



**Cynulliad Cenedlaethol Cymru
(Y Cofnod Swyddogol)**

**The National Assembly for Wales
(The Official Record)**

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Tuesday 17 December 2002

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Yn y golofn chwith, cofnodwyd y trafodion yn yr iaith y llefarwyd hwy ynndi yn y Siambr.
Yn y golofn dde, cynhwyswyd cyfieithiad o'r areithiau hynny.

In the left-hand column, the proceedings are recorded in the language in which they were spoken in the Chamber. In the right-hand column, a translation of those speeches has been included.

*Cyfarfu'r Cynulliad am 2 p.m. gyda'r Llywydd yn y Gadair.
The Assembly met at 2 p.m. with the Presiding Officer in the Chair.*

Cwestiynau i'r Prif Weinidog Questions to the First Minister

Ffioedd Ychwanegol ar gyfer Myfyrwyr Prifysgol University Top-up Fees

Q1 Jonathan Morgan: Will the First Minister make a statement on what meetings he has had with the Secretary of State for Education and Skills to discuss the impact of university top-up fees? (OAQ21213)

The First Minister (Rhodri Morgan): I have not discussed student tuition fees with the Secretary of State for Education and Skills. My colleague, Jane Davidson, has met Charles Clarke, and has also written to him, indicating our views on the subject, namely that top-up fees would hinder our policy of widening access to higher and further education.

Jonathan Morgan: You will be aware that the United Kingdom Government is considering several options to increase the amount of money available for higher education. The first option is to increase the money paid through tuition fees, the second is to introduce a graduate tax, and the third is for the Student Loans Company Ltd to operate with commercial rates. Whatever option your Government in Westminster decides on, students will have to pay more in future. Which of these three options do you support?

The First Minister: We must await the White Paper, which will be published early in the new year. I have always made it clear that I support the graduate tax as the most attractive option. Top-up fees could be introduced in one of two ways. First, universities could charge different fees for different courses, regardless of the average fee level. We know that science-based universities, such as Imperial College of Science, Technology and Medicine, have problems because they do not run less expensive courses to counterbalance expensive courses such as engineering,

C1 Jonathan Morgan: A wnaiff y Prif Weinidog ddatganiad am unrhyw gyfarfodydd y mae wedi'u cynnal gyda'r Ysgrifennydd Gwladol dros Addysg a Sgiliau i drafod yr effaith a gaiff unrhyw ffioedd ychwanegol a gyflwynir ar gyfer myfyrwyr prifysgol? (OAQ21213)

Y Prif Weinidog (Rhodri Morgan): Nid wyf wedi trafod ffioedd dysgu myfyrwyr gyda'r Ysgrifennydd Gwladol dros Addysg a Sgiliau. Mae fy nghyd-Weinidog, Jane Davidson, wedi cwrdd â Charles Clarke, ac wedi ysgrifennu ato hefyd, gan nodi ein barn am y pwnc, sef y byddai ffioedd ychwanegol yn llesteirio ein polisi o ehangu mynediad i addysg bellach ac uwch.

Jonathan Morgan: Byddwch yn ymwybodol bod Llywodraeth y Deyrnas Unedig yn ystyried sawl dewis er mwyn cynyddu maint yr arian sydd ar gael ar gyfer addysg uwch. Y dewis cyntaf yw cynyddu'r arian a delir drwy ffioedd dysgu, yr ail yw cyflwyno treth graddedigion, a'r trydydd yw i'r Cwmni Benthyciadau Myfyrwyr Cyf weithredu gyda chyfraddau masnachol. Pa bynnag ddewis y bydd eich Llywodraeth yn San Steffan yn penderfynu arno, bydd yn rhaid i fyfyrwyr dalu mwy yn y dyfodol. Pa un o'r tri dewis hyn a gefnogwch chi?

Y Prif Weinidog: Rhaid inni aros am y Papur Gwyn, a gyhoeddir yn gynnar yn y flwyddyn newydd. Yr wyf wedi rhoi ar ddeall erioed fy mod o blaid y dreth graddedigion fel y dewis mwyaf deniadol. Mae dau ddull posibl o gyflwyno ffioedd ychwanegol. Yn gyntaf, gallai prifysgolion godi ffioedd gwahanol am wahanol gyrsiau, beth bynnag fo'r lefel ffioedd gyfartalog. Gwyddom fod prifysgolion sy'n seiliedig ar y gwyddorau, fel Imperial College of Science, Technology and Medicine, yn cael anawsterau am nad ydynt yn rhedeg cyrsiau llai drud i wrthbwysu cyrsiau drud fel peirianeg,

science and medicine. Secondly, an elite, or Russell group of universities, could charge higher fees on a market-rate basis because they are more popular and think that they can charge more, as American ivy league colleges do. I believe that the solution is to pay the fees when you can afford to do so, namely, after graduating and when earning a reasonable salary as a result of the university education received. This option hurts the least, and would not be as much of a disincentive as the others.

Mick Bates: Do you agree that top-up fees would create a two-tier education system, akin to the health service that the Tories would like to create with foundation hospitals?

The First Minister: Your question relates to the issue of some universities being able to charge more because of their status. I am pleased that David Grant, Vice Chancellor of Cardiff University, the only Russell group university in Wales, has made it clear that he is against top-up fees. This means that there is no danger of universities in Wales opting for top-up fees. I am also pleased that Cambridge University, an obvious candidate for charging top-up fees because it might think that it could afford to do so, has said that it does not want to charge top-up fees either. Therefore, introducing top-up fees may be among the least popular of the options that Jonathan outlined in his supplementary question.

Helen Mary Jones: It is refreshing to see the National Assembly Government partners agreeing with each other again. Will your Government take the opportunity afforded by this discussion on university funding to return, along with the Westminster Government, to the issue of tuition fees in line with the Rees report? Will you undertake to seek to abolish up-front tuition fees across England and Wales, or, if that is not achievable, will your Government seek the power to abolish them in Wales?

The First Minister: We have done just that,

gwyddoniaeth a meddygaeth. Yn ail, gallai grŵp o'r prifysgolion gorau, neu grŵp Russell o brifysgolion, godi ffioedd uwch yn ôl cyfraddau'r farchnad am eu bod yn fwy poblogaidd ac yn credu y gallant godi rhagor, fel y mae'r colegau dosbarth uchaf yn America yn ei wneud. Credaf mai'r ateb yw talu'r ffioedd pan fedrwch fforddio gwneud hynny, sef ar ôl graddio ac wrth ennill cyflog gweddol o ganlyniad i'r addysg brifysgol a dderbyniwyd. Y dewis hwn sy'n brifo leiaf, ac ni fyddai'n gymaint o wrthanogaeth â'r lleill.

Mick Bates: A gytunwch y byddai ffioedd ychwanegol yn creu system addysg ddwy haen, yn debyg i'r gwasanaeth iechyd y carai'r Torïaid ei greu gydag ysbytai sefydledig?

Y Prif Weinidog: Mae'ch cwestiwn yn ymwneud â'r ffaith bod rhai prifysgolion yn gallu codi rhagor oherwydd eu statws. Yr wyf yn falch bod David Grant, Is-ganghellor Prifysgol Caerdydd, yr unig brifysgol yng ngrŵp Russell sydd yng Nghymru, wedi rhoi ar ddeall ei fod yn gwrthwynebu ffioedd ychwanegol. Mae hynny'n golygu nad oes perygl y bydd prifysgolion yng Nghymru'n dewis ffioedd ychwanegol. Yr wyf hefyd yn falch bod Prifysgol Caergrawnt, un y byddai'n hawdd iawn iddi godi ffioedd ychwanegol am y gallai gredu y byddai'n gallu fforddio gwneud hynny, wedi dweud nad yw'n dymuno codi ffioedd ychwanegol ychwaith. Gan hynny, mae'n bosibl mai cyflwyno ffioedd ychwanegol yw un o'r dewisiadau lleiaf poblogaidd o blith y rhai a amlinellodd Jonathan yn ei gwestiwn atodol.

Helen Mary Jones: Amheuthun yw gweld partneriaid Llywodraeth y Cynulliad Cenedlaethol yn cytuno â'i gilydd eto. A wnaiff eich Llywodraeth achub ar y cyfle a geir drwy'r drafodaeth hon ar gyllido prifysgolion i ailystyried mater ffioedd dysgu yn unol ag adroddiad Rees, ynghyd â Llywodraeth San Steffan? A wnewch ymgymryd i geisio diddymu ffioedd dysgu a delir o flaen llaw yng Nghymru a Lloegr, neu, os na ellir cyflawni hynny, a wnaiff eich Llywodraeth geisio'r pŵer i'w diddymu yng Nghymru?

Y Prif Weinidog: Dyna'n union a

and it remains the position of the Assembly Government.

wnaethom, a dyna yw safbwynt Llywodraeth y Cynulliad o hyd.

The Leader of the Welsh Conservatives (Nick Bourne): Top-up fees are high on the Government's agenda, and it will not do for you to say that you are not related to the company next door of the same name. Charles Clarke is causing this confusion. Will you undertake to discuss this with the Westminster Government to ensure that it is removed from its agenda because it will be deeply damaging, not only to students throughout the UK but also particularly for students in Wales. The confusion has been caused by your Government. What are you doing about it?

Arweinydd Ceidwadwyr Cymru (Nick Bourne): Mae lle amlwg i ffioedd ychwanegol ar agenda'r Llywodraeth, ac ni thycia ichi ddweud nad ydych yn gysylltiedig â'r cwmni drws nesaf o'r un enw. Charles Clarke sy'n peri'r dryswch hwn. A wnewch ymgymryd i drafod hyn gyda Llywodraeth San Steffan i sicrhau y caiff ei dynnu oddi ar ei hagenda oherwydd bydd yn niweidiol dros ben, nid yn unig i fyfyrwyr ledled y DU ond i fyfyrwyr yng Nghymru'n benodol. Achoswyd y dryswch gan eich Llywodraeth chi. Beth yr ydych yn ei wneud yn ei gylch?

The First Minister: The Government has a right to produce a White Paper. No-one in my position could assert a right to prevent the Government from issuing a White Paper. I doubt whether the White Paper will be quite as favourably inclined towards differential fees for certain universities with a high degree of prestige, as looked likely a month or so ago, but I only say that as a result of reading between the lines. Our view is clear. Jane Davidson's view has been expressed to Charles Clarke; I have said the same, and I have held that view consistently. I am not sure what more you are looking for, Nick. Top-up fees would go against the Assembly Government's agenda of widening access to higher education; I have said that before and I will say it again. However, higher education must be paid for, and I repeat that the best option is to pay for it when you can afford to do so, when you have benefited from your university education and qualifications, and have achieved a salary that enables you to pay.

Y Prif Weinidog: Mae gan y Llywodraeth hawl i gynhyrchu Papur Gwyn. Ni allai neb yn fy sefyllfa i fynnu hawl i atal y Llywodraeth rhag cyhoeddi Papur Gwyn. Yr wyf yn amau a fydd y Papur Gwyn mor bleidiol i ffioedd gwahanredol ar gyfer rhai prifysgolion mawr eu bri, fel yr ymddangosai'n debygol rhyw fis yn ôl, ond dim ond o ganlyniad i ddarllen rhwng y llinellau y dywedaf hynny. Mae ein safbwynt yn bendant. Mynegwyd barn Jane Davidson i Charles Clarke; dywedais i'r un peth, ac yr wyf wedi arddel y farn honno'n gyson. Nid wyf yn sicr beth yr ydych yn ei geisio, Nick. Byddai ffioedd ychwanegol yn groes i agenda Llywodraeth y Cynulliad o ehangu mynediad i addysg uwch; yr wyf wedi dweud hynny o'r blaen ac fe'i dywedaf eto. Fodd bynnag, rhaid talu am addysg uwch, a dywedaf eto mai'r dewis gorau yw talu amdani pan fedrwech fforddio gwneud hynny, pan ydych wedi cael budd o'ch addysg a'ch cymwysterau prifysgol, ac wedi sicrhau cyflog a'ch galluoga i dalu.

Gwariant ar Wasanaethau Cyhoeddus Public Service Spending

Q2 Brian Gibbons: What progress is the Welsh Assembly Government making in aligning public service spending with inequalities in need across the Assembly's range of responsibilities in Wales? (OAQ21201)

C2 Brian Gibbons: Pa gamau y mae Llywodraeth y Cynulliad yn eu cymryd i sicrhau bod gwariant ar wasanaethau cyhoeddus yn cyfateb i'r angen ar draws holl ystod cyfrifoldebau'r Cynulliad yng Nghymru, ac yn mynd i'r afael ag anghydraddoldebau? (OAQ21201)

The First Minister: It would take a long

Y Prif Weinidog: Cymerai amser maith imi

time for me to cover the whole range of the Assembly's responsibilities, so I will only refer to the health inequalities fund. Funding of £5 million is being made available this year under that fund for 66 schemes. More systemically—if I can use that over-used medical expression—from 1 April 2003, the Townsend report will result in differential growth in areas of greatest need and where there is the highest concentration of ill health. That will take the health inequalities agenda forward in a positive way.

Brian Gibbons: As leader of a Government that is committed to equality and social justice in Wales, do you agree that those dual objectives will be achieved by increasing public expenditure through partnership with the Labour Government in Westminster, and by redistributing the money along the lines that you mentioned: through the Townsend report, through a deprivation fund for local government, and through the decentralisation of Assembly jobs that you have also announced?

The First Minister: Without an increase in public expenditure, achieving such objectives would be terribly difficult—you would have to rob Peter to pay Paul. If you take £1 from one area, and add £1 in another area, the screams of the people who lose that £1 are always louder than the applause of the people who gain it. With an increase in public expenditure, everyone gets some extra public expenditure; those who need it most get it twice as fast.

Arweinydd yr Wrthblaid (Ieuan Wyn Jones): Ar ôl y belen feddal honno gan Brian Gibbons, mae'n amlwg nad yw pawb yn y glymblaid yn credu bod eich record chi ar ddileu anghydraddoldebau yn un clodwiw, yn arbennig ar gau'r bwlch rhwng y cyfoethog a'r tlawd. Mae rhai o fewn y Cabinet ac yn y rhesi cefn, gan gynnwys Huw Lewis a Mike German, yn credu mai un ffordd o sicrhau y caiff y blwch ei gau yw drwy gael Gweinidog yn y Cabinet i fod yn gyfrifol am gyfiawnder cymdeithasol. A fyddwch yn derbyn y cynnig hwnnw?

ymdrin â holl wahanol gyfrifoldebau'r Cynulliad, felly ni chyfeiriaf ond at y gronfa anghydraddoldebau iechyd. Darperir £5 miliwn o gyllid eleni o dan y gronfa honno i ariannu 66 o gynlluniau. Yn fwy systematig na hynny—os caf ddefnyddio'r gair meddygol hwnnw a gaiff ei orddefnyddio—o 1 Ebrill 2003, bydd adroddiad Townsend yn arwain at dwf gwahanredol yn yr ardaloedd mwyaf anghenus a lle y ceir y nifer mwyaf o achosion o iechyd gwael. Bydd hynny'n hwb cadarnhaol i'r agenda anghydraddoldebau iechyd.

Brian Gibbons: A chithau'n arwain Llywodraeth sydd wedi ymrwymo i gydraddoldeb a chyfiawnder cymdeithasol yng Nghymru, a gytunwch y cyflawnir yr amcanion deuol hynny drwy gynyddu gwariant cyhoeddus mewn partneriaeth â'r Llywodraeth Lafur yn San Steffan, a thrwy ailddosbarthu'r arian mewn modd tebyg i'r hyn y cyfeiriasoch ato; drwy adroddiad Townsend, drwy gronfa amddifadedd i lywodraeth leol, a thrwy'r datganoli ar swyddi'r Cynulliad yr ydych wedi'i gyhoeddi hefyd?

Y Prif Weinidog: Heb gynnydd mewn gwariant cyhoeddus, anodd iawn fyddai cyflawni amcanion o'r fath—byddai'n rhaid dwyn o'r naill law i dalu'r llall. Os cymerwch £1 o un maes, ac ychwanegu £1 mewn maes arall, mae gweiddi'r rhai a gollodd y £1 honno bob amser yn uwch na chymeradwyaeth y rhai sy'n ei hennill. O gael cynnydd mewn gwariant cyhoeddus, caiff pawb rywfaint o wariant cyhoeddus ychwanegol; mae'r rhai y mae arnynt ei angen fwyaf yn ei gael ddwywaith yn gyflymach.

The Leader of the Opposition (Ieuan Wyn Jones): After that softball from Brian Gibbons, it is obvious that not everyone in the coalition believes that your record on eradicating inequality is praiseworthy, especially on closing the gap between the rich and the poor. Certain Cabinet members and backbenchers, including Huw Lewis and Mike German, believe that one way of closing that gap is by appointing a Cabinet Minister with responsibility for social justice. Will you accept that proposal?

Y Prif Weinidog: Dywedais yn fy araith yn Abertawe yr wythnos diwethaf fy mod yn credu mewn Llywodraeth dros gyfiawnder cymdeithasol. Mae hynny'n fwy effeithiol na chael un Gweinidog dros gyfiawnder cymdeithasol.

Ieuan Wyn Jones: You have not answered the question. Do you not accept that the gap between the rich and the poor, between those who have good access to healthcare and those who do not, has widened under your Government? Is it not the case that your marriage of political convenience is hitting the rocks big time? From what you have told us, it is clear that this marriage of convenience will result in a progressive disengagement. I have heard of progressive marriages, and I can conceive of progressive engagements, but will you tell us what exactly progressive disengagement means?

The First Minister: As First Minister, I do not think I should answer any questions on party tactics in the run up to an election. I am sorry that you are unable to decide whether you want to ask your first question about a minister for social justice or the social justice government. I do not appear to have given you the line that you required for your second question, so you pretend that you asked a totally different first question. As leader of Plaid Cymru, you will have to master party tactics. Such tactics are a matter for the leaders of all the political parties here. We will all campaign in our different ways, and will seek the best representation possible in the elections on 1 May—in our case, a majority; I do not know what Ieuan Wyn Jones is aiming for.

2:10 p.m.

John Griffiths: Public service spending must meet the Assembly Government's goal for social justice. Do you agree that, although equality of opportunity is a big part of social justice, it is not the whole story, and that substantial moves towards equality of outcome are necessary? Do you also agree that pronouncements that socialism in Wales is dead are merely wishful thinking on the

The First Minister: I said in my speech in Swansea last week that I believe in a Government for social justice. That is more effective than having one Minister for social justice.

Ieuan Wyn Jones: Nid ydych wedi ateb y cwestiwn. Onid ydych yn derbyn bod y bwch rhwng y tlawd a'r cyfoethog, rhwng y y rhai sy'n gallu cael gofal iechyd yn rhwydd a'r rhai nad ydynt, wedi ehangu o dan eich Llywodraeth chi? Onid yw'n wir bod eich priodas er mantais wleidyddol yn taro'r creigiau o ddifrif? Ar sail yr hyn a ddywedasoch wrthym, mae'n amlwg y bydd y briodas fantais hon yn arwain at ddatgysylltu cynyddol. Clywais sôn am briodasau cynyddol, a gallaf ddychmygu dyweddiadau cynyddol, ond a wnewch ddweud wrthym beth yn union yw ystyr datgysylltu cynyddol?

Y Prif Weinidog: Fel y Prif Weinidog, ni chredaf y dylwn ateb unrhyw gwestiynau am dactegau pleidiol wrth i etholiad ddynesu. Mae'n ddrwg gennyf na allwch benderfynu a ydych am ofyn eich cwestiwn cyntaf am weinidog dros gyfiawnder cymdeithasol neu lywodraeth dros gyfiawnder cymdeithasol. Mae'n ymddangos nad wyf wedi rhoi'r ateb yr oedd arnoch ei angen ar gyfer eich ail gwestiwn, felly yr ydych yn cymryd arnoch eich bod wedi gofyn cwestiwn cyntaf cwbl wahanol. Fel arweinydd Plaid Cymru, bydd yn rhaid ichi feistroli tactegau pleidiol. Mae tactegau o'r fath yn fater i arweinyddion yr holl bleidiau gwleidyddol yma. Ymgyrchwn i gyd yn ein gwahanol ddulliau, a cheisio'r gynrychiolaeth orau posibl yn yr etholiadau ar 1 Mai—yn ein hachos ni, mwyafrif; ni wn beth y mae Ieuan Wyn Jones yn anelu ato.

John Griffiths: Rhaid i'r gwariant ar wasanaethau cyhoeddus gyrraedd nod Llywodraeth y Cynulliad ar gyfer cyfiawnder cymdeithasol. A gytunwch, er bod cyfle cyfartal yn rhan bwysig o gyfiawnder cymdeithasol, fod mwy iddo na hynny, a bod angen camau sylweddol tuag at ganlyniadau cyfartal? A ydych hefyd yn cytuno mai dim ond breuddwyd gwrrach yw'r datganiadau

part of parties that have relatively minor support here? Given the people of Wales's long-standing support for socialism, it is obviously alive and kicking; those who claim to the contrary are greatly out of touch.

The First Minister: Left-of-centre parties—in all European and North American countries—must redistribute income in such a way as to make everybody, whether rich, middling or poor, feel that they still have a stake in society. You cannot be tribal about this matter, but if you can get majority support for moving society in that direction, you must still keep everybody on board. The Westminster Government has redistributed wealth to the less well off through its tax policies and tax-credit policies. We have done the same—even though we have no taxation powers—through creative thinking in projects such as Communities First and the health inequalities fund; we will continue to do so subject to the verdict of the people on 1 May.

Nick Bourne: I was interested in your last comment about health inequalities, because health is one area in which you have made no progress—the leader of Plaid Cymru is quite right; you have moved backwards. There is even disparity between north and south Wales; the orthopaedic waiting list is far longer in south Wales than it is in north Wales. Why do you believe that people are interested in socialism? They are interested in outcomes. They care about when they will get their operations and whether they will get them more quickly than before. According to the evidence, they are getting operations more slowly than before.

Will you or the Minister for Health and Social Services intervene to ensure that Mr David Thompson of New Inn, whose urgent operation for the removal of a tumour has been cancelled four times, gets the operation that he so urgently requires?

The First Minister: I understand that the patient to whom you refer is mentioned in this morning's newspapers. I will investigate the matter with Jane Hutt, the Minister for

bod sosialaeth yng Nghymru wedi marw gan bleidiau sydd â chefnogaeth gymharol fach yma? O gofio cefnogaeth hirsefydlog pobl Cymru i sosialaeth, mae'n amlwg ei bod yn fyw ac yn iach; mae rhai sy'n honni i'r gwrthwyneb yn bell allan ohoni.

Y Prif Weinidog: Rhaid i bleidiau'r chwith—yn holl wledydd Ewrop a Gogledd America—ailddosbarthu incwm yn y fath fodd fel bod pawb, boed hwy'n gyfoethog, yn weddol gefnog neu'n dlawd, yn teimlo bod ganddynt gyfran mewn cymdeithas o hyd. Ni allwch fod yn llwythol ynghylch y mater hwn, ond os gallwch gael cefnogaeth gan y mwyafrif i symud cymdeithas i'r cyfeiriad hwnnw, rhaid ichi ddal i gadw pawb o'ch plaid. Mae Llywodraeth San Steffan wedi ailddosbarthu cyfoeth i'r rhai llai cefnog drwy ei pholisïau trethu a'i pholisïau credyd treth. Gwnaethom ni'r un fath—er nad oes gennym bwerau trethu—drwy feddwl creadigol mewn prosiectau fel Cymunedau yn Gyntaf a'r gronfa anghydraddoldebau iechyd; parhawn i wneud hynny yn amodol ar ddyfarniad y bobl ar 1 Mai.

Nick Bourne: Yr oedd eich sylw olaf am anghydraddoldebau iechyd o ddi-ddordeb i mi, gan mai iechyd yw un maes lle na wnaethoch gynydd—mae arweinydd Plaid Cymru yn llygad ei le; yr ydych wedi mynd tuag yn ôl. Mae anghyfartaledd rhwng y De a'r Gogledd hyd yn oed; mae'r rhestr aros orthopedig yn fwy o lawer yn y De nag ydyw yn y Gogledd. Pam y credwch fod pobl yn ymddiddori mewn sosialaeth? Ymddiddorant mewn canlyniadau. Maent yn pryderu ynghylch pa bryd y cânt eu llawdriniaethau ac a fyddant yn eu cael yn gynt nag o'r blaen. Yn ôl y dystiolaeth, maent yn cael llawdriniaethau'n arafach nag o'r blaen.

A wnewch chi neu'r Gweinidog dros Iechyd a Gwasanaethau Cymdeithasol ymyrryd yn achos Mr David Thompson o New Inn, y gohiriwyd llawdriniaeth frys ar ei gyfer i dynnu tyfiant bedair gwaith, i sicrhau ei fod yn cael y llawdriniaeth y mae arno'i angen yn ddirfawr?

Y Prif Weinidog: Deallaf fod sôn am y claf y cyfeiriwch ato yn y papurau newydd y bore yma. Ymchwiliaf i'r mater gyda Jane Hutt, y Gweinidog dros Iechyd a Gwasanaethau

Health and Social Services, and will send you a reply, even though Mr Thompson is not one of your constituents. I will ensure that the reply is also sent to the Assembly Member for the constituency in which Mr Thompson lives, and a copy will be placed in the Assembly Library.

Cymdeithasol, ac anfonaf ateb atoch, er nad yw Mr Thompson yn un o'ch etholwyr. Gwnaf sicrhau hefyd y caiff ateb ei anfon at yr Aelod Cynulliad dros yr etholaeth lle y mae Mr Thompson yn byw, a gosodir copi yn Llyfrgell y Cynulliad.

