, tudalen 23, llinell 43, gadewch allan 'Weinidogion Cymru neu berson a enwebwyd ganddynt' ac ychwanegwch 'enwebai Gweinidogion Cymru'.

Kirsty Williams

44

Section 30, page 23, after line 40, insert—

- () A function specified in a direction under subsection (6) can relate only to education.'

Adran 30, tudalen 23, ar ôl llinell 44, ychwanegwch—

- () Ag addysg yn unig y caiff swyddogaeth a bennir mewn cyfarwyddyd o dan is-adran (6) ymwneud.'

Brian Gibbons

23

Section 40, page 29, line 21, leave out '40(4)' and insert '39(4)'.

Adran 40, tudalen 29, llinell 21, gadewch allan '40(4)' a rhwch yn ei le '39(4)'.

Brian Gibbons

25

Schedule 1, page 36, after line 8, insert –

'Social Security Administration Act 1992 (c. 5)

- () Amend the Social Security Administration Act 1992 as follows.
- () In section 139A(2)(b), insert the following at the end –
 - “or Part 1 of the Local Government (Wales) Measure 2009”.
- () In section 139C(1)(b), insert the following at the end –
 - “or Part 1 of the Local Government (Wales) Measure 2009”.
- () In section 139D(1), for paragraph (ca) substitute the following –
 - “(ca) a copy of a report has been sent to a local authority under section 23(3) of the Local Government (Wales) Measure 2009 and to the Secretary of State under section 23(5) of that Measure;”.

Atodlen 1, tudalen 36, ar ôl llinell 8, ychwanegwch –

'Deddf Gweinyddu Nawdd Cymdeithasol 1992 (p. 5)

- () Diwygier Deddf Gweinyddu Nawdd Cymdeithasol 1992 fel a ganlyn.
- () Yn adran 139A(2)(b), mewnosoder y canlynol ar y diwedd –
 - “or Part 1 of the Local Government (Wales) Measure 2009”.
- () Yn adran 139C(1)(b), mewnosoder y canlynol ar y diwedd –
 - “or Part 1 of the Local Government (Wales) Measure 2009”.
- () Yn is-adran 139D(1), yn lle paragraff (ca) rhodder y canlynol –
 - “(ca) a copy of a report has been sent to a local authority under section 23(3) of the Local Government (Wales) Measure 2009 and to the Secretary of State under section 23(5) of that Measure;”.

Brian Gibbons

26

Schedule 1, page 36, after line 20, insert –

‘() In section 13A (reports of inspections under section 10A) omit subsection (5).’.

Atodlen 1, tudalen 36, ar ôl llinell 21, ychwanegwch –

‘() Yn adran 13A (adroddiadau am arolygiadau o dan adran 10A) hepgorer is-adran (5).’.

Brian Gibbons

27

Schedule 1, page 36, after line 29, insert –

‘() In section 28(2) (orders and regulations) omit “6, 7”.’

Atodlen 1, tudalen 36, ar ôl llinell 30, ychwanegwch –

‘() Yn adran 28(2) (gorchmynion a rheoliadau) hepgorer “6, 7”.’

Brian Gibbons

28

Schedule 2, page 40, after line 18, insert –

‘Planning and Compulsory Purchase Act 2005 (c. 5)

4 Amend section 62 of the Planning and Compulsory Purchase Act 2004 (local development plan) as follows.

5 For subsection (5)(d) and (e) substitute –

“(d) any relevant community strategy;”.

6 For subsection (7) substitute –

“A community strategy is relevant if –

(a) in the case of an authority which is a county council or county borough council, it has been published by the authority under section 39 of the Local Government (Wales) Measure 2009 or, if the strategy has been amended, it is the strategy most recently published under section 41 of that Measure;

(b) in the case of an authority which is a National Park authority –

(i) its production involved the authority as a community planning partner within the meaning of section 38 of that Measure; and

(ii) it has been published under section 39 of that Measure or, if the strategy has been amended, it is the strategy most recently published under section 41 of that Measure.”.

Atodlen 2, tudalen 40, ar ôl llinell 18, ychwanegwch –

'Deddf Cynllunio a Phrynu Gorfodol 2004 (p. 5)

4 Diwygier adran 62 o Ddeddf Cynllunio a Phrynu Gorfodol 2004 (cynllun datblygu lleol) fel a ganlyn.

5 Yn lle is-adran (5)(d) ac (e) rhodder –

“(d) any relevant community strategy;”.

