



HYSBYSIAD YNGHYLCH GWELLIANNAU NOTICE OF AMENDMENTS

Cyflwynwyd ar 22 Chwefror 2013
Tabled on 22 February 2013

Bil Archwilio Cyhoeddus (Cymru)
Public Audit (Wales) Bill

Jane Hutt

2

Section 18, page 9, after line 6, insert—

- ‘() A scheme must describe the conditions subject to which a delegation under subsection (1) must be made.
- () An employee or other person may not be authorised under a scheme unless the employee or person agrees to comply with the code of audit practice issued under section 10(1).’.

Adran 18, tudalen 9, ar ôl llinell 7, mewnosoder—

- ‘() Rhaid i gynllun ddisgrifio’r amodau y mae rhaid i ddirprwyaeth o dan is-adran (1) gael ei gwneud yn ddarostyngedig iddynt.
- () Ni chaiff cyflogai neu berson arall gael ei awdurdodi o dan gynllun oni bai bod y cyflogai neu’r person yn cytuno i gydymffurfio â’r cod ymarfer archwilio a ddyroddir o dan adran 10(1).’.

Jane Hutt

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Section 18, page 9, line 7, leave out ‘under subsection (2)’.

Adran 18, tudalen 9, llinell 8, hepgorer ‘o dan is-adran (2)’.

Jane Hutt

4

Schedule 1, page 21, line 33, leave out ‘(“employee member A”),’ and insert ‘(“the appointed member”)’.

Atodlen 1, tudalen 21, llinell 34, hepgorer ‘(“aelod sy’n gyflogai A”),’ a mewnosoder ‘(“yr aelod a benodir”)’.

Jane Hutt

5

Schedule 1, page 21, line 35, leave out ‘(“employee members B”)’ and insert ‘(“the elected members”)’.

Atodlen 1, tudalen 21, llinell 35, hepgorer ‘(“aelodau sy’n gyflogeion B”)’ a mewnosoder ‘(“yr aelodau etholedig”)’.

Jane Hutt

6

Schedule 1, page 22, leave out paragraphs 15 to 16 and insert –

‘The appointed member

- () (1) The Auditor General must recommend a person to the non-executive members for appointment under this paragraph.
- (2) The non-executive members must –
 - (a) appoint that person, or
 - (b) require the Auditor General to recommend another person (in which event this sub-paragraph applies again and so on until someone is appointed).

The elected members

- () (1) The WAO must conduct a ballot of its staff for the purpose of appointing a person or, as the case may be, persons under this paragraph.
- (2) The elected members are to be appointed by the non-executive members in accordance with the result of the ballot.
- (3) An appointment made under this paragraph is to be treated as an appointment on merit for the purposes of paragraph 2(2) (appointment of WAO members to be on merit).’.

Atodlen 1, tudalen 22, hepgorer paragraffau 15 hyd at 16 a mewnosoder –

‘Yr aelod a benodir

- () (1) Rhaid i’r Archwilydd Cyffredinol argymhell person i’r aelodau anweithredol i’w benodi o dan y paragraff hwn.
- (2) Rhaid i’r aelodau anweithredol –
 - (a) penodi’r person hwnnw, neu

- (b) ei gwneud yn ofynnol i'r Archwilydd Cyffredinol argymhell person arall (os felly bydd yr is-baragraff hwn yn gymwys dro ar ôl tro hyd nes bod rhywun wedi ei benodi'n aelod).

Yr aelodau etholedig

- () (1) Rhaid i SAC gynnal pleidlais o'i staff at ddiben penodi person neu bersonau, yn ôl y digwydd, o dan y paragraff hwn.
- (2) Mae'r aelodau etholedig i'w penodi gan yr aelodau anweithredol yn unol â chanlyniad y bleidlais.
- (3) Mae penodiad a wneir o dan y paragraff hwn i'w drin fel penodiad ar sail teilyngdod at ddibenion paragraff 2(2) (penodi aelodau SAC ar sail teilyngdod).'

