



RHESTR O WELLIANNAU WEDI'U DIDOLI

MARSHALLED LIST OF AMENDMENTS

Mesur Arfaethedig ynghylch Llywodaeth 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 164-169	Adrannau 164-169
Schedule 4	Atodlen 4
Sections 170 - 172	Adrannau 170-172
New Sections	Adrannau Newydd
Long Title	Teitl Hir

Carl Sargeant

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Section 165, page 93, line 10, leave out 'or Part 2' and insert ', Part 2, Section 143, () [*new Section to be inserted by amendment 94*] or () (2) [*new Section to be inserted by amendment 95*] '.

Adran 165, tudalen 93, llinell 10, gadewch allan 'neu Rhan 2' a rhowch yn ei le ', Rhan 2, Adran 143, () [*Adran newydd i'w hychwanegu gan welliant 94*] neu () (2) [*Adran newydd i'w hychwanegu gan welliant 95*] '.

Veronica German

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Section 165, page 93, line 10, after 'Part 2' insert 'or section 57(1)'

Adran 165, tudalen 93, llinell 10, ar ôl 'Rhan 2', ychwanegwch ', neu adran 57(1)'.

Carl Sargeant

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Section 165, page 93, line 11, leave out 'or 161' and insert ',161 , () [new Section to be inserted by amendment 91] or () [new Section to be inserted by amendment 99]'

Adran 165, tudalen 93, llinell 11, gadewch allan 'neu 161' a rhowch yn ei le ',161 neu () [Adran newydd i'w hychwanegu gan welliant 91] () [Adran newydd i'w hychwanegu gan welliant 99]'

Carl Sargeant

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Section 165, page 93, after line 11, insert –

'() an order amending an order under Section () [new Section to be inserted by amendment 91];'

Adran 165, tudalen 93, ar ôl llinell 11, ychwanegwch –

'() gorchymyn yn diwygio gorchymyn o dan Adran () [Adran newydd i'w hychwanegu gan welliant 91];'

Carl Sargeant

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Section 165, page 93, line 14, leave out 'an order under section 130, see section 166' and insert 'orders under sections 130 and () [new Section to be inserted by amendment 91], see sections 166 and () [new Section to be inserted by amendment 98] respectively'

Adran 165, tudalen 93, llinell 14, gadewch allan 'gorchymyn o dan adran 130, gweler adran 166' a rhowch yn ei le 'gorchymynion o dan adrannau 130 a () [Adran newydd i'w hychwanegu gan ddiwygiad 91], gweler adrannau 166 a () [Adran newydd i'w hychwanegu gan ddiwygiad 98] yn ôl eu trefn'

Carl Sargeant

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Section 166, page 93, line 31, leave out subsections (1) to (6) and insert –

'() The Welsh Ministers must comply with this section before making an order under section 130 to give effect to proposals to modify an enactment which they consider prevents or obstructs community councils from exercising their power under section 2(1) of the Local Government Act 2000 ("the proposals").

() The Welsh Ministers must consult –

- (a) such community councils,
- (b) such representatives of community councils, and
- (c) such other persons (if any),

as appear to the Welsh Ministers to be likely to be affected by the proposals.

- () If, following that consultation, the Welsh Ministers wish to proceed with the proposals they must lay before the National Assembly for Wales a document which—
 - (a) explains the proposals,
 - (b) sets them out in the form of a draft order, and
 - (c) gives details of the consultation under subsection ().
- () No draft of an order under section 130 to give effect to the proposals (“the final draft order”) may be laid before the Assembly in accordance with section 165(2)(b) until after the expiry of the period of 60 days beginning with the day on which the document relating to the proposals was laid before the National Assembly for Wales under subsection ().
- () In calculating the period mentioned in subsection () no account shall be taken of anytime during which the National Assembly for Wales is dissolved or is in recess for more than four days.
- () In preparing the final draft order the Welsh Ministers must consider any representations made during the period mentioned in subsection ().
- () If the final draft order is laid before the National Assembly for Wales in accordance with section 165(2)(b), the order must be accompanied by a statement of the Welsh Ministers giving details of—
 - (a) any representations considered in accordance with subsection (), and
 - (b) any changes made to the proposals contained in the document laid before the National Assembly for Wales under subsection () which are given effect to in the final draft order.’.

Adran 166, tudalen 93, llinell 32, gadewch allan is-adrannau (1) i (6) a rhowch yn eu lle—

- ‘() Rhaid i Weinidogion Cymru gydymffurfio â’r adran hon cyn gwneud gorchymyn o dan adran 130 i roi effaith i gynigion i addasu deddfiad y maent o’r farn ei fod yn atal neu’n rhwystro cynghorau cymuned rhag arfer eu pŵer o dan adran 2(1) o Ddeddf Llywodraeth Leol 2000 (“y cynigion”).
- () Rhaid i Weinidogion Cymru ymgynghori â’r canlynol—
 - (a) unrhyw gynghorau cymuned,
 - (b) unrhyw gynrychiolwyr cynghorau cymuned, ac
 - (c) unrhyw bersonau eraill (os oes rhai),y mae’n ymddangos i Weinidogion Cymru y byddai’r cynigion yn debyg o effeithio arnynt.
- () Os bydd Gweinidogion Cymru, ar ôl yr ymgynghori hwnnw, yn dymuno bwrw ymlaen â’r cynigion, rhaid iddynt osod gerbron Cynulliad Cenedlaethol Cymru ddogfen—
 - (a) sy’n esbonio’r cynigion,
 - (b) sy’n eu gosod ar ffurf gorchymyn drafft, a
 - (c) sy’n rhoi manylion yr ymgynghori o dan is-adran ().

- () Ni chaiff drafft o orchymyn o dan adran 130 i roi effaith i'r cynigion ("y gorchymyn drafft terfynol") gael ei osod gerbron y Cynulliad yn unol ag adran 165(2)(b) tan ar ôl i'r cyfnod o 60 niwrnod, sy'n dechrau ar y diwrnod y cafodd y ddogfen ynglŷn â'r cynigion ei gosod gerbron Cynulliad Cenedlaethol Cymru o dan is-adran (), ddirwyn i ben.
- () Wrth gyfrifo'r cyfnod a grybwyllwyd yn is-adran (), rhaid peidio ag ystyried unrhyw amser pryd y bydd Cynulliad Cenedlaethol Cymru wedi ei ddiddymu neu wedi cymryd saib am fwy na phedwar diwrnod.
- () Wrth baratoi'r gorchymyn drafft terfynol rhaid i Weinidogion Cymru ystyried unrhyw sylwadau a gyflwynwyd yn ystod y cyfnod a grybwyllwyd yn is-adran ().
- () Os caiff y gorchymyn drafft terfynol ei osod gerbron Cynulliad Cenedlaethol Cymru yn unol ag adran 165(2)(b), rhaid bod gyda'r gorchymyn ddatganiad gan Weinidogion Cymru sy'n rhoi manylion –
 - (a) unrhyw sylwadau a ystyriwyd yn unol ag is-adran (), a
 - (b) unrhyw newidiadau a wnaed i'r cynigion a oedd wedi eu cynnwys yn y ddogfen a osodwyd gerbron Cynulliad Cenedlaethol Cymru o dan is-adran () ac y mae effaith wedi ei rhoi iddynt yn y gorchymyn drafft terfynol.'

Carl Sargeant

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Schedule 4, page 107, line 15, column 2, leave out 'Sections 29 and 30' and insert 'Section 29'.

Atodlen 4, tudalen 107, llinell 15, colofn 2, gadewch allan 'Adrannau 29 a 30', a rhowch yn ei le 'Adran 29'.