Dociau Mostyn Mostyn Docks

Q3 Alison Halford: What discussions has the First Minister had with the UK Government and North Wales Police regarding police security arrangements at Mostyn docks? (OAQ21211)

C3 Alison Halford: Pa drafodaethau y mae'r Prif Weinidog wedi'u cynnal gyda Llywodraeth y DU a Heddlu Gogledd Cymru ynghylch trefniadau diogelwch yr heddlu yn nociau Mostyn? (OAQ21211)

The First Minister: Under long-standing conventions, politicians do not comment publicly on operational security matters in docks and elsewhere. Therefore, I will not answer that question directly. However, I can say that matters concerning the funding of police in north Wales have been discussed with the chief constable. I believe that he has written to you, Alison, to say that he has no difficulty with the level of police funding and that he is not able to answer operational questions about police security.

Y Prif Weinidog: Yn unol â chonfensiynau hirsefydlog, nid yw gwleidyddion yn gwneud sylwadau'n gyhoeddus am faterion diogelwch gweithredol mewn dociau a manau eraill. Gan hynny, nid atebaf y cwestiwn hwnnw'n uniongyrchol. Er hynny, gallaf ddweud bod materion sy'n ymwneud â chyllido'r heddlu yn y Gogledd wedi'u trafod gyda'r prif gwnstabl. Credaf ei fod wedi ysgrifennu atoch, Alison, i ddweud nad yw lefel y cyllid i'r heddlu'n annerbyniol ganddo ac nad yw'n gallu ateb cwestiynau am weithrediadau diogelwch yr heddlu.

Alison Halford: Do you agree with the statement made by the chief constable of North Wales Police, in which he said that all four Welsh chief constables would prefer for their forces to be administered by the National Assembly? Taxpayers in north Wales are paying for police security at a private business at Mostyn dock, but only private security personnel are deployed in south Wales ports, therefore leading to a drain on police resources. Given those circumstances, will you explore the issue of devolving policing powers to the Assembly so that that imbalance, and the issue of who pays for security at ports, can be resolved?

Alison Halford: A gytunwch â'r datganiad gan brif gwnstabl Heddlu Gogledd Cymru, lle y dywedodd y byddai'n well gan bob un o'r pedwar prif gwnstabl yng Nghymru i'w heddluoedd gael eu gweinyddu gan y Cynulliad Cenedlaethol? Mae trethdalwyr yn y Gogledd yn talu am warchodaeth gan yr heddlu mewn busnes preifat yn noc Mostyn, ond dim ond gweithwyr diogelwch preifat a ddefnyddir ym mhorthladdoedd y De, gan arwain at ddi-hysbyddu adnoddau'r heddlu. O ystyried yr amgylchiadau hynny, a wneuch ymchwilio i fater datganoli pwerau dros heddluoedd i'r Cynulliad fel y gellir datrys yr anghydbwysedd hwnnw, a'r mater o bwy sy'n talu am ddiogelwch mewn porthladdoedd?

The First Minister: I cannot answer that question directly, but I will do my best to address the issue, within the conventions. Five Welsh ferry ports are used for travel to Ireland; two are in north Wales, namely Mostyn and Holyhead, and three are in south-

Y Prif Weinidog: Ni allaf ateb y cwestiwn hwnnw'n uniongyrchol, ond gwnaf fy ngorau i ymdrin â'r mater, yn unol â'r confensiynau. Defnyddir pum porthladd llongau fferi yng Nghymru i deithio i Iwerddon; mae dau yn y Gogledd, sef Mostyn a Chaerdybi, ac mae tri

west Wales, namely Swansea, Pembroke Dock and Fishguard. I will discuss, with the chief constable, matters relating to police security at ferry ports, and whether that is provided by British Transport Police, private security firms, or regional police forces—North Wales Police, Dyfed-Powys Police, or South Wales Police in Swansea's case. We will discuss ferry ports, and whether the issue diverts resources from more conventional policing matters. I will then see whether I can produce an answer that does not breach the long-standing convention: I am sure that you understand that.

Peter Rogers: On police security at docks, and the ever-growing number of illegal meat imports coming into Wales, could police security not work in partnership with other enforcement officers to ensure that Wales no longer receives infected meat, particularly from Ireland? In one case last week, some 50 carcasses entered the country containing prohibited spinal cord. Could we not co-ordinate this matter with the police and officers in these ports, to ensure that Wales is not a dumping ground for illegal imports?

The First Minister: I will look into that matter. I assume that you are not claiming that the offending matter originated in Ireland, rather that it came in via an Irish transport operation. I will ensure that either Mike German, as the Minister with responsibility for agriculture, or I respond to that. We all remember the illegal imports campaign commenced by Mike German, and synchronised with Ministers in England, Scotland and Northern Ireland. That was to increase awareness among travellers, who tend to bring half-eaten sandwiches into the country from exotic locations, which can include exotic meat. The campaign also concerned other ways of stopping the import of meat—which could have been the origin of the foot and mouth disease outbreak, and certainly could cause a future foot and mouth disease outbreak, or other such public health problems—at ports and airports.

yn y De-orllewin, sef Abertawe, Doc Penfro ac Abergwaun. Gwnaf drafod, gyda'r prif gwnstabl, faterion sy'n gysylltiedig â diogelwch yr heddlu mewn porthladdoedd llongau fferi, ac a ddarperir hynny gan yr Heddlu Trafnidiaeth Prydeinig, cwmnïau diogelwch preifat, neu heddluoedd rhanbarthol—Heddlu Gogledd Cymru, Heddlu Dyfed-Powys, neu Heddlu De Cymru yn achos Abertawe. Gwnawn drafod porthladdoedd llongau fferi, ac a yw'r mater hwn yn mynd ag adnoddau oddi wrth faterion plismona mwy confensiynol. Gwelaf wedyn a allaf roi ateb nad yw'n groes i'r confensiwn hirsefydlog: yr wyf yn siŵr eich bod yn deall hynny.

Peter Rogers: Ynghylch diogelwch yr heddlu mewn dociau, a'r nifer gynyddol o fewnforion o gig anghyfreithlon i Gymru, oni allai heddweision diogelwch weithio ar y cyd â swyddogion gorfodi eraill i sicrhau nad yw Cymru'n derbyn cig heintiedig mwyach, yn enwedig o Iwerddon? Mewn un achos yr wythnos diwethaf, daeth rhyw 50 o garcasau i'r wlad ac ynddynt linyddau cefn sydd wedi'u gwahardd. Oni allem gyd-drefnu'r mater hwn gyda'r heddlu a'r swyddogion yn y porthladdoedd hyn, i sicrhau nad yw Cymru'n domen gwastraff i fewnforion anghyfreithlon?

Y Prif Weinidog: Ymchwiliad i'r mater hwnnw. Cymeraf nad ydych yn honni bod y deunydd tramgwyddus yn dod o Iwerddon yn wreiddiol, ond yn hytrach ei fod wedi dod drwy weithrediad cludo Gwyddelig. Gwnaf sicrhau y bydd naill ai Mike German, fel y Gweinidog a chanddo gyfrifoldeb dros amaethyddiaeth, neu myfi'n ymateb i hynny. Yr ydym oll yn cofio'r ymgyrch mewnforion anghyfreithlon a gychwynnodd Mike German, a'i chydamseru â Gweinidogion yn Lloegr, yr Alban a Gogledd Iwerddon. Ei diben oedd hybu ymwybyddiaeth ymysg teithwyr, sy'n dueddol o ddod â brechdanau wedi'u hanner bwyta i'r wlad o fannau ecsotig, ac ynddynt gig ecsotig o bosibl. Yr oedd yr ymgyrch yn ymwneud hefyd â dulliau eraill o atal mewnforio cig—a allasai fod yn darddiad i'r cychwyniad o glwy'r traed a'r genau, ac a allai'n sicr achosi cychwyniad o glwy'r traed a'r genau yn y dyfodol, neu broblemau iechyd cyhoeddus eraill o'r fath—mewn porthladdoedd a

meysydd awyr.

Janet Ryder: Do you agree that there are other threats to areas of the north Wales coast, which perhaps the police cannot always protect against, such as those aspects of the environment that we must secure? Tankers blacklisted following the Spanish oil spill disaster frequently sail in waters within 10 miles of Mostyn docks.

Janet Ryder: A gytunwch fod bygythiadau eraill i rannau o arfordir y Gogledd, nad oes modd i'r heddlu warchod rhagddynt bob amser o bosibl, fel yr agweddau hynny ar yr amgylchedd y mae'n rhaid inni eu diogelu? Mae tanceri a waharddwyd ar ôl trychineb colli olew yn Sbaen yn hwylio'n aml mewn dyfroedd sydd o fewn 10 milltir i ddociau Mostyn.

The Presiding Officer: Order. The question is about Mostyn docks.

Y Llywydd: Trefn. Cwestiwn am ddociau Mostyn yw hwn.

Safon ar gyfer Trin Strôc Stroke Standard

Q4 Richard Edwards: Are there any plans to introduce a Welsh version of a stroke standard? (OAQ21224)

C4 Richard Edwards: A oes unrhyw gynlluniau i gyflwyno fersiwn Cymreig o'r safon ar gyfer trin strôc? (OAQ21224)

The First Minister: This matter was discussed at a meeting on 5 December between the Minister for Health and Social Services, Jane Hutt, and the Stroke Association. It was a positive meeting focusing on the development of different clinical pathways for providing better services for stroke sufferers.

Y Prif Weinidog: Trafodwyd y mater hwn mewn cyfarfod ar 5 Rhagfyr rhwng y Gweinidog dros Iechyd a Gwasanaethau Cymdeithasol, Jane Hutt, a'r Gymdeithas Strôc. Yr oedd yn gyfarfod cadarnhaol a ganolbwyntiodd ar ddatblygu llwybrau clinigol gwahanol i ddarparu gwell gwasanaethau ar gyfer rhai sy'n dioddef gan strôc.

Richard Edwards: As you know, stroke, along with cancer and heart disease, is the country's biggest killer but, unlike cancer and heart disease, stroke does not have a separate national service standard. Will you support the introduction of a Welsh version of a stroke standard covering all ages and not just within an older people's strategy, which is what is happening in England? Do you also agree that such a standard should include the provision of designated stroke units in general hospitals so that patients can be treated by specialist teams?

Richard Edwards: Fel y gwyddoch, strôc, ynghyd â chanser a chlefyd y galon, sy'n gyfrifol am y nifer fwyaf o farwolaethau yn y wlad ond, yn wahanol i ganser a chlefyd y galon, nid oes safon gwasanaeth cenedlaethol ar wahân ar gyfer strôc. A wnewch gefnogi cyflwyno fersiwn Cymreig o safon ar gyfer trin strôc i bob oedran ac nid o fewn strategaeth i bobl hŷn yn unig, sef yr hyn sy'n digwydd yn Lloegr? A ydych hefyd yn cytuno y dylai safon o'r fath gynnwys darparu unedau strôc dynodedig mewn ysbytai cyffredinol fel y gall cleifion gael eu trin gan dimau arbenigol?

The First Minister: When the Stroke Association met Jane Hutt, it made four points. One of those was the need for a separate national service framework standard, not exclusively under the aegis of an umbrella national service framework for older people. We have not yet taken that forward as the meeting was only held on 5

Y Prif Weinidog: Pan gyfarfu'r Gymdeithas Strôc â Jane Hutt, gwnaeth bedwar pwynt. Un ohonynt oedd yr angen am safon fframwaith gwasanaeth cenedlaethol ar wahân, nid un a oedd yn gyfan gwbl o dan fframwaith gwasanaeth cenedlaethol ambarél ar gyfer pobl hŷn. Nid ydym wedi symud ymlaen â hynny eto gan mai newydd ei

December, and other things were also requested.

Stroke is a major killer, yet it does not always kill. Stroke victims are disabled in two entirely different ways, depending on the kind of stroke that they suffer—whether the left or the right side of the brain is affected. Some make good recoveries and some do not recover. You can suffer a stroke and survive for 40 or 50 years. This is a huge issue, because strokes are so common. They are especially common among those who have experienced some form of stress, respiratory problems, who are heavy smokers, and so on. Victims of strokes can educate others and contribute to trying to alleviate the suffering of others. Similarly, they could prevent the next generation from being as prone to suffering strokes as the current population of Wales seems to be.

David Lloyd: A gytnwch, felly, y dylai fod uned strôc ym mhob ysbyty cyffredinol?

Y Prif Weinidog: Nid ydym wedi ymateb eto, gan mai dim ond ar 5 Rhagfyr y cynhaliwyd y cyfarfod rhwng y Gymdeithas Strôc a Jane Hutt, y Gweinidog dros Iechyd a Gwasanaethau Cymdeithasol. Yr ydym wedi bod yn astudio'r hyn sydd eisoes wedi digwydd yn Lloegr, ond fel a glywsoch gan Richard Edwards, nid yw'r Gymdeithas Strôc yn ystyried hynny'n ddigonol gan ei fod yn ymwneud â'r ymateb i'r henoed yn unig. Nid ydym wedi penderfynu eto a ddylid cael uned o'r fath ym mhob ysbyty cyffredinol.

William Graham: You will recognise the value of preventing rather than treating strokes. Will you initiate a policy for the implementation of a screening programme to allow for the earliest possible detection of stroke symptoms?

The First Minister: I am not certain, and I have had no briefing on screening people who are deemed to be at a high risk of suffering a stroke. However, in the meeting on 5 December, the bullet points in the Stroke Association's suggested programme were training for staff who care for stroke patients, long-term support for those affected

gynnal y mae'r cyfarfod ar 5 Rhagfyr, a gofynnwyd am bethau eraill hefyd.

Mae strôc yn lladdwr mawr, ond nid yw'n lladd bob amser. Mae rhai a gaiff eu taro gan strôc yn cael eu handwyo mewn dau fodd cwbl wahanol, yn ôl y math o strôc y maent yn dioddef ganddo—yn ôl pa un ai ochr chwith neu ochr dde'r ymennydd yr effeithir arni. Mae rhai'n gwella'n dda ac mae rhai nad ydynt yn gwella. Gellir profi strôc a byw am 40 neu 50 mlynedd. Mae hwn yn fater mawr iawn, gan fod strôc mor gyffredin. Mae'n arbennig o gyffredin ymysg y rhai a brofodd ryw fath o straen, problemau anadlu, sy'n ysmegu'n drwm, ac yn y blaen. Gall y rhai sy'n dioddef gan strôc addysgu eraill a chyfrannu at geisio lleddfu dioddefaint eraill. Yn yr un modd, gallent atal y genhedlaeth nesaf rhag bod mor agored i strôc ag y mae poblogaeth bresennol Cymru, yn ôl pob golwg.

David Lloyd: Do you therefore agree that there should be a stroke unit in every general hospital?

The First Minister: We have not yet responded because the meeting between the Stroke Association and Jane Hutt, the Minister for Health and Social Services, was only held on 5 December. We have studied what has already happened in England, but as you heard from Richard Edwards, the Stroke Association does not consider that to be adequate because it only relates to the response to the elderly. We have not yet decided whether or not we need such a unit in all general hospitals.

William Graham: Byddwch yn cydnabod y gwerth o atal yn hytrach na thrin strôc. A wnewch sefydlu polisi i roi rhaglen sgrinio ar waith fel y gellir darganfod symptomau strôc cyn gynhared â phosibl.

Y Prif Weinidog: Nid wyf yn sicr, ac nid wyf wedi cael fy mriffio ar sgrinio pobl y bernir eu bod mewn perygl mawr o gael strôc. Fodd bynnag, yn y cyfarfod ar 5 Rhagfyr, y pwyntiau bwled yn y rhaglen a awgrymwyd gan y Gymdeithas Strôc oedd hyfforddiant ar gyfer staff sy'n gofalu am gleifion strôc, cymorth tymor hir i'r rhai y

by strokes, including carers and families, and a coherent stroke element in our prevention policies, as you requested.

mae strôc yn effeithio arnynt, gan gynnwys gofalwyr a theuluoedd, ac elfen trin strôc eglur yn ein polisiau atal, fel y gwnaethoch ofyn.

2:20 p.m.

Polisiau'r Llywodraeth yn y Gogledd Government Policy in North Wales

Q5 Dafydd Wigley: Will the First Minister make a statement on his duties as co-ordinator of Government policy in north Wales? (OAQ21212)

The First Minister: I attended several meetings in north Wales last Friday. I will refer in particular to the superb work of the North Wales Cancer Treatment Centre at Glan Clwyd Hospital, which is one of the best examples of investment in the modern NHS in north Wales. It is doing so well that, rather than treating 80 per cent of the north Wales cancer sufferers who require radiotherapy, it will probably treat 100 per cent of those patients. I was pleased to learn that the foundations were being laid there for a third linear accelerator, at the cost of £1.5 million, which we are providing. I look forward to seeing that development, as it will enable the unit to deal with almost all the demand for radiotherapy in north Wales. It is an outstanding achievement by all concerned.

Dafydd Wigley: I welcome those cancer figures. However, do you realise that many people in north Wales feel that the Assembly's new logo is appropriate, in that it is dominated by four lanes of the M4 motorway running across it? It has a healthy and rampant dragon to the north and west, and a vacuum in the south-east, where we should have a Government. When will you ensure that policies of the Minister for Economic Development of maximising job opportunities in the Objective 1 area of north Wales are reflected in the actions of other Ministers, who are still pursuing policies that relocate public sector jobs from the Objective 1 area of north-west Wales to the non-Objective 1 area in the east? Surely it is time for the Government to work together on this matter to the benefit of those areas that most need the jobs?

C5 Dafydd Wigley: A wnaiff y Prif Weinidog ddatganiad ar ei ddyletswyddau fel cydlynnydd polisi'r Llywodraeth yn y Gogledd? (OAQ21212)

Y Prif Weinidog: Bûm mewn sawl cyfarfod yn y Gogledd ddydd Gwener diwethaf. Cyfeiriaf yn benodol at waith rhagorol Canolfan Trin Canser Gogledd Cymru yn Ysbyty Glan Clwyd, sy'n un o'r enghreifftiau gorau o fuddsoddi yn y GIG modern yn y Gogledd. Mae'n gwneud cystal fel ei bod yn debyg y bydd yn trin 100 y cant, yn hytrach na 80 y cant, o'r rhai sy'n dioddef gan ganser yn y Gogledd y mae arnynt angen radiotherapi. Yr oeddwn yn falch o gael gwybod bod y sylfeini'n cael eu gosod yno ar gyfer trydydd cyflymydd llinol, ar gost o £1.5 miliwn, a ddarperir gennym ni. Edrychaf ymlaen at weld y datblygiad hwnnw, gan y bydd yn galluogi'r uned i ymdrin â bron y cwbl o'r galw am radiotherapi yn y Gogledd. Mae'n gyflawniad eithriadol gan bawb sy'n gysylltiedig ag ef.

Dafydd Wigley: Croesawaf y ffigurau hynny am ganser. Fodd bynnag, a ydych yn sylweddoli bod llawer yn y Gogledd yn teimlo bod logo newydd y Cynulliad yn anaddas, ac mai'r hyn sy'n amlycaf ynddo yw pedair lôn yr M4 sy'n rhedeg ar ei draws? Mae ganddo ddraig iach ar ei sefyll tua'r gogledd a'r gorllewin, a lle gwag yn y de-ddwyrain, lle y dylem gael Llywodraeth. Pa bryd y gwnewch sicrhau bod polisiau'r Gweinidog dros Ddatblygu Economaidd o amlhau'r cyfleoedd gwaith yn y rhan Amcan 1 o'r Gogledd wedi'u hadlewyrchu yng ngweithredoedd Gweinidogion eraill, sy'n dal i ddilyn polisiau sy'n adleoli swyddi sector cyhoeddus o'r rhan Amcan 1 o'r Gogledd-orllewin i'r rhan nad yw'n ardal Amcan 1 yn y dwyrain? Siawns nad yw'n bryd i'r Llywodraeth gydweithio ar y mater hwn i ddod â budd i'r ardaloedd hynny y mae

arnynt angen y swyddi fwyaf?

The First Minister: I do not agree with your criticism of the logo. It is odd that you say that it reflects the M4 and not the A55, which also consists of four lanes—all the way to Holyhead. The M4 does not go all the way to the equivalent of Holyhead in south-west Wales, whether you consider that to be Pembroke Dock or Fishguard; either way, the dual carriageway does not reach it. I would have thought that the logo represented the A55 as much as the M4; you made a curious choice. On your other points about office relocation, Edwina Hart and I are actively pursuing the office relocation strategy, and you must contain your impatience a little more.

Eleanor Burnham: As part of your north Wales duties, will you ensure that you and your officials do your best to support post offices so that they are not closed, to the detriment of north Wales communities?

The First Minister: There is a pot of money in the rural regeneration fund. It is up to the post offices or corner shops to bid for it, on the basis that if they do not, the community suffers. That pot exists and we want to see it used. It has enough money in it for many more applications than we are receiving at present. Please encourage bids from businesses seen as key to the regeneration of rural communities.

David Ian Jones: As co-ordinator of Government policy in north Wales, will you say where the district of Maelor, including the villages of Hanmer, Bronington, Horseman's Green and Tallarn Green, figures in your calculations. Residents of that forgotten corner of Wales feel distanced from the activities of the Assembly, to the extent that their area is hardly ever mentioned in Assembly proceedings.

The First Minister: It was certainly mentioned when there were floods in Bangor-on-Dee, and when the Dee valley, which snakes through that area, was about to be flooded. I visited Bangor-on-Dee and I stood

Y Prif Weinidog: Nid wyf yn cytuno â'ch beirniadaeth o'r logo. Mae'n rhyfedd eich bod yn dweud ei fod yn adlewyrchu'r M4 ac nid yr A55, sydd hefyd â phedair lôn—yr holl ffordd i Gaerdybi. Nid yw'r M4 yn mynd yr holl ffordd i'r hyn sy'n cyfateb i Gaerdybi yn y De-orllewin, pa un ai Doc Penfro neu Abergwaun yw hwnnw yn eich golwg chi; y naill ffordd neu'r llall, nid yw'r ffordd ddeuol yn ei gyrraedd. Credwn fod y logo'n cynrychioli'r A55 yn gymaint â'r M4; gwnaethoch ddewis rhyfedd. Ynghylch y pwyntiau eraill a wnaethoch am adleoli swyddfeydd, mae Edwina Hart a minnau'n ymwneud yn weithredol â'r strategaeth adleoli swyddfeydd, a rhaid ichi ffrwyno'ch diffyg amynedd ychydig yn hwy.

Eleanor Burnham: Fel rhan o'ch dyletswyddau yn y Gogledd, a wnewch sicrhau eich bod chi a'ch swyddogion yn gwneud eich gorau i gynorthwyo swyddfeydd post fel na fyddant yn cau, er anfantais i gymunedau'r Gogledd?

Y Prif Weinidog: Mae pot o arian yn y gronfa adfywio gwledig. Lle'r swyddfeydd post neu siopau cornel yw ymgeisio amdano, oherwydd os na wnânt hynny, bydd y gymuned yn dioddef. Mae'r pot hwnnw'n bodoli ac yr ydym am weld ei ddefnyddio. Mae digon o arian ynddo ar gyfer mwy o lawer o geisiadau nag yr ydym yn eu derbyn ar hyn o bryd. Anogwch geisiadau gan fusnesau a ystyrir yn rhai sy'n allweddol i adfywio cymunedau gwledig.

David Ian Jones: Fel cydlynnydd polisi'r Llywodraeth yn y Gogledd, a wnewch ddweud pa ystyriaeth yr ydych yn ei rhoi i ardal Maelor, sy'n cynnwys pentrefi Hanmer, Bronington, Horseman's Green a Tallarn Green? Mae trigolion y gornel anghofiedig honno o Gymru'n teimlo eu bod yn bell o weithgareddau'r Cynulliad, i'r graddau nad oes bron byth sôn am eu hardal yn nhrefodion y Cynulliad.

Y Prif Weinidog: Bu sôn amdani, yn sicr, pan oedd llifogydd ym Mangor Is-coed, a phan oedd dyffryn Dyfrdwy, sy'n ymddolennu drwy'r ardal honno, ar fin mynd dan ddŵr. Ymwelais â Bangor Is-coed a

there on the riverbank, watching the river levels rise towards the lip. Fortunately, it did not flow over the top of the Dee flood banks, which would have resulted in flooding almost the whole of the Maelor peninsula. Luckily, it did not flood, and we saw how important it was for the Assembly to be accountable and able to move quickly to respond to urgent crises when they arise, such as the threat of flooding some 14 months ago.

Ann Jones: Thank you, Rhodri, for visiting my constituency on Friday for the opening of a new unit at Aegis Conservatory Roof Systems Ltd, which, I am sure you agree, is good news for the people of Rhyl and the surrounding area. Following yesterday's sad announcement that 141 jobs will be lost at GDA Hotpoint in Kinmel Park, Bodelwyddan, will you and the Minister for Economic Development ensure that Team Wales kicks in as soon as possible, so that we can work with the trade unions and the workforce to do all that we can to retain the skilled jobs that remain in Bodelwyddan?

The First Minister: You are right on both counts. The expansion of a relatively small and new company like Aegis—which is providing 65 jobs quickly and will possibly provide more than 65 at the end of 2003—is a welcome diversification of the economy of the Vale of Clwyd. It was sad to hear, two days later, that GDA Hotpoint had to make some of its 1,000-strong staff redundant. It has been one of the great success stories of north Wales, including the period when it moved from the old factory at Llandudno Junction to the new factory at Bodelwyddan, some two years ago. It remains a strong company and, as yet, the underlying reasons for the redundancies and the possible loss of market share are obscure, but we will find out more. However, it reinforces the need for further diversification of the economy of that area so that it is not as dependent on a small number of big employers such as Hotpoint, and, further to the east, Airbus UK Ltd at Broughton.

sefais ar lan yr afon, gan wyllo dŵr yr afon yn codi at yr ymyl. Yn ffodus, ni lifodd dros ben cloddiau atal llifogydd afon Dyfrdwy, a fyddai wedi arwain at lifogydd ym mron y cwbl o benrhyn Maelor. Yn ffodus, ni orlifodd, a gwelsom mor bwysig ydoedd i'r Cynulliad fod yn atebol a gallu symud yn gyflym i ymateb i argyfyngau brys pan eu bod yn codi, fel y bygythiad o lifogydd rhyw 14 mis yn ôl.

Ann Jones: Diolch i chi, Rhodri, am ymweld â'm hetholaeth ddydd Gwener ar gyfer agor uned newydd yn Aegis Conservatory Roof Systems Cyf, sydd, fel y cytunwch, yr wyf yn siŵr, yn newyddion da i bobl y Rhyl a'r cyffiniau. Ar ôl y cyhoeddiad trist ddoe am golli 141 o swyddi yn GDA Hotpoint ym Mharc Cinnel, Bodelwyddan, a wnewch chi a'r Gweinidog dros Ddatblygu Economaidd sicrhau bod Tîm Cymru'n cychwyn arni mor fuan â phosibl, fel y gallwn weithio gyda'r undebau llafur a'r gweithlu i wneud cymaint ag y gallwn i gadw'r swyddi sy'n gofyn am sgiliau sy'n dal i fod ym Modelwyddan?

Y Prif Weinidog: Yr ydych yn gywir ar y ddau gyfrif. Mae ehangu cwmni cymharol fach a newydd fel Aegis—sy'n darparu 65 o swyddi'n fuan a mwy na 65 o bosibl ar ddiwedd 2003—yn fodd derbyniol o amrywiaethu economi Dyffryn Clwyd. Trist oedd clywed, ddeuddydd yn ddiweddarach, fod GDA Hotpoint yn gorfod diswyddo rhai o'i staff o 1,000. Bu'n un o lwyddiannau mawr y Gogledd, gan gynnwys y cyfnod pan symudodd o'r hen ffatri yng Nghyffordd Llandudno i'r ffatri newydd ym Modelwyddan, tua dwy flynedd yn ôl. Mae'n dal i fod yn gwmni cryf a, hyd yn hyn, nid yw'r rhesymau sylfaenol am y diswyddiadau a'r posibilrwydd o golli rhan o'r farchnad yn eglur, ond cawn wybod rhagor. Fodd bynnag, mae'n ategu'r angen am amrywiaethu pellach yn economi'r ardal honno fel nad ydyw mor ddibynnol ar nifer fach o gyflogwyr mawr fel Hotpoint, ac, ymhellach i'r dwyrain, Airbus UK Cyf ym Mrychdyn.

Economi Abergwaun a Gogledd Penfro The Fishguard and North Pembrokeshire Economy

C6 Cynog Dafis: A wnaiff y Prif Weinidog ddatganiad ynglŷn â llunio cynllun

Q6 Cynog Dafis: Will the First Minister make a statement on developing an action

gweithredu i adfywio economi Abergwaun a gogledd Penfro? (OAQ21221)

Y Prif Weinidog: Bu'r Gweinidog dros Ddatblygu Economaidd ar ymweliad ag Aberteifi ac Abergwaun ar 21 Tachwedd a bu'n bresennol mewn cyfarfodydd gyda'r Aelod Cynulliad a'r partneriaid lleol i drafod sefyllfa economaidd gorllewin Cymru ac arfordir bae Ceredigion yng ngogledd Penfro a de Ceredigion. Deallaf y bu'r cyfarfodydd yn fuddiol ac y mae'r Gweinidog dros Ddatblygu Economaidd wedi rhoi ymrwymiad, ar ran Llywodraeth y Cynulliad, i arwain ymdrechion Tîm Cymru i ddatblygu cynllun gweithredu â pherchnogaeth leol, yn gynnar yn y flwyddyn newydd. Bydd cyfarfod arall ar 18 Ionawr.

Cynog Dafis: Gan eich bod wedi cadarnhau, wrth fy ateb yr wythnos diwethaf, ei bod yn bosibl bod miliynau o bunnoedd o arian cyhoeddus ar gael i adfywio Abergwaun a gogledd Penfro mae'n bwysig bod y cynllun gweithredu y gofynnodd Andrew Davies iddo fod yn barod erbyn diwedd mis Ionawr yn un cadarn. A ydyw wedi penderfynu pwy ddylai fod yn gyfrifol am lunio'r cynllun gweithredu hwn?

Y Prif Weinidog: Y mae gwahanol bartneriaid yn cyfrannu at y broses, yn cynnwys yr awdurdodau lleol a'r WDA.

Peter Law: First Minister, while appreciating your welcome positive approach to deal with Pembrokeshire's economic difficulties, will you, or the Minister for Economic Development, support and liaise with Yuasa Battery (UK) Ltd in Ebbw Vale, in my constituency, which yesterday announced 57 net redundancies?

The Presiding Officer: Order. This question does not concern Ebbw Vale—

Peter Law: We have to try.

The Presiding Officer: Order. When you 'try', I find you all equally wanting.

Nick Bourne: Within a month of the announcement of job losses at Corus, the steel taskforce was in place to plan the

plan to regenerate the economy of Fishguard and north Pembrokeshire? (OAQ21221)

The First Minister: The Minister for Economic Development visited Cardigan and Fishguard on 21 November and attended meetings with local Assembly Members and partner organisations to discuss the economic situation of west Wales and the Cardigan bay coastline in north Pembrokeshire and south Ceredigion. I understand that these meetings were productive and that the Minister for Economic Development has made a commitment, on behalf of the Assembly Government, to lead the Team Wales effort to develop a locally owned action plan, early in the new year. There will be another meeting on 18 January.

Cynog Dafis: Since you confirmed, in an answer given to me last week, that there could be millions of pounds of public money available to regenerate Fishguard and north Pembrokeshire, it is important that the action plan that Andrew Davies requested be ready by the end of January is robust. Has he decided who should be responsible for formulating this action plan?

The First Minister: Various partners are contributing to the process, including the local authorities and the WDA.

Peter Law: Brif Weinidog, er fy mod yn gwerthfawrogi'ch dull cadarnhaol derbynol o ymdrin ag anawsterau economaidd Sir Benfro, a wnewch chi, neu'r Gweinidog dros Ddatblygu Economaidd, gynorthwyo a chysylltu â Yuasa Battery (UK) Cyf yng Nglynebwy, yn fy etholaeth i, a gyhoeddodd 57 o ddiswyddiadau net ddoe?

Y Llywydd: Trefn. Nid yw'r cwestiwn hwn yn ymwneud â Glynebwy—

Peter Law: Rhaid inni roi cynnig arni.

Y Llywydd: Trefn. Pan eich bod yn 'rhoi cynnig arni', fe'ch caf i gyd yr un mor ddiffygiol.

Nick Bourne: O fewn mis ar ôl cyhoeddi colledion swyddi yn Corus, yr oedd y tasglu dur ar waith i gynllunio adfywiad yr

regeneration of the affected areas. It included a £50 million aid package, and rightly so. Why is no such support being offered to west Wales, when over a 1,000 jobs have been lost in Pembrokeshire this year to date?

2:30 p.m.

The First Minister: The circumstances are different. Corus made clear in its announcement that it owned the assets and that they would never be used for steel production again. Though Allied Steel and Wire Ltd in Cardiff are in receivership, the hope remains that those assets will be used for steel production again. That is not definite, but it is hopeful. Likewise, with the call centre at Cleddau, nobody thinks that those assets will be used for anything other than a call centre; we must find another call centre operator for the site. That is unlike the Corus situation. In the case of Dewhirst, which owns several factories in the area, we have not relinquished hope that a garment manufacturer may re-employ some of the former Dewhirst employees in some of the factories. Therefore, that is not like the Corus situation. However, because we do not expect all of the former Dewhirst jobs to re-emerge—some of which have probably been in existence for 35 years—I have announced a Team Wales programme to regenerate the north Pembrokeshire/south Ceredigion coastal area to exactly the same degree of appropriate response as we did in the case of Corus.

ardaloedd a effeithiwyd. Yr oedd hynny'n cynnwys pecyn cymorth o £50 miliwn, ac yn briodol felly. Pam na chynigir cymorth o'r fath i'r Gorllewin, pan fo dros 1,000 o swyddi wedi'u colli yn sir Benfro eleni hyd yn hyn?

Y Prif Weinidog: Mae'r amgylchiadau'n wahanol. Rhoddodd Corus ar ddeall yn ei ddatganiad mai ef oedd perchennog yr asedau ac na chaent eu defnyddio i gynhyrchu dur byth eto. Er bod Allied Steel and Wire Cyf yng Nghaerdydd yn nwylo'r derbynnydd, mae gobaith o hyd y caiff yr asedau hynny eu defnyddio i gynhyrchu dur eto. Nid yw hynny'n bendant, ond mae'n addawol. Yn yr un modd, yn achos y ganolfan alwadau yng Nghleddau, nid oes neb yn credu y caiff yr asedau hynny eu defnyddio ar gyfer dim heblaw canolfan alwadau; rhaid inni ddod o hyd i weithredwr canolfan alwadau arall i'r safle. Mae hynny'n wahanol i sefyllfa Corus. Yn achos Dewhirst, sy'n berchen ar sawl ffatri yn yr ardal, nid ydym wedi anobeithio y bydd gweithgynhyrchydd dillad yn ailgyflogi rhai o gyn-weithwyr Dewhirst yn rhai o'r ffatrioedd. Gan hynny, nid yw'n debyg i sefyllfa Corus. Er hynny, am nad ydym yn disgwyl y bydd y cwbl o hen swyddi Dewhirst yn ailymddangos—y mae rhai ohonynt yn bod ers 35 mlynedd, mae'n debyg—yr wyf wedi cyhoeddi rhaglen Tîm Cymru i adfywio ardal arfordir gogledd Sir Benfro/de Ceredigion gan ymateb yr un mor briodol ag y gwnaethom yn achos Corus.

Ffyniant Economaidd yn Sir Gaerfyrddin Economic Prosperity in Carmarthenshire

Q7 Helen Mary Jones: Will the First Minister make a statement about what steps his Government is taking to promote economic prosperity in Carmarthenshire? (OAQ21214)

C7 Helen Mary Jones: A wnaiff y Prif Weinidog ddatganiad ynghylch pa gamau y mae ei Lywodraeth yn eu cymryd i hybu ffyniant economaidd yn Sir Gaerfyrddin? (OAQ21214)

The First Minister: Carmarthenshire is entirely within the Objective 1 area therefore the maximum level of grants available anywhere in the United Kingdom, the highest available anywhere in the European Union, is now available within Carmarthenshire. These grants have succeeded in promoting jobs, growth and the reduction of unemployment

Y Prif Weinidog: Mae'r cyfan o Sir Gaerfyrddin o fewn ardal Amcan 1, felly mae'r lefel uchaf o grantiau a geir yn unman yn y Deyrnas Unedig, a'r rhai uchaf a geir yn unman yn yr Undeb Ewropeaidd, ar gael yn awr yn Sir Gaerfyrddin. Mae'r grantiau hyn wedi llwyddo i hybu swyddi, twf a gostyngiad mewn diweithdra yn y fan honno

there in line with the policies set out in 'A Winning Wales'. I was pleased to see Carmarthenshire County Council's recent announcement of the £29 million match funding available for it to kick-start its plans to encourage £450 million of development in the area in agri-food, tourism, transport and industry.

Helen Mary Jones: An aerospace company has withdrawn its proposal to create 350 good-quality manufacturing jobs in my constituency mainly because the Welsh Development Agency took almost a year to process its funding application. The company has now taken that work to Romania. Is this not typical of your Government's dilly-dallying, dismal failure to promote economic prosperity in Carmarthenshire or elsewhere in Wales? When will you acknowledge that regional economic development targets are essential for prosperity to spread beyond the M4 corridor?

The First Minister: That is nonsense. Not every company that bids for assistance from public agencies succeeds. There are many reasons for that, which we do not discuss for reasons of commercial confidentiality. If your point on the outcome of these longstanding negotiations is true, and the company has now gone to Romania, then of course I regret that it has been unable to reach agreement with the WDA and us over regional selective assistance. However, you must not rush to the conclusion that this must be the Welsh Assembly Government or the WDA's fault entirely; sometimes, the problem lies elsewhere.

Alun Cairns: Is not the First Minister and the Welsh Assembly Government implementing different priorities for south-west Wales than for south-east Wales? When people lose their jobs in south-east Wales, the region is awash with money; at least, that is how it seems to people in Pembrokeshire, Carmarthenshire and west Wales. Why do some regions not receive the necessary grant to regenerate their economy? Local authorities do not receive a grant to regenerate their economies in south-west Wales while those in south-east Wales do. The effect of job losses is exactly the same in

yn unol â'r polisiau a nodir yn 'Cymru'n Ennill'. Yr oeddwn yn falch o weld y cyhoeddiad diweddar gan Gyngor Sir Caerfyrddin am y £29 miliwn o gyllid cyfatebol sydd ar gael i sbarduno ei gynlluniau i hyrwyddo gwerth £450 miliwn o ddatblygu yn yr ardal mewn bwyd-amaeth, twristiaeth, trafnidiaeth a diwydiant.

Helen Mary Jones: Mae cwmni awyrofod wedi tynnu'n ôl ei gynnig i greu 350 o swyddi gweithgynhyrchu o ansawdd da yn fy etholaeth i, yn bennaf am fod Awdurdod Datblygu Cymru wedi cymryd ymron i flwyddyn i brosesu ei gais am gyllid. Mae'r cwmni wedi mynd â'r gwaith hwnnw i Romania bellach. Onid yw hynny'n nodweddiadol o'r llusgo traed a'r methiant truenus gan eich Llywodraeth i hybu ffyniant economaidd yn sir Gaerfyrddin neu mewn rhannau eraill o Gymru? A wnewch gydnabod bod targedau datblygu economaidd rhanbarthol yn hollbwysig er mwyn i ffyniant ymledu y tu hwnt i goridor yr M4?

Y Prif Weinidog: Dwli yw hynny. Nid yw pob cwmni sy'n ceisio cymorth asiantaethau cyhoeddus yn llwyddo. Mae sawl rheswm dros hynny, nad ydym yn eu trafod oherwydd cyfrinachedd masnachol. Os yw'r pwynt a wnaethoch am ganlyniad y negodiadau hirfaith hyn yn wir, a bod y cwmni wedi mynd i Romania bellach, mae'n ofid imi, wrth gwrs, nad yw wedi gallu dod i gytundeb â'r WDA a ni ynghylch cymorth rhanbarthol dewisol. Fodd bynnag, ni ddylech ddod i'r casgliad yn syth mai bai Llywodraeth Cynulliad Cymru neu'r WDA yw hyn yn gyfan gwbl; weithiau, mae'r broblem mewn man arall.

Alun Cairns: Onid yw'r Prif Weinidog a Llywodraeth Cynulliad Cymru'n gweithredu polisiau gwahanol ar gyfer y De-orllewin a'r De-ddwyrain? Pan fo pobl yn colli eu swyddi yn y De-ddwyrain, mae'r rhanbarth yn nofio mewn arian; o leiaf, felly yr ymddengys i bobl sir Benfro, sir Gaerfyrddin a'r Gorllewin. Pam nad yw rhai rhanbarthau'n cael y grant angenrheidiol i adfywio eu heconomi? Nid yw awdurdodau lleol yn y De-orllewin yn cael grant i adfywio eu heconomi tra bo'r rhai yn y De-ddwyrain yn ei dderbyn. Mae effaith colledion swyddi yn union yr un fath yn y De-orllewin ag yn y

south-west Wales as it is in south-east Wales; in fact, some of those people have lost their jobs for the second time in nine months. When will this Government give equal priority to all parts of Wales?

The First Minister: Your leader flogged this dead horse 10 minutes ago; do not try to resuscitate a dead horse now, Alun. You have tried for weeks to run this pretence that there is discriminatory treatment. I went through the issue in detail and you obviously did not listen. You did not rebut any of my points. Come on, even you can do better than that. [ASSEMBLY MEMBERS: 'Oh'.]

De-ddwyrain; mewn gwirionedd, mae rhai o'r bobl hynny wedi colli eu swyddi am yr eildro mewn naw mis. Pa bryd y gwnaiff y Llywodraeth hon roi blaenoriaeth gyfartal i bob rhan o Gymru?

Y Prif Weinidog: Bu'ch arweinydd yn aredig tywod ar y mater hwn 10 munud yn ôl; peidiwch chi â cheisio gwneud hynny eto yn awr, Alun. Yr ydych yn ceisio cymryd arnoch bod triniaeth wahaniaethol ers wythnosau. Euthum drwy'r mater yn fanwl ac mae'n amlwg na wnaethoch wrando. Ni wnaethoch wrthbrofi'r un o'r pwyntiau a wneuthum. Dewch, gallwch chi hyd yn oed wneud yn well na hynny. [AELODAU'R CYNULLIAD: 'O'.]

Ysbyty i Blant yng Nghymru Children's Hospital for Wales

Q8 Pauline Jarman: Will the First Minister make a statement on whether his Government has any intention of increasing its capital investment in the proposed new children's hospital for Wales? (OAQ21209)

C8 Pauline Jarman: A wnaiff y Prif Weinidog ddatganiad ynghylch a oes gan ei Lywodraeth unrhyw fwriad i gynyddu ei fuddsoddiad cyfalaf yn yr ysbyty newydd arfaethedig i blant yng Nghymru? (OAQ21209)

The First Minister: In August 2001, we announced that the Assembly Government would make funding of £4.5 million available for the next development phase of a children's hospital following the initial phase, which is funded by charitable sources under the Noah's Ark appeal.

Y Prif Weinidog: Yn Awst 2001, bu inni gyhoeddi y byddai Llywodraeth y Cynulliad yn darparu £4.5 miliwn o gyllid ar gyfer cyfnod datblygu nesaf yr ysbyty i blant ar ôl y cyfnod cyntaf, a ariannir gan ffynonellau elusennol o dan apêl Arch Noa.

Pauline Jarman: You will be aware that that does not meet the proposed costs of the hospital, namely £20 million. It is disappointing that you could not offer the fundraisers the type of comfort that I thought you would. You may be aware that the cost of furniture and fittings on top of that sum is £1.5 million. The fundraisers do not currently have that amount of money. Will you commit to meet these costs so that fundraisers can avoid applying for lottery money, which was meant to be used in addition to, and not instead of, Government funding?

Pauline Jarman: Byddwch yn ymwybodol nad yw hynny'n cwrdd â chostau arfaethedig yr ysbyty, sef £20 miliwn. Mae'n drueni na allech gynnig y math o gysur i'r codwyr arian ag y disgwyliais. Efallai y gwyddoch mai'r gost am ddodrefn a gosodiadau ar ben y swm hwnnw yw £1.5 miliwn. Nid yw'r arian hwnnw gan y codwyr arian ar hyn o bryd. A wnewch ymrwymo i gwrdd â'r costau hyn fel na fydd yn rhaid ymgeisio am arian loteri, sydd i fod i gael ei ddefnyddio ar ben cyllid Llywodraeth, ac nid yn ei le?

The First Minister: The full business case for this phase was only submitted on 5 December and is still being considered by officials.

Y Prif Weinidog: Dim ond ar 5 Rhagfyr y cyflwynwyd yr achos busnes llawn ar gyfer y cyfnod hwn ac mae swyddogion yn dal i'w ystyried.

David Melding: Everyone welcomes the investment in the children's hospital so far and the amount being given by the Government. We feel that it should be funded fully by the savings made from not building a new Assembly building. Do you accept that we need to fund this hospital fully as soon as possible? We should consider all means including a private finance initiative.

The First Minister: We have said that a business case has to be made by the individual trust and initially considered by the health authority at which point that business case is put to the Assembly Government. It was its decision to fund the initial stages through a public appeal, which is frequently practised by other hospitals involving children's services, such as Great Ormond Street. If Great Ormond Street can raise charitable funds through public appeals, there is no reason to suppose that we cannot do the same in Wales. It is perfectly proper to consider doing the same in Wales, otherwise people in Wales who are interested in making charitable donations to children's services have no other alternative than to donate to Great Ormond Street. It is proper that people who are interested in donating to children's services have the choice to do so in Wales. I am pleased that they have chosen to do so. We are now considering the business case for phase 1B.

Peter Black: Do you agree that as important as this hospital is, it is not a children's hospital for Wales, but one for the Cardiff area and that many other children's services will remain in place and still service their local areas? If we are to increase capital investment into children's services, we also need to do so elsewhere in Wales to consolidate services in other areas.

The First Minister: Initially, services to treat the more complex illnesses, from which a small number of children unfortunately suffer, will be provided in one hospital in Wales, but as time goes by in the NHS and within 10 years or so, those services will be provided in every local district general hospital. Unfortunately, in some cases it can go the other way. Such provision could start

David Melding: Mae pawb yn croesawu'r buddsoddiad a fu yn yr ysbyty i blant hyd yn hyn a'r swm a roddir gan y Llywodraeth. Teimlwn y dylid ei ariannu'n llawn â'r hyn a arbedir o beidio â chodi adeilad newydd i'r Cynulliad. A ydych yn derbyn bod rhaid inni ariannu'r ysbyty hwn yn llwyr cyn gynted ag y bo modd? Dylem ystyried pob dull gan gynnwys menter cyllid preifat.

Y Prif Weinidog: Dywedasom fod yn rhaid i'r ymddiriedolaeth gyflwyno achos busnes ei hun a gaiff ei ystyried yn gyntaf gan yr awdurdod iechyd. Wedyn, caiff yr achos busnes hwnnw ei gyflwyno i Lywodraeth y Cynulliad. Ei phenderfyniad hi oedd ariannu'r cyfnodau cyntaf drwy apel gyhoeddus, sy'n arfer gyffredin gan ysbytai eraill sy'n ymwneud â gwasanaethau i blant, fel ysbyty Great Ormond Street i blant. Os gall ysbyty Great Ormond Street godi arian elusennol drwy apelau cyhoeddus, nid oes rheswm i dybio na allwn wneud yr un peth yng Nghymru. Mae'n gwbl briodol ystyried gwneud yr un peth yng Nghymru, neu fel arall nid oes gan bobl Cymru a garai roi arian elusennol at wasanaethau i blant unrhyw ddewis arall ond ei roi i ysbyty Great Ormond Street. Mae'n briodol i'r sawl a garai roi arian at wasanaethau i blant gael dewis gwneud hynny yng Nghymru. Yr wyf yn falch eu bod wedi dewis gwneud hynny. Yr ydym yn ystyried yr achos busnes ar gyfer cyfnod 1B yn awr.

Peter Black: A gytunwch, er pwysiced yw'r ysbyty hwn, nad ysbyty i blant ar gyfer Cymru ydyw, ond un ar gyfer ardal Caerdydd, ac y bydd llawer o wasanaethau eraill i blant yn aros ac yn dal i wasanaethu eu hardaloedd lleol? Os yr ydym i roi mwy o fuddsoddiad cyfalaf at wasanaethau i blant, rhaid gwneud hynny mewn rhannau eraill o Gymru hefyd er mwyn atgyfnerthu'r gwasanaethau mewn ardaloedd eraill.

Y Prif Weinidog: I ddechrau, bydd gwasanaethau i drin yr anhwylderau mwy cymhleth, y mae nifer fach o blant yn dioddef gwaetha'r modd, yn cael eu darparu mewn un ysbyty yng Nghymru, ond ymhén amser yn y GIG ac o fewn tua 10 mlynedd, darperir y gwasanaethau hynny ymhob ysbyty dosbarth cyffredinol lleol. Yn anffodus, mewn rhai achosion, gall fynd fel arall. Gallai

off in Wales and then the Royal Colleges of Medicine's rules could change in terms of the minimum number of cases that are required to sustain the service. Those services would then be lost to Wales and children who could have been treated in Swansea, Cardiff or wherever would have to travel to Birmingham, Bristol and Great Ormond Street.

It happens both ways. It depends on the number of patients treated relative to the number per year that is considered the realistic minimum by the Royal Colleges of Medicine in terms of providing doctors with the necessary expertise to be able to operate safely. That is particularly important given the children's heart scandal at the Bristol Royal Infirmary and following Sir Ian Kennedy's report. It will cut both ways for the next 20 years. We have to provide the best services possible in all parts of Wales. In north Wales that means sending children to the Alder Hey hospital in Liverpool, so we are only talking about lack of provision in mid and west Wales. We have now invested a great deal of money into recruiting additional paediatricians, some of whom will work in Swansea and some in Cardiff.

darpariaeth o'r fath gychwyn yng Nghymru ac wedyn gallai rheolau'r Colegau Meddygaeth Brenhinol newid o ran yr isafswm o achosion y mae eu hangen i gynnal y gwasanaeth. Wedyn byddai Cymru'n colli'r gwasanaethau hynny a byddai'r plant y gallasid eu trin yn Abertawe, Caerdydd neu ba le bynnag yn gorfod teithio i Birmingham, Bryste ac ysbyty Great Ormond Street.

Mae'n digwydd y ddwy ffordd. Mae'n dibynnu ar nifer y cleifion a gaiff eu trin o'u cymharu â'r nifer y flwyddyn a ystyrir yn lleiafswm realistig gan y Colegau Meddygaeth Brenhinol o ran rhoi'r arbenigedd angenrheidiol i feddygon fel y gallant weithredu'n ddiogel. Mae hynny'n arbennig o bwysig o ystyried y sgandal calonnau plant yn Ysbyty Brenhinol Bryste ac ar ôl adroddiad Syr Ian Kennedy. Bydd yn gweithio'r ddwy ffordd dros yr 20 mlynedd nesaf. Rhaid inni ddarparu'r gwasanaethau gorau posibl ymhob rhan o Gymru. Yn y Gogledd, golyga hynny anfon plant i ysbyty Alder Hey yn Lerpwl, felly nid ydym ond yn sôn am ddiffyg darpariaeth yn y Canolbarth a'r Gorllewin. Yr ydym wedi buddsoddi llawer iawn o arian bellach mewn recriwtio pediatregwyr ychwanegol, y bydd rhai ohonynt yn gweithio yn Abertawe a rhai yng Nghaerdydd.