Jane Hutt 7

Schedule 1, page 26, line 3, leave out 'B'.

Atodlen 1, tudalen 26, llinell 3, hepgorer 'B'.

Jane Hutt 8

Schedule 1, page 26, line 25, leave out 'agreeing' and insert 'preparing'.

Atodlen 1, tudalen 26, llinell 24, hepgorer 'cytuno ar gynllun' a mewnosoder 'paratoi cynllun'.

Jane Hutt 9

Schedule 2, page 31, line 4, leave out 'agreed' and insert 'prepared'.

Atodlen 2, tudalen 31, llinell 3, hepgorer 'gytunwyd' a mewnosoder 'baratowyd'.

Jane Hutt 10

Schedule 2, page 31, leave out lines 6 to 8 and insert—

- '() At least once during each financial year the Auditor General and the chair of the WAO must also jointly prepare a report on the exercise of the functions of the Auditor General and the WAO (an "interim report").'

Atodlen 2, tudalen 31, hepgorer llinellau 5 hyd at 7 a mewnosoder—

- '() O leiaf unwaith yn ystod pob blwyddyn ariannol, rhaid i'r Archwilydd Cyffredinol a chadeirydd SAC lunio hefyd, ar y cyd, adroddiad ar arferiad swyddogaethau'r Archwilydd Cyffredinol a SAC ("adroddiad interim").'

Jane Hutt 11

Schedule 2, page 31, line 12, leave out 'agreed' and insert 'prepared'.

Atodlen 2, tudalen 31, llinell 10, hepgorer 'gytunwyd' a mewnosoder 'baratowyd'.

Jane Hutt 12

Schedule 2, page 31, after line 13, insert –

- '() Nothing in this paragraph prevents the National Assembly from requiring the Auditor General and chair of the WAO to prepare an interim report at any time during a financial year.'

Atodlen 2, tudalen 31, ar ôl llinell 12, mewnosoder –

- '() Nid oes dim yn y paragraff hwn yn atal y Cynulliad Cenedlaethol rhag ei gwneud yn ofynnol i'r Archwilydd Cyffredinol a chadeirydd SAC baratoi adroddiad interim ar unrhyw adeg yn ystod blwyddyn ariannol.'

Jane Hutt 13

Schedule 2, page 31, line 17, leave out 'the' at the first place where it appears.

Atodlen 2, tudalen 31, llinell 16, hepgorer 'yr'.

Jane Hutt 14

Schedule 2, page 32, line 1, leave out 'amongst other things' and insert 'but are not limited to'.

Atodlen 2, tudalen 32, llinell 2, hepgorer '(ymhlith pethau eraill)' a mewnosoder 'y canlynol (ond nid ydynt yn gyfyngedig iddynt)'.

Jane Hutt 15

Schedule 4, page 40, line 25, leave out paragraphs 10 to 13 and insert –

- '() In subsection (7) of section 11 (inspectors' powers and duties), omit paragraph (b).
- () Omit section 12A (fees: inspections under section 10A).
- () Omit section 13A (reports of inspections under section 10A).
- () In subsection (7) of section 23 (accounts), omit "or the Auditor General for Wales".
- () In subsection (2) of section 25 (coordination of inspections, etc), omit paragraph (aa).
- () In section 26 (guidance), omit subsection (3A).
- () For paragraph (b) of section 33(3) (finance), substitute –
 - "(b) the Wales Audit Office in respect of expenditure incurred or to be incurred by the Auditor General for Wales under the Local Government (Wales) Measure 2009." . '

Atodlen 4, tudalen 40, llinell 25, hepgorer paragraffau 10 hyd at 13 a mewnosoder –

- '() Yn is-adran (7) o adran 11 (pwerau a dyletswyddau arolygwyr), hepgorer paragraff (b).
- () Hefgorer adran 12A (ffioedd: arolygiadau o dan adran 10A).
- () Hefgorer adran 13A (adroddiadau ar arolygiadau o dan adran 10A).
- () Yn is-adran (7) o adran 23 (cyfrifon), hepgorer "or the Auditor General for Wales".
- () Yn is-adran (2) o adran 25 (cydgysylltu arolygiadau etc), hepgorer paragraff (aa).
- () Yn adran 26 (canllawiau), hepgorer is-adran (3A).