Carl Sargeant

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Schedule 4, page 107, after line 22, insert –

'Local Authorities (Changing Executive Arrangements and Alternative Arrangements) (Wales) Regulations 2004 (S.I. 2004/3158)	The whole Regulations.'
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Atodlen 4, tudalen 107, ar ôl llinell 22, ychwanegwch –

'Rheoliadau Awdurdodau Lleol (Newid Trefniadau Gweithrediaeth a Threfniadau Amgen) (Cymru) 2004 (O.S. 2004/3158)	Y Rheoliadau cyfan.'
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Carl Sargeant

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Schedule 4, page 107, after line 34, column 2, insert ‘In section 21A(6)(a), the words “in England”.’.

Atodlen 4, tudalen 107, ar ôl llinell 34, colofn 2, ychwanegwch ‘Yn adran 21A(6)(a), y geiriau “in England”.’.

Carl Sargeant

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Schedule 4, page 107, after line 36, column 2, insert ‘In section 22, the words “in England”.’.

Atodlen 4, tudalen 107, ar ôl llinell 35, colofn 2, ychwanegwch ‘Yn adran 22, y geiriau “in England”.’.

Carl Sargeant

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Section 171, page 96, leave out line 9.

Adran 171, tudalen 96, gadewch allan linell 10.

Carl Sargeant

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Section 171, page 96, after line 17, insert –

- ‘() Chapters 2 to 9 of Part 7;
- () Parts B and C of Schedule 4 (and section 169(2) in so far as it relates to Parts B and C of Schedule 4).’.

Adran 171, tudalen 96, ar ôl llinell 17, ychwanegwch –

- ‘() Penodau 2 i 9 o Ran 7;
- () Rhannau B ac C o Atodlen 4 (ac adran 169(2) i’r graddau y mae’n ymwneud â Rhannau B ac C o Atodlen 4).’.

Carl Sargeant

7

To insert a new Section –

‘() Amendment of Local Government Act 2000

(1) Section 11 of the Local Government Act 2000 (local authority executives) is amended as follows.

(2) After subsection (8) insert –

“(8A) For the purposes of subsection (8), no account is to be taken of a member appointed to the executive on a temporary basis to cover the absence of a

member exercising a right to a family absence under Part 2 of the Local Government (Wales) Measure 2011.”.

I ychwanegu Adran newydd –

() Diwygio Deddf Llywodraeth Leol 2000

(1) Diwygir adran 11 o Ddeddf Llywodraeth Leol 2000 (gweithrediaethau awdurdodau lleol) fel a ganlyn.

(2) Ar ôl is-adran (8) ychwanegwch –

“(8A) For the purposes of subsection (8), no account is to be taken of a member appointed to the executive on a temporary basis to cover the absence of a member exercising a right to a family absence under Part 2 of the Local Government (Wales) Measure 2011.”.

Veronica German

91A

As an amendment to amendment 91, line 21, after ‘area’ insert ‘which must include reference to all existing local government areas to be amalgamated or none’.

Fel gwelliant i welliant 91, llinell 22, ar ôl ‘newydd’, ychwanegwch ‘y mae’n rhaid iddo gynnwys cyfeiriad at yr holl ardaloedd llywodraeth leol presennol sydd i’w cyfuno neu beidio â chynnwys cyfeiriad at yr un ohonynt,’.

Veronica German

91B

As an amendment to amendment 91, line 25, after ‘authority’ insert ‘which must include reference to all existing local government areas to be amalgamated or none’.

Fel gwelliant i welliant 91, llinell 26, ar ôl ‘newydd’, ychwanegwch ‘y mae’n rhaid iddo gynnwys cyfeiriad at yr holl ardaloedd llywodraeth leol presennol sydd i’w cyfuno neu beidio â chynnwys cyfeiriad at yr un ohonynt,’.

Veronica German

91C

As an amendment to amendment 91, line 2, after ‘may’, insert ‘on no more than one occasion and within 18 months of the commencement of this section’.

Fel gwelliant i welliant 91, llinell 2, ar ôl ‘Cymru,’ ychwanegwch ‘ar ddim mwy nag un achlysur ac o fewn 18 mis i gychwyn yr adran hon,’.

Veronica German

91D

As an amendment to amendment 91, after line 46, insert –

‘() The power to make an order under section () may not be exercised after a period of 24 months following commencement of this section.’.

Fel gwelliant i welliant 91, ar ôl llinell 44, ychwanegwch –

‘() Ni cheir arfer y pŵer i wneud gorchymyn o dan Adran () ar ôl cyfnod o 24 mis ar ôl cychwyn yr Adran hon.’.

Veronica German

91E

As an amendment to amendment 91, after line 18, insert –

‘() hold a referendum throughout the existing local government areas to be amalgamated by order about whether such an order should be made.’.

Fel gwelliant i welliant 91 ar ôl llinell 19, ychwanegwch –

‘() cynnal refferendwm ledled yr ardaloedd llywodraeth leol presennol sydd i’w cyfuno drwy orchymyn ynghylch a ddylid gwneud gorchymyn o’r fath.’.

Veronica German

91F

As an amendment to amendment 91, after line 18, insert –

‘() The Welsh Ministers may only proceed to make an amalgamation order in accordance with sections 165 and () if the majority of those voting in a referendum held under subsection 2() vote in favour of an amalgamation order.’.

Fel gwelliant i welliant 91, ar ôl llinell 19, ychwanegwch –

‘() Ni chaiff Gweinidogion Cymru fwrw yn eu blaenau i wneud gorchymyn cyfuno yn unol ag adrannau 165 a () oni fydd mwyafrif y rheini sy’n pleidleisio mewn refferendwm a gynhelir o dan is-adran 2 () yn pleidleisio o blaid gwneud gorchymyn cyfuno.’.

Veronica German

91G

As an amendment to amendment 91, after line 18, insert –

‘() obtain the approval of the National Assembly for Wales.’.

Fel gwelliant i welliant 91, ar ôl llinell 19, ychwanegwch –

‘() cael cymeradwyaeth Cynulliad Cenedlaethol Cymru.’.

Veronica German

91H

As an amendment to amendment 91, after line 29, insert –

- ‘() the existing local authorities arrangements for determining planning and licensing applications to be retained in the event of agreement to that effect by the new local authority,
- () the location of the new local authority’s headquarters to be determined by the Welsh Ministers in the event that it cannot be agreed by the new local authority,
- () unless the new local authority operates a mayor and cabinet system, for the office of mayor or chairman of the new local authority, for the remainder of the term following the amalgamation order, to rotate at intervals of equal proportion to be determined by the Welsh Ministers between members representing the areas of each of the existing local authorities.’.

Fel gwelliant i welliant 91, ar ôl llinell 30, ychwanegwch –

- ‘() y trefniadau presennol sydd gan yr awdurdodau lleol ar gyfer penderfynu ar geisiadau cynllunio a thrwyddedu sydd i’w cadw os ceir cytundeb gan yr awdurdod lleol newydd ynghylch hynny,
- () bod Gweinidogion Cymru i benderfynu ar leoliad pencadlys yr awdurdod lleol newydd os na all yr awdurdod lleol newydd gytuno ar hynny,
- () oni bai bod yr awdurdod lleol newydd yn gweithredu system maer a chabinet, bod swydd y maer neu gadeirydd yr awdurdod lleol newydd, am weddill y tymor ar ôl gwneud y gorchymyn cyfuno, i’w dal yn ei thro gan aelodau sy’n cynrychioli ardaloedd pob un o’r awdurdodau lleol presennol am gyfnodau o’r un hyd a benderfynir gan Weinidogion Cymru.’.

Veronica German

91I

As an amendment to amendment 91, line 4, leave out ‘or three’.

Fel gwelliant i welliant 91, llinell 4, gadewch allan ‘neu dair’.

Carl Sargeant

91

To insert a new Section –

‘() Power to make amalgamation order

- (1) The Welsh Ministers may, if they are satisfied that it is necessary to achieve effective local government, make an order (“an amalgamation order”) for the constitution of a new local government area by amalgamating two or three local government areas.

- (2) Before making an amalgamation order, the Welsh Ministers must be satisfied that effective local government is not likely to be achieved in a local government area to be amalgamated by the order by –
 - (a) the exercise by any of the local authorities concerned of their powers under section 9 (Powers to collaborate etc) of the Local Government (Wales) Measure 2009, or
 - (b) the exercise by the Welsh Ministers of their powers under –
 - (i) section 28 (Welsh Ministers: support for Welsh improvement authorities),
 - (ii) section 29 (Welsh Ministers: powers of direction etc),
 - (iii) section 30 (Powers of direction: collaboration arrangements), or
 - (iv) section 31 (Powers of Welsh Ministers to modify enactments and confer new powers)of that Measure.”
- (3) An amalgamation order must provide for –
 - (a) whether the new local government area is to be a county or a county borough,
 - (b) the English name and Welsh name of the new local government area,
 - (c) the establishment of a local authority for the new local government area,
 - (d) whether the new local authority is to be a county council or county borough council,
 - (e) the English name and Welsh name of the new local authority,
 - (f) the abolition of the existing local government areas,
 - (g) the boundary of the new local government area, and
 - (h) the winding up and dissolution of the local authorities for the existing local government areas.
- (4) Where the new local government area is to be a county, the amalgamation order must provide for the new local authority to have the name of the county with the addition –
 - (a) in the case of their English name, of the words “County Council” or the word “Council” (as in “Pembrokeshire County Council” or “Pembrokeshire Council”); and
 - (b) in the case of their Welsh name, of the word “Cyngor” (as in “Cyngor Sir Penfro”).
- (5) Where the new local government area is to be a county borough, the amalgamation order must provide for the new local authority to have the name of the county borough with the addition –
 - (a) in the case of their English name, of the words “County Borough Council” or the word “Council” (as in “Caerphilly County Borough Council” or “Caerphilly Council”); and

- (b) in the case of their Welsh name, of the words “Cyngor Bwrdeistref Sirol” or the word “Cyngor” (as in “Cyngor Bwrdeistref Sirol Caerffili” or “Cyngor Caerffili”).’.

I ychwanegu Adran newydd –

(I) Pŵer i wneud gorchymyn cyfuno

- (1) Caiff Gweinidogion Cymru, os ydynt wedi eu bodloni ei bod yn angenrheidiol er mwyn sicrhau llywodraeth leol effeithol, wneud gorchymyn (“gorchymyn cyfuno”) i gyfansoddi ardal llywodraeth leol newydd drwy gyfuno dwy neu dair ardal llywodraeth leol.
- (2) Cyn gwneud gorchymyn cyfuno, rhaid i Weinidogion Cymru gael eu bodloni na fyddai’n debyg y câi llywodraeth leol effeithiol ei sicrhau mewn ardal llywodraeth leol sydd i’w chyfuno gan y gorchymyn –
 - (a) drwy i unrhyw un neu rai o’r awdurdodau lleol o dan sylw arfer ei bwerau o dan adran 9 (Pwerau cydlafurio etc) o Fesur Llywodraeth Leol (Cymru) 2009, neu
 - (b) drwy i Weinidogion Cymru arfer eu pwerau o dan –
 - (i) adran 28 (Gweinidogion Cymru: cymorth i awdurdodau gwella Cymreig),
 - (ii) adran 29 (Gweinidogion Cymru: pwerau cyfarwyddo etc),
 - (iii) adran 30 (Pwerau cyfarwyddo: trefniadau cydlafurio), neu
 - (iv) adran 31 (Pŵer Gweinidogion Cymru i addasu deddfiadau a rhoi pwerau newydd)
- (3) Rhaid i orchymyn cyfuno ddarparu ar gyfer y canlynol –
 - (a) a fydd yr ardal llywodraeth leol newydd yn sir ynteu'n fwrdeistref sirol,
 - (b) enw Cymraeg ac enw Saesneg yr ardal llywodraeth leol newydd,
 - (c) sefydlu awdurdod lleol ar gyfer yr ardal llywodraeth leol newydd,
 - (d) a fydd yr awdurdod lleol newydd yn gyngor sir ynteu'n gyngor bwrdeistref sirol,
 - (e) enw Cymraeg ac enw Saesneg yr awdurdod lleol newydd,
 - (f) diddymu'r ardaloedd llywodraeth leol presennol,
 - (g) ffin yr ardal llywodraeth leol newydd, ac
 - (h) dirwyn i ben a diddymu'r awdurdodau lleol ar gyfer yr ardaloedd llywodraeth leol presennol.
- (4) Os sir fydd yr ardal llywodraeth leol newydd, rhaid i'r gorchymyn cyfuno ddarparu i'r awdurdod lleol newydd gael enw'r sir gan ychwanegu –
 - (a) yn achos ei enw Saesneg, y geiriau “County Council” neu'r gair “Council” (megis yn “Pembrokeshire County Council” neu “Pembrokeshire Council”); a

- (b) yn achos ei enw Cymraeg, y gair “Cyngor” (megis yn “Cyngor Sir Penfro”).
- (5) Os bwrdeistref sirol fydd yr ardal llywodraeth leol newydd, rhaid i'r gorchymyn cyfuno ddarparu i'r awdurdod lleol newydd gael enw'r fwrdeistref sirol gan ychwanegu –
 - (a) yn achos ei enw Saesneg, y geiriau “County Borough Council” neu'r gair “Council” (megis yn “Caerphilly County Borough Council” neu “Caerphilly Council”); a
 - (b) yn achos ei enw Cymraeg, y geiriau “Cyngor Bwrdeistref Sirol” neu'r gair “Cyngor” (megis yn “Cyngor Bwrdeistref Sirol Caerffili” neu “Cyngor Caerffili”).’.

Veronica German

92A

As an amendment to amendment 92, after line 18, insert –

- ‘(2) Provision in relation to matters (a) to (d) in subsection (1) shall have effect only until an order is made under section () giving effect to the proposals of the Welsh Commission.’.

Fel gwelliant i welliant 92, ar ôl llinell 18, ychwanegwch-

- ‘(2) Dim ond tan y gwneir gorchymyn o dan adran () sy’n rhoi effaith i argymhellion Comisiwn Cymru y bydd darpariaeth mewn perthynas â materion (a) i (d) yn is-adran (1) yn cael effaith.’.

Carl Sargeant

92

To insert a new Section –

‘() **Electoral matters**

The provision that may be made in an amalgamation order includes (but is not limited to) provision for or in respect of any of the following matters –

- (a) the total number of members of any local authority (“councillors”);
- (b) the number and boundaries of electoral areas for the purposes of the election of councillors;
- (c) the number of councillors to be returned by any electoral area;
- (d) the name of any electoral area;
- (e) the election of councillors for any electoral areas;
- (f) the cancellation of elections of councillors for any electoral area;
- (g) the election of community councillors for any community;
- (h) the cancellation of community council elections;
- (i) the election of a mayor of a local authority;

- (j) the appointment by the Welsh Ministers of members of an existing local authority to be members of a shadow authority for a shadow period;
- (k) the appointment for a shadow period of an executive of the shadow authority;
- (l) the functions of a shadow authority, and the discharge of those functions, during a shadow period.’.

I ychwanegu Adran newydd -

‘() Materion etholiadol

Mae'r ddarpariaeth y caniateir ei gwneud mewn gorchymyn cyfuno yn cynnwys darpariaeth ar gyfer neu mewn cysylltiad ag unrhyw un o'r materion canlynol (ond nid yw wedi ei chyfyngu i'r cyfryw ddarpariaeth) –

- (a) cyfanswm yr aelodau o unrhyw awdurdod lleol (“cynghorwyr”);
- (b) nifer yr ardaloedd etholiadol a'u ffiniau at ddibenion ethol cynghorwyr;
- (c) nifer y cynghorwyr sydd i'w hethol yn ffurfiol gan unrhyw ardal etholiadol;
- (d) enw unrhyw ardal etholiadol;
- (e) ethol cynghorwyr ar gyfer unrhyw ardaloedd etholiadol;
- (f) diddymu etholiadau cynghorwyr ar gyfer unrhyw ardal etholiadol;
- (g) ethol cynghorwyr cymunedol ar gyfer unrhyw gymuned;
- (h) diddymu etholiadau cynghorau cymuned;
- (i) ethol maer awdurdod lleol;
- (j) penodi aelodau o awdurdod lleol presennol gan Weinidogion Cymru i fod yn aelodau o awdurdod cysgodol am gyfnod cysgodol;
- (k) penodi am gyfnod cysgodol weithrediaeth i'r awdurdod cysgodol;
- (l) swyddogaethau awdurdod cysgodol, a chyflawni'r swyddogaethau hynny, yn ystod cyfnod cysgodol.’.

Veronica German

93A

As an amendment to amendment 93, line 5, after ‘executive’, insert ‘, and make provision for any costs incurred by the existing local authorities in holding the referendum to be paid by the Welsh Ministers’.

Fel gwelliant i welliant 93, llinell 5, ar ôl ‘chabinet’, ychwanegwch ‘, a gwneud darpariaeth fel bod unrhyw gostau a dynnir gan yr awdurdodau lleol presennol wrth gynnal y refferendwm yn cael eu talu gan Weinidogion Cymru’.

Carl Sargeant

93

To insert a new Section –

'() Requirement to hold a referendum involving an elected mayor

- (1) Where one or more of the existing local authorities is operating a mayor and cabinet executive, the amalgamation order must require the shadow authority to hold a referendum on whether the new local authority should operate a mayor and cabinet executive.
- (2) Where subsection (1) applies, the provision which may be made in an amalgamation order includes (but is not limited to) provision –
 - (a) as to the date on which, or the time by which, a referendum must be held;
 - (b) as to the action which may, or may not or must be taken by a shadow authority before or in connection with a referendum;
 - (c) as to the action which may, or may not or must be taken by a shadow authority after a referendum;
 - (d) for or in connection with enabling the Welsh Ministers, in the event of any failure by the shadow authority to take any action permitted or required by virtue of the order, to take that action.
- (3) The provision which may be made by virtue of subsection (2) includes provision which applies or reproduces (with or without modifications) any provisions of section 25, 27, 28, 29 or 33 of the Local Government Act 2000 or Part 4 of this Measure.'

I ychwanegu Adran newydd –

'() Gofyniad i gynnal refferendwm sy'n cynnwys maer etholedig

- (1) Pan fo un neu ragor o'r awdurdodau lleol presennol yn gweithredu gweithrediaeth maer a chabinet, rhaid i'r gorchymyn cyfuno ei gwneud yn ofynnol i'r awdurdod cysgodol gynnal refferendwm ynghylch a ddylai'r awdurdod lleol newydd weithredu gweithrediaeth maer a chabinet.
- (2) Pan fo is-adran (1) yn gymwys, mae'r ddarpariaeth y caniateir ei gwneud mewn gorchymyn cyfuno'n cynnwys darpariaeth (ond nid yw wedi ei chyfyngu i ddarpariaeth) –
 - (a) o ran y dyddiad, neu'r amser erbyn pryd, y mae'n rhaid cynnal refferendwm,
 - (b) o ran y camau gweithredu y caniateir eu cymryd, neu na chaniateir eu cymryd, neu y mae'n rhaid eu cymryd gan awdurdod cysgodol o flaen refferendwm neu mewn cysylltiad ag ef,
 - (c) o ran y camau gweithredu y caniateir eu cymryd, neu na chaniateir eu cymryd, neu y mae'n rhaid eu cymryd gan awdurdod cysgodol ar ôl refferendwm,
 - (d) i alluogi Gweinidogion Cymru neu mewn cysylltiad â'u galluogi, os bydd unrhyw fethiant gan yr awdurdod cysgodol i gymryd unrhyw gamau gweithredu a ganiateir neu sy'n ofynnol yn rhinwedd y gorchymyn, i gymryd y camau gweithredu hynny.

- (3) Mae'r ddarpariaeth y caniateir ei gwneud yn rhinwedd is-adran (2) yn cynnwys darpariaeth sy'n cymhwyso neu'n atgynhyrchu (gydag addasiadau neu hebddynt) unrhyw ddarpariaethau yn adran 25, 27, 28, 29 neu 33 o Ddeddf Llywodraeth Leol 2000 neu Ran 4 o'r Mesur hwn.'

Veronica German

94A

As an amendment to amendment 94, after line 5, insert—

- '() The regulations must make provision for any costs incurred by a shadow authority in holding the referendum to be paid by the Welsh Ministers.'

Fel gwelliant i welliant 94, ar ôl llinell 5, ychwanegwch—

- '() Rhaid i'r rheoliadau wneud darpariaeth fel bod unrhyw gostau a dynnir gan awdurdod cysgodol wrth gynnal y refferendwm yn cael eu talu gan Weinidogion Cymru.'

Carl Sargeant

94

To insert a new Section—

'() Power to direct a referendum involving an elected mayor

- (1) The Welsh Ministers may by regulations make provision for or in connection with enabling them, in such circumstances as may be prescribed in the regulations, to direct a shadow authority to hold a referendum on whether the new local authority should operate a mayor and cabinet executive.
- (2) The provision which may be made by regulations under this section includes (but is not limited to) provision—
- (a) as to the date on which, or the time by which, a referendum must be held;
 - (b) as to the action which may, or may not or must be taken by a shadow authority before or in connection with a referendum;
 - (c) as to the action which may, or may not or must be taken by a shadow authority after a referendum;
 - (d) for or in connection with enabling the Welsh Ministers, in the event of any failure by the shadow authority to take any action permitted or required by virtue of the regulations, to take that action.
- (3) The provision which may be made by virtue of subsection (2) includes provision which applies or reproduces (with or without modifications) any provisions of section 25, 27, 28, 29 or 33 of the Local Government Act 2000 or Part 4 of this Measure.'

I ychwanegu Adran newydd -

'(1) Pŵer i gyfarwyddo refferendwm sy'n cynnwys maer etholedig

- (1) Caiff Gweinidogion Cymru drwy reoliadau wneud darpariaeth i'w galluogi neu mewn cysylltiad â'u galluogi, o dan unrhyw amgylchiadau a ragnodir yn y rheoliadau, i gyfarwyddo awdurdod cysgodol i gynnal refferendwm ynghylch a ddylai'r awdurdod lleol newydd weithredu gweithrediaeth maer a chabinet.
- (2) Mae'r ddarpariaeth y caniateir ei gwneud drwy reoliadau o dan yr adran hon yn cynnwys darpariaeth (ond nid yw wedi ei chyfyngu i ddarpariaeth) –
 - (a) ynghylch y dyddiad, neu'r amser erbyn pryd, y mae'n rhaid cynnal refferendwm,
 - (b) o ran y camau gweithredu y caniateir eu cymryd, neu na chaniateir eu cymryd, neu y mae'n rhaid eu cymryd gan awdurdod cysgodol o flaen refferendwm neu mewn cysylltiad ag ef,
 - (c) o ran y camau gweithredu y caniateir eu cymryd, neu na chaniateir eu cymryd, neu y mae'n rhaid eu cymryd gan awdurdod cysgodol ar ôl refferendwm,
 - (d) i alluogi Gweinidogion Cymru neu mewn cysylltiad â'u galluogi, os bydd unrhyw fethiant gan yr awdurdod cysgodol i gymryd unrhyw gamau gweithredu a ganiateir neu sy'n ofynnol yn rhinwedd y rheoliadau, i gymryd y camau gweithredu hynny.
- (3) Mae'r ddarpariaeth y caniateir ei gwneud yn rhinwedd is-adran (2) yn cynnwys darpariaeth sy'n cymhwyso neu'n atgynhyrchu (gydag addasiadau neu hebddynt) unrhyw ddarpariaethau yn adran 25, 27, 28, 29 neu 33 o Ddeddf Llywodraeth Leol 2000 neu Ran 4 o'r Mesur hwn.'

Veronica German

95A

As an amendment to amendment 95, line 42, leave out 'or in regulations under this section'.

Fel gwelliant i welliant 95, llinell 44, gadewch allan 'neu mewn rheoliadau o dan yr adran hon'.

Veronica German

95B

As an amendment to amendment 95, line 5, leave out subsections (2) to (3).

Fel gwelliant i welliant 95, llinell 5, gadewch allan is-adrannau (2) i (3).

Carl Sargeant

95

To insert a new Section –

‘(1) Supplementary, incidental, consequential, transitional and saving provision

- (1) The provision that may be made in an amalgamation order includes (but is not limited to) supplementary, incidental, consequential, transitional and saving provision.
- (2) The Welsh Ministers may by regulations of general application make supplementary, incidental, consequential, transitional and saving provision –
 - (a) for the purposes of or in consequence of amalgamation orders; or
 - (b) for giving full effect to amalgamation orders.
- (3) Regulations under subsection (2) have effect subject to any provision included in an amalgamation order.
- (4) In this section, references to supplementary, incidental, consequential, transitional, or saving provision include (but are not limited to) provision –
 - (a) for the transfer of property, rights or liabilities from an existing local authority to a new local authority;
 - (b) for legal proceedings commenced by or against an existing local authority to be continued by or against a new local authority;
 - (c) for the transfer of staff, compensation for loss of office, or with respect to pensions and other staffing matters;
 - (d) for treating a new local authority for some or all purposes as the same person in law as an existing local authority ;
 - (e) with respect to the management or custody of transferred property (real or personal);
 - (f) equivalent to any provision that could be contained in an agreement under section 68 of the Local Government Act 1972 (transitional agreements as to property and finance).
- (5) The rights and liabilities which may be transferred in accordance with an order under this section include rights and liabilities in relation to a contract of employment.
- (6) The Transfer of Undertakings (Protection of Employment) Regulations 2006 (SI 2006/246) apply to a transfer made in accordance with an order under this section (whether or not the transfer is a relevant transfer for the purposes of those regulations).
- (7) In subsection (1), the reference to supplementary, incidental, consequential, transitional or saving provision also includes (but is not limited to) provision with respect to –
 - (a) the establishment or membership of public bodies in any area affected by the amalgamation order and the election or appointment of members of such bodies;

- (b) the abolition or establishment, or the restriction or extension, of the jurisdiction of any public body in or over any part of any area affected by the amalgamation order.
- (8) Supplementary, incidental, consequential, transitional or saving provision in an amalgamation order or in regulations under this section may take the form of provision –
 - (a) modifying, excluding or applying (with or without modifications) any enactment; or
 - (b) repealing or revoking any enactment (with or without savings).

I ychwanegu Adran newydd –

(i) Darpariaeth atodol, gysylltiedig, ganlyniadol, drosiannol a darpariaeth arbed

- (1) Mae'r ddarpariaeth y caniateir ei gwneud mewn gorchymyn cyfuno yn cynnwys darpariaeth atodol, cysylltiedig, trosiannol a darpariaeth arbed (ond nid yw wedi ei chyfyngu i'r cyfryw ddarpariaeth).
- (2) Caiff Gweinidogion Cymru drwy reoliadau sy'n gymwys yn gyffredinol wneud darpariaeth atodol, gysylltiedig, ganlyniadol, drosiannol a darpariaeth arbed –
 - (a) at ddibenion gorchmynion cyfuno neu o ganlyniad iddynt; neu
 - (b) i roi effaith lawn i orchmynion cyfuno.
- (3) Mae rheoliadau o dan is-adran (2) yn cael effaith yn ddarostyngedig i unrhyw ddarpariaeth a gynhwysir mewn gorchymyn cyfuno.
- (4) Yn yr adran hon, mae cyfeiriadau at ddarpariaeth atodol, gysylltiedig, ganlyniadol, drosiannol neu ddarpariaeth arbed yn cynnwys darpariaeth (ond nid ydynt wedi eu cyfyngu i ddarpariaeth) –
 - (a) ar gyfer trosglwyddo eiddo, hawliau neu rwymedigaethau o awdurdod lleol presennol i awdurdod lleol newydd;
 - (b) i achos cyfreithiol a gychwynnir gan neu yn erbyn awdurdod lleol presennol gael ei barhau gan neu yn erbyn awdurdod lleol newydd;
 - (c) ar gyfer trosglwyddo staff, iawndal am golli swydd, neu mewn perthynas â phensiynau a materion staffio eraill;
 - (d) ar gyfer trin awdurdod lleol newydd at rai dibenion neu at bob diben fel yr un person mewn cyfraith ag awdurdod lleol presennol;
 - (e) mewn perthynas â rheolaeth neu gadwraeth ar eiddo (tirol neu bersonol) a drosglwyddir;
 - (f) sy'n cyfateb i unrhyw ddarpariaeth y gellid ei chynnwys mewn cytundeb o dan adran 68 o Ddeddf Llywodraeth Leol 1972 (cytundebau trosiannol o ran eiddo a chyllid).
- (5) Mae'r hawliau a'r rhwymedigaethau y caniateir eu trosglwyddo'n unol â gorchymyn o dan yr adran hon yn cynnwys hawliau a rhwymedigaethau mewn perthynas â chontract cyflogi.
- (6) Mae Rheoliadau Trosglwyddo Ymgymeriadau (Diogelu Cyflogaeth) 2006 (OS 2006/246) yn gymwys i drosglwyddiad a wneir yn unol â gorchymyn o dan yr adran

hon (p'un a yw'r trosglwyddiad yn drosglwyddiad perthnasol at ddibenion y rheoliadau hynny ai peidio).

- (7) Yn is-adran (1), mae'r cyfeiriad at ddarpariaeth atodol, gysylltiedig, ganlyniadol, drosiannol neu ddarpariaeth arbed hefyd yn cynnwys darpariaeth (ond nid yw wedi ei chyfyngu i ddarpariaeth) mewn cysylltiad â'r canlynol –
- (a) sefydlu cyrff cyhoeddus neu aelodaeth o'r cyfryw gyrff mewn unrhyw ardal yr effeithir arni gan y gorchymyn cyfuno ac ethol neu benodi aelodau'r cyfryw gyrff;
 - (b) diddymu neu sefydlu, neu gyfyngu neu estyn, awdurdodaeth unrhyw gorff cyhoeddus mewn neu dros unrhyw ran o unrhyw ardal yr effeithir arni gan y gorchymyn cyfuno.
- (8) Caiff darpariaeth atodol, gysylltiedig, ganlyniadol, drosiannol neu ddarpariaeth arbed mewn gorchymyn cyfuno neu mewn rheoliadau o dan yr adran hon fod ar ffurf darpariaeth –
- (a) sy'n addasu, sy'n eithrio neu sy'n cymhwysu (gydag addasiadau neu hebddynt) unrhyw ddeddfiad; neu
 - (b) sy'n diddymu neu'n dirymu unrhyw ddeddfiad (gydag arbedion neu hebddynt).'

Veronica German

96A

As an amendment to amendment 96, line 2, leave out 'Welsh Ministers may direct the Welsh Commission' and insert 'Welsh Commission must'.

Fel gwelliant i welliant 96, llinell 2, gadewch allan 'Caiff Gweinidogion Cymru gyfarwyddo Comisiwn Cymru i' ac ychwanegwch 'Rhaid i Gomisiwn Cymru'.

Veronica German

96B

As an amendment to amendment 96, line 7, after 'government', insert 'and Welsh Ministers must, by order, give effect to those proposals'.

Fel gwelliant i welliant 96, llinell 7, ar ôl 'chyfleus', ychwanegwch 'a rhaid i Weinidogion Cymru, drwy orchymyn, roi effaith i'r argymhellion hynny'.

Veronica German

96C

As an amendment to amendment 96, line 3, after 'area', insert 'within a period of 18 months after an amalgamation order has been approved by a resolution of the National Assembly for Wales. That review must include the matters referred to in paragraphs (a) to (d) of section (.)'.

Fel gwelliant i welliant 96, llinell 3, ar ôl 'newydd', ychwanegwch 'o fewn cyfnod o 18 mis ar ôl i orchymyn cyfuno gael ei gymeradwyo drwy benderfyniad gan Gynulliad Cenedlaethol Cymru. Rhaid i'r adolygiad hwnnw gynnwys y materion y cyfeirir atynt ym mharagraffau (a) i (d) yn is-adran () o adran.'

Veronica German

96D

As an amendment to amendment 96, after line 12, insert –

'(5) In undertaking its review under this section, the Welsh Commission may not propose a number of councillors greater than the sum of the number of members of the local authorities being amalgamated; but may propose a number of councillors greater than 75.'

Fel gwelliant i welliant 96, ar ôl llinell 13, ychwanegwch –

'(5) Wrth ymgymryd â'i adolygiad o dan yr adran hon, ni chaiff Comisiwn Cymru argymhell nifer cynghorwyr sy'n fwy na chyfanswm nifer yr aelodau yn yr awdurdodau lleol sy'n cael eu cyfuno; ond caiff argymhell nifer cynghorwyr sy'n fwy na 75.'

Carl Sargeant

96

To insert a new Section –

'() Review of electoral arrangements

- (1) The Welsh Ministers may direct the Welsh Commission to undertake a review of the electoral arrangements for a new local government area.
- (2) The Welsh Commission may in consequence of such a review make proposals to the Welsh Ministers for effecting changes to the electoral arrangements as appear to the Welsh Commission to be desirable in the interests of effective and convenient local government.
- (3) In considering the electoral arrangements for a new local government area for the purposes of this section, the Welsh Commission shall so far as reasonably practicable comply with the rules set out in Schedule 11 to the Local Government Act 1972.
- (4) For the purposes of this section "electoral arrangements" has the same meaning as in section 78 of the Local Government Act 1972.'

I ychwanegu Adran newydd –

'() Adolygu trefniadau etholiadol

- (1) Caiff Gweinidogion Cymru gyfarwyddo Comisiwn Cymru i ymgymryd ag adolygiad o'r trefniadau etholiadol ar gyfer ardal llywodraeth leol newydd.
- (2) Caiff Comisiwn Cymru o ganlyniad i'r cyfryw adolygiad gyflwyno argymhellion i Weinidogion Cymru ar gyfer gwneud newidiadau i'r trefniadau etholiadol sy'n ymddangos i Gomisiwn Cymru yn ddymunol er mwyn cael llywodraeth leol effeithiol a chyfleus.

- (3) Wrth bwyso a mesur y trefniadau etholiadol ar gyfer ardal llywodraeth leol newydd at ddibenion yr adran hon, rhaid i Gomisiwn Cymru i'r graddau y mae'n rhesymol ymarferol gydymffurfio â'r rheolau a nodir yn Atodlen 11 i Ddeddf Llywodraeth Leol 1972.
- (4) At ddibenion yr adran hon mae i "trefniadau etholiadol" yr un ystyr ag "electoral arrangements" yn adran 78 o Ddeddf Llywodraeth Leol 1972.'

Veronica German

97A

As an amendment to amendment 97, line 4, leave out 'a direction under'.

Fel gwelliant i welliant 97, llinell 4, gadewch allan 'a direction under'.

Veronica German

97B

As an amendment to amendment 97, line 10, leave out 'a direction under'.

Fel gwelliant i welliant 97, llinell 10, gadewch allan 'a direction under'.

Veronica German

97C

As an amendment to amendment 97, line 7, leave out 'a direction under'.

Fel gwelliant i welliant 97, llinell 7, gadewch allan 'a direction under'.

Carl Sargeant

97

To insert a new Section—

'() Amendments to the Local Government Act 1972

- (1) The Local Government Act 1972 is amended as follows.
- (2) In section 58 (Commission's reports and their implementation), in subsection (1) (b) after "section 57 above" insert "or in accordance with a direction under section [] of the Local Government (Wales) Measure 2011".
- (3) In section 59 (directions about reviews), in subsection (1) after "57 above" insert "or in accordance with a direction under section [] of the Local Government (Wales) Measure 2011".
- (4) In section 60 (procedure for reviews), in subsection (1) after "this Act" insert "or in accordance with a direction under section [] of the Local Government (Wales) Measure 2011".
- (5) In section 68 (transitional agreements as to property and finance), in subsection (1) after "this Act" insert "or by an order under section [] of the Local Government (Wales) Measure 2011".'

I ychwanegu Adran newydd -

'() Diwygiadau i Ddeddf Llywodraeth Leol 1972

- (1) Diwygir Deddf Llywodraeth Leol 1972 fel a ganlyn.
- (2) Yn adran 58 (adroddiadau'r Comisiwn a'u gweithredu), yn is-adran (1)(b) ar ôl "section 57 above" mewnosoder "or in accordance with a direction under section [] of the Local Government (Wales) Measure 2011".
- (3) Yn adran 59 (cyfarwyddiadau ynghylch adolygiadau), yn is-adran (1) ar ôl "57 above" mewnosoder "or in accordance with a direction under section [] of the Local Government (Wales) Measure 2011".
- (4) Yn adran 60 (y weithdrefn ar gyfer adolygiadau), yn is-adran (1) ar ôl "this Act" mewnosoder "or in accordance with a direction under section [] of the Local Government (Wales) Measure 2011".
- (5) Yn adran 68 (cytundebau trosiannol o ran eiddo a chyllid), yn is-adran (1) ar ôl "this Act" mewnosoder "or by an order under section [] of the Local Government (Wales) Measure 2011".'. .

Veronica German

98A

As an amendment to amendment 98, line 15, leave out '60' and insert '365'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '365'.

Veronica German

98B

As an amendment to amendment 98, line 15, leave out '60' and insert '360'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '360'.

Veronica German

98C

As an amendment to amendment 98, line 15, leave out '60' and insert '355'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '355'.

Veronica German

98D

As an amendment to amendment 98, line 15, leave out '60' and insert '350'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '350'.

Veronica German

98E

As an amendment to amendment 98, line 15, leave out '60' and insert '345'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '345'.

Veronica German

98F

As an amendment to amendment 98, line 15, leave out '60' and insert '340'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '340'.

Veronica German

98G

As an amendment to amendment 98, line 15, leave out '60' and insert '335'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '335'.

Veronica German

98H

As an amendment to amendment 98, line 15, leave out '60' and insert '330'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '330'.

Veronica German

98I

As an amendment to amendment 98, line 15, leave out '60' and insert '325'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '325'.

Veronica German

98J

As an amendment to amendment 98, line 15, leave out '60' and insert '320'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '320'.

Veronica German

98K

As an amendment to amendment 98, line 15, leave out '60' and insert '315'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '315'.

Veronica German

98L

As an amendment to amendment 98, line 15, leave out '60' and insert '310'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '310'.

Veronica German

98M

As an amendment to amendment 98, line 15, leave out '60' and insert '305'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '305'.

Veronica German

98N

As an amendment to amendment 98, line 15, leave out '60' and insert '300'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '300'.

Veronica German

98O

As an amendment to amendment 98, line 15, leave out '60' and insert '295'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '295'.

Veronica German

98P

As an amendment to amendment 98, line 15, leave out '60' and insert '290'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '290'.

Veronica German

98Q

As an amendment to amendment 98, line 15, leave out '60' and insert '285'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '285'.

Veronica German

98R

As an amendment to amendment 98, line 15, leave out '60' and insert '280'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '280'.

Veronica German

98S

As an amendment to amendment 98, line 15, leave out '60' and insert '275'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '275'.

Veronica German

98T

As an amendment to amendment 98, line 15, leave out '60' and insert '270'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '270'.

Veronica German

98U

As an amendment to amendment 98, line 15, leave out '60' and insert '265'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '265'.

Veronica German

98V

As an amendment to amendment 98, line 15, leave out '60' and insert '260'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '260'.

Veronica German

98W

As an amendment to amendment 98, line 15, leave out '60' and insert '255'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '255'.

Veronica German

98X

As an amendment to amendment 98, line 15, leave out '60' and insert '250'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '250'.

Veronica German

98Y

As an amendment to amendment 98, line 15, leave out '60' and insert '245'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '245'.

Veronica German

98Z

As an amendment to amendment 98, line 15, leave out '60' and insert '240'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '240'.

Veronica German

98AA

As an amendment to amendment 98, line 15, leave out '60' and insert '235'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '235'.

Veronica German

98AB

As an amendment to amendment 98, line 15, leave out '60' and insert '230'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '230'.

Veronica German

98AC

As an amendment to amendment 98, line 15, leave out '60' and insert '225'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '225'.

Veronica German

98AD

As an amendment to amendment 98, line 15, leave out '60' and insert '220'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '220'.

Veronica German

98AE

As an amendment to amendment 98, line 15, leave out '60' and insert '215'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '215'.

Veronica German

98AF

As an amendment to amendment 98, line 15, leave out '60' and insert '210'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '210'.

Veronica German

98AG

As an amendment to amendment 98, line 15, leave out '60' and insert '205'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '205'.

Veronica German

98AH

As an amendment to amendment 98, line 15, leave out '60' and insert '200'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '200'.

Veronica German

98AI

As an amendment to amendment 98, line 15, leave out '60' and insert '195'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '195'.

Veronica German

98AJ

As an amendment to amendment 98, line 15, leave out '60' and insert '190'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '190'.

Veronica German

98AK

As an amendment to amendment 98, line 15, leave out '60' and insert '185'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '185'.

Veronica German

98AL

As an amendment to amendment 98, line 15, leave out '60' and insert '180'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '180'.

Veronica German

98AM

As an amendment to amendment 98, line 15, leave out '60' and insert '175'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '175'.

Veronica German

98AN

As an amendment to amendment 98, line 15, leave out '60' and insert '170'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '170'.

Veronica German

98AO

As an amendment to amendment 98, line 15, leave out '60' and insert '165'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '165'.

Veronica German

98AP

As an amendment to amendment 98, line 15, leave out '60' and insert '160'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '160'.

Veronica German

98AR

As an amendment to amendment 98, line 15, leave out '60' and insert '155'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '155'.

Veronica German

98AS

As an amendment to amendment 98, line 15, leave out '60' and insert '150'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '150'.

Veronica German

98AT

As an amendment to amendment 98, line 15, leave out '60' and insert '145'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '145'.

Veronica German

98AU

As an amendment to amendment 98, line 15, leave out '60' and insert '140'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '140'.

Veronica German

98AV

As an amendment to amendment 98, line 15, leave out '60' and insert '135'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '135'.

Veronica German

98AW

As an amendment to amendment 98, line 15, leave out '60' and insert '130'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '130'.

Veronica German

98AX

As an amendment to amendment 98, line 15, leave out '60' and insert '125'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '125'.

Veronica German

98AY

As an amendment to amendment 98, line 15, leave out '60' and insert '120'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '120'.

Veronica German

98AZ

As an amendment to amendment 98, line 15, leave out '60' and insert '115'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '115'.

Veronica German

98AAA

As an amendment to amendment 98, line 15, leave out '60' and insert '110'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '110'.

Veronica German

98AAB

As an amendment to amendment 98, line 15, leave out '60' and insert '105'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '105'.

Veronica German

98AAC

As an amendment to amendment 98, line 15, leave out '60' and insert '100'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '100'.

Veronica German

98AAD

As an amendment to amendment 98, line 15, leave out '60' and insert '95'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '95'.

Veronica German

98AAE

As an amendment to amendment 98, line 15, leave out '60' and insert '90'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '90'.

Veronica German

98AAF

As an amendment to amendment 98, line 15, leave out '60' and insert '85'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '85'.

Veronica German

98AAG

As an amendment to amendment 98, line 15, leave out '60' and insert '80'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '80'.

Veronica German

98AAH

As an amendment to amendment 98, line 15, leave out '60' and insert '75'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '75'.

Veronica German

98AAI

As an amendment to amendment 98, line 15, leave out '60' and insert '70'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '70'.

Veronica German

98AAJ

As an amendment to amendment 98, line 15, leave out '60' and insert '65'.

Fel gwelliant i welliant 98, llinell 16, gadewch allan '60' ac ychwanegwch '65'.

Carl Sargeant

98

To insert a new Section –

'() Procedure applicable to an amalgamation order

- (1) The Welsh Ministers must comply with this section before making an amalgamation order to give effect to proposals to constitute a new local government area by amalgamating two or three existing local government areas ("the proposals").
- (2) The Welsh Ministers must consult such persons as appear to them to be representative of persons or interests affected by the proposals.
- (3) If, following that consultation, the Welsh Ministers wish to proceed with the proposals, they must lay before the National Assembly for Wales a document which –
 - (a) explains the proposals,
 - (b) sets them out in the form of a draft order, and
 - (c) gives details of the consultation under subsection (2).
- (4) No draft of an amalgamation order to give effect to the proposals ("the final draft order") may be laid before the Assembly in accordance with section 165(2)(b) until after the expiry of the period of 60 days beginning with the day on which the document relating to the proposals was laid before the National Assembly for Wales under subsection (3).
- (5) In calculating the period mentioned in subsection (4) no account shall be taken of any time during which the National Assembly for Wales is dissolved or is in recess for more than four days.
- (6) In preparing the final draft order, the Welsh Ministers must consider any representations made during the period mentioned in subsection (4).
- (7) If the final draft order is laid before the National Assembly for Wales in accordance with section 165(2)(b), the order must be accompanied by a statement of the Welsh Ministers giving details of –
 - (a) any representations considered in accordance with subsection (6), and
 - (b) any changes to the proposals contained in the document laid before the National Assembly for Wales under subsection (3) which are given effect to in the final draft order.
- (8) Nothing in this section applies to an order under section () which is made only for the purpose of amending an earlier order under that section.'

I ychwanegu Adran newydd -

'(1) Y weithdrefn sy'n gymwys i orchymyn cyfuno

- (1) Rhaid i Weinidogion Cymru gydymffurfio â'r adran hon cyn gwneud gorchymyn cyfuno i roi effaith i gynigion i gyfansoddi ardal llywodraeth leol newydd drwy gyfuno dwy neu dair o ardaloedd llywodraeth leol presennol ("y cynigion").
- (2) Rhaid i Weinidogion Cymru ymgynghori ag unrhyw bersonau y mae'n ymddangos i'r Gweinidogion eu bod yn cynrychioli personau neu fuddiannau yr effeithir arnynt gan y cynigion.
- (3) Os bydd Gweinidogion Cymru, yn dilyn yr ymgynghori hwnnw, yn dymuno bwrw ymlaen â'r cynigion, rhaid iddynt osod gerbron Cynulliad Cenedlaethol Cymru ddogfen sydd –
 - (a) yn esbonio'r cynigion,
 - (a) yn eu nodi ar ffurf gorchymyn drafft, ac
 - (b) yn rhoi manylion yr ymgynghori o dan is-adran (2).
- (4) Ni chaniateir i unrhyw ddrafft o orchymyn cyfuno i roi effaith i'r cynigion ("y gorchymyn drafft terfynol") gael ei osod gerbron y Cynulliad yn unol ag adran 165(2)(b) tan ar ôl i'r cyfnod o 60 niwrnod, sy'n dechrau ar y diwrnod y cafodd y ddogfen ynglŷn â'r cynigion ei gosod gerbron Cynulliad Cenedlaethol Cymru o dan is-adran (3), ddirwyn i ben.
- (5) Wrth gyfrifo'r cyfnod a grybwyllwyd yn is-adran (4) rhaid peidio ag ystyried unrhyw amser pryd y bydd Cynulliad Cenedlaethol Cymru wedi'i ddiddymu neu wedi cymryd saib am fwy na phedwar diwrnod.
- (6) Wrth baratoi'r gorchymyn drafft terfynol, rhaid i Weinidogion Cymru ystyried unrhyw sylwadau a gyflwynwyd yn ystod y cyfnod a grybwyllwyd yn is-adran (4).
- (7) Os caiff y gorchymyn drafft terfynol ei osod gerbron Cynulliad Cenedlaethol Cymru yn unol ag adran 165(2)(b), rhaid bod gyda'r gorchymyn ddatganiad gan Weinidogion Cymru sy'n rhoi manylion –
 - (a) unrhyw sylwadau a ystyriwyd yn unol ag is-adran (6), a
 - (b) unrhyw newidiadau a wnaed i'r cynigion a oedd wedi eu cynnwys yn y ddogfen a osodwyd gerbron Cynulliad Cenedlaethol Cymru o dan is-adran (3) ac y mae effaith wedi ei rhoi iddynt yn y gorchymyn drafft terfynol.
- (8) Nid oes dim yn yr adran hon sy'n gymwys i orchymyn o dan adran () sydd wedi ei wneud yn unswydd at y diben o ddiwygio gorchymyn cynharach o dan yr adran honno.'.

Carl Sargeant

99

To insert a new Section –

'() Correction of orders

(1) Where –

- (a) there is a mistake in an amalgamation order, and
- (b) the mistake cannot be rectified by a subsequent order made under section (), the Welsh Ministers may, by order, rectify the mistake.

(2) For the purposes of this section, a “mistake” in an order includes a provision contained in or omitted from the order in reliance on inaccurate or incomplete information supplied by a community council or any other public body.’.

I ychwanegu Adran newydd –

'() Cywiro gorchmynion

(1) Pan fo –

- (a) gwall mewn gorchmyn cyfuno, a
- (b) ni ellir ei gywiro drwy orchymyn dilynol a wneir o dan adran (), caiff Gweinidogion Cymru, drwy orchymyn, gywiro'r gwall.

(2) At ddibenion yr adran hon, mae “gwall” mewn gorchmyn yn cynnwys darpariaeth sydd wedi ei chynnwys yn y gorchmyn neu wedi ei hepgor ohono drwy ddibynnu ar wybodaeth anghywir neu anghyflawn a ddarparwyd gan gyngor cymuned neu unrhyw gorff cyhoeddus arall.’.

Carl Sargeant

100

To insert a new Section –

'() Interpretation

In this Part –

“amalgamation order” (“*gorchymyn cyfuno*”) means an order under section ();

“electoral area” (“*ardal etholiadol*”) means any area for which councillors are elected to a local authority;

“existing local authority” (“*awdurdod lleol presennol*”) means the local authority for an existing local government area;

“existing local government area” (“*ardal llywodraeth leol bresennol*”) means a local government area abolished by an amalgamation order;

“local authority ” (“*awdurdod lleol*”) means a county or county borough council in Wales;

“local government area” (“*ardal llywodraeth leol*”) means an area for which a local authority is established;

“member of a local authority” (“aelod o awdurdod lleol”) includes an elected mayor within the meaning of section 39(1) of the Local Government Act 2000) or elected executive member (within the meaning of section 39(4) of that Act) of the authority;

“new local authority” (“awdurdod lleol newydd”) means a local authority established by an amalgamation order;

“new local government area” (“ardal llywodraeth leol newydd”) means a local government area constituted by an amalgamation order;

“public body” (“corf cyhoeddus”) includes –

- (a) a local authority;
- (b) a joint board, or a joint committee, on which a local authority is represented;

“shadow authority” (“awdurdod cysgodol”) means an authority which has been appointed or elected to carry out functions prescribed by an amalgamation order and will become a new local authority at the end of the shadow period;

“shadow period” (“cyfnod cysgodol”) means a period before the coming into office of members of the new local authority;

“staff” (“staff”) includes officers and employees;

“Welsh Commission” (“Comisiwn Cymru”) means the Local Government Boundary Commission for Wales established by section 53 of the Local Government Act 1972;’.

I ychwanegu Adran newydd –

‘() Dehongli

Yn y Rhan hon –

mae “aelod o awdurdod lleol” (“member of a local authority”) yn cynnwys maer etholedig o fewn ystyr adran 39(1) o Ddeddf Llywodraeth Leol 2000) neu aelod gweithredol etholedig (o fewn ystyr adran 39(4) o'r Ddeddf honno) o'r awdurdod;

ystyr “ardal etholiadol” (“electoral area”) yw unrhyw ardal yr etholir cynghorwyr drosti i awdurdod lleol;

ystyr “ardal llywodraeth leol” (“local government area”) yw ardal y mae awdurdod lleol wedi ei sefydlu ar ei chyfer;

ystyr “ardal llywodraeth leol bresennol” (“existing local government area”) yw ardal llywodraeth leol a ddiddymir gan orchymyn cyfuno;

ystyr “ardal llywodraeth leol newydd” (“new local government area”) yw ardal llywodraeth leol a gyfansoddwyd drwy orchymyn cyfuno;

ystyr “awdurdod cysgodol” (“shadow authority”) yw awdurdod sydd wedi ei benodi neu wedi ei ethol i gyflawni swyddogaethau a ragnodwyd drwy orchymyn cyfuno ac a ddaw'n awdurdod lleol newydd ar ddiwedd y cyfnod cysgodol;

ystyr “awdurdod lleol” (“local authority”) yw cyngor sir neu gyngor bwrdeistref sirol yng Nghymru;

ystyr “awdurdod lleol newydd” (“new local authority”) yw awdurdod lleol a sefydlwyd drwy orchymyn cyfuno;

ystyr “awdurdod lleol presennol” (“existing local authority”) yw'r awdurdod lleol ar gyfer ardal llywodraeth leol bresennol;

ystyr “Comisiwn Cymru” (“Welsh Commission”) yw Comisiwn Ffiniau Llywodraeth Leol i Gymru a sefydlwyd gan adran 53 o Ddeddf Llywodraeth Leol 1972;

mae “corff cyhoeddus” (“public body”) yn cynnwys—

(a) awdurdod lleol;

(b) cyd-fwrdd, neu gyd-bwyllgor, y mae awdurdod lleol wedi ei gynrychioli arno;

ystyr “cyfnod cysgodol” (“shadow period”) yw cyfnod cyn y bydd aelodau o'r awdurdod lleol newydd yn cychwyn ar eu swydd;

ystyr “gorchymyn cyfuno” (“amalgamation order”) yw gorchymyn o dan adran ();

mae “staff” (“staff”) yn cynnwys swyddogion a chyflogeion.’.