6 Yn lle is-adran (7) rhodder –

“A community strategy is relevant if –

- (a) in the case of an authority which is a county council or county borough council, it has been published by the authority under section 39 of the Local Government (Wales) Measure 2009 or, if the strategy has been amended, it is the strategy most recently published under section 41 of that Measure;
- (b) in the case of an authority which is a National Park authority –
 - (i) its production involved the authority as a community planning partner within the meaning of section 38 of that Measure; and
 - (ii) it has been published under section 39 of that Measure or, if the strategy has been amended, it is the strategy most recently published under section 41 of that Measure.”.

Brian Gibbons

24

Section 51, page 35, after line 3, insert –

‘() Schedule [] contains transitional provisions and savings for Parts 1 and 2 of this Measure.’.

Adran 51, tudalen 35, ar ôl llinell 5, ychwanegwch –

‘() Mae Atodlen [] yn cynnwys darpariaeth drosiannol ac arbedion ar gyfer Rhannau 1 a 2 o’r Mesur hwn.’.

Brian Gibbons

34

To insert a new Schedule—

‘SCHEDULE []
(introduced by section 51())
TRANSITIONAL PROVISION AND SAVINGS

Local Government Act 2000 (c. 22)

- 1 The amendments made to section 2 of the Local Government Act 2000 by paragraph 2 of Schedule 2 to this Measure have effect subject to paragraph 2 below.
- 2 The amendments do not apply to a local authority until the authority has published a community strategy under section 39(4) of this Measure.

Planning and Compulsory Purchase Act 2004 (c. 5)

- 3 The amendments made to section 62 of the Planning and Compulsory Purchase Act 2004 by paragraphs 4 to 6 of Schedule 2 to this Measure have effect subject to the following provisions.
- 4 In relation to a local planning authority which is a county council or a county borough council, the amendments do not apply until the authority has published a community strategy under section 39(4) of this Measure.
- 5 While the amendments do not apply by virtue of paragraph 4, section 62 of the Planning and Compulsory Purchase Act 2004 has effect as if the following were inserted at the end of subsection (7)—

“at the date on which paragraphs 4 to 6 of Schedule 2 to the Local Government (Wales) Measure 2009 came into force.”
- 6 In relation to a local planning authority which is a National Park authority, the amendments do not apply until each county council or county borough council whose area comprises any part of the area of the National Park authority has published a community strategy under section 39(4) of this Measure.
- 7 While the amendments do not apply by virtue of paragraph 6, section 62 of the Planning and Compulsory Purchase Act 2004 has effect as if for paragraph (e) of subsection (5) there were substituted—

“(e) the community strategy prepared under section 4 of the Local Government Act 2000 (at the date on which paragraphs 4 to 6 of Schedule 2 to the Local Government (Wales) Measure 2009 came into force) by any other authority whose area comprises any part of the area of the local planning authority or, where such an authority has published a community strategy under section 39(4) of the Local Government (Wales) Measure 2009, that strategy;”

Community Strategies produced under section 4 of the Local Government Act 2000

- 8 In relation to a county council or county borough council, section 4 of this Measure has effect as described in paragraph 9 until the council has published a community strategy under section 39(4) of this Measure.

9 For paragraph (a) of subsection (3) there is substituted –

“in the case of a county council or county borough council, any objectives contained in the council’s community strategy under section 4 of the Local Government Act 2000 at the date on which this section came into force;”.

I ychwanegu Atodlen newydd –

‘ATODLEN []
(cyflwynwyd gan adran 51())

DARPARIAETH DROSIANNOL AC ARBEDION

Deddf Llywodraeth Leol 2000 (p. 22)

- 1 Mae’r diwygiadau a wneir i adran 2 o Ddeddf Llywodraeth Leol 2000 gan baragraff 2 o Atodlen 2 i’r Mesur hwn yn cael effaith yn ddarostyngedig i baragraff 2 isod.
- 2 Nid yw’r diwygiadau’n gymwys i awdurdod lleol hyd onid yw’r awdurdod wedi cyhoeddi strategaeth gymunedol o dan adran 39(4) o’r Mesur hwn.

Deddf Cynllunio a Phrynu Gorfodol 2004 (p. 5)

- 3 Mae’r diwygiadau a wneir i adran 62 o Ddeddf Cynllunio a Phrynu Gorfodol 2004 gan baragraffau 4 i 6 o Atodlen 2 i’r Mesur hwn yn cael effaith yn ddarostyngedig i’r darpariaethau a ganlyn.
- 4 Mewn perthynas ag awdurdod cynllunio lleol sy’n gyngor sir neu’n gyngor bwrdeistref sirol, nid yw’r diwygiadau’n gymwys hyd onid yw’r awdurdod wedi cyhoeddi strategaeth gymunedol o dan adran 39(4) o’r Mesur hwn.
- 5 Er nad yw’r diwygiadau’n gymwys yn rhinwedd paragraff 4, mae adran 62 o Ddeddf Cynllunio a Phrynu Gorfodol 2004 yn cael effaith fel pe bai’r geiriau canlynol wedi’u mewnosod ar ddiwedd is-adran (7) –

“at the date on which paragraphs 4 to 6 of Schedule 2 to the Local Government (Wales) Measure 2006 came into force.”
- 6 Mewn perthynas ag awdurdod cynllunio lleol sy’n awdurdod Parc Cenedlaethol, nid yw’r diwygiadau’n gymwys hyd onid yw pob cyngor sir neu gyngor bwrdeistref sirol, y mae ei ardal yn cynnwys unrhyw ran o ardal yr awdurdod Parc Cenedlaethol, wedi cyhoeddi strategaeth gymunedol o dan adran 39(4) o’r Mesur hwn.
- 7 Er nad yw’r diwygiadau’n gymwys yn rhinwedd paragraff 6, mae adran 62 o Ddeddf Cynllunio a Phrynu Gorfodol 2004 yn cael effaith fel pe bai’r paragraff isod yn cael ei roi yn lle paragraff (e) o is-adran (5) –

“(e) the community strategy prepared under section 4 of the Local Government Act 2000 (at the date on which paragraphs 4 to 6 of Schedule 2 to the Local Government (Wales) Measure 2006 came into force) by any other authority whose area comprises any part of the area of the local planning authority or, where such an authority has published a community strategy under section 39(4) of the Local Government (Wales) Measure 2009, that strategy;”.

Strategaethau Cymunedol a lunnir o dan adran 4 o Ddeddf Llywodraeth Leol 2000

8 Mewn perthynas â chyngor sir neu gyngor bwrdeistref sirol, mae adran 4 o'r Mesur hwn yn cael effaith fel a ddisgrifir ym mharagraff 9 hyd onid yw'r cyngor wedi cyhoeddi strategaeth gymunedol o dan adran 39(4) o'r Mesur hwn.

9 Yn lle paragraff (a) o is-adran (3) rhodder –

“in the case of a county council or county borough council, any objectives contained in the council's community strategy under section 4 of the Local Government Act 2000 at the date on which this section came into force;”.

Brian Gibbons

29

Schedule 3, page 41, line 5, column 2, leave out '49A' and insert '47A'.

Atodlen 3, tudalen 41, llinell 5, colofn 2, gadewch allan '49A' a rhowch yn ei le '47A'.

Brian Gibbons

30

Schedule 3, page 41, column 2, after line 14, insert –

'In section 13A, subsection (5).'

Atodlen 3, tudalen 41, colofn 2, ar ôl llinell 13, ychwanegwch–

'Yn adran 13A, is-adran (5).'

Brian Gibbons

31

Schedule 3, page 41, column 2, line 19, after 'authorities', insert 'or'.

Atodlen 3, tudalen 41, colofn 2, llinell 18, ar ôl 'authorities', ychwanegwch 'or'.

Brian Gibbons

32

Schedule 3, page 41, column 2, after line 20, insert –

'In section 28(2), "6, 7".'

Atodlen 3, tudalen 41, colofn 2, ar ôl llinell 19, ychwanegwch–

'Yn adran 28(2), "6, 7".'

Brian Gibbons

33

To insert a new Section –

‘Information sharing

- (1) For the purposes of this section, the “information sharing group” means the relevant regulators and the Auditor General for Wales.
- (2) A member of the information sharing group may, for the purpose of the exercise of its relevant functions, request that another member of the group provide it with specified information or documents.
- (3) A member of the information sharing group must comply with a request made under subsection (2) in so far as –
 - (a) the request relates to information obtained by, or documents produced to, that member in the course of the exercise of its relevant functions; and
 - (b) it is reasonably practicable to do so.
- (4) The relevant functions of a member of the information sharing group are –
 - (a) in the case of a relevant regulator, its relevant functions under section 16;
 - (b) in the case of the Auditor General for Wales, the functions mentioned in section 23(7).’.

I ychwanegu Adran newydd –

‘Rhannu gwybodaeth

- (1) At ddibenion yr adran hon, ystyr y “grŵp rhannu gwybodaeth” yw’r rheoleiddwyr perthnasol ac Archwilydd Cyffredinol Cymru.
- (2) Caiff aelod o’r grŵp rhannu gwybodaeth ofyn, at ddibenion arfer ei swyddogaethau perthnasol, i aelod arall o’r grŵp ddarparu gwybodaeth neu ddogfennau penodedig iddo.
- (3) Rhaid i aelod o’r grŵp rhannu gwybodaeth gydymffurfio â chais a wneir o dan is-adran (2) i’r graddau –
 - (a) y mae’r cais yn ymwneud â gwybodaeth a gafodd yr aelod, neu ddogfennau a ddangoswyd i’r aelod hwnnw, wrth iddo arfer ei swyddogaethau perthnasol;
a
 - (b) y mae’n rhesymol ymarferol gwneud hynny.
- (4) Y canlynol yw swyddogaethau perthnasol aelod o’r grŵp rhannu gwybodaeth –
 - (a) yn achos rheoleiddiwr perthnasol, ei swyddogaethau perthnasol o dan adran 16;
 - (b) yn achos Archwilydd Cyffredinol Cymru, y swyddogaethau sydd wedi’u crybwyll yn adran 23(7).’.

Kirsty Williams

39

To insert a new Section –

‘Welsh Ministers: exercising the power under section 29

- (1) The power under section 29(1) may not be exercised in relation to a Welsh improvement authority unless –
 - (a) there is in force a partnership agreement which applies to that authority, and
 - (b) the power is exercised in accordance with the terms of that agreement.
- (2) Subsection (1) does not apply if the power under section 29(1) is exercised at the request of the Welsh improvement authority in question and in accordance with the terms of that request.
- (3) A "partnership agreement" means an agreement which identifies the circumstances under which the power under section 29(1) may be exercised in relation to a Welsh improvement authority or in relation to improvement authorities of a particular description.
- (4) A partnership agreement may be entered into between the Welsh Ministers and –
 - (a) a Welsh improvement authority, or
 - (b) two or more Welsh improvement authorities.
- (5) Where subsection (4)(b) applies, the partnership agreement may be entered into by a body which is authorised to do so on behalf of each of the authorities in question.
- (6) A partnership agreement must include provision identifying the circumstances -
 - (a) under which it may be terminated by or in relation to an authority to which it applies;
 - (b) under which consideration must be given to the revision of its terms.’.

Ychwanegu Adran newydd -

‘Gweinidogion Cymru: arfer y pŵer o dan adran 29

- (1) Ni chaniateir i’r pŵer o dan adran 29(1) gael ei arfer mewn perthynas ag awdurdod gwella Cymreig oni bai –
 - (a) bod cytundeb partneriaeth mewn grym sy’n gymwys i’r awdurdod hwnnw, a
 - (b) bod y pŵer yn cael ei arfer yn unol â thelerau’r cytundeb hwnnw.
- (2) Nid yw is-adran (1) yn gymwys os arferir y pŵer o dan adran 29(1) ar gais yr awdurdod gwella Cymreig o dan sylw ac yn unol â thelerau’r cais hwnnw.
- (3) Ystyr "cytundeb partneriaeth" yw cytundeb sy’n nodi o dan ba amgylchiadau y caniateir i’r pŵer o dan adran 29(1) gael ei arfer mewn perthynas ag awdurdod gwella Cymreig neu mewn perthynas ag awdurdodau gwella o ddisgrifiad penodol.
- (4) Caniateir i gytundeb partneriaeth gael ei wneud rhwng Gweinidogion Cymru ac –
 - (a) awdurdod gwella Cymreig, neu
 - (b) dau neu fwy o awdurdodau gwella Cymreig.

- (5) Pan fo is-adran (4)(b) yn gymwys, caniateir i'r cytundeb partneriaeth gael ei wneud gan gorff a awdurdodwyd i wneud hynny ar ran pob un o'r awdurdodau o dan sylw .
- (6) Rhaid i gytundeb partneriaeth gynnwys darpariaeth sy'n nodi o dan ba amgylchiadau -
- (a) y caniateir ei derfynu gan awdurdod y mae'n gymwys iddo neu mewn perthynas â'r awdurdod hwnnw;
 - (b) y mae'n rhaid rhoi ystyriaeth i ddiwygio ei delerau. ' .