- () Yn lle paragraff (b) o adran 33(3) (cyllid), rhodder –
- “(b) the Wales Audit Office in respect of expenditure incurred or to be incurred by the Auditor General for Wales under the Local Government (Wales) Measure 2009.” .’.

Jane Hutt **16**

Schedule 4, page 45, after line 18, insert –

- ‘() In paragraph (a) of subsection (1), omit “also best value authorities for the purposes of Part 1 of the Local Government Act 1999 or” .’.

Atodlen 4, tudalen 45, ar ôl llinell 20, mewnosoder –

- ‘() Ym mharagraff (a) o is-adran (1), hepgorer “also best value authorities for the purposes of Part 1 of the Local Government Act 1999 or” .’.

Jane Hutt **17**

Schedule 4, page 46, after line 33, insert –

- ‘() In subsection (1) –
- (a) in paragraph (a), omit “or Part 1 of the Local Government Act 1999 (c 27)”, and
- (b) in paragraph (b) omit “or Part 1 of the Local Government Act 1999” .’.

Atodlen 4, tudalen 46, ar ôl llinell 33, mewnosoder –

- ‘() Yn is-adran (1) –
- (a) ym mharagraff (a), hepgorer “or Part 1 of the Local Government Act 1999 (c 27)”, a
- (b) ym mharagraff (b), hepgorer “or Part 1 of the Local Government Act 1999” .’.

Jane Hutt **18**

Schedule 4, page 46, after line 35, insert –

- ‘(ii) omit “or Part 1 of the Local Government Act 1999” .’.

Atodlen 4, tudalen 46, ar ôl llinell 35, mewnosoder –

- ‘(ii) hepgorer “or Part 1 of the Local Government Act 1999” .’.

Jane Hutt **19**

Schedule 4, page 48, line 7, leave out ‘for Wales’.

Atodlen 4, tudalen 48, llinell 7, hepgorer ‘for Wales’.

Jane Hutt **20**

Schedule 4, page 48, line 9, leave out ‘for Wales’.

Atodlen 4, tudalen 48, llinell 8, hepgorer ‘for Wales’.

Jane Hutt

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Schedule 4, page 49, after line 26, insert –

- (1) Schedule 7 (Acts of the Assembly) is amended as follows.
- (2) In the table in paragraph 2(1) (provisions protected from modification by Assembly Act) of Part 2 (general restrictions), after the entry for the “Re-use of Public Sector Information Regulations 2005 (S.I. 2005/1505)” insert –

“The Public Audit (Wales) Act 2013 (anaw 00)	Sections 2(1) to (3), 3(2) to (4), 6(2) to (3) and section 8(1) in so far as that section relates to the Auditor General’s exercise of functions free from the direction or control of the Assembly or Welsh Assembly Government.”
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- (3) After sub-paragraph (2) of paragraph 2, insert –
- “(2A) Sub-paragraph (1), so far as it applies in relation to sections 2(1) to (3), 3(2) to (4), 6(2) to (3) and 8(1) of the Public Audit (Wales) Act 2013 does not apply in relation to any provision to which sub-paragraph (4) applies.
- (2B) But, subject to sub-paragraph (2C), a provision to which sub-paragraph (4) applies cannot modify or confer power by subordinate legislation to modify section 8(1) of the Public Audit (Wales) Act 2013.
- (2C) Sub-paragraph (2B) does not prevent the conferral of functions on a committee of the Assembly that –
- (a) does not consist of or include any of the following persons –
- (i) the First Minister or any person designated to exercise the functions of the First Minister,
- (ii) a Welsh Minister appointed under section 48,
- (iii) the Counsel General or any person designated to exercise the functions of the Counsel General, or
- (iv) a Deputy Welsh Minister, and
- (b) is not chaired by an Assembly member who is a member of a political group with an executive role.”.
- (4) In paragraph 5 (restrictions regarding modification of the Government of Wales Act 2006) of Part 2 –
- (a) in sub-paragraph (2)(c), omit “, other than paragraphs 1(1) to (3), 2(2) to (4) and 3”, and
- (b) omit sub-paragraphs (5) and (6).’.

Atodlen 4, tudalen 49, ar ôl llinell 26, mewnosoder –

- () (1) Mae Atodlen 7 (Deddfau’r Cynulliad) wedi ei diwygio fel a ganlyn.
- (2) Yn y tabl ym mharagraff 2(1) (darpariaethau a ddiogelir rhag eu haddasu gan Ddeddf Cynulliad) o Ran 2 (cyfyngiadau cyffredinol), ar ôl y cofnod ar gyfer “Re-use of Public Sector Information Regulations 2005 (S.I. 2005/1505)” mewnosoder –

“The Public Audit (Wales) Act 2013 (anaw 00)	Sections 2(1) to (3), 3(2) to (4), 6(2) to (3) and section 8(1) in so far as that section relates to the Auditor General’s exercise of functions free from the direction or control of the Assembly or Welsh Assembly Government.”
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(3) Ar ôl is-baragraff (2) o baragraff 2, mewnosoder –

- “(2A) Sub-paragraph (1), so far as it applies in relation to sections 2(1) to (3), 3(2) to (4), 6(2) to (3) and 8(1) of the Public Audit (Wales) Act 2013 does not apply in relation to any provision to which sub-paragraph (4) applies.
- (2B) But, subject to sub-paragraph (2C), a provision to which sub-paragraph (4) applies cannot modify or confer power by subordinate legislation to modify section 8(1) of the Public Audit (Wales) Act 2013.
- (2C) Sub-paragraph (2B) does not prevent the conferral of functions on a committee of the Assembly that –
- (a) does not consist of or include any of the following persons –
- (i) the First Minister or any person designated to exercise the functions of the First Minister,
 - (ii) a Welsh Minister appointed under section 48,
 - (iii) the Counsel General or any person designated to exercise the functions of the Counsel General, or
 - (iv) a Deputy Welsh Minister, and
- (b) is not chaired by an Assembly member who is a member of a political group with an executive role.”.

(4) Ym mharagraff 5 (cyfyngiadau ynghylch addasu Deddf Llywodraeth Cymru 2006) o Ran 2 –

- (a) yn is-baragraff (2)(c), hepgorer “, other than paragraphs 1(1) to (3), 2(2) to (4) and 3”, a
- (b) hepgorer is-baragraffau (5) a (6).’.

Jane Hutt

22

Schedule 4, page 52, line 2, leave out ‘audit authority’ and insert ‘Audit Commission’.

Atodlen 4, tudalen 52, llinell 2, hepgorer ‘audit authority’ a mewnosoder ‘Audit Commission’.

Jane Hutt

23

Schedule 4, page 52, line 10, leave out ‘, each time those words appear,’.

Atodlen 4, tudalen 52, llinell 10, hepgorer ‘, bob tro y mae’r geiriau hynny’n ymddangos’.

Jane Hutt

24

Schedule 4, page 52, after line 30, insert –

‘(b) after “subsection (4)”, insert “or (4A) (as the case may be)”.’.

Atodlen 4, tudalen 52, ar ôl llinell 30, mewnosoder –

‘(b) ar ôl “subsection (4)”, mewnosoder “or (4A) (as the case may be)”.’.