



HYSBYSIAD YNGHYLCH GWELLIANNAU NOTICE OF AMENDMENTS

Cyflwynwyd ar 7 Hydref 2009
Tabled on 7 October 2009

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

Jeffrey Cuthbert

1

Section 1, page 2, after line 5, insert –

‘() is appointed as, or designated to exercise the functions of, the Counsel General under section 49 of the Act, or’.

Adran 1, tudalen 2, ar ôl llinell 6, ychwanegwch –

‘() yn cael ei benodi’n Gwnsler Cyffredinol, neu ei ddynodi i arfer swyddogaethau’r swydd honno, o dan adran 49 o’r Ddeddf, neu’.

Jeffrey Cuthbert

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Section 5, page 3, line 16, leave out ‘Subject to subsection (),’.

Adran 5, tudalen 3, llinell 15, gadewch allan ‘Yn ddarostyngedig i is-adran (),’.

Jeffrey Cuthbert 3

Section 5, page 3, line 31, leave out subsection (3A).

Adran 5, tudalen 3, llinell 33, gadewch allan is-adran (3A).

Jeffrey Cuthbert 4

Section 6, page 4, line 10, leave out subsection (2).

Adran 6, tudalen 4, llinell 10, gadewch allan is-adran (2).

Jeffrey Cuthbert 5

Section 11, page 6, line 20, leave out 'this section' and insert 'section 8(1)'.

Adran 11, tudalen 6, llinell 24, gadewch allan 'yr adran hon' a rhowch yn ei le 'adran 8(1)'.

Jeffrey Cuthbert 6

Section 11, page 6, line 22, after 'person', insert '(or, if subsection (3) applies, the Counsel General)'.

Adran 11, tudalen 6, llinell 27, ar ôl 'hwynnw', ychwanegwch '(neu, os yw is-adran (3) yn gymwys, y Cwnsler Cyffredinol)'.

Jeffrey Cuthbert 7

Section 11, page 6, after line 24, insert—

'(3) This subsection applies if the proceedings were instituted by or on behalf of the Welsh Ministers, the First Minister or the Counsel General.'

Adran 11, tudalen 6, ar ôl llinell 28, ychwanegwch—

'(3) Mae'r is-adran hon yn gymwys os cafodd yr achos ei sefydlu gan Weinidogion Cymru, y Prif Weinidog neu'r Cwnsler Cyffredinol, neu ar eu rhan.'

Jeffrey Cuthbert 8

Section 17, page 9, at the beginning of line 1, insert 'for the purposes of section 1(3)(a) and (b) only,'.

Adran 17, tudalen 9, ar ddechrau llinell 1, ychwanegwch 'at ddibenion adran 1(3)(a) a (b) yn unig,'.

Jeffrey Cuthbert 9

Section 17, page 9, line 4, leave out 'and a former Counsel General'.

Adran 17, tudalen 9, llinell 3, gadewch allan 'a chyn Gwnsler Cyffredinol'.

Jeffrey Cuthbert

10

To insert a new Section –

() Ministerial Code

- (1) Nothing in this Measure authorises the Commissioner to express any view on –
 - (a) any provision relating to standards of conduct which is contained in a Welsh Ministerial Code,
 - (b) any provision relating to standards of conduct which could be contained in a Welsh Ministerial Code,
 - (c) any allegation that the conduct of any person was in breach of a provision relating to standards of conduct contained in a Welsh Ministerial Code, or
 - (d) the effectiveness of any provision contained in a Welsh Ministerial Code whether in relation to any specific conduct or generally.
- (2) For the purposes of this section –
 - (a) a “Welsh Ministerial Code” means any document (however that document is described) containing provisions relating to standards of conduct –
 - (i) which has been promulgated by or under the authority of the First Minister,
 - (ii) which applies to the First Minister, Welsh Ministers, Deputy Welsh Ministers and Counsel General or to any of them,
 - (iii) which relates to standards of conduct in those offices, and
 - (iv) which seeks to apply standards of conduct different from or additional to those which apply to Assembly Members generally, and
 - (b) a provision relating to standards of conduct is one which could be contained in a Welsh Ministerial Code if that provision satisfies the requirements of paragraph (a)(ii), (iii) and (iv).’.

I ychwanegu Adran newydd –

() Cod ar gyfer Gweinidogion

- (1) Nid oes dim yn y Mesur hwn sy’n awdurdodi’r Comisiynydd i fynegi barn ar –
 - (a) unrhyw ddarpariaeth sy’n ymwneud â safonau ymddygiad a gynhwysir mewn Cod Cymreig ar gyfer Gweinidogion,
 - (b) unrhyw ddarpariaeth sy’n ymwneud â safonau ymddygiad a allai gael ei chynnwys mewn Cod Cymreig ar gyfer Gweinidogion,
 - (c) unrhyw honiad bod ymddygiad unrhyw berson yn groes i ddarpariaeth sy’n ymwneud â’r safonau ymddygiad a gynhwysir mewn Cod Cymreig ar gyfer Gweinidogion, neu
 - (d) effeithiolrwydd unrhyw ddarpariaeth a gynhwysir mewn Cod Cymreig ar gyfer Gweinidogion, mewn perthynas ag unrhyw ymddygiad penodol neu yn gyffredinol.
- (2) At ddibenion yr adran hon –

- (a) ystyr “Cod Cymreig ar gyfer Gweinidogion” yw unrhyw ddogfen (pa fodd bynnag y disgrifir y ddogfen honno) sy’n cynnwys darpariaethau sy’n ymwneud â safonau ymddygiad –
- (i) sydd wedi’i chyhoeddi drwy awdurdod y Prif Weinidog neu o dan ei awdurdod,
 - (ii) sy’n gymwys i’r Prif Weinidog, Gweinidogion Cymru, Dirprwy Weinidogion Cymru a’r Cwnsler Cyffredinol, neu i unrhyw un ohonynt,
 - (iii) sy’n ymwneud â safonau ymddygiad yn y swyddi hynny, a
 - (iv) sy’n ceisio cymhwyso safonau ymddygiad sy’n wahanol i’r rheini sy’n gymwys i Aelodau’r Cynulliad yn gyffredinol, neu sy’n ychwanegol atynt, a
- (b) mae darpariaeth sy’n ymwneud â safonau ymddygiad yn un a allai gael ei chynnwys mewn Cod Cymreig ar gyfer Gweinidogion os yw’r ddarpariaeth honno’n bodloni gofynion paragraff (a)(ii), (iii) a (iv).’.