Polisiau Trafnidiaeth Transport Policies

Q9 David Davies: What impact is the Welsh Assembly Government's transport policies having on economic development in Wales? (OAQ21223)

The First Minister: It is having a healthy impact. On the road proposals, you will know of the £40 million being spent on the top section of the road from Tredegar to Dowlais because it affects your constituency. Work on that started earlier this summer. That is the first part of the dualling of the Heads of the Valleys road. You will also know that the next phase of that will be in your constituency, namely the £20 million that we are spending on the Abergavenny to Gilwern section of dualling the Heads of the Valleys road. Towards the southern end, you will be pleased to note the major PFI scheme of the gross capital cost of £50 million Newport

C9 David Davies: Pa effaith y mae polisiau trafndiaeth Llywodraeth Cynulliad Cymru yn ei chael ar ddatblygu economaidd yng Nghymru? (OAQ21223)

Y Prif Weinidog: Mae'n cael effaith lesol. Ynghylch y cynigion ar gyfer ffyrdd, gwyddoch am y £40 miliwn a warir ar ran uchaf y ffordd o Dredegar i Ddowlais gan ei fod yn effeithio ar eich etholaeth. Dechreuodd y gwaith ar hynny yn yr haf eleni. Dyna ran gyntaf y gwaith o ddeuoli ffordd Blaenau'r Cymoedd. Gwyddoch hefyd y bydd y rhan nesaf o'r gwaith hwnnw yn eich etholaeth chi, sef yr £20 miliwn yr ydym yn ei wario ar y gwaith o ddeuoli ffordd Blaenau'r Cymoedd o'r Fenni i Gilwern. Tua'r pen deheuol, byddwch yn falch o nodi'r cynllun menter cyllid preifat mawr ar gyfer y gost cyfalaf crynswth o £50 miliwn ar

southern distributor road, which will serve people in your constituency as they head around Newport on the south side.

David Davies: I am aware that having a decent transport infrastructure is vital if industry is to develop in south-east Wales. I am also aware that the congestion levels on the M4 are so bad that we need something much more fundamental than a southern distributor road. Under New Labour, taxes on motorists have risen and none of that money has gone back into providing decent alternatives. When will we have a transport policy that benefits Wales? Will you also do something about the ridiculous £20 million scheme to build a monorail system in Cardiff bay?

2:40 p.m.

The First Minister: I am not sure why you did not simply rest after the first part of your question. I think that you were welcoming—but perhaps you could not bring yourself to say the word ‘welcome’—the £50 million being spent on the southern distributor road. You say that that is not enough to solve all the congestion problems around Newport and I agree that it is not. I think that you were also welcoming—although you may have omitted to say it—the dualling of the Heads of the Valleys road. That scheme is costing £283 million. No-one could say that spending that amount over a period of more than 10 years is a small scheme and an unfair return to taxpayers in Wales on the money that they have paid in road taxes. The scheme covers areas close to or in your constituency. I would have thought that you would say for once that you welcome what the Assembly Government is doing, namely spending large amounts of money on assisting drivers or lorry owners working in and around your constituency.

Rosemary Butler: I am sure that the First Minister agrees with me that retail spend is vital to the Welsh economy. Research shows that it has increased considerably as a result of senior citizens taking advantage of the

gyfer ffordd ddosbarthu ddeheuol Casnewydd, a fydd yn gwasanaethu pobl eich etholaeth wrth iddynt fynd heibio i Gasnewydd ar yr ochr ddeheuol.

David Davies: Yr wyf yn ymwybodol ei bod yn hollbwysig cael seilwaith trafndiaeth derbyniol os yw diwydiant i ddatblygu yn y De-ddwyrain. Yr wyf hefyd yn ymwybodol bod y tagfeydd ar yr M4 mor ddrwg fel bod arnom angen rhywbeth mwy sylfaenol o lawer na ffordd ddosbarthu ddeheuol. O dan Lafur Newydd, mae'r trethi ar fodurwyr wedi codi ac nid oes dim o'r arian hwnnw wedi mynd tuag at ddarparu dewisiadau amgen derbyniol. Pryd y cawn bolisi trafndiaeth sydd o fudd i Gymru? A wnewch rywbeth hefyd ynghylch y cynllun chwerthinllyd gwerth £20 miliwn i adeiladu system drên un-gledren ym mae Caerdydd?

Y Prif Weinidog: Nid wyf yn siŵr pam na wnaethoch orffen ar ôl rhan gyntaf eich cwestiwn. Credaf eich bod yn croesawu—ond efallai nad oeddech yn gallu'ch darbwyllo eich hun i ddweud y gair ‘croesawu’—y £50 miliwn a warir ar y ffordd ddosbarthu ddeheuol. Dywedwch nad yw hynny'n ddigon i ddatrys yr holl broblemau o dagfeydd yng nghyffiniau Casnewydd a chytunaf nad ydyw. Credaf eich bod hefyd yn croesawu—er y gallech fod wedi anghofio dweud hynny—y gwaith o ddeuoli ffordd Blaenau'r Cymoedd. Mae'r cynllun hwnnw'n costio £283 miliwn. Ni allai neb ddweud mai cynllun bach yw gwario swm o'r fath dros gyfnod o fwy na 10 mlynedd a'i fod yn ad-daliad annheg i drethdalwyr yng Nghymru am yr arian a wariwyd ar drethi ffyrdd. Mae'r cynllun yn cynnwys ardaloedd yn eich etholaeth neu'n agos iddi. Tybiaswn y byddech yn dweud am unwaith eich bod yn croesawu'r hyn y mae Llywodraeth y Cynulliad yn ei wneud, sef gwario symiau mawr o arian ar gynorthwyo gyrrwyr neu berchnogion lorïau yn eich etholaeth chi a'i chyffiniau.

Rosemary Butler: Yr wyf yn siŵr bod y Prif Weinidog yn cytuno â mi fod gwariant drwy adwerthu'n hollbwysig i economi Cymru. Dengys ymchwil ei fod wedi cynyddu'n sylweddol am fod pensiywyr yn manteisio

Assembly-sponsored free bus pass scheme. Will the First Minister confirm that the Assembly will continue to fund this popular initiative?

The First Minister: There is no question about that. I cannot understand how a story about a body commissioned to consider transport infrastructure and the availability of concessionary passes in England was somehow transferred by the press, which always wants to print bad news because panic sells papers, to refer to Wales. It does not refer to Wales, and that has never been suggested. We have made it clear that we are not changing the policy on the universal access to free bus travel via free bus passes for pensioners and those with a registered disability. That will continue and that is our policy. Anyone who suggests otherwise is simply trying to create panic to sell a few cheap newspapers.

Janet Davies: Policies on rail transport are exceedingly important for economic development. Therefore, figures that put rail spending in Wales at less than £95 million this year—compared to £300 million allocated on a population basis—will have a serious economic impact. Will you ensure that you fight against the Strategic Rail Authority's suggested 20 per cent cut of that £95 million and ensure that it is replaced by the justified £300 million?

The First Minister: Our aim is to get the Wales and borders franchise up and running as soon as possible and to get the company that will be chosen to run the franchise—it is an ambitious programme—to start operating by the end of 2003. We hope that a decision on the tender will be made in April and that the programme will be implemented in October 2003. That does not cover mainline services where the bulk of the expenditure is being spent on the north-west Wales main line. However, no-one from north Wales would claim that the expenditure on the north west route up to Manchester, Liverpool and Glasgow will not have a beneficial impact on their area: it clearly will. That investment is key to the links in the north-west corridor

ar y cynllun tocynnau bws am ddim a noddir gan y Cynulliad. A wnaiff y Prif Weinidog gadarnhau y bydd y Cynulliad yn parhau i ariannu'r fenter boblogaidd hon?

Y Prif Weinidog: Nid oes amheuaeth ynghylch hynny. Ni allaf ddeall sut y cafodd stori am gorff a gomisiynwyd i ystyried seilwaith trafndiaeth ac argaeledd tocynnau consesiynol yn Lloegr ei throsglwyddo rywsut gan y wasg, sydd bob amser am argraffu newyddion drwg gan fod panig yn gwerthu papurau, fel ei bod yn ymwneud â Chymru. Nid yw'n ymwneud â Chymru, ac nid awgrymwyd hynny erioed. Rhoesom ar ddeall nad ydym yn newid y polisi ar fynediad cyffredinol i deithio ar fysiau am ddim drwy docynnau bws am ddim i bensiywyr â'r sawl ag anabledd cofrestredig. Bydd hynny'n parhau a dyna yw ein polisi. Mae unrhyw un sy'n awgrymu fel arall ond yn gwneud hynny i geisio creu panig a gwerthu ychydig o bapurau newydd rhad.

Janet Davies: Mae polisïau ar drafndiaeth rheilffyrdd yn bwysig dros ben i ddatblygu economaidd. Felly, bydd ffigurau sy'n dangos bod y gwariant ar reilffyrdd yng Nghymru'n llai na £95 miliwn eleni—o'i gymharu â'r £300 miliwn a gâi ei ddyrannu ar sail poblogaeth—yn cael effaith ddifrifol ar yr economi. A wnewch sicrhau eich bod yn ymladd yn erbyn awgrym yr Awdurdod Rheilffyrdd Strategol i dorri'r £95 miliwn hwnnw 20 y cant, gan sicrhau y ceir £300 miliwn yn ei le, fel y bo'n deg?

Y Prif Weinidog: Ein nod yw rhoi masnachfrait Cymru a'r gororau ar waith cyn gynted ag y bo modd a chael y cwmni a ddewisir i redeg y fasnachfrait—rhaglen uchelgeisiol ydyw—i ddechrau gweithredu erbyn diwedd 2003. Gobeithiwn y ceir penderfyniad ar y tendr ym mis Ebrill ac y caiff y rhaglen ei rhoi ar waith ym mis Hydref 2003. Nid yw hynny'n cynnwys gwasanaethau prif linell lle y mae'r rhan helaethaf o'r gwariant ar brif linell gogledd-orllewin Cymru. Fodd bynnag, ni fyddai neb o'r Gogledd yn honni na fydd y gwariant ar lwybr y gogledd-orllewin i Fanceinion, Lerpwl a Glasgow yn cael effaith lesol ar ei ardal: mae'n amlwg y bydd. Mae'r buddsoddiad hwnnw'n allweddol i'r

from London to the midlands and then to north Wales, north-west England and west-central Scotland. That is important. However, it is taking up a great deal of the SRA's resources at present. That is how such projects work: you cannot build a quarter of a line, distribute the money elsewhere and then build the next quarter. That would not make any sense. Therefore, the figures look bad, but the current schemes will benefit part of Wales at least. We continue with our main negotiations—which I am sure that everyone welcomes although they cannot bring themselves to say so for political reasons—to get the Wales and borders franchise up and running next year.

cysylltiadau yng nghoridor y gogledd-orllewin o Lundain i ganolbarth Lloegr ac wedyn i ogledd Cymru, gogledd-orllewin Lloegr a gorllewin canolbarth yr Alban. Mae hynny'n bwysig. Fodd bynnag, mae'n mynd â llawer iawn o adnoddau'r Awdurdod Rheilffyrdd Strategol ar hyn o bryd. Felly y mae prosiectau o'r fath yn gweithio: ni allwch adeiladu chwarter llinell, dosbarthu'r arian mewn manau eraill ac wedyn adeiladu'r chwarter nesaf. Ni wnâi hynny ddim synnwyr. Felly, mae'r ffigurau'n edrych yn wael, ond bydd y cynlluniau presennol o fudd i un rhan o Gymru o leiaf. Parhawn â'n prif negodiadau—a groesewir gan bawb yr wyf yn siŵr, er na allant ddweud hynny am resymau gwleidyddol—i roi masnachfrait Cymru a'r gororau ar waith y flwyddyn nesaf.

Ffioedd Ychwanegol ar gyfer Myfyrwyr Prifysgol Top-up Fees for University Students

Q10 Kirsty Williams: Will the Minister make a statement on top-up fees for university students? (OAQ21199)

C10 Kirsty Williams: A wnaiff y Gweinidog ddatganiad am ffioedd ychwanegol ar gyfer myfyrwyr prifysgol? (OAQ21199)

The First Minister: The Welsh Assembly Government's view, based on the findings of the Rees report, is that top-up fees are undesirable because they restrict access and discourage our widening of access agenda.

Y Prif Weinidog: Barn Llywodraeth Cynulliad Cymru, ar sail canfyddiadau adroddiad Rees, yw bod ffioedd ychwanegol yn annymunol am eu bod yn cyfyngu ar fynediad ac yn anghefnogol i'n hagenda o ehangu mynediad.

Kirsty Williams: Given that the Westminster Labour Government is not yet convinced of that view, do you agree that it is now even more desirable than ever that powers to decide such issues should be devolved to the National Assembly?

Kirsty Williams: Gan nad yw Llywodraeth Lafur San Steffan wedi'i hargyhoeddi eto o'r farn honno, a ydych yn cytuno ei bod bellach yn fwy dymunol nag erioed o'r blaen i bwerau penderfynu ar faterion o'r fath gael eu datganoli i'r Cynulliad Cenedlaethol?

The First Minister: That is the view that we made clear to the Westminster Government. I do not think that it has a fixed view at present, otherwise it would not be publishing a White Paper in January. That will cover the whole range of options for financing higher education and making good the deficit in higher education spend as seen by the universities, the Treasury, the Department for Education and Skills, and their equivalents in Wales, Scotland and Northern Ireland. This will deal with the problem of what to do about tuition fees, the grant level, the graduate tax issue, the differential fees for the

Y Prif Weinidog: Dyna'r farn inni ei chyfleu i Lywodraeth San Steffan. Ni chredaf fod ganddi farn bendant ar hyn o bryd, neu fel arall ni chyhoeddai Bapur Gwyn yn Ionawr. Bydd hwnnw'n ymdrin â'r holl amrediad o ddewisiadau ar gyfer ariannu addysg uwch a chywiro'r diffyg yn y gwariant ar addysg uwch fel y gwelir hynny gan y prifysgolion, y Trysorlys, yr Adran Addysg a Sgiliau, a'r rhai sy'n cyfateb iddynt yng Nghymru, yr Alban a Gogledd Iwerddon. Bydd hwn yn ymdrin â'r broblem o beth i'w wneud ynghylch ffioedd dysgu, lefel y grant, mater treth y graddedigion, y ffioedd gwahanredol

more expensive courses, and top-up fees for the so-called Russell group of elite universities. There is no fixed view as yet and, therefore, we will make clear our view that top-up fees will discourage the widening of access to university for people who have not previously had the opportunity to pursue full-time further education.

Jonathan Morgan: Since the Labour Government at Westminster introduced tuition fees and abolished the student maintenance grant, student debt in Britain has almost doubled to an average of approximately £12,000 by the end of a three-year undergraduate degree course. How much more debt do you think students in Britain must cope with before your party will be satisfied that sufficient damage has been done?

The First Minister: I would not like to think that you were the first case in medical history where crocodile tears have caused temporary memory loss, Jonathan. We remember when maintenance grants were first eroded and replaced by student fees. The Labour Government went further by introducing tuition fees in 1997. I regret that, because I have always been in favour of the graduate tax option. However, I understand that Gordon Brown took this course of action in order to get money to universities quickly, rather than wait five years, as would have been the case with the graduate tax.

We are very conscious of student debt. The fear of debt is sometimes greatest among those who would be exempt from tuition fees as a result of them being less well off. However, that does not persuade them that they would be exempt. We must therefore consider the perception of what debt levels will be and the resulting discouragement to students whose families and communities have not traditionally sent people to university. This is why the situation is regrettable and why we chose to provide Assembly learning grants where possible and to ask the Government to abolish tuition fees. I am sure that this option will be considered in the White Paper. However, this does not absolve the Government from the need to provide money. The issue involves the questions of how and when the money will be

ar gyfer y cyrsiau drutach, a ffioedd ychwanegol ar gyfer grŵp Russell o'r prifysgolion gorau, fel y'i gelwir. Nid oes barn bendant hyd yn hyn ac, felly, cyflawn ein barn y bydd ffioedd ychwanegol yn anghefnogi ehangu mynediad i brifysgolion ar gyfer pobl na chawsant gyfle o'r blaen i ddilyn addysg bellach lawn-amser.

Jonathan Morgan: Ers i'r Llywodraeth Lafur yn San Steffan gyflwyno ffioedd dysgu a diddymu'r grant cynnal myfyrwyr, mae'r ddyled ymysg myfyrwyr ym Mhrydain wedi dyblu bron i gyfartaledd o tua £12,000 erbyn diwedd cwrs gradd israddedig tair blynedd. Faint mwy o ddyled y credwch y bydd myfyrwyr ym Mhrydain yn gorfodi ymdopi â hi cyn y bydd eich plaid yn fodlon bod digon o ddifrod wedi'i wneud?

Y Prif Weinidog: Ni hoffwn feddwl mai chi oedd yr achos cyntaf yn hanes meddygaeth i ddagrau ffug beri anghofrwydd dros dro, Jonathan. Yr ydym yn cofio'r erydu cyntaf ar grantiau cynnal a'r rhoi ffioedd myfyrwyr yn eu lle. Aeth y Llywodraeth Lafur ymhellach drwy gyflwyno ffioedd dysgu yn 1997. Mae hynny'n ofid i mi, gan fy mod yn bleidiol erioed dros dreth i raddedigion. Fodd bynnag, deallaf i Gordon Brown weithredu felly er mwyn i brifysgolion gael arian yn gyflym, yn hytrach na gorfod disgwyl pum mlynedd, fel y digwyddasai gyda'r dreth i raddedigion.

Yr ydym yn ymwybodol iawn o ddyled ymysg myfyrwyr. Weithiau mae ofn dyled ar ei fwyaf ymysg y sawl a gânt eu heithrio o dalu ffioedd dysgu am eu bod yn llai cefnog. Fodd bynnag, nid yw hynny'n eu darbwyllo y byddent yn cael eu heithrio. Gan hynny, rhaid inni ystyried y canfyddiad o lefelau dyled tebygol a'r anghefnogaeth o ganlyniad i hynny i fyfyrwyr nad yw eu teuluoedd a'u cymunedau wedi arfer anfon pobl i brifysgol. Dyna pam y mae'r sefyllfa'n anffodus a pham inni ddewis darparu grantiau dysgu'r Cynulliad lle'r oedd modd a gofyn i'r Llywodraeth ddiddymu ffioedd dysgu. Yr wyf yn sicr y caiff y dewis hwnnw ei ystyried yn y Papur Gwyn. Fodd bynnag, nid yw hynny'n rhyddhau'r Llywodraeth oddi wrth yr angen i ddarparu arian. Mae'r mater hwn yn ymwneud â sut a pha bryd y telir yr arian

paid and when should students make their contribution. As I have said previously, I believe that students should pay when they can afford to do so.

Lorraine Barrett: Will you tell me where the Conservatives think they will get the money to make up for the estimated £25 billion shortfall in the university system?

The First Minister: As figures are not the Conservatives' strong point, I dare not ask from where they got them.

a pha bryd y dylai myfyrwyr roi eu cyfraniad hwy. Fel y dywedais o'r blaen, credaf y dylai myfyrwyr dalu pan fedrant fforddio gwneud hynny.

Lorraine Barrett: A wnewch ddweud wrthyf o ba le y cred y Ceidwadwyr y cânt yr arian i wneud iawn am y diffyg amcangyfrifedig o £25 miliwn yn y system brifysgolion?

Y Prif Weinidog: Gan nad ffigurau yw cryfder y Ceidwadwyr, ni feiddiaf ofyn o ble y cawsant hwy.

Datganiad Busnes Business Statement

The Business Minister (Carwyn Jones): I wish to inform Members of the changes to this week's business. Later this afternoon, immediately before the debate on the Education Act 2002 (Commencement No. 1) (Wales) Order 2002, I will propose the motion tabled yesterday in my name proposing the suspension of Standing Orders Nos. 22.18 and 22.19, in order for the Presiding Officer to put to the vote all of the amendments tabled by Jonathan Morgan, Nick Bourne and David Melding as a single proposition. Tomorrow, with your agreement, Llywydd, and with that of the Assembly, the motion to approve the Leasehold Reform (Notices) (Amendment) (Wales) Regulations 2002 and the motion to delegate the function of the Commonhold and Leasehold Reform Act 2002 will be taken together with separate votes at the end. As to the next three week's business, the draft statement is as shown on the Chamberweb under supporting documents.

Following the Business Committee's meeting this morning, the Deputy Presiding Officer determined that, under Standing Order No. 22.5, the following items of legislation need not be referred to a Subject Committee for extended consideration: the Education (Teachers' Qualifications and Health Standards) (Amendment) (Wales) Regulations 2003; the Long Residential Tenancies (Principal Forms) (Amendment) (Wales) Regulations 2003; the National Health Service (General Dental Services) and

Y Trefnydd (Carwyn Jones): Dymunaf hysbysu Aelodau am y newidiadau i fusnes yr wythnos hon. Yn hwyrach y prynhawn yma, yn union ar ôl y ddaidl ar Orchymyn Deddf Addysg 2002 (Cychwyn Rhif 1) (Cymru) 2002, byddaf yn cynnig y cynnig a gyflwynwyd ddoe yn fy enw i'n cynnig gohirio Rheolau Sefydlog Rhifau 22.18 a 22.19, fel y gall y Llywydd alw am bleidlais ar yr holl welliannau a gyflwynwyd gan Jonathan Morgan, Nick Bourne a David Melding fel un cynnig. Yfory, gyda'ch cydsyniad chi, Lywydd, a chydsyniad y Cynulliad, cymerir y cynnig i gymeradwyo Rheoliadau Diwygio'r Drefn Brydlesol (Hysbysiadau) (Diwygio) (Cymru) 2002 a'r cynnig i ddirprwyo swyddogaeth Deddf Diwygio Deiliadaeth ar y Cyd a Lesdaliad 2002 gyda'i gilydd gyda phleidleisiau ar wahân ar y diwedd. Am fusnes y tair wythnos nesaf, mae'r datganiad drafft fel y'i dangosir ar we'r Siambr o dan ddogfennau ategol.

Ar ôl cyfarfod y Pwyllgor Busnes y bore yma, penderfynodd y Dirprwy Lywydd, o dan Reol Sefydlog Rhif 22.5, nad oes angen cyfeirio'r eitemau canlynol o ddeddfwriaeth i Bwyllgor Pwnc i'w hystyried yn helaethach: Rheoliadau Addysg (Cymwysterau a Safonau Iechyd Athrawon) (Diwygio) (Cymru) 2003; Rheoliadau Tenantiaethau Preswyl Hir (Prif Ffurflenni) (Cymru) (Diwygio) 2003; Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Deintyddol Cyffredinol) a (Ffioedd Deintyddol) (Diwygio) (Cymru)

(Dental Charges) (Amendment) (Wales) Regulations 2003; the National Health Service (General Medical Services) (Amendment No. 2) (Wales) Regulations 2003; the National Health Service (General Medical Services) and (Pharmaceutical Services) (Amendment) (Wales) Regulations 2003; the Town and Country Planning (Enforcement) (Written Representations Procedure) (Wales) Regulations 2003; the Town and Country Planning (Enforcement Notices and Appeals) (Wales) Regulations 2003, and the Town and Country Planning (Referrals and Appeals) (Written Representations Procedure) (Wales) Regulations 2003.

Y Llywydd: Nid oes gwrthwynebiad i'r datganiad busnes, felly yr wyf yn gwahodd sylwadau arno.

Elin Jones: Sylwaf nad oes dadl ar yr economi wedi'i chynnwys yn y flaenraglen waith. Nid yw eich Llywodraeth byth yn cyflwyno dadl ar y pwnc hwn. Gwyddoch fod British Airways wedi penderfynu tynnu allan o faes awyr cenedlaethol Caerdydd y bore yma, sydd yn adlewyrchiad clir o wendid economi Cymru. Caiff trafniadaeth awyr ei defnyddio gan economegwyr fel dangosydd o lewyrch economaidd, ac mae'r ffaith bod BA wedi cefnu ar Gymru, a chanoli ar Lundain a Bryste, yn dangos diffyg ffydd y cwmni yn yr economi Gymreig. Daw'r newyddion hyn ar ben y colledion swyddi yr ydym wedi clywed sôn amdanynt gan nifer o Aelodau Cynulliad y prynhawn yma—collwyd dros 600 o swyddi yng Nghymru yn ystod yr wythnos diwethaf yn unig. Dengys dangosyddion economaidd fod y bwlch rhwng economi Cymru a gweddill y Deyrnas Gyfunol yn parhau i ledu.

2:50 p.m.

Yn ogystal, mae'r Swyddfa Ystadegau Gwladol wedi gohirio, unwaith eto, ryddhau ffigurau cynnyrch mewnwladol crynswth Cymru. Yr oedd y ffigurau hynny i fod i gael eu rhyddhau yfory ond ni fydd y ffigurau ar gael tan y gwanwyn. Nid oes ffigurau CMC ar gyfer Cymru wedi eu rhyddhau ers dechrau'r Cynulliad ond, o ystyried methiant cynyddol eich polisiau economaidd, efallai ei bod yn eich taro i'r dim bod y Swyddfa

2003; Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Meddygol Cyffredinol) (Diwygio) (Rhif 2) (Cymru) 2003; Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Meddygol Cyffredinol) a (Gwasanaethau Fferyllol) (Diwygio) (Cymru) 2003; Rheoliadau Cynllunio Gwlad a Thref (Gorfodi) (Gweithdrefn Sylwadau Ysgrifenedig) (Cymru) 2003; Rheoliadau Cynllunio Gwlad a Thref (Hysbysiadau Gorfodi ac Apelau) (Cymru) 2003, a Rheoliadau Cynllunio Gwlad a Thref (Atgyfeiriadau ac Apelau) (Gweithdrefn Sylwadau Ysgrifenedig) (Cymru) 2003.

The Presiding Officer: There are no objections to the business statement, therefore I invite comments on it.

Elin Jones: I notice that a debate on the economy has not been included in the forward look. Your Government never includes debates on this subject. You will know that this morning British Airways decided to withdraw from Cardiff international airport, which is a clear indication of the weakness of the Welsh economy. Air traffic is used by economists as an indicator of economic prosperity, and the fact that BA has turned its back on Wales, and concentrated its operations on London and Bristol, is symptomatic of the company's lack of confidence in the Welsh economy. This news comes on top of the job losses that we have heard mentioned by many Assembly Members this afternoon—over 600 jobs have been lost in Wales during the past week alone. Economic indicators show that the gap between the Welsh economy and that of the rest of the United Kingdom continues to widen.

On top of this, the Office for National Statistics has postponed, once again, the release of Wales's gross domestic product figures. Those figures were to be released tomorrow but will now not be available until the spring. No GDP figures for Wales have been published since the Assembly's inception but, given the mounting failure of your economic policies, it might suit you that the Office for National Statistics refuses to

Ystadegau Gwladol yn gwrthod rhyddhau'r ffigurau hyn. Pryd y bydd eich Llywodraeth yn barod i gymryd cyfrifoldeb am barhad gwendid economi Cymru, a phryd fyddwch yn cyflwyno dadl ar yr economi yn y Cynulliad Cenedlaethol, neu ai'ch bwriad yw osgoi cyfrifoldeb ac osgoi craffu?

Alun Pugh: You will be aware of no named day motion 1270, Carwyn, which seeks a health Bill for Wales to protect children and non-smoking adults from the proven dangers of environmental tobacco smoke. Will you put this motion on the agenda at an early date?

Peter Rogers: Will you consider scheduling a debate on the agricultural support payments system that is being administered by the Assembly, Minister? This is probably the most contentious problem currently facing agriculture in Wales, and since I was verbally abused by the First Minister in the Chamber, the payments scheme has probably become far worse. Not only do we have staff in divisional offices the majority of whose time is taken up answering calls from worried farmers and others regarding payments, but their morale and workload must be affected and their usual work significantly interrupted. Confidence in that sector must be at rock bottom.

I sent four e-mails yesterday to various Ministers, including the First Minister, regarding these payments. Problems have now even extended to the Objective 1 Farming Connect payments, which are already running late. Farmers are now being told that they need to submit letters from their banks noting that they are in financial hardship in order for officials to administer this money. Many other schemes are being held up because of computer problems. Staff in divisional offices are receiving the flak, when the Minister should be receiving it. I ask for a debate urgently to consider what we can do to put a system in place in Wales that is on a par with those in England, Scotland and Ireland, so that we can ensure that farmers' financial commitments are met. The environmental payments are now also awaiting—

release these figures. When will your Government take responsibility for the continuing weakness of the Welsh economy, and when will you table a debate on the economy in the National Assembly, or is it your intention to avoid responsibility and scrutiny?

Alun Pugh: Gwyddoch am gynnig heb ddyddiad trafod 1270, Carwyn, sy'n ceisio Mesur iechyd i Gymru i amddiffyn plant ac oedolion nad ydynt yn ysmegu rhag peryglon profedig mwg tybaco yn yr amgylchedd. A wnewch roi'r cynnig hwn ar yr agenda'n fuan?

Peter Rogers: A wnewch ystyried amserlennu dadl ar y system taliadau cymorth amaethyddol a weinyddir gan y Cynulliad, Drefnydd? Mae'n debyg mai hon yw'r broblem fwyaf dadleuol sy'n wynebu amaethyddiaeth yng Nghymru ar hyn o bryd, ac ers imi gael fy sarhau ar lafar gan y Prif Weinidog yn y Siambr, mae'r cynllun taliadau wedi mynd yn waeth o lawer, yn ôl pob tebyg. Y mae gennym staff mewn swyddfeydd rhanbarthol sy'n treulio'r rhan fwyaf o'u hamser yn ateb galwadau oddi wrth ffermwyr gofidus ac eraill ynghylch taliadau, ond mae'n sicr bod effaith ar eu morâl a'u llwyth gwaith hefyd ac amharir yn sylweddol ar eu gwaith arferol. Mae'n sicr bod hyder y sector hwnnw ar ei isaf.

Anfonais bedair neges e-bost ddoe at wahanol Weinidogion, gan gynnwys y Prif Weinidog, ynghylch y taliadau hyn. Ceir problemau bellach hyd yn oed yn nhaliadau Cyswllt Ffermio Amcan 1, sydd eisoes yn hwyr. Dywedir wrth ffermwyr yn awr fod rhaid iddynt gyflwyno llythyrau oddi wrth eu banciau'n nodi eu bod yn profi caledi ariannol er mwyn i swyddogion roi'r arian hwn. Mae llawer o gynlluniau eraill yn cael eu hoedi oherwydd problemau cyfrifiadurol. Staff mewn swyddfeydd rhanbarthol sy'n dod dan y lach, er mai'r Gweinidog a ddylai gael ei feirniadu. Gofynnaf am ddadl ar frys i ystyried beth y gallwn ei wneud i roi system ar waith yng Nghymru sy'n gystal â'r rhai yn Lloegr, yr Alban ac Iwerddon, fel y gallwn sicrhau y cyflawnir ymrwymadau ariannol ffermwyr. Yn ogystal â hynny, mae disgwyl yn awr i'r taliadau amgylcheddol—

The Presiding Officer: Order. This is an opportunity to comment on the business statement. It is not for making a speech on a substantive matter.

Peter Rogers: I would be grateful if the Government would consider an urgent response to my concerns.

Y Trefnydd (Carwyn Jones): Ar bwyntiau Elin, ni dderbyniwn fod gwendid yn economi Cymru. Os oes angen cael dadl ar hyn, gall Plaid Cymru gyflwyno dadl plaid leiafrifol ar y mater. Ar farn Plaid Cymru ar sefyllfa British Airways, mae lefel gwasanaeth BA yng Nghaerdydd wedi disgyn ers amser maith. Yr wyf yn siŵr y bydd cwmnïau eraill am ddefnyddio llwybrau taith BA. Mae British Midland ac Air Wales eisoes wedi dweud yn gyhoeddus fod diddordeb ganddynt mewn ambell lwybr taith. Felly, nid yw'n argyfwng bod BA wedi tynnu allan o faes awyr rhyngwladol Caerdydd. Mae wedi gwneud hyn o'r blaen, ac mae'r maes awyr wedi mynd o gryfder i gryfder. Gall cwmnïau eraill, sydd yn wahanol i BA, gymryd drosodd. Mae British Midland wedi dangos hynny, ac mae'r maes awyr yn mynd o gryfder i gryfder. Nid yw'n argyfwng bod un cwmni, sydd â darpariaeth gymharol fach yng Nghaerdydd, yn bwriadu dod â'r ddarpariaeth honno i ben.

I take Alun Pugh's point on board; I know how passionately he and other Members feel about that issue. I will seek to ensure that time is made available to debate that motion as soon as is practicably possible.

I am sorry that Peter Rogers feels that he has been verbally abused by the First Minister, as I know that he is careful to avoid allegations of such abuse himself. Given the detail involved in agricultural support payments, and given the time required to discuss them, it is best to raise difficulties—if there are any—in Committee, where they can be discussed in detail.

*Derbyniwyd y datganiad busnes.
Business statement adopted.*

Y Llywydd: Trefn. Cyfle i wneud sylwadau am y datganiad busnes yw hwn. Nid yw ar gyfer gwneud araith ar fater o bwys.

Peter Rogers: Byddwn yn ddiolchgar pe bai'r Llywodraeth yn ystyried ymateb ar frys i'm pryderon.

The Business Minister (Carwyn Jones): On Elin's points, we do not accept that the Welsh economy is weak. If a debate is needed, Plaid Cymru can propose a minority party debate on the matter. On Plaid Cymru's opinion on the British Airways situation, the level of BA services in Cardiff has been in decline for many years. I am sure that other companies will want to take over the flight paths run by BA. British Midland and Air Wales have already publicly stated that they are interested in taking over some of these routes. Therefore, the fact that BA has withdrawn from Cardiff does not signal a crisis. It has done so before, and the airport has gone from strength to strength. Other companies, which are different from BA, can take over. British Midland has shown that, and the airport is going from strength to strength. The fact that one company, which runs relatively few services from Cardiff, intends to terminate those services is not a crisis.

Ystyriaf y pwynt a wnaeth Alun Pugh; gwn mor angerddol yw ei deimladau ef ac Aelodau eraill am y mater hwnnw. Ceisïaf sicrhau y bydd amser ar gael i drafod y cynnig hwnnw cyn gynted ag y bo modd.

Mae'n ddrwg gennyf fod Peter Rogers yn teimlo ei fod wedi'i sarhau ar lafar gan y Prif Weinidog, gan y gwn ei fod yn ofalus i osgoi cyhuddiadau o sarhad o'r fath ei hun. Gan fod taliadau cymorth amaethyddol mor gymhleth, ac oherwydd yr amser sy'n ofynnol i'w trafod, y peth gorau yw codi anawsterau—os oes rhai—yn y Pwyllgor, lle y gellir eu trafod yn fanwl.

Pwyntiau o Drefn Points of Order

Y Llywydd: Gwn fod sawl Aelod yn dymuno codi pwyntiau o drefn. Fodd bynnag, dychwelaf yn gyntaf at bwynt o drefn a godwyd gan arweinydd yr wrthblaid ar ddiwedd Cyfarfod Llawn dydd Mercher diwethaf, pan holodd ynglŷn ag effaith penderfyniad y Cynulliad i wrthod cynnig i gyfeirio Mesurau i Bwyllgorau Pwnc. Nid oes dim yn ein Rheolau Sefydlog yn rhwystro cyflwyno cynnig arall i'r perwyl hwn. Fodd bynnag, cadarnhaf yr hyn a ddywedais ddydd Mercher diwethaf, sef mai effaith gwrthod y cynnig yw bod Cyfarfod Llawn y Cynulliad wedi gwrthod rhoi mandad i Bwyllgorau Pwnc ystyried Mesurau penodol ac adrodd arnynt. Dan Reol Sefydlog Rhif 9.8(i), mae'r Pwyllgorau'n rhydd i gynghori ar ddeddfwriaeth sylfaenol arfaethedig o fewn maes eu cyfrifoldeb. Mewn gwirionedd, mae Cyfarfod Llawn y Cynulliad wedi rhoi i Bwyllgorau unigol y cyfrifoldeb i benderfynu ar eu hagendaû deddfwriaethol. Dyna, yn fwy cyflawn, yw fy nealltwriaeth o'r sefyllfa.

Nick Bourne: Point of order. I raise this under Standing Order No. 2, which relates to the Cabinet. My point relates to Cabinet responsibility. I am sure that we all read the First Minister's 'red water' speech with great interest. In that speech, the First Minister spoke, in Michael Foot mode, of his strong belief in the fundamentally socialist aim of equality of outcome. I was interested to note that, on the same day, the Deputy First Minister and Minister for Rural Development and Wales Abroad—in great danger of sounding sensible for once—said that socialism does not work and that equality of outcome is neither possible nor desirable. I am concerned of the effect on the good governance of Wales of the First Minister and the Deputy First Minister pulling in opposite directions. Did the First Minister know that the Deputy First Minister intended to say something fundamentally different to him, or was he misled? Perhaps he has his own conman.

The Presiding Officer: Order. I am not the

The Presiding Officer: I am aware that several Members wish to raise points of order. However, I will first return to a point of order raised by the leader of the opposition at the end of last Wednesday's Plenary, when he asked about the effect of the Assembly's decision to reject a motion to remit Bills to Subject Committees. There is nothing in our Standing Orders that prevents the tabling of another motion to that end. However, I confirm what I said last Wednesday, namely that the effect of rejecting the motion is that the Assembly in Plenary has declined to give Subject Committees a mandate to consider and report on specific Bills. Under Standing Order No. 9.8(i), the Committees are free to advise on proposed primary legislation within the sphere of their responsibilities. In effect, the Assembly in Plenary has given individual Committees the responsibility for determining their legislative agendas. That, in more detail, is my understanding of the situation.

Nick Bourne: Pwynt o drefn. Codaf hyn o dan Reol Sefydlog Rhif 2, sy'n ymwneud â'r Cabinet. Mae'r pwynt sydd gennyf yn ymwneud â chyfrifoldeb y Cabinet. Yr wyf yn siŵr bod pawb ohonom wedi darllen araith 'dŵr coch' y Prif Weinidog gyda diddordeb mawr. Yn yr araith honno, siaradodd y Prif Weinidog, yn null Michael Foot, am ei gred gadarn yn y nod sylfaenol sosialaidd o ganlyniad cyfartal. Yr oedd yn ddiddorol sylwi bod y Dirprwy Brif Weinidog a'r Gweinidog dros Ddatblygu Gwledig a Chymru Dramor wedi dweud yr un diwrnod—ac yntau mewn perygl mawr o swnio'n synhwyrol am unwaith—nad yw sosialaeth yn gweithio ac nad yw canlyniad cyfartal nac yn bosibl nac yn ddymunol. Yr wyf yn bryderus ynghylch yr effaith ar lywodraethu da yng Nghymru o gael y Prif Weinidog a'r Dirprwy Brif Weinidog yn tynnu'n groes i'w gilydd. A wyddai'r Prif Weinidog fod y Dirprwy Brif Weinidog yn bwriadu dweud rhywbeth sylfaenol wahanol iddo, neu a gamarweiniwyd ef? Efallai fod ganddo'i dwyllwr ei hun.

Y Llywydd: Trefn. Nid myfi sy'n dyfarnu ar

judge of ideological pronouncements from any side of the Chamber, and I do not intend to pass judgment on such pronouncements from the Chair.

The Business Minister (Carwyn Jones): Further to that point of order, I look forward to the Welsh Conservatives' manifesto, which we now know will be based on promoting inequality.

Alun Cairns: Point of order. I raise this under Standing Order No. 2.7, which relates to the Ministerial Code. Last week, Andrew Davies issued a statement in the name of the Welsh Assembly Government announcing that a regional selective assistance grant was to be awarded to the Alcoa plant in Waunarlwydd, in the Swansea West constituency. The press release quoted Andrew Davies as saying,

'I have taken a close personal interest in the Swansea plant and have been working with the local management and trade unions to help secure the future of the plant.'

The press release also quoted Andy Richards, from the Transport and General Workers Union, expressing

'...our sincere thanks to Andrew Davies for the hard work he has undertaken to provide this assistance.'

I am concerned about this, as paragraph 6.3 of the Ministerial Code clearly states that Ministers should not become involved in constituency decisions that may give rise to a conflict of interest. I understand that the Minister sought to backtrack somewhat after the press raised the issue with him on Friday. Either the Minister is seeking to claim credit for someone else's work or, it seems to me, he has broken the Ministerial Code. If only some of the factory closures—perhaps that of the plant in Pembrokeshire—had occurred in the Minister's constituency, there might have been a better chance of securing some support. I am sure that that is not the case, Llywydd, but I am concerned that that is how it could appear. I seek your guidance on how best to pursue this matter in everybody's interest.

ddatganiadau ideolegol o unrhyw ochr o'r Siambr, ac nid yw'n fwriad gennyf ddyfarnu ar ddatganiadau o'r fath o'r Gadair.

Y Trefnydd (Carwyn Jones): Ymhellach i'r pwynt o drefn hwnnw, edrychaf ymlaen at weld maniffesto Ceidwadwyr Cymru, y gwyddom yn awr y bydd wedi'i seilio ar hybu anghydraddoldeb.

Alun Cairns: Pwynt o drefn. Codaf hyn o dan Reol Sefydlog Rhif 2.7, sy'n ymwneud â'r Cod Gweinidogol. Yr wythnos diwethaf, cyhoeddodd Andrew Davies ddatganiad yn enw Llywodraeth Cynulliad Cymru yn cyhoeddi bod grant cymorth rhanbarthol dewisol i'w ddyfarnu i waith Alcoa yn Waunarlwydd, yn etholaeth Gorllewin Abertawe. Yn y datganiad i'r wasg dyfynnwyd geiriau Andrew Davies fel hyn,

Yr wyf wedi ymddiddori'n fawr yn bersonol yn y gwaith yn Abertawe ac wedi gweithio gyda'r rheolwyr a'r undebau llafur lleol i helpu sicrhau dyfodol y gwaith.

Yr oedd y datganiad i'r wasg hefyd yn dyfynnu geiriau Andy Richards, o Undeb y Gweithwyr Trafnidiaeth a Chyffredinol, a fynegodd

...ein diolch diffuant i Andrew Davies am y gwaith caled a wnaeth er mwyn darparu'r cymorth hwn.

Yr wyf yn pryderu am hyn, gan fod paragraff 6.3 o'r Cod Gweinidogol yn datgan yn eglur na ddylai Gweinidogion ymwneud â phenderfyniadau etholaethol a allai beri gwrthdaro buddiannau. Deallaf fod y Gweinidog wedi ceisio gwrthgilio i ryw raddau wedi i'r wasg godi'r mater gydag ef ddydd Gwener. Un ai y mae'r Gweinidog yn ceisio hawlio clod am waith rhywun arall neu ymddengys i mi ei fod wedi torri'r Cod Gweinidogol. O na fyddai rhai o'r ffatrioedd a gaeodd—y gwaith hwnnw yn sir Benfro efallai—wedi bod yn etholaeth y Gweinidog, gan efallai y buasai gwell cyfle i sicrhau rhywfaint o gymorth. Yr wyf yn siŵr nad felly y mae, Lywydd, ond yr wyf yn pryderu y gallai ymddangos felly. Ceisiaf eich arweiniad ar y modd gorau i ymdrin â'r mater hwn er budd pawb.

3:00 p.m.

The Presiding Officer: Order. You do not need to seek my guidance; the remedy is there for you. If you wish to raise a matter about a breach of the Ministerial Code, that can be done through our standards procedure.

The First Minister: Further to that point of order and to answer Alun's point, there has not been a breach of the Ministerial Code. I apologise to Alun and to all Assembly Members for the wording of the press release and, in particular, for the quotation from the third party to which Alun has referred. On one reading, it could imply that Andrew Davies was involved in awarding the grant; he was not. I was involved in awarding the grant because the company was in Andrew's constituency and because he is scrupulous about such matters. Indeed, Andrew also defers regional selective assistance matters to me that involve companies in the Swansea East or the Gower constituency, which adjoin his constituency of Swansea West. Therefore, there has not been a breach of the Ministerial Code. However, I agree that the wording of the press release was unfortunate as regards the third party contribution, and I have since taken steps to ensure that this does not recur.

David Davies *rose—*

The Presiding Officer: Order. Little more can be said on this. This was about—

David Davies: May I raise a second point of order?

The Presiding Officer: Order. I do not think so. Let us dispose of this point of order first.

Alun Cairns: I am grateful for the clarification that the First Minister has offered, and I accept wholeheartedly all that he has said.

The Presiding Officer: I am grateful to you, Alun.

David Davies: Further to that point of order, the First Minister has now accepted that this

Y Llywydd: Trefn. Nid oes angen ichi geisio fy arweiniad i; mae'r feddyginiaeth ar gael i chi. Os dymunwch godi mater sy'n ymwneud â thorri'r Cod Gweinidogol, gellir gwneud hynny drwy ein gweithdrefn safonau.

Y Prif Weinidog: Ymhellach i'r pwynt o drefn hwnnw ac i ateb y pwynt a wnaeth Alun, ni thorrwyd y Cod Gweinidogol. Ymddiheuraf i Alun ac i bob Aelod o'r Cynulliad am eiriad y datganiad i'r wasg ac, yn benodol, am y dyfyniad o eiriau'r trydydd parti y cyfeiriodd Alun ato. Gellid dehongli'r geiriau i awgrymu bod Andrew Davies yn gysylltiedig â dyfarnu'r grant; nid ydoedd. Bûm i'n gysylltiedig â dyfarnu'r grant am fod y cwmni yn etholaeth Andrew ac am ei fod yn ofalus ynghylch materion o'r fath. Yn wir, mae Andrew hefyd yn ildio i mi ar faterion cymorth rhanbarthol dewisol sy'n ymwneud â chwmnïau yn etholaeth Dwyrain Abertawe neu etholaeth Gŵyr, sy'n cydffinio â'i etholaeth ef, sef Gorllewin Abertawe. Gan hynny, ni thorrwyd y Cod Gweinidogol. Fodd bynnag, cytunaf fod geiriad y datganiad i'r wasg yn anffodus o ran cyfraniad y trydydd parti, ac yr wyf wedi cymryd camau ers hynny i sicrhau na ddigwydd hyn eto.

David Davies *a gododd—*

Y Llywydd: Trefn. Nid oes fawr ddim y gellir ei ychwanegu ar hyn. Yr oedd hyn yn ymwneud â—

David Davies: A gaf godi ail bwynt o drefn?

Y Llywydd: Trefn. Nid wyf yn credu. Gadewch inni orffen y pwynt o drefn hwn yn gyntaf.

Alun Cairns: Yr wyf yn ddiolchgar am yr eglurhad a gynigiodd y Prif Weinidog, a llwyr dderbyniaf bopeth a ddywedodd.

Y Llywydd: Yr wyf yn ddiolchgar i chi, Alun.

David Davies: Ymhellach i'r pwynt o drefn hwnnw, mae'r Prif Weinidog wedi derbyn yn

was the press office's mistake. This is the second time that it has made such a mistake. It previously referred to the Assembly's overseas centres as 'embassies'. It makes mistakes left, right and centre, and it is high time that somebody looked at what it is doing.

The Presiding Officer: Order. That is not a point of order for me, and I would be grateful if Members would confine their points of order to matters of order. Where there is doubt over whether an issue is a matter of order, it can be brought to my attention earlier. Some matters may arise on the spur of the moment that cause Members to feel aggrieved and no Presiding Officer or Chair would wish to prevent such matters from being aired. However, it is inappropriate to try to use this slot that we have evolved for dealing with points of order on a Tuesday as a means of airing matters that should arise during questions or speeches. If Members persist in using this slot for other purposes, I will have to reconsider how we arrange these matters, which would be inconvenient for us all.

Jonathan Morgan: Point of order. I raise this in relation to Standing Order No. 34.5, and seek your guidance on its scope and application. That Standing Order allows for the proposal of a procedural motion to suspend Standing Orders; such a motion will be proposed later this afternoon. That motion can be debated in the Chamber. However, as far as I am aware, there is an anomaly in the provision of Standing Orders in that no amendment can be made to a motion tabled under Standing Order No. 34.5. I seek your guidance on that, Presiding Officer and on how we proceed from here.

The Presiding Officer: As you rightly point out, a motion to suspend Standing Orders must normally be tabled at least one working day before it is to be considered by the Assembly; it can be tabled earlier. However, Standing Order No. 6.13 requires amendments to a motion to be tabled at least three working days before that motion is to be debated.

I refer you to a ruling that I made on 16

awr mai camgymeriad gan swyddfa'r wasg oedd hwn. Dyma'r ail dro iddi wneud camgymeriad o'r fath. Cyfeiriodd o'r blaen at ganolfannau tramor y Cynulliad gan eu galw'n 'llysgenadaethau'. Mae'n gwneud camgymeriadau lu, ac mae'n hen bryd i rywun edrych ar yr hyn y mae'n ei wneud.

Y Llywydd: Trefn. Nid pwynt o drefn i mi yw hwnnw, a byddwn yn ddiolchgar pe byddai Aelodau'n cyfyngu eu pwyntiau o drefn i faterion o drefn. Os oes amheuaeth ynghylch a yw pwnc yn fater o drefn, gellir ei ddwyn i'm sylw'n gynharach. Gallai rhai materion godi yn y fan a'r lle sy'n peri i Aelodau deimlo eu bod yn cael cam ac ni fyddai'r un Llywydd neu Gadeirydd yn dymuno atal materion o'r fath rhag cael eu gwyntyllu. Fodd bynnag, amhriodol yw ceisio defnyddio'r hicyn amser hwn yr ydym wedi'i ddatblygu i ymdrin â phwyntiau o drefn ar ddydd Mawrth yn fodd i wyntyllu materion a ddylai godi yn ystod cwestiynau neu areithiau. Os bydd Aelodau'n dal ati i ddefnyddio'r hicyn hwn i ddibenion eraill, bydd yn rhaid imi ailystyried sut y trefnwn y materion hyn, a byddai hynny'n anghyfleus i ni i gyd.

Jonathan Morgan: Pwynt o drefn. Codaf hyn mewn cysylltiad â Rheol Sefydlog Rhif 34.5, a cheisiaf eich arweiniad ar ei gwmpas a'r defnydd ohono. Mae'r Rheol Sefydlog hwnnw'n caniatáu cynnig cynnig trefniadol i atal Rheolau Sefydlog; cynigir cynnig o'r fath yn ddiweddarach y prynhawn yma. Gellir trafod y cynnig hwnnw yn y Siambr. Fodd bynnag, hyd y gwn i, mae anghysondeb yn y ddarpariaeth o Reolau Sefydlog i'r graddau na ellir cael gwelliant i gynnig a gyflwynir o dan Reol Sefydlog Rhif 34.5. Ceisiaf eich arweiniad ar hynny, Lywydd, ac ar y modd yr awn ymlaen oddi yma.

Y Llywydd: Fel y dywedwch, fel arfer rhaid cyflwyno cynnig i atal Rheolau Sefydlog o leiaf un diwrnod gwaith cyn iddo gael ei ystyried gan y Cynulliad; gellir ei gyflwyno'n gynharach. Fodd bynnag, mae Rheol Sefydlog Rhif 6.13 yn mynnu y cyflwynir gwelliannau i gynnig o leiaf dri diwrnod gwaith cyn y mae'r cynnig hwnnw i'w drafod.

Fe'ch cyfeiriaf at ddyfarniad a wneuthum ar

October 2001, which I am sure is fresh in your minds. The ruling was made in similar circumstances: amendments could not be tabled to the motions that were then necessary for emergency debates, because three days' notice could not be given. Subsequently, the Assembly changed that Standing Order following discussion in Business Committee. There may be a lack of coherence in relation to this Standing Order and, therefore, the Business Committee will help us in considering the matter further.

We have no facility for manuscript amendments, or procedures of that kind, and I would not encourage it because we have an e-mail culture in this Chamber. We may be able to think of electronic ways of producing the equivalent of manuscript amendments, but that may be unduly complicated. I ask the Business Committee to review these matters and consider whether it would be possible for us to examine our Standing Orders as we previously did in relation to amendments in similar circumstances. I am grateful for the way in which that point of order was raised.

Geraint Davies: Pwynt o drefn. Beth yw hanes y tlws a arferai fod o flaen eich desg? Mae wedi diflannu ers wythnosau a gwelaf ei golli. Fe'i cyflwynwyd gan blant Caerdydd ar ran plant Cymru. Mae'n ddarn prydfarth o waith, ac mae'n cynrychioli'r ffordd y mae'r Cynulliad i fod i weithredu, sef yn dryloyw ac yn agored. Beth yw hanes y tlws a phryd y bydd yn cael ei ddychwelyd?

Y Llywydd: Mae sawl ffordd o godi'r mater hwn, ond nid yw'n fater o drefn imi. Pe bai Aelod am godi'r mater hwn â mi, mae fy nrws ar agor bob amser.

16 Hydref 2001, sy'n fyw yn eich cof o hyd, yr wyf yn siŵr. Gwnaed y dyfarniad hwnnw mewn amgylchiadau tebyg: ni ellid cyflwyno gwelliannau i'r cynigion a oedd yn angenrheidiol bryd hynny ar gyfer dadleuon brys, gan na ellid rhoi tri diwrnod o rybudd. Wedi hynny, newidiodd y Cynulliad y Rheol Sefydlog honno ar ôl trafodaeth yn y Pwyllgor Busnes. Efallai fod diffyg eglurder mewn cysylltiad â'r Rheol Sefydlog hon ac, felly, bydd y Pwyllgor Busnes yn ein helpu drwy ystyried y mater ymhellach.

Nid oes gennym gyfleuster ar gyfer gwelliannau llawysgrifol, neu weithdrefnau o'r math hwnnw, ac ni fyddwn yn cefnogi hynny gan mai arferion e-bostio sydd gennym yn y Siambr hon. Efallai y byddwn yn gallu meddwl am ddulliau electronig i gynhyrchu'r hyn sy'n cyfateb i welliannau llawysgrifol, ond gallai hynny fod yn rhy gymhleth. Gofynnaf i'r Pwyllgor Busnes adolygu'r materion hyn ac ystyried a fyddai modd inni graffu ar ein Rheolau Sefydlog fel y gwnaethom o'r blaen mewn cysylltiad â gwelliannau o dan amgylchiadau tebyg. Yr wyf yn ddiolchgar am y modd y codwyd y pwynt o drefn hwnnw.

Geraint Davies: Point of order. What has happened to the tlws that used to be in front of your desk? It has been missing for several weeks and I miss it. It was presented by the children of Cardiff on behalf of the children of Wales. It is a beautiful piece and represents the way in which the Assembly is supposed to work, namely, transparently and openly. What has happened to the tlws and when will it be returned?

The Presiding Officer: There are several ways of raising this matter, but it is not a point of order for me. If a Member wishes to raise this matter with me, my door is always open.

Cymeradwyo Newidiadau i Brif Grŵp Gwariant Swyddfa'r Llywydd Approval of Changes to the Presiding Office Main Expenditure Group

The Deputy Presiding Officer (John Marek): I propose that

the National Assembly for Wales, in accordance with Standing Order No. 19.5A,

Y Dirprwy Lywydd (John Marek): Cynigiad fod

Cynulliad Cenedlaethol Cymru, yn unol â Rheol Sefydlog Rhif 19.5A, yn cymeradwyo'r

approves the changes to the Presiding Office main expenditure group for the financial year 2002-03, laid in the Table Office on 9 December 2002 on behalf of the House Committee. (NDM1256)

The changes proposed in this motion are reflected in the budget changes to be proposed under the next item. However, as these changes affect the Presiding Office budget, it is necessary for me to propose them on behalf of the House Committee. They affect only the purchase of the Pierhead building, which was agreed between the Executive and the House Committee some months ago. The building was purchased on 29 July 2002 for £1,520,450, including value-added tax. This sum is transferred to the Presiding Office budget to take account of the purchase of the building. An additional £75,000 towards capital charges is also being transferred. The capital charges for next year are already included in the Presiding Office budget, and some capital charges have also been included for the current year. Therefore, the £75,000 is a topping-up sum. Those are the only changes proposed.

Alun Pugh: When I taught accountancy, I used to have difficulty getting students to understand the difference between accounts that are drawn-up on a cash basis, and accounts that are drawn-up on an accrual basis. If the report is drawn-up on a cash basis, why does it include a depreciation charge? If it is drawn-up on an accrual basis, why is a capital cost included? I do not want the answer now, but will you write to me on this?

Peter Law: Does the Deputy Presiding Officer agree that, in purchasing the Pierhead building, which is a superb piece of architecture—and I was delighted that I was a member of the House Committee when it decided to purchase it—the Assembly now has an example of real architecture, as opposed to what many regard as the conservatory attached to a petrol filling station that will be built here in future?

The Deputy Presiding Officer (John Marek): We should all be pleased that we have bought the Pierhead building. It will provide a useful facility for the National

newidiadau i brif grŵp gwariant Swyddfa'r Llywydd ar gyfer blwyddyn ariannol 2002-03 a osodwyd yn y Swyddfa Gyflwyno ar 9 Rhagfyr 2002 ar ran Pwyllgor y Tŷ. (NDM1256)

Adlewyrchir y newidiadau a gynigir yn y cynnig hwn yn y newidiadau i gyllidebau sydd i'w cynnig o dan yr eitem nesaf. Fodd bynnag, gan fod y newidiadau hyn yn effeithio ar gyllideb Swyddfa'r Llywydd, rhaid i mi eu cynnig ar ran Pwyllgor y Tŷ. Nid ydynt ond yn effeithio ar brynu adeilad y Pierhead, a gytunwyd rhwng y Weithrediaeth a Phwyllgor y Tŷ rai misoedd yn ôl. Prynwyd yr adeilad ar 29 Gorffennaf 2002 am £1,520,450, gan gynnwys treth ar werth. Trosglwyddir y swm hwn i gyllideb Swyddfa'r Llywydd gyflenwi cost prynu'r adeilad. Trosglwyddir £75,000 ychwanegol hefyd at daliadau cyfalaf. Mae'r taliadau cyfalaf ar gyfer y flwyddyn nesaf wedi'u cynnwys eisoes yng nghyllideb Swyddfa'r Llywydd, ac mae rhai taliadau cyfalaf hefyd wedi'u cynnwys ar gyfer y flwyddyn gyfredol. Felly, swm ychwanegol yw'r £75,000. Dyna'r unig newidiadau a gynigir.

Alun Pugh: Pan arferwn ddysgu cyfrifeg, yr oeddwn yn ei chael yn anodd cael gan fyfyrwyr ddeall y gwahaniaeth rhwng cyfrifon a baratoir ar sail ariannol, a chyfrifon a baratoir ar sail croniadau. Os paratowyd yr adroddiad ar sail ariannol, pam ydyw'n cynnwys tâl dibrisiant? Os paratowyd ef ar sail croniadau, pam y mae cost cyfalaf wedi'i chynnwys? Nid wyf am gael yr ateb yn awr, ond a wnewch ysgrifennu ataf ar y mater hwn?

Peter Law: A yw'r Dirprwy Lywydd yn cytuno bod y Cynulliad, drwy brynu adeilad y Pierhead, sy'n wych o ran ei bensaerniaeth—ac yr oeddwn wrth fy modd o fod yn aelod o Bwyllgor y Tŷ pan benderfynodd ei brynu—yn berchen bellach ar batrwm o bensaerniaeth go iawn, yn hytrach na'r hyn y mae llawer yn ei ystyried yn dŷ gwydr yn sownd wrth orsaf betrol a godir yma yn y dyfodol?

Y Dirprwy Lywydd (John Marek): Dylem oll fod yn falch ein bod wedi prynu adeilad y Pierhead. Bydd yn gyfleuster buddiol i'r Cynulliad Cenedlaethol a phobl Cymru am

Assembly and the people of Wales for decades to come. On Alun's point, this is resource accounting, which requires amounts for depreciation and capital charges to be included.

ddegawdau i ddod. Ynghylch y pwynt a wnaeth Alun, cyfrifeg adnoddau yw hon, sy'n gofyn am gynnwys symiau ar gyfer dibrisiant a thaliadau cyfalaf.

*Cynnig (NDM1256): O blaid 54, Ymatal 0, Yn erbyn 0.
Motion (NDM1256): For 54, Abstain 0, Against 0.*

Pleidleisiodd yr Aelodau canlynol o blaid:
The following Members voted for:

Barrett, Lorraine
Bates, Mick
Black, Peter
Bourne, Nick
Burnham, Eleanor
Butler, Rosemary
Cairns, Alun
Dafis, Cynog
Davidson, Jane
Davies, Andrew
Davies, David
Davies, Geraint
Davies, Glyn
Davies, Janet
Davies, Jocelyn
Davies, Ron
Edwards, Richard
Essex, Sue
Evans, Delyth
German, Michael
Graham, William
Gregory, Janice
Griffiths, John
Gibbons, Brian
Halford, Alison
Hancock, Brian
Hart, Edwina
Hutt, Jane
Jarman, Pauline
Jones, Ann
Jones, Carwyn
Jones, David Ian
Jones, Elin
Jones, Gareth
Jones, Helen Mary
Law, Peter
Lewis, Huw
Lloyd, David
Lloyd, Val
Melding, David
Middlehurst, Tom
Morgan, Jonathan
Morgan, Rhodri
Neagle, Lynne
Pugh, Alun
Randerson, Jenny
Rogers, Peter
Ryder, Janet
Sinclair, Karen
Thomas, Gwenda
Thomas, Rhodri Glyn
Wigley, Dafydd
Williams, Kirsty

Williams, Phil

*Derbyniwyd y cynnig.
Motion carried.*

3:10 p.m.

Cymeradwyo Newidiadau i'r Prif Grwpiau Gwariant Approval of Changes to Main Expenditure Groups

The Finance Minister (Edwina Hart): I propose that

the National Assembly for Wales, in accordance with Standing Order No. 19.5, approves the changes to main expenditure groups for the financial year 2002-03 laid in the Table Office on Monday 9 December by the Finance Minister, Edwina Hart. (NDM1268)

David Ian Jones: I wish to raise a matter that I have raised previously, namely the continued depletion of reserves. There has been a transfer of £20 million from the Assembly's reserves to the student hardship fund main expenditure group. The continued depletion of reserves is of concern to several Members, and that concern has been expressed in the Assembly on previous occasions. The Finance Minister assures us that the reserves are in rude good health. However, how much longer can these depletions continue without causing significant damage to the Assembly's ability to deal with any contingencies that may arise?

Peter Black: I welcome that transfer of £20 million. The transfer of money from the reserves into the student hardship fund to help pay for Assembly learning grants is significant and should not pass without comment. The matter has been commented upon previously. The transfer shows the National Assembly for Wales's commitment to supporting students in further education and higher education across Wales. That money is being significantly increased in next year's budget, which we have discussed. David Ian Jones is new to this Chamber and he clearly has not yet learned how to listen to debates and to the answers that are given to him. The transfer of this money from the reserves for this purpose was planned

Y Gweinidog Cyllid (Edwina Hart): Cynigiau fod

Cynulliad Cenedlaethol Cymru, yn unol â Rheol Sefydlog Rhif 19.5, yn cymeradwyo'r newidiadau i'r prif grwpiau gwariant ar gyfer blwyddyn ariannol 2002-03 a osodwyd yn y Swyddfa Gyflwyno ddydd Llun 9 Rhagfyr 2002 gan y Gweinidog Cyllid, Edwina Hart. (NDM1268)

David Ian Jones: Dymunaf godi mater a godais o'r blaen, sef y dihybyddu parhaus ar gronfeydd wrth gefn. Trosglwyddwyd £20 miliwn o gronfeydd wrth gefn y Cynulliad i brif grŵp gwariant y gronfa caledi myfyrwyr. Mae'r dihybyddu parhaus ar gronfeydd wrth gefn yn destun pryder i sawl Aelod, a mynegwyd y pryder hwnnw yn y Cynulliad ar adegau blaenorol. Mae'r Gweinidog Cyllid yn ein sicrhau bod y cronfeydd wrth gefn mewn cyflwr iach dros ben. Fodd bynnag, am faint yn hwy y gellir parhau i'w dihybyddu heb amharu'n ddifrifol ar allu'r Cynulliad i ddelio ag unrhyw ddigwyddiadau annisgwyl?

Peter Black: Croesawaf y trosglwyddiad hwnnw o £20 miliwn. Mae trosglwyddo arian o'r cronfeydd wrth gefn i'r gronfa caledi myfyrwyr i helpu i dalu am grantiau dysgu'r Cynulliad yn bwysig ac ni ddylai fynd heibio'n ddisylw. Gwnaed sylwadau am y mater hwn eisoes. Mae'r trosglwyddiad yn dangos ymrwymiad Cynulliad Cenedlaethol Cymru i gynorthwyo myfyrwyr mewn addysg bellach ac addysg uwch ledled Cymru. Mae cynnydd sylweddol yn yr arian hwnnw yn y gyllideb ar gyfer y flwyddyn nesaf, a drafodwyd gennym. Mae David Ian Jones yn newydd i'r Siambr hon ac mae'n amlwg nad yw eto wedi dysgu sut i wrando ar ddadleuon a'r atebion a roddir iddo. Yr oedd trosglwyddo'r arian hwn o'r cronfeydd

previously, and the reserves are being increased next year, not being depleted as he suggests.

Janet Ryder: I will begin by echoing what Dafydd Wigley said last year: perhaps if we had a finance committee in the National Assembly, we could scrutinise the budget properly. I am concerned that money is being cut from the housing budget. Only recently, the Finance Minister gave a press statement that she is making more money available for housing. She announced £51 million for renewal areas. However, that was a cut because, before that announcement, the money promised to local government was £53 million. Councils have also faced cuts in their basic credit allowances. The Minister agreed with me in Committee last week that money is being cut. However, it appears from press reports that more money is being made available for housing. The cuts to the basic credit allowances have severely affected councils in that they have already based their plans on promises that were made in relation to three-year budgets. Councils must now readjust those plans. It seems that the Government's rhetoric is not matched by its actions. Although money is being moved around and more money is being made available for some sections of the budget, the overall housing budget does not seem to be rising. It is disappointing that a Liberal/Labour Government is not prioritising housing in the budget.

Nick Bourne: Will the Minister clarify a few items contained in the notes? The first relates to a carry-forward of £1.100 million for information technology facilities for the Supporting People scheme. That seems to be a great deal of money and I would be grateful if the Minister would clarify that point. Will the Minister also clarify the carry-forward of £1.520 million on the purchase of the Pierhead building? I am sure that there is a reason for that, but I would appreciate clarification.

wrth gefn i'r diben hwn wedi'i gynllunio yn flaenorol, a chynyddir y cronfeydd wrth gefn y flwyddyn nesaf, nid eu lleihau fel y mae ef yn awgrymu.

Janet Ryder: Dechreuaf drwy adleisio'r hyn a ddywedodd Dafydd Wigley y llynedd: pe byddai gennym bwyllgor cyllid yn y Cynulliad Cenedlaethol, efallai y gallem archwilio'r gyllideb yn briodol. Yr wyf yn bryderus bod arian yn cael ei dorri o'r gyllideb tai. Yn ddiweddar iawn, rhoddodd y Gweinidog Cyllid ddatganiad i'r wasg yn dweud ei bod yn darparu rhagor o arian ar gyfer tai. Cyhoeddodd £51 miliwn ar gyfer ardaloedd adnewyddu. Fodd bynnag, toriad oedd hynny oherwydd, cyn y cyhoeddiad hwnnw, £53 miliwn oedd yr arian a addawyd i lywodraeth leol. Mae cynghorau wedi wynebu toriadau hefyd yn eu lwfansau credyd sylfaenol. Cytunodd y Gweinidog â mi yn y Pwyllgor yr wythnos diwethaf fod arian yn cael ei dorri. Er hynny, mae'r adroddiadau yn y wasg yn rhoi'r argraff bod rhagor o arian yn cael ei ddarparu ar gyfer tai. Mae'r cwtogi ar y lwfansau credyd sylfaenol wedi amharu'n ddifrifol ar gynghorau i'r graddau eu bod eisoes wedi seilio eu cynlluniau ar addewidion a wnaed mewn cysylltiad â chyllidebau tair blynedd. Bellach mae'n rhaid i gynghorau newid y cynlluniau hynny. Ymddengys nad yw gweithredoedd y Llywodraeth yn cyfateb i'w rhethreg. Er bod arian yn cael ei symud o gwmpas a bod rhagor o arian yn cael ei ddarparu ar gyfer rhannau o'r gyllideb, nid ymddengys fod y gyllideb tai gyffredinol yn cynyddu. Mae'n drueni nad yw Llywodraeth Ryddfrydol/Llafur yn rhoi blaenoriaeth i dai yn y gyllideb.

Nick Bourne: A wnaiff y Gweinidog egluro ychydig o eitemau a geir yn y nodiadau? Mae'r gyntaf yn ymwneud â £1.100 miliwn a gariwyd ymlaen ar gyfer cyfleusterau technoleg gwybodaeth i'r cynllun Cefnogi Pobl. Mae hynny'n ymddangos yn swm mawr iawn a byddwn yn ddiolchgar pe byddai'r Gweinidog yn egluro'r pwynt hwnnw. A wnaiff y Gweinidog hefyd egluro'r £1.520 miliwn a gariwyd ymlaen ar brynu adeilad y Pierhead? Yr wyf yn siŵr bod rheswm am hynny, ond byddwn yn falch o gael eglurhad.

The Finance Minister (Edwina Hart): In response to Nick Bourne, I will write to you in detail about the two issues that you have raised to give you the necessary clarification.

In respect of the reserves, I have answered ad nauseam on this issue. I am content with the reserves position in the Assembly's budget. The £20 million transfer into the student hardship fund was anticipated, as Assembly Members know.

On Janet Ryder's point, if we had a finance committee, I would hope that she would not be a member of it because I have had to explain the housing issue to her so many times. The reduction of £8.7 million of the annually managed expenditure relates to housing revenue accounts subsidy. That is a technical adjustment to revise Treasury economic assumptions. I have explained that in Committee, in the Chamber and now I have to explain it one final time—

Phil Williams *rose—*

The Presiding Officer: Order. The Minister is not giving way.

Edwina Hart: No, I have finished.

Y Gweinidog Cyllid (Edwina Hart): Mewn ymateb i Nick Bourne, gwnaf ysgrifennu atoch yn fanwl am y ddau fater yr ydych wedi'u codi i roi'r eglurhad angenrheidiol.

Ynghylch y cronfeydd wrth gefn, yr wyf wedi ateb cwestiynau'n ddiddiwedd ar y mater hwn. Yr wyf yn fodlon ar y sefyllfa o ran y cronfeydd wrth gefn yng nghyllideb y Cynulliad. Rhagwelwyd y trosglwyddiad o £20 miliwn i'r gronfa caledi myfyrwyr, fel y gŵyr Aelodau'r Cynulliad.

Ynghylch y pwynt a wnaeth Janet Ryder, pe byddai gennym bwyllgor cyllid, byddwn yn gobeithio na fyddai'n aelod ohono gan fy mod wedi gorfod egluro'r mater tai iddi cynifer o weithiau. Mae'r gostyngiad o £8.7 miliwn yn y gwariant a reolir yn flynyddol yn ymwneud â chymhorthdal i'r cyfrifon refeniw tai. Newid technegol yw hwnnw i adolygu rhagdybiaethau economaidd y Trysorlys. Yr wyf wedi egluro hynny yn y Pwyllgor, yn y Siambr ac yn awr mae'n rhaid imi ei egluro am y tro olaf—

Phil Williams *a gododd—*

Y Llywydd: Trefn. Nid yw'r Gweinidog yn ildio.

Edwina Hart: Nac ydwyf, yr wyf wedi gorffen.

*Cynnig (NDM1268): O blaid 41, Ymatal 14, Yn erbyn 0.
Motion (NDM1268): For 41, Abstain 14, Against 0.*

Pleidleisiodd yr Aelodau canlynol o blaid:
The following Members voted for:

Barrett, Lorraine
Bates, Mick
Black, Peter
Bourne, Nick
Burnham, Eleanor
Butler, Rosemary
Cairns, Alun
Chapman, Christine
Davidson, Jane
Davies, Andrew
Davies, David
Davies, Glyn
Davies, Ron
Edwards, Richard
Essex, Sue
Evans, Delyth
German, Michael
Gibbons, Brian
Graham, William

Gregory, Janice
 Griffiths, John
 Halford, Alison
 Hart, Edwina
 Hutt, Jane
 Jones, Ann
 Jones, Carwyn
 Jones, David Ian
 Law, Peter
 Lewis, Huw
 Lloyd, Val
 Melding, David
 Middlehurst, Tom
 Morgan, Jonathan
 Morgan, Rhodri
 Neagle, Lynne
 Pugh, Alun
 Randerson, Jenny
 Rogers, Peter
 Sinclair, Karen
 Thomas, Gwenda
 Williams, Kirsty

Ymataliodd yr Aelodau canlynol:
 The following Members abstained:

Dafis, Cynog
 Davies, Geraint
 Davies, Janet
 Davies, Jocelyn
 Hancock, Brian
 Jarman, Pauline
 Jones, Elin
 Jones, Gareth
 Jones, Helen Mary
 Lloyd, David
 Ryder, Janet
 Thomas, Rhodri Glyn
 Wigley, Dafydd
 Williams, Phil

*Derbyniwyd y cynnig.
 Motion carried.*

Cynnig Cyfansawdd: Cymeradwyo Gorchmynion Composite Motion: Approval of Orders

Y Llywydd: O dan Reol Sefydlog Rhif 22.25, ni chynhelir dadl ar y cynnig hwn. **The Presiding Officer:** Under Standing Order No. 22.25, this motion is not subject to debate.

The Business Minister (Carwyn Jones): I propose that **Y Trefnydd (Carwyn Jones):** Cynigiaf fod

the National Assembly for Wales, acting under Standing Order No. 22.25:

Cynulliad Cenedlaethol Cymru, gan weithredu o dan Reol Sefydlog Rhif 22.25:

1. approves the Welsh Administration Ombudsman (Jurisdiction) Order 2002, laid in the Table Office on 4 December 2002;

1. yn cymeradwyo Gorchymyn Ombwdsmon Gweinyddiaeth Cymru (Awdurdodaeth) 2002, a osodwyd yn y Swyddfa Gyflwyno ar 4 Rhagfyr 2002;

2. *considers the report of the Legislation Committee which has not identified any matters for concern in the draft Order, the Welsh Administration Ombudsman (Jurisdiction) Order 2002, laid in the Table Office and e-mailed to members on 10 December 2002;*
2. *yn ystyried adroddiad y Pwyllgor Deddfau, nad yw'n tynnu sylw arbennig at unrhyw fater sy'n peri pryder yn y Gorchymyn drafft, Gorchymyn Ombwdsmon Gweinyddiaeth Cymru (Awdurdodaeth) 2002, a osodwyd yn y Swyddfa Gyflwyno ac a ebostiwyd at aelodau ar 10 Rhagfyr 2002;*
3. *approves the Street Works (Inspection Fees) (Amendment) (Wales) Regulations 2002, laid in the Table Office on 2 December 2002;*
3. *yn cymeradwyo Rheoliadau Gweithfeydd Stryd (Ffioedd Archwilio) (Diwygio) (Cymru) 2002, a osodwyd yn y Swyddfa Gyflwyno ar 2 Rhagfyr 2002;*
4. *considers the report of the Legislation Committee which has not identified any matters for concern in the draft Order, the Street Works (Inspection Fees) (Amendment) (Wales) Regulations 2002, laid in the Table Office on 3 December 2002;*
4. *yn ystyried adroddiad y Pwyllgor Deddfau, nad yw'n tynnu sylw arbennig at unrhyw fater sy'n peri pryder yn y Gorchymyn drafft, Rheoliadau Gweithfeydd Stryd (Ffioedd Archwilio) (Diwygio) (Cymru) 2002, a osodwyd yn y Swyddfa Gyflwyno ar 3 Rhagfyr 2002;*
5. *approves the Air Quality (Amendment) (Wales) Regulations 2002, laid in the Table Office on 2 December 2002;*
5. *yn cymeradwyo Rheoliadau Ansawdd Aer (Diwygio) (Cymru) 2002, a osodwyd yn y Swyddfa Gyflwyno ar 2 Rhagfyr 2002;*
6. *considers:*
6. *yn ystyried:*
- a) *the report of the Legislation Committee which has not identified any matters for concern in the draft Order, the Air Quality (Amendment) (Wales) Regulations 2002, laid in the Table Office on 3 December 2002;*
- a) *adroddiad y Pwyllgor Deddfau, nad yw'n tynnu sylw arbennig at unrhyw fater sy'n peri pryder yn y Gorchymyn drafft, Rheoliadau Ansawdd Aer (Diwygio) (Cymru) 2002, a osodwyd yn y Swyddfa Gyflwyno ar 3 Rhagfyr 2002;*
- b) *the regulatory appraisal laid in the Table Office on 2 December 2002;*
- b) *yr arfarniad rheoliadol a osodwyd yn y Swyddfa Gyflwyno ar 2 Rhagfyr 2002;*
- c) *the memorandum of corrections laid in Table Office on 9 December 2002;*
- c) *y memorandwm cywiriadau a osodwyd yn y Swyddfa Gyflwyno ar 9 Rhagfyr 2002;*
7. *approves the Air Quality Limit Values (Wales) Regulations 2002, laid in the Table Office on 3 December 2002;*
7. *yn cymeradwyo Rheoliadau Gwerthoedd Terfyn Ansawdd Aer (Cymru) 2002, a osodwyd yn y Swyddfa Gyflwyno ar 3 Rhagfyr 2002;*
8. *considers:*
8. *yn ystyried:*
- a) *the report of the Legislation Committee which has not identified any matters for concern in the draft Order, the Air Quality Limit Values (Wales) Regulations 2002, laid in the Table Office and e-mailed to members on 10 December 2002;*
- a) *adroddiad y Pwyllgor Deddfau, nad yw'n tynnu sylw arbennig at unrhyw fater sy'n peri pryder yn y Gorchymyn drafft, Rheoliadau Gwerthoedd Terfyn Ansawdd Aer (Cymru) 2002, a osodwyd yn y Swyddfa Gyflwyno ac a ebostiwyd at aelodau ar 10 Rhagfyr 2002;*
- b) *the regulatory appraisals (part iv and*
- b) *yr arfarniadau rheoliadol (rhan iv ac*

section 5) laid in the Table Office on 3 December 2002;

9. approves the Organic Products (Wales) Regulations 2002, laid in the Table Office on 14 November 2002;

10. considers the report of the Legislation Committee which has not identified any matters for concern in the draft Order, the Organic Products (Wales) Regulations 2002, in the Table Office on 26 November 2002. (NDM1260)

adran 5) a osodwyd yn y Swyddfa Gyflwyno ar 3 Rhagfyr 2002;

9. yn cymeradwyo Rheoliadau Cynhyrchion Organig (Cymru) 2002, a osodwyd yn y Swyddfa Gyflwyno ar 14 Tachwedd 2002;

10. yn ystyried adroddiad y Pwyllgor Deddfau, nad yw'n tynnu sylw arbennig at unrhyw fater sy'n peri pryder yn y Gorchymyn drafft, Rheoliadau Cynnyrch Organig (Cymru) 2002, a osodwyd yn y Swyddfa Gyflwyno ar 26 Tachwedd 2002. (NDM1260)

*Cynnig (NDM1260): O blaid 55, Ymatal 0, Yn erbyn 0.
Motion (NDM1260): For 55, Abstain 0, Against 0.*

Pleidleisiodd yr Aelodau canlynol o blaid:
The following Members voted for:

Barrett, Lorraine
Bates, Mick
Black, Peter
Bourne, Nick
Burnham, Eleanor
Butler, Rosemary
Cairns, Alun
Chapman, Christine
Dafis, Cynog
Davidson, Jane
Davies, Andrew
Davies, David
Davies, Geraint
Davies, Glyn
Davies, Janet
Davies, Jocelyn
Davies, Ron
Edwards, Richard
Essex, Sue
Evans, Delyth
German, Michael
Graham, William
Gregory, Janice
Griffiths, John
Gibbons, Brian
Halford, Alison
Hancock, Brian
Hart, Edwina
Hutt, Jane
Jarman, Pauline
Jones, Ann
Jones, Carwyn
Jones, David Ian
Jones, Elin
Jones, Gareth
Jones, Helen Mary
Law, Peter
Lewis, Huw
Lloyd, David
Lloyd, Val
Melding, David
Middlehurst, Tom

Morgan, Jonathan
 Morgan, Rhodri
 Neagle, Lynne
 Pugh, Alun
 Randerson, Jenny
 Rogers, Peter
 Ryder, Janet
 Sinclair, Karen
 Thomas, Gwenda
 Thomas, Rhodri Glyn
 Wigley, Dafydd
 Williams, Kirsty
 Williams, Phil

*Derbyniwyd y cynnig.
 Motion carried.*

Cymeradwyo Rheoliadau Arolygu Ysgolion a Cholegau Byrddio (Pwerau a Ffioedd) (Cymru) 2002
Approval of the Inspection of Boarding Schools and Colleges (Powers and Fees) (Wales) Regulations 2002

The Minister for Health and Social Services (Jane Hutt): I propose that

the National Assembly for Wales considers the principle of the Inspection of Boarding Schools and Colleges (Powers and Fees) (Wales) Regulations 2002, laid in the Table Office on 2 December 2002. (NDM1261)

I propose that

the National Assembly:

1. considers the report of the Legislation Committee which does not draw the special attention of the Assembly to any matter under Standing Order No. 11.5, in relation to the draft Order, the Inspection of Boarding Schools and Colleges (Powers and Fees) (Wales) Regulations 2002, laid in the Table Office and e-mailed to members on 10 December 2002;

2. approves that the Order is made in accordance with the draft laid in the Table Office and the regulatory appraisal, both laid in the Table Office on 2 December 2002. (NDM1262)

The Inspection of Boarding Schools and Colleges (Powers and Fees) (Wales) Regulations 2002 will allow the Care Standards Inspectorate for Wales to inspect welfare arrangements for schools and

Y Gweinidog dros Iechyd a Gwasanaethau Cymdeithasol (Jane Hutt): Cynigiau fod

Cynulliad Cenedlaethol Cymru yn ystyried egwyddor Rheoliadau Arolygu Ysgolion a Cholegau Byrddio (Pwerau a Ffioedd)(Cymru) 2002, a osodwyd yn y Swyddfa Gyflwyno ar 2 Rhagfyr 2002. (NDM1261)

Cynigiau fod

y Cynulliad Cenedlaethol:

1. yn ystyried adroddiad y Pwyllgor Deddfau, nad yw'n tynnu sylw arbennig y Cynulliad at unrhyw fater o dan Reol Sefydlog Rhif 11.5 mewn perthynas â'r Gorchymyn drafft, Rheoliadau Arolygu Ysgolion a Cholegau Byrddio (Pwerau a Ffioedd) (Cymru) 2002, a osodwyd yn y Swyddfa Gyflwyno ac a ebostiwyd at aelodau ar 10 Rhagfyr 2002;

2. yn cymeradwyo bod y Gorchymyn yn cael ei wneud yn unol â'r drafft a osodwyd yn y Swyddfa Gyflwyno a'r arfarniad rheoliadol, a osodwyd yn y Swyddfa Gyflwyno ar 2 Rhagfyr 2002. (NDM1262)

Bydd Rheoliadau Arolygu Ysgolion a Cholegau Byrddio (Pwerau a Ffioedd) (Cymru) 2002 yn caniatáu i Arolygiaeth Safonau Gofal Cymru arolygu trefniadau lles ar gyfer ysgolion a cholegau sy'n lletya pobl

colleges that accommodate young people under 18. The regulations will also allow the inspectorate to set annual fees for doing this. The content of these regulations and confirmation of level of fees to be charged were set out in a consultation paper to stakeholders from August until October of this year. Responses were broadly supportive of the proposed regulations.

Welfare provision in boarding and residential special schools is currently inspected by local authorities against local welfare standards. Welfare provision in further education colleges with residential provision is not currently subject to any inspection. These regulations fulfil a commitment, made in response to recommendation 47 of the Waterhouse report, to set up independent arrangements for inspections of residential schools. They will set the level of annual fees for different boarding establishments. Fee levels for the coming financial year have been set in conjunction with the inspectorate and are in line with fees being charged in England. On commencement of section 108 of the Care Standards Act 2000, these regulations will also enable the Care Standards Inspectorate for Wales to undertake welfare inspections of schools and colleges against national minimum standards. If approved, these regulations will come into force on 1 February 2003.

Jonathan Morgan: We support these regulations. We feel that strengthening the inspection system in this way is sensible and the right way forward, particularly in terms of how the regulations will incorporate the use of an observer from the institution that is being inspected under the new arrangements. However, how will the system in Wales differ from that in England? Within the independent school sector, there are some differences as to how schools are inspected in England in comparison with how they are inspected in Wales. Will that be the case in terms of these regulations? Will you refer to these matters when you reply?

Kirsty Williams: These regulations are welcome and show the Assembly's ongoing commitment to turning the recommendations of the north Wales child abuse inquiry into reality. I am particularly glad to see that

ifanc dan 18 oed. Bydd y rheoliadau hefyd yn caniatáu i'r arolygiaeth bennu ffioedd blynyddol am wneud hynny. Nodwyd cynnwys y rheoliadau hyn a chadarnhad o lefel y ffioedd a oedd i'w codi mewn papur ymgynghori i randdeiliaid o fis Awst hyd fis Hydref eleni. Yr oedd yr ymatebion yn gefnogol i'r rheoliadau arfaethedig gan mwyaf.

Ar hyn o bryd caiff y ddarpariaeth-les mewn ysgolion byrddio ac ysgolion arbennig preswyl ei harolygu gan awdurdodau lleol yn ôl safonau lles lleol. Nid arolygir y ddarpariaeth-les mewn colegau addysg bellach sydd â darpariaeth breswyl ar hyn o bryd. Mae'r rheoliadau hyn yn cyflawni ymrwymiad, a wnaed mewn ymateb i argymhellad 47 yn adroddiad Waterhouse, i sefydlu trefniadau annibynnol ar gyfer arolygu ysgolion preswyl. Byddant yn pennu lefel y ffioedd blynyddol ar gyfer gwahanol sefydliadau byrddio. Mae lefelau'r ffioedd ar gyfer y flwyddyn ariannol i ddod wedi'u pennu ar y cyd â'r arolygiaeth ac maent yn unol â'r ffioedd a godir yn Lloegr. Wrth gychwyn adran 108 o'r Ddeddf Safonau Gofal 2000, bydd y rheoliadau hyn hefyd yn galluogi Arolygiaeth Safonau Gofal Cymru i gynnal arolygiadau lles o ysgolion a cholegau yn ôl safonau sylfaenol cenedlaethol. Os cymeradwyir hwy, daw'r rheoliadau hyn i rym ar 1 Chwefror 2003.

Jonathan Morgan: Cefnogwn y rheoliadau hyn. Teimlwn mai cryfhau'r system arolygu fel hyn yw'r ffordd iawn a synhwyrol ymlaen, yn enwedig o ran y modd y bydd y rheoliadau'n cynnwys defnyddio sylwebydd o'r sefydliad a arolygir dan y trefniadau newydd. Fodd bynnag, beth fydd y gwahaniaeth rhwng y system yng Nghymru a'r un yn Lloegr? O fewn y sector ysgolion annibynnol, mae rhai gwahaniaethau o ran y modd yr arolygir ysgolion yn Lloegr o'i gymharu â'r modd y'u harolygir yng Nghymru. Ai felly y bydd o ran y rheoliadau hyn? A wnewch gyfeirio at y materion hyn pan ydych yn ateb?

Kirsty Williams: Mae'r rheoliadau hyn i'w croesawu ac maent yn dangos ymrwymiad parhaus y Cynulliad i wireddu argymhellion yr ymchwiliad i gam-drin plant yng ngogledd Cymru. Yr wyf yn arbennig o falch o weld

further education is included in these regulations, as it has long been overlooked. Many of my constituents who study, for example, within the setting of Coleg Powys, are required to study at campuses that are located a great distance from their homes and they must stay there overnight for a few nights a week so that they can complete their courses. Until now those young people have not been protected in their accommodation. These regulations will go a long way to protecting those people, as well as other children who are educated away from home.

bod addysg bellach wedi'i chynnwys yn y rheoliadau hyn, gan ei bod wedi'i hir esgeuluso. Mae llawer o'm hetholwyr i sy'n astudio, er enghraifft, yng Ngholeg Powys, yn gorfod gwneud hynny ar gampysau sy'n bell iawn o'u cartrefi a rhaid iddynt aros yno dros nos ychydig o nosweithiau'r wythnos fel y gallant gwblhau eu cyrsiau. Hyd yma nid yw'r bobl ifanc hynny wedi'u diogelu yn eu llety. Bydd y rheoliadau hyn yn cyfrannu'n helaeth at ddiogelu'r bobl hynny, yn ogystal â phlant eraill sy'n derbyn eu haddysg oddi cartref.

3:20 p.m.

The Minister for Health and Social Services (Jane Hutt): Thank you for your supportive comments, particularly in relation to the Waterhouse report and its recommendations. I do not detect any substantive differences from the arrangements in England, Jonathan.

Y Gweinidog dros Iechyd a Gwasanaethau Cymdeithasol (Jane Hutt): Diolch i chi am eich sylwadau cefnogol, yn enwedig mewn cysylltiad ag adroddiad Waterhouse a'i argymhellion. Ni chanfyddaf unrhyw wahaniaethau pwysig rhwng y trefniadau hyn a'r rhai yn Lloegr, Jonathan.

*Cynnig (NDM1261): O blaid 51, Ymatal 0, Yn erbyn 1.
Motion (NDM1261): For 51, Abstain 0, Against 1.*

Pleidleisiodd yr Aelodau canlynol o blaid:
The following Members voted for:

Barrett, Lorraine
Bates, Mick
Black, Peter
Bourne, Nick
Burnham, Eleanor
Butler, Rosemary
Cairns, Alun
Chapman, Christine
Dafis, Cynog
Davidson, Jane
Davies, Andrew
Davies, David
Davies, Geraint
Davies, Glyn
Davies, Janet
Davies, Jocelyn
Davies, Ron
Edwards, Richard
Essex, Sue
German, Michael
Graham, William
Griffiths, John
Gibbons, Brian
Halford, Alison
Hancock, Brian
Hart, Edwina
Hutt, Jane
Jones, Ann
Jones, Carwyn
Jones, David Ian
Jones, Elin

Pleidleisiodd yr Aelodau canlynol yn erbyn:
The following Members voted against:

Gregory, Janice

Jones, Gareth
Jones, Helen Mary
Lewis, Huw
Lloyd, David
Lloyd, Val
Melding, David
Middlehurst, Tom
Morgan, Jonathan
Morgan, Rhodri
Neagle, Lynne
Pugh, Alun
Randerson, Jenny
Rogers, Peter
Ryder, Janet
Sinclair, Karen
Thomas, Gwenda
Thomas, Rhodri Glyn
Wigley, Dafydd
Williams, Kirsty
Williams, Phil

*Derbyniwyd y cynnig.
Motion carried.*

*Cynnig (NDM1262): O blaid 52, Ymatal 0, Yn erbyn 0.
Motion (NDM1262): For 52, Abstain 0, Against 0.*

Pleidleisiodd yr Aelodau canlynol o blaid:
The following Members voted for:

Barrett, Lorraine
Bates, Mick
Black, Peter
Bourne, Nick
Burnham, Eleanor
Butler, Rosemary
Cairns, Alun
Chapman, Christine
Dafis, Cynog
Davidson, Jane
Davies, Andrew
Davies, David
Davies, Geraint
Davies, Glyn
Davies, Janet
Davies, Jocelyn
Davies, Ron
Edwards, Richard
Essex, Sue
German, Michael
Graham, William
Gregory, Janice
Griffiths, John
Gibbons, Brian
Halford, Alison
Hancock, Brian
Hart, Edwina
Hutt, Jane
Jones, Ann
Jones, Carwyn
Jones, David Ian
Jones, Elin
Jones, Gareth
Jones, Helen Mary
Lewis, Huw
Lloyd, David

Lloyd, Val
 Melding, David
 Middlehurst, Tom
 Morgan, Jonathan
 Morgan, Rhodri
 Neagle, Lynne
 Pugh, Alun
 Randerson, Jenny
 Rogers, Peter
 Ryder, Janet
 Sinclair, Karen
 Thomas, Gwenda
 Thomas, Rhodri Glyn
 Wigley, Dafydd
 Williams, Kirsty
 Williams, Phil

*Derbyniwyd y cynnig.
 Motion carried.*

**Cymeradwyo Rheoliadau Deddf Addysg 2002 (Darpariaethau Trosiannol)
 (Cymru) 2002**
**Approval of the Education Act 2002 (Transitional Provisions) (Wales)
 Regulations 2002**

The Minister for Education and Lifelong Learning (Jane Davidson): I propose that **Y Gweinidog dros Addysg a Dysgu Gydol Oes (Jane Davidson):** Cynigiau fod

the National Assembly for Wales considers the principle of the Education Act 2002 (Transitional Provisions) (Wales) Regulations 2002, laid in the Table Office on 3 December 2002. (NDM1265)

Cynulliad Cenedlaethol Cymru yn ystyried egwyddor Gorchymyn Deddf Addysg 2002 (Darpariaethau Trosiannol) (Cymru) 2002, a osodwyd yn y Swyddfa Gyflwyno ar 3 Rhagfyr 2002. (NDM1265)

I propose that

Cynigiau fod

the National Assembly for Wales:

Cynulliad Cenedlaethol Cymru:

1. considers the report of the Legislation Committee which does not draw the special attention of the Assembly to any matter under Standing Order No. 11.5, in relation to the draft Order, the Education Act 2002 (Transitional Provisions) (Wales) Regulations 2002, laid in the Table Office and e-mailed to Members on 10 December 2002;

1. yn ystyried adroddiad y Pwyllgor Deddfau, nad yw'n tynnu sylw arbennig y Cynulliad at unrhyw fater o dan Reol Sefydlog Rhif 11.5 mewn perthynas â'r Gorchymyn drafft, Rheoliadau Deddf Addysg 2002 (Darpariaethau Trosiannol) (Cymru) 2002, a osodwyd yn y Swyddfa Gyflwyno ac a ebostiwyd at aelodau ar 10 Rhagfyr 2002;

2. approves that the Order is made in accordance with the draft laid in the Table Office on 3 December 2002. (NDM1266)

2. yn cymeradwyo bod y Gorchymyn yn cael ei wneud yn unol â'r drafft a osodwyd yn y Swyddfa Gyflwyno ar 3 Rhagfyr 2002. (NDM1266)

These regulations are of a technical nature and will enable the Assembly to modify, for a transitional period only, a small number of provisions in the Education Act 2002, so that

Mae'r rheoliadau hyn o natur dechnegol a byddant yn galluogi'r Cynulliad i newid nifer fach o ddarpariaethau yn y Ddeddf Addysg 2002, am gyfnod trosiannol yn unig, fel y

they can be brought into force on a date earlier or later, as the case may be, than other provisions. They also correct two minor inaccuracies in the legislation. In essence, they will provide the Assembly with the lawful requisite flexibility to ensure that the provisions in the proposed Education Act 2002 (Commencement No. 1) (Wales) Order 2002, which we will debate later, fit what is intended.

The effect of the regulations will be to amend a few provisions in the Education Act 2002, as represented in the proposed commencement Order, with consequential amendments to other legislation so that powers of intervention in schools causing concern under part 4 of the Act can be applied in relation to inspectors' reports made before 19 December, when part 4 of the Act will be brought into force under the proposed commencement Order. Provisions in the Act relating to the national curriculum in Wales would not apply to the foundation stage, maintained nursery schools and nursery education, pending a separate commencement Order or Orders at a later date. The definitions of a school teacher, in section 122, and qualified teacher, in section 132, would be modified until such time as regulations were brought into force under sections 132 and 133, and the reference to provisional registration in section 134—the requirement to be registered with the General Teaching Council—would not apply, pending the bringing into force of the new provisions relating to provisional registration.

The regulations also correct the two inaccuracies in the legislation relating to the financing of schools—section 41—and childcare. As I have said, these regulations are technical in nature and they will ensure that full effect is given to what is proposed in the commencement Order.

Helen Mary Jones: Plaid Cymru—The Party of Wales will support these regulations, which are largely of a technical nature. We should perhaps have considered including the phrase 'an overworked, frustrated and undervalued person looking for a way into a different profession' under the definition of a school teacher. Presumably, technical

gellir eu rhoi mewn grym yn gynharach neu'n hwyrach, yn ôl fel y digwydd, na darpariaethau eraill. Maent hefyd yn cywiro dau wall bach yn y ddeddfwriaeth. Yn y bôn, byddant yn rhoi i'r Cynulliad yr hyblygrwydd y mae arno'i angen o dan y gyfraith i sicrhau bod y darpariaethau yn y Gorchymyn Deddf Addysg 2002 (Cychwyn Rhif 1) (Cymru) 2002 arfaethedig, a drafodwn yn ddiweddarach, yn addas i'r bwriad.

Effaith y rheoliadau hyn fydd newid ychydig o ddarpariaethau yn y Ddeddf Addysg 2002, fel y'u dangosir yn y Gorchymyn cychwyn arfaethedig, gyda newidiadau canlyniadol i ddeddfwriaeth arall fel y gellir cymhwyso pwerau i ymyrryd mewn ysgolion sy'n peri pryder o dan ran 4 o'r Ddeddf at adroddiadau gan arolygwyr a wnaed cyn 19 Rhagfyr, pan roddir rhan 4 o'r Ddeddf mewn grym o dan y Gorchymyn cychwyn arfaethedig. Ni fyddai'r darpariaethau yn y Ddeddf sy'n ymwneud â'r cwricwlwm cenedlaethol yng Nghymru'n berthnasol i'r cyfnod sylfaen, ysgolion meithrin cynaiedig ac addysg feithrin, hyd nes y gwneir Gorchymyn neu Orchmynion cychwyn ar wahân yn ddiweddarach. Byddid yn newid y diffiniadau o athro ysgol, yn adran 122, ac athro cymwysedig, yn adran 132, hyd nes y rhoddid rheoliadau mewn grym o dan adrannau 132 ac 133, ac ni fyddai'r cyfeiriad at gofrestru dros dro yn adran 134—y gofyniad i gofrestru gyda'r Cyngor Addysgu Cyffredinol—yn berthnasol, hyd nes y rhoddid darpariaethau newydd mewn grym yn ymwneud â chofrestru dros dro.

Mae'r rheoliadau hefyd yn cywiro'r ddau wall yn y Ddeddf sy'n ymwneud â chyllido ysgolion—adran 41—a gofal plant. Fel y dywedais, mae'r rheoliadau hyn o natur dechnegol a byddant yn sicrhau bod yr hyn a gynigir yn y Gorchymyn cychwyn yn cael ei roi ar waith yn llawn.

Helen Mary Jones: Bydd Plaid Cymru—The Party of Wales yn cefnogi'r rheoliadau hyn, sydd o natur dechnegol gan fwyaf. Efallai y dylem fod wedi ystyried cynnwys yr ymadrodd 'person gorbrysur a rhwystredig nas gwerthfawrogir yn iawn sy'n chwilio am ffordd i broffesiwn arall' o dan y diffiniad o athro ysgol. Mae'n debyg nad rheoliadau

regulations are not the place to do that, and we will therefore support these regulations in the hope that our teachers will not continue to feel so undervalued in the longer term.

Mick Bates: We will support these regulations. We look forward to the day when we have primary legislative powers, and will not need to consider Orders from Westminster. I would like clarification on registration with the General Teaching Council for Wales. I have previously raised the issue of teachers who qualified in the former technical colleges registering with the council, as the Minister knows. Can the Minister assure me that their position is now clear, and that they can receive their threshold payments, for example, as a result of becoming fully qualified teachers?

Jonathan Morgan: We will not support these regulations. We will not support the Minister on this as she has not supported Members' right to debate the provisions and the details of the Education Bill in the Chamber or in further detail in Committee. The Government of Wales cannot expect devolution to work if it carries on in this fashion.

The Minister for Education and Lifelong Learning (Jane Davidson): I am grateful for the support of the majority of Members; that support has existed throughout the discussions on the Education Act 2002, which has been debated in full in the Chamber and in Committee. In the later debate on the Education Act, I will demonstrate that the Conservatives are out of tune with the education agenda in Wales and the aspirations of the people of Wales.

The regulations do not cover the issue raised by Mick; they contain technical amendments to allow us to have proper consultation on regulations before they are delivered. We have always consulted on regulations and provided opportunities for Assembly Members to determine the level of consultation required on regulations prior to their delivery.

technegol yw'r lle i wneud hynny, ac felly byddwn yn cefnogi'r rheoliadau hyn gan obeithio na fydd ein hathrawon yn dal i deimlo eu bod heb eu gwerthfawrogi yn y tymor hwy.

Mick Bates: Byddwn yn cefnogi'r rheoliadau hyn. Edrychwn ymlaen at y diwrnod y bydd gennym bwerau deddfu sylfaenol, a phan na fydd yn rhaid inni ystyried Gorchmynion o San Steffan. Hoffwn gael eglurhad ar gofrestru gyda Chyngor Addysgu Cyffredinol Cymru. Yr wyf wedi codi mater athrawon a ymgymhwysodd yn yr hen golegau technegol sy'n cofrestru gyda'r cyngor, fel y gŵyr y Gweinidog. A all y Gweinidog fy sicrhau bod eu sefyllfa'n glir bellach, ac y gallant dderbyn eu taliadau trothwy, er enghraifft, o ganlyniad i ddod yn athrawon cwbl gymwysedig?

Jonathan Morgan: Ni chefnogwn y rheoliadau hyn. Ni chefnogwn y Gweinidog ar hyn gan nad yw hi wedi cefnogi hawl Aelodau i drafod darpariaethau a manylion y Mesur Addysg yn y Siambr neu'n fanylach yn y Pwyllgor. Ni all Llywodraeth Cymru ddisgwyl i ddatganoli weithio os yw'n ymddwyn fel hyn.

Y Gweinidog dros Addysg a Dysgu Gydol Oes (Jane Davidson): Yr wyf yn ddiolchgar am gefnogaeth y mwyafrif o'r Aelodau; mae'r gefnogaeth honno wedi parhau drwy gydol y trafodaethau ar y Ddeddf Addysg 2002, a drafodwyd yn llawn yn y Siambr ac yn y Pwyllgor. Yn y ddatganiad ddiweddarach ar y Ddeddf Addysg, dangosaf nad yw'r Ceidwadwyr mewn cytgor â'r agenda addysg yng Nghymru a dyheadau pobl Cymru.

Nid yw'r rheoliadau'n ymdrin â'r mater a gododd Mick; maent yn cynnwys newidiadau technegol i ganiatáu inni ymgynghori'n briodol ar reoliadau cyn eu rhoi ar waith. Yr ydym bob amser wedi ymgynghori ar reoliadau ac wedi rhoi cyfle i Aelodau'r Cynulliad benderfynu ar raddau'r ymgynghori sydd ei angen ar reoliadau cyn eu rhoi ar waith.

*Cynnig (NDM1265): O blaid 42, Ymatal 0, Yn erbyn 9.
Motion (NDM1265): For 42, Abstain 0, Against 9.*

Pleidleisiodd yr Aelodau canlynol o blaid:
The following Members voted for:

Barrett, Lorraine
Bates, Mick
Black, Peter
Burnham, Eleanor
Butler, Rosemary
Chapman, Christine
Dafis, Cynog
Davidson, Jane
Davies, Andrew
Davies, Geraint
Davies, Janet
Davies, Jocelyn
Davies, Ron
Edwards, Richard
Essex, Sue
German, Michael
Gibbons, Brian
Gregory, Janice
Griffiths, John
Halford, Alison
Hancock, Brian
Hart, Edwina
Hutt, Jane
Jones, Ann
Jones, Carwyn
Jones, Elin
Jones, Gareth
Jones, Helen Mary
Lewis, Huw
Lloyd, David
Lloyd, Val
Middlehurst, Tom
Morgan, Rhodri
Neagle, Lynne
Pugh, Alun
Randerson, Jenny
Ryder, Janet
Sinclair, Karen
Thomas, Gwenda
Thomas, Rhodri Glyn
Wigley, Dafydd
Williams, Kirsty

*Derbyniwyd y cynnig.
Motion carried.*

*Cynnig (NDM1266): O blaid 42, Ymatal 0, Yn erbyn 8.
Motion (NDM1266): For 42, Abstain 0, Against 8.*

Pleidleisiodd yr Aelodau canlynol o blaid:
The following Members voted for:

Barrett, Lorraine
Bates, Mick
Black, Peter
Burnham, Eleanor
Butler, Rosemary
Chapman, Christine
Dafis, Cynog
Davidson, Jane
Davies, Andrew
Davies, Geraint

Pleidleisiodd yr Aelodau canlynol yn erbyn:
The following Members voted against:

Bourne, Nick
Cairns, Alun
Davies, David
Davies, Glyn
Graham, William
Jones, David Ian
Melding, David
Morgan, Jonathan
Rogers, Peter

Pleidleisiodd yr Aelodau canlynol yn erbyn:
The following Members voted against:

Bourne, Nick
Cairns, Alun
Davies, David
Davies, Glyn
Graham, William
Jones, David Ian
Melding, David
Morgan, Jonathan

Davies, Janet
 Davies, Jocelyn
 Davies, Ron
 Edwards, Richard
 Essex, Sue
 German, Michael
 Gibbons, Brian
 Gregory, Janice
 Griffiths, John
 Halford, Alison
 Hancock, Brian
 Hart, Edwina
 Hutt, Jane
 Jones, Ann
 Jones, Carwyn
 Jones, Elin
 Jones, Gareth
 Jones, Helen Mary
 Lewis, Huw
 Lloyd, David
 Lloyd, Val
 Middlehurst, Tom
 Morgan, Rhodri
 Neagle, Lynne
 Pugh, Alun
 Randerson, Jenny
 Ryder, Janet
 Sinclair, Karen
 Thomas, Gwenda
 Thomas, Rhodri Glyn
 Wigley, Dafydd
 Williams, Kirsty

*Derbyniwyd y cynnig.
 Motion carried.*

Gohirio Rheolau Sefydlog Suspension of Standing Orders

Y Llywydd: Atgoffaf Aelodau bod angen mwyafrif o ddwy ran o dair i bleidleisio o blaid y cynnig hwn iddo gael ei dderbyn.

The Presiding Officer: I remind Members that a two-thirds majority vote in favour is required if the motion is to be carried.

Y Trefnydd (Carwyn Jones): Cynigiaf fod

The Business Minister (Carwyn Jones): I propose that

Cynulliad Cenedlaethol Cymru, gan weithredu o dan Reol Sefydlog Rhif 34.4, yn penderfynu, er mwyn i'r gwelliannau a gyflwynwyd i Orchymyn Deddf Addysg 2002 (Cychwyn Rhif 1) (Cymru) 2002 gael eu hystyried ddydd Mawrth 17 Rhagfyr 2002, y dylai Rheolau Sefydlog Rhifau 22.18 a 22.19 gael eu hatal ac y dylai'r Llywydd roi'r holl welliannau a gyflwynwyd yn enwau Jonathan Morgan, Nick Bourne a David Melding gerbron i bleidleisio arnynt fel un cynnig. (NDM1282)

the National Assembly for Wales, acting under Standing Order No. 34.4, resolves that for the purposes of the consideration on Tuesday 17 December 2002 of the amendments tabled to the Education Act 2002 (Commencement No. 1) (Wales) Order 2002, Standing Orders Nos. 22.18 and 22.19 shall be suspended and the Presiding Officer shall put all the amendments in the names of Jonathan Morgan, Nick Bourne and David Melding to the vote as a single proposition. (NDM1282)

Jonathan Morgan: We will vote against the motion. We tabled 116 amendments to the

Jonathan Morgan: Pleidleisiwn yn erbyn y cynnig. Gwnaethom gyflwyno 116 o

commencement Order in the full knowledge and understanding of what the Government was likely to do, bearing in mind that Standing Orders allow for the suspension of the relevant Standing Orders in order for a single vote to be held on the amendments. In one respect I am pleased that the Government has proved us right. It has, once again, displayed its high-handed arrogance in implementing the National Assembly's procedures and processes. We are delighted that the Government has done exactly what we expected it to do.

The Government's motives are clear: it does not want to debate and give proper scrutiny and consideration to important items of legislation. The way in which the Education Bill was dealt with demonstrates that this is an arrogant, high-handed Government. The Minister refused to allow the National Assembly to debate the Education Bill in the Chamber—unlike the Minister for Health and Social Services, who allowed the health Bill to be debated in the Chamber and in Committee.

3:30 p.m.

I will grant the Minister some leeway by mentioning that we were able to debate aspects of the Education Bill during a Committee meeting. However, that debate took place only after the second reading of the Bill, so none of the changes were implemented or included in the Bill. The committee stage of the Bill at the House of Commons had not occurred. We were neither fully consulted about the changes that were being implemented nor fully updated by the Minister. Certain changes were made between the introduction of the original draft Bill and the Bill becoming an Act—changes about which we were not told. The Minister had given the Assembly a cast-iron guarantee that we would be told about changes as they occurred during the Bill's progress through Parliament.

The Government is refusing to allow the Assembly to scrutinise important public Bills. If the Assembly is not able to consider major pieces of legislation that affect Wales,

welliannau i'r Gorchymyn cychwyn gan wybod a deall yn iawn beth yr oedd y Llywodraeth yn debygol o'i wneud, gan gofio bod y Rheolau Sefydlog yn caniatáu atal y Rheolau Sefydlog perthnasol er mwyn cynnal un bleidlais ar y gwelliannau. Ar un ystyr, yr wyf yn falch bod y Llywodraeth wedi ein profi'n gywir. Unwaith eto, amlygodd ei thrahauster gormesol wrth weithredu gweithdrefnau a phrosesau'r Cynulliad Cenedlaethol. Yr ydym wrth ein bodd bod y Llywodraeth wedi gwneud yn union yr hyn yr oeddem yn disgwyl iddi ei wneud.

Mae cymhellion y Llywodraeth yn amlwg: nid yw'n dymuno inni drafod, ystyried a chraffu ar eitemau pwysig o ddeddfwriaeth yn briodol. Mae'r modd y trafodwyd y Mesur Addysg yn dangos mai Llywodraeth drahaus, ormesol yw hon. Gwrthododd y Gweinidog ganiatáu i'r Cynulliad Cenedlaethol drafod y Mesur Addysg yn y Siambr—yn wahanol i'r Gweinidog dros Iechyd a Gwasanaethau Cymdeithasol, a ganiataodd drafod y mesur Iechyd yn y Siambr ac yn y Pwyllgor.

Rhoddaf rywfaint o gydnabyddiaeth i'r Gweinidog drwy ddweud ein bod wedi gallu trafod agweddau ar y Mesur Addysg yn ystod cyfarfod o'r Pwyllgor. Er hynny, dim ond ar ôl ail ddarllenriad y Mesur y bu'r ddadl honno, felly nid oedd yr un o'r newidiadau wedi'u gweithredu neu eu cynnwys yn y Mesur. Nid oedd y Mesur wedi cyrraedd cam y pwyllgor yn Nhŷ'r Cyffredin. Nid ymgynghorwyd yn llawn â ni am y newidiadau a weithredwyd ac ni chawsom ein hysbysu'n llawn am y datblygiadau gan y Gweinidog. Gwnaed rhai newidiadau rhwng cyflwyno'r Mesur drafft gwreiddiol a gwneud y Mesur yn Ddeddf—newidiadau na hysbyswyd ni amdanynt. Yr oedd y Gweinidog wedi rhoi gwarant sicr y caem wybod am newidiadau fel yr oeddent yn digwydd yn ystod hynt y Mesur drwy'r Senedd.

Mae'r Llywodraeth yn gwrthod gadael i'r Cynulliad graffu ar Fesurau cyhoeddus pwysig. Os nad yw'r Cynulliad yn gallu ystyried deddfwriaeth bwysig sy'n effeithio

through Assembly Government policy or through Westminster policy, then what is the point of devolution? When considering the need for an Assembly during the run-up to the referendum five years ago, some Members said that it was wrong for a Secretary of State for Wales to make decisions affecting the people of Wales. They argued that a democratically-elected body was the only way to bring democracy and devolution to Wales. The Secretary of State for Wales no longer makes those decisions—nine people now make them on our behalf. They do not consider the implications of these matters, or whether the Assembly should be involved in the detailed scrutiny of such important legislation, or whether Committees should spend more time examining the detail of the legislation.

The Education and Lifelong Learning Committee in the National Assembly for Wales does not spend time looking at legislation. It should have spent more time examining the detail of the Bill and the changes to it as it went through Parliament in Westminster, to establish how those changes would affect schools, teachers, parents and pupils in Wales. People in Wales will think that this Assembly and its processes are completely useless, if we cannot scrutinise legislation to satisfy ourselves that it is relevant to the people of Wales. If that is not the purpose of devolution, what is?

The Minister failed to update the Assembly on section 49 of the Education Act 2002, which repeals section 91 of the School Standards and Framework Act 1998. That provision was not included in the original draft Bill, so we would not have realised that that change was likely to occur. However, when the change did occur, the Minister—who had given an undertaking that she would tell us about any such change—did not tell us about it. She has had every opportunity, through statements to the Assembly, to tell us about such changes. Section 49 of the Education Act 2002 repeals the power of voluntary-aided schools with a religious character in Wales and the United Kingdom to make special arrangements to preserve that character. It is despicable that, through no fault of its own, the Assembly was not able to have any input into the debate on that

ar Gymru, drwy bolisi Llywodraeth y Cynulliad neu drwy bolisi San Steffan, beth yw diben datganoli? Wrth ystyried yr angen am Gynulliad yn y cyfnod cyn y refferendwm bum mlynedd yn ôl, dywedodd rhai Aelodau nad oedd yn iawn i Ysgrifennydd Gwladol Cymru wneud penderfyniadau sy'n effeithio ar bobl Cymru. Yr oeddent yn dadlau mai corff a etholir yn ddemocrataidd oedd yr unig fodd i ddod â democratiaeth a datganoli i Gymru. Nid Ysgrifennydd Gwladol Cymru sy'n gwneud y penderfyniadau hynny bellach—mae naw o bobl yn eu gwneud ar ein rhan yn awr. Nid ydynt yn ystyried goblygiadau'r materion hyn, neu a ddylai'r Cynulliad ymwneud â'r gwaith manwl o graffu ar ddeddfwriaeth mor bwysig, neu a ddylai Pwyllgorau dreulio mwy o amser yn craffu ar fanylion deddfwriaeth.

Nid yw Pwyllgor Addysg a Dysgu Gydol Oes Cynulliad Cenedlaethol Cymru yn treulio amser yn ystyried deddfwriaeth. Dylai fod wedi treulio mwy o amser yn craffu ar fanylion y Mesur a'r newidiadau iddo wrth iddo fynd drwy'r Senedd yn San Steffan, i ddarganfod sut y byddai'r newidiadau hynny'n effeithio ar ysgolion, athrawon, rhieni a disgyblion yng Nghymru. Bydd pobl yng Nghymru'n credu bod y Cynulliad hwn a'i brosesau'n gwbl ddi-fudd, os na allwn archwilio deddfwriaeth i'n sicrhau ein hunain ei bod yn berthnasol i bobl Cymru. Os nad hynny yw diben datganoli, beth ydyw?

Methodd y Gweinidog â rhoi'r wybodaeth ddiweddaraf i'r Cynulliad am adran 49 o'r Ddeddf Addysg 2002, sy'n diddymu adran 91 o'r Ddeddf Safonau a Fframwaith Ysgolion 1998. Nid oedd y ddarpariaeth honno wedi'i chynnwys yn y Mesur drafft gwreiddiol, felly ni fyddem wedi sylweddoli bod y newid hwnnw'n debygol o ddigwydd. Fodd bynnag, pan ddigwyddodd y newid, ni ddywedodd y Gweinidog wrthym amdano er ei bod wedi ymrwymo i ddweud wrthym am unrhyw newid o'r fath. Cafodd bob cyfle, drwy ddatganiadau i'r Cynulliad, i ddweud wrthym am newidiadau o'r fath. Mae adran 49 o'r Ddeddf Addysg 2002 yn diddymu'r pŵer sydd gan ysgolion gwirfoddol a gynorthwyr o gymeriad crefyddol yng Nghymru a'r Deyrnas Unedig i wneud trefniadau arbennig i gadw'r cymeriad hwnnw. Peth gwarthus yw nad oedd y Cynulliad, er nad oedd bai arno ef

provision. In Business Committee meetings and in Committee meetings with the Minister we requested a debate on the Bill. We have failed as an institution because of the Minister's actions.

Kirsty Williams: Jonathan Morgan has succeeded in making a strong case for the need for the Assembly to have primary legislative powers. He has also made a strong case for the need for a Committee structure in the Assembly that can deal effectively with legislation. To achieve that, Committees would have to meet more regularly, which would in turn require a greater number of Assembly Members. I trust that the Conservative Party makes those substantive points to the Richard commission when it gives its evidence.

Jonathan made some interesting comparisons between how the Education and Lifelong Learning Committee, and the Minister, approach legislation scrutiny and how the Committee for Health and Social Services approaches it. I agree with him; the Health and Social Services Committee—which I chair—has had opportunities to make meaningful contributions and changes to Wales-only legislation. Unfortunately, my Committee suffered exactly the same fate when dealing with clauses affecting Wales in the NHS Reform Bill. The Westminster train had left the station and was underway. Any opportunity for us to bring influence to bear was therefore severely limited, not because neither the Minister nor the Committee wanted to debate the matter, but because the Westminster Government was involved in its processes and was not particularly interested in what we might have to say. I therefore have some sympathy with Jonathan, but such problems will only be resolved when this institution has primary legislative powers.

You accuse the Government of being true to type and acting as you thought it would. It is the Tories who are doing exactly what they usually do: wrecking the way in which this institution tries to work. You seek to bring this institution into disrepute. If the

am hynny, wedi gallu rhoi unrhyw fewnbnw i'r ddadl ar y ddarpariaeth honno. Bu inni ofyn am ddadl ar y Mesur mewn cyfarfodydd o'r Pwyllgor Busnes ac mewn cyfarfodydd Pwyllgor gyda'r Gweinidog. Yr ydym wedi methu fel sefydliad oherwydd gweithredoedd y Gweinidog.

Kirsty Williams: Mae Jonathan Morgan wedi llwyddo i gyflwyno dadl gryf dros yr angen i'r Cynulliad gael pwerau deddfu sylfaenol. Cyflwynodd ddadl gryf hefyd dros yr angen am strwythur Pwyllgorau yn y Cynulliad sy'n gallu ymdrin yn effeithiol â deddfwriaeth. Er mwyn cyflawni hynny, byddai'n rhaid i Bwyllgorau gwrdd yn fwy rheolaidd, a byddai hynny, yn ei dro, yn gofyn nifer fwy o Aelodau Cynulliad. Hyderaf y bydd y Blaid Geidwadol yn gwneud y pwyntiau pwysig hynny pan yw'n rhoi ei thystiolaeth i gomisiwn Richard.

Gwnaeth Jonathan rai cymariaethau diddorol rhwng y modd y mae'r Pwyllgor Addysg a Dysgu Gydol Oes, a'r Gweinidog, yn ymdrin â deddfwriaeth a chraffu arno a'r modd y mae'r Pwyllgor Iechyd a Gwasanaethau Cymdeithasol yn ymdrin â hynny. Yr wyf yn cytuno ag ef; mae'r Pwyllgor Iechyd a Gwasanaethau Cymdeithasol—a gadeirir gennyf fi—wedi cael cyfleoedd i wneud cyfraniadau ystyrlon a newidiadau i deddfwriaeth ar gyfer Cymru'n unig. Gwaetha'r modd, daeth yr union un dynged i ran fy Mhwyllgor i wrth ddelio â chymalau a oedd yn effeithio ar Gymru ym Mesur Diwygio'r GIG. Yr oedd trê'n San Steffan wedi gadael yr orsaf ac yr oedd ar ei ffordd. Cyfyngedig iawn, felly, oedd y cyfle a oedd gennym i ddylanwadu arno, nid am nad oedd y Gweinidog na'r Pwyllgor yn dymuno trafod y mater, ond am fod Llywodraeth San Steffan yn ymhel â'i phrosesau a heb fawr o ddiddordeb yn yr hyn y gallem ei ddweud. Cydymdeimlaf â Jonathan i ryw raddau, felly, ond ni chaiff problemau o'r fath eu datrys hyd nes bydd y sefydliad hwn yn meddu ar bwerau deddfu sylfaenol.

Yr ydych yn cyhuddo'r Llywodraeth o ymddwyn a gweithredu yn ôl y disgwyl. Y Toriaid sy'n gwneud yr union beth y maent yn arfer ei wneud: gwneud llanastr o'r modd y mae'r sefydliad hwn yn ceisio gweithio. Yr ydych yn ceisio dwyn anfri ar y sefydliad

Conservatives—

David Davies: Will you give way?

Kirsty Williams: No, I will not. If the Conservatives are truly interested in improving legislation through scrutiny, tabling 116 amendments which are not substantive is not the way to do that. Unfortunately, you have spoiled your valid points on how the Assembly works in relation to legislation by fooling around with the system and making a mockery of it. That does no credit to this institution and does nothing for your party's credibility and its so-called commitment to making the Assembly work.

Jocelyn Davies: It is nice to see agreement between Plaid Cymru, the Liberal Democrats and the Tories on the need for primary legislative powers—we will shortly hear what Labour has to say on the matter. We must acknowledge that a motion to suspend Standing Orders is serious and should not set a precedent. Plaid Cymru acknowledges the Conservative group's strength of feeling on policy issues relating to this Act and the procedures that have been found wanting in this case. That is why we support its request that subordinate legislation, flowing from the Act, must be fully scrutinised by the Education and Lifelong Learning Committee. We secured a commitment from the Minister that she would bring those statutory instruments before the Committee, and we will hold her to her word. However, though we have grave reservations in supporting the suspension of Standing Orders, the tabling of all these amendments to a commencement Order is not an appropriate use of our procedures. In many cases, the amendments seek to delay the commencement by just one day, which we cannot support. I appreciate that opposition groups only have Assembly procedures to assist them, but I am fearful that, faced with such delaying tactics, the Government may be tempted to use the procedures open to it and avoid a debate and a vote altogether.

Jonathan Morgan: That is exactly what they are doing.

Jocelyn Davies: Okay. However, a

hwn. Os yw'r Ceidwadwyr—

David Davies: A wnewch ildio?

Kirsty Williams: Na wna. Os yw'r Ceidwadwyr yn ymddiddori o ddifrif mewn gwella deddfwriaeth drwy archwilio, nid cyflwyno 116 o welliannau ansylweddol yw'r modd i wneud hynny. Gwaetha'r modd, yr ydych wedi difetha'r pwyntiau dilys a wnaethoch am ddull gweithio'r Cynulliad mewn cysylltiad â deddfwriaeth drwy chwarae â'r system a'i gwneud yn gyff gwawd. Nid yw hynny'n glod i'r sefydliad hwn ac nid yw'n cyfrannu dim at hygyrdd eich plaid a'i hymrwymiad honedig i beri i'r Cynulliad weithio.

Jocelyn Davies: Mae'n braf gweld cytundeb rhwng Plaid Cymru, y Democratiaid Rhyddfrydol a'r Toriaid ar yr angen am bwerau deddfu sylfaenol—clywn cyn hir beth sydd gan Lafur i'w ddweud ar y mater. Rhaid inni gydnabod bod cynnig i atal Rheolau Sefydlog yn beth difrifol ac na ddylai osod cynsail. Mae Plaid Cymru'n cydnabod bod y grŵp Ceidwadol yn teimlo'n gryf am faterion polisi sy'n ymwneud â'r Ddeddf hon a'r gweithdrefnau a gafwyd yn brin yn yr achos hwn. Dyna pam yr ydym yn cefnogi ei gais am graffu llawn ar is-ddeddfwriaeth, sy'n deillio o'r Ddeddf, gan y Pwyllgor Addysg a Dysgu Gydol Oes. Gwnaethom sicrhau ymrwymiad gan y Gweinidog y deuai â'r offerynnau statudol hynny gerbron y Pwyllgor, ac fe'i daliwn at ei gair. Fodd bynnag, er bod gennym amheuan difrifol ynghylch cefnogi atal Rheolau Sefydlog, nid yw cyflwyno'r holl welliannau hyn i Orchymyn cychwyn yn ddefnydd priodol o'n gweithdrefnau. Mewn llawer achos, mae'r gwelliannau'n ceisio gohirio'r cychwyniad o un diwrnod yn unig, ac ni allwn gefnogi hynny. Sylweddolaf mai dim ond gweithdrefnau'r Cynulliad sydd gan grwpiau'r wrthblaid i'w cynorthwyo, ond yr wyf yn ofni, yn wyneb tactegau oedi o'r fath, y gallai'r Llywodraeth gael ei themtio i ddefnyddio'r gweithdrefnau sydd ar gael iddi ac osgoi dadl a phleidlais yn gyfan gwbl.

Jonathan Morgan: Dyna'r union beth y maent yn ei wneud.

Jocelyn Davies: O'r gorau. Er hynny,

commencement Order was passed by the executive procedure in October, but you made no fuss about that. I therefore seek the Minister's assurance that no statutory instruments under this Act will be made by executive procedure without at least some prior consultation with all Assembly groups. Although we sympathise with the Conservative group we will, on this occasion, support the Government.

Nick Bourne: This is a serious issue, as Members realise. The Liberal Democrats' attitude does not surprise me. As they are tied hand and foot to the Government, they must support it to keep Mike German and Jenny Randerson in the Cabinet, though they are clearly uncomfortable about doing so.

Ron Davies: They did not last week.

Nick Bourne: No, they did not last week, that is true, and with well-known consequences. However, they are doing so now and it is a great shame as they know that it is wrong. The Minister has a well-established reputation for arrogance and high-handedness; I did not notice many rushing to her defence when that suggestion was made. We have often sought a debate on these provisions, but in vain. This forum was established precisely for debate, and the Minister has been unwilling to accept scrutiny on these provisions; that is regrettable. To exemplify her attitude, last week, two Conservative students, Richard John and Will Quinn, sought to deliver a petition signed by 2,500 students from across Wales—many attended university in her constituency, and were therefore her constituents—but she refused to accept that petition. Again, we see that arrogance and high-handedness exemplified in today's approach. Here is a demonstration of elected dictatorship. I am disappointed by the attitude of the other opposition party, although it recognises the dangers of going down this route, which, as Jocelyn Davies said, will set a precedent. She also said that the Government would use procedures to try to defeat what we were trying to do; that is exactly what has happened.

pasiwyd Gorchymyn cychwyn drwy'r weithdrefn weithredol ym mis Hydref, ond ni wnaethoch stŵr am hynny. Gan hynny, gofynnaf am sicrwydd gan y Gweinidog na wneir unrhyw offerynnau statudol o dan y Ddeddf hon drwy weithdrefn weithredol heb o leiaf rywffaint o ymgynghori o flaen llaw â holl grwpiau'r Cynulliad. Er ein bod yn cydymdeimlo â'r grŵp Ceidwadol, y tro hwn byddwn yn cefnogi'r Llywodraeth.

Nick Bourne: Mae hyn yn fater difrifol, fel y mae Aelodau'n sylweddoli. Nid yw agwedd y Democratiaid Rhyddfrydol yn peri syndod i mi. Gan eu bod wedi'u clymu'n sownd wrth y Llywodraeth, rhaid iddynt ei chefnogi er mwyn cadw Mike German a Jenny Randerson yn y Cabinet, er ei bod yn amlwg eu bod yn teimlo'n anesmwyth am hynny.

Ron Davies: Nid oeddent yr wythnos diwethaf.

Nick Bourne: Nac oeddent, nid yr wythnos diwethaf, mae hynny'n wir, ac mae'r canlyniadau'n hysbys iawn. Fodd bynnag, maent yn gwneud hynny'n awr ac mae hynny'n drueni mawr gan y gwyddant nad yw hynny'n beth iawn. Mae gan y Gweinidog enw ers talwm o fod yn drahaus ac yn awdurdodol; ni sylwais ar lawer yn brysio i'w hamddiffyn pam wnaed yr awgrym hwnnw. Yr ydym wedi ceisio dadl ar y darpariaethau hyn yn aml, ond yn ofer. Ar gyfer dadlau y sