



HYSBYSIAD YNGHYLCH GWELLIANNAU NOTICE OF AMENDMENTS

Cyflwynwyd ar 17 Mehefin 2015
Tabled on 17 June 2015

Bil Llywodraeth Leol (Cymru)
Local Government (Wales) Bill

Janet Finch-Saunders

48

Section 4, page 3, after line 34, insert –

- ‘() Before an application is made under section 3(1) the principal local authorities must publish a report on consultation undertaken under subsection (1)(a).
- () A report under subsection (*first subsection to be inserted by amendment 48*) must contain the following –
 - (a) details of the steps the principal local authorities have taken to meet the requirement under subsection (1)(a);
 - (b) details of any consultation undertaken before the coming into force of this section;
 - (c) a summary of any consultation responses received from members of the public in accordance with subsection (1)(a);
 - (d) details of how the principal local authorities have taken account of any consultation responses received in accordance with subsection 1(a).’.

Adran 4, tudalen 3, ar ôl llinell 33, mewnosoder –

- ‘() Cyn gwneud cais o dan adran 3(1) rhaid i’r prif awdurdodau lleol gyhoeddi adroddiad ar ymgynghoriad a gynhelir o dan is-adran (1)(a).
- () Rhaid i adroddiad o dan is-adran (*yr is-adran gyntaf i’w mewnosod gan welliant 48*) gynnwys y canlynol –
 - (a) manylion y camau y mae’r prif awdurdodau lleol wedi’u cymryd i fodloni’r gofyniad o dan is-adran (1)(a);

- (b) manylion unrhyw ymgynghoriad a gynhelir cyn i'r adran hon ddod i rym;
- (c) crynodeb o unrhyw ymatebion i ymgynghoriad a gafwyd gan aelodau'r cyhoedd yn unol ag is-adran (1)(a);
- (d) manylion ynghylch sut y mae'r prif awdurdodau lleol wedi ystyried unrhyw ymatebion i ymgynghoriad a gafwyd yn unol ag is-adran 1(a).'

Janet Finch-Saunders

49

Page 5, after line 30, insert a new section –

[] Amendment to the Public Audit (Wales) Act 2004: audit of accounts

- (1) Section 12(1) of the Public Audit (Wales) Act 2004 (local government bodies in Wales) is amended as follows.
- (2) After section 12(1)(b) insert –
 - “(ba) a shadow authority in Wales, as defined by section 2(7) of the Local Government (Wales) Act 2015.”.

Tudalen 5, ar ôl llinell 32, mewnosoder adran newydd –

[] Diwygiad i Ddeddf Archwilio Cyhoeddus (Cymru) 2004: archwilio cyfrifon

- (1) Mae adran 12(1) o Ddeddf Archwilio Cyhoeddus (Cymru) 2004 (cyrff llywodraeth leol yng Nghymru) wedi ei diwygio fel a ganlyn.
- (2) Ar ôl adran 12(1)(b) mewnosoder –
 - “(ba) a shadow authority in Wales, as defined by section 2(7) of the Local Government (Wales) Act 2015.”.

Janet Finch-Saunders

50

Page 5, after line 30, insert a new section –

[] Amendment to the Public Audit (Wales) Act 2004: directions by Welsh Ministers

- (1) Section 13 of the Public Audit (Wales) Act 2004 (audit of accounts of local government bodies in Wales) is amended as follows.
- (2) After section 13(2) insert –
 - “(3) The Welsh Ministers must give a direction under section 13(1)(a) if it is necessary to ensure that sufficient time is available for the preparation, publication and closure of the accounts of any merging authority as defined by section 2(3) of the Local Government (Wales) Act 2015.”.

Tudalen 5, ar ôl llinell 32, mewnosoder adran newydd –

[] Diwygiad i Ddeddf Archwilio Cyhoeddus (Cymru) 2004: cyfarwyddiadau gan Weinidogion Cymru

- (1) Mae adran 13 o Ddeddf Archwilio Cyhoeddus (Cymru) 2004 (archwilio cyfrifon cyrff

llywodraeth leol yng Nghymru) wedi ei diwygio fel a ganlyn.

(2) Ar ôl adran 13(2) mewnosoder –

“(3) The Welsh Ministers must give a direction under section 13(1)(a) if it is necessary to ensure that sufficient time is available for the preparation, publication and closure of the accounts of any merging authority as defined by section 2(3) of the Local Government (Wales) Act 2015.”.

Janet Finch-Saunders

51

Section 8, page 6, after line 5, insert –

‘(2) Regulations under subsection(1)(a) may not provide for an ordinary election to be cancelled if that would result in councillors serving a term of office of more than 5 years.’.

Adran 8, tudalen 6, ar ôl llinell 5, mewnosoder –

‘(2) Ni chaniateir i reoliadau o dan is-adran (1)(a) ddarparu ar gyfer dileu etholiad cyffredin pe bai hynny’n golygu bod cynghorwyr yn gwasanaethu yn eu swydd am gyfnod o fwy na 5 mlynedd.’.

Janet Finch-Saunders

52

Page 7, after line 24, insert a new section –

‘Duty to report

[] Duty to report on merger costs

No later than six months after merger regulations are made, the Welsh Ministers must lay before the National Assembly for Wales a report detailing –

- (a) the cost of the mergers made under those merger regulations, and
- (b) how those costs have been met or will be met.’.

Tudalen 7, ar ôl llinell 25, mewnosoder adran newydd –

‘Dyletswydd i adrodd

[] Dyletswydd i adrodd ar gostau uno

Rhaid i Weinidogion Cymru, heb fod yn hwyrach na chwe mis ar ôl i’r rheoliadau uno gael eu gwneud, osod adroddiad gerbron Cynulliad Cenedlaethol Cymru yn rhoi manylion –

- (a) costau’r uno a wneir o dan y rheoliadau uno hynny, a
- (b) sut y talwyd neu sut y telir am y costau hynny.’.

Janet Finch-Saunders

53

Page 7, after line 24, insert a new section –

[] Duty to report on collaborative arrangements

- (1) On the day on which the Welsh Ministers make any merger regulations they must publish a report which provides details of the impact on collaborative arrangements.
- (2) In this section “collaborative arrangements” means any arrangements under which two or more principal local authorities collaborate in order to provide services for mutual benefit.’.

Tudalen 7, ar ôl llinell 25, mewnosoder adran newydd –

[] Dyletswydd i adrodd ar drefniadau cydlafurio

- (1) Ar y diwrnod y bydd Gweinidogion Cymru yn gwneud unrhyw reoliadau uno, rhaid iddynt gyhoeddi adroddiad sy’n darparu manylion yr effaith ar drefniadau cydlafurio.
- (2) Yn yr adran hon ystyr “trefniadau cydlafurio” yw unrhyw drefniadau a wneir gan ddau brif awdurdod lleol neu ragor er mwyn darparu gwasanaethau er budd cyffredin.’.

Janet Finch-Saunders

54

Page 21, after line 26, insert a new section –

[] Amendment to the Local Government Finance Act 1992

- (1) Section 13 of the Local Government Finance Act 1992 (reduced amounts) is amended as follows.
- (2) Insert new section 13(2) –
 - “(2) Where there is any disadvantage in relation to the amount of council tax payable by residents of a new principal area as a result of the mergers of principal local authorities under the Local Government (Wales) Act 2015, the Welsh Ministers must make regulations under subsection (1) in order to alleviate that disadvantage.”
- (3) Insert new section 13(3) –
 - “(3) Where subsection (2) applies the Welsh Ministers must ensure that any financial shortfall suffered by a principal local authority as a result of regulations under subsection (1) is alleviated by the provision of additional funds by the Welsh Ministers.”.

Tudalen 21, ar ôl llinell 28, mewnosoder adran newydd –

[] Diwygiad i Ddeddf Cyllid Llywodraeth Leol 1992

- (1) Mae adran 13 o Ddeddf Cyllid Llywodraeth Leol 1992 (symiau gostyngol) wedi ei diwygio fel a ganlyn.
- (2) Mewnosoder adran 13(2) newydd –
 - “(2) Where there is any disadvantage in relation to the amount of council

tax payable by residents of a new principal area as a result of the mergers of principal local authorities under the Local Government (Wales) Act 2015, the Welsh Ministers must make regulations under subsection (1) in order to alleviate that disadvantage.”

(3) Mewnosoder adran 13(3) newydd—

“(3) Where subsection (2) applies the Welsh Ministers must ensure that any financial shortfall suffered by a principal local authority as a result of regulations under subsection (1) is alleviated by the provision of additional funds by the Welsh Ministers.”.

Janet Finch-Saunders

55

Page 21, after line 26, insert a new section—

[] Code of Practice on Workforce Matters

The principal local authorities must comply with the Code of Practice on Workforce Matters issued by the Welsh Ministers.’.

Tudalen 21, ar ôl llinell 28, mewnosoder adran newydd—

[] Cod Ymarfer ar Faterion y Gweithlu

Rhaid i’r prif awdurdodau lleol gydymffurfio â’r Cod Ymarfer ar Faterion y Gweithlu a gyhoeddwyd gan Weinidogion Cymru.’.

Peter Black

56

Page 15, after line 13, insert a new section—

[] Power to make consequential etc. provision

- (1) The Welsh Ministers must by regulations make such consequential, incidental, transitional, transitory or saving provision as they think appropriate for the purposes of or in connection with section [section to be inserted by amendment 32] of, and Schedule [Schedule to be inserted by amendment 33] to, this Act.
- (2) Regulations under this section may amend, revoke or repeal any enactment contained in, or made under, primary legislation.
- (3) The power to make regulations under this section is exercisable by statutory instrument.
- (4) A statutory instrument containing regulations under this section which amends or repeals an enactment contained in primary legislation may not be made unless a draft of the instrument has been laid before and approved by resolution of the National Assembly for Wales.
- (5) A statutory instrument containing regulations under this section to which subsection (4) does not apply is subject to annulment in pursuance of a resolution of the National Assembly for Wales.
- (6) In this section, “primary legislation” means—
 - (a) an Act of Parliament;

(b) an Act or Measure of the National Assembly for Wales (including this Act).’.

Tudalen 15, ar ôl llinell 13, mewnosoder adran newydd –

[] Pŵer i wneud darpariaeth ganlyniadol etc.

- (1) Rhaid i Weinidogion Cymru, drwy reoliadau, wneud unrhyw ddarpariaeth ganlyniadol, gysylltiedig, drosiannol, ddarfodol neu arbed sy’n briodol yn eu barn hwy at ddibenion adran [*adran i’w mewnosod gan welliant 32*] o’r Ddeddf hon ac Atodlen [*Atodlen i’w mewnosod gan welliant 33*] iddi.
- (2) Caiff rheoliadau o dan yr adran hon ddiwygio, dirymu neu ddiddymu unrhyw deddfiad sydd wedi ei gynnwys mewn deddfwriaeth sylfaenol neu sydd wedi ei wneud odani.
- (3) Mae’r pŵer i wneud rheoliadau o dan yr adran hon yn arferadwy drwy offeryn statudol.
- (4) Ni chaniateir gwneud offeryn statudol sy’n cynnwys rheoliadau o dan yr adran hon sy’n diwygio neu’n diddymu deddfiad sydd wedi ei gynnwys mewn deddfwriaeth sylfaenol oni bai bod drafft o’r offeryn wedi ei osod gerbron Cynulliad Cenedlaethol Cymru a’i gymeradwyo ganddo drwy benderfyniad.
- (5) Mae offeryn statudol sy’n cynnwys rheoliadau o dan yr adran hon nad yw is-adran (4) yn gymwys iddo yn ddarostyngedig i ddiddymiad yn unol â phenderfyniad gan Gynulliad Cenedlaethol Cymru.
- (6) Yn yr adran hon, ystyr “deddfwriaeth sylfaenol” yw –
 - (a) Deddf Seneddol;
 - (b) Deddf neu Fesur gan Gynulliad Cenedlaethol Cymru (gan gynnwys y Ddeddf hon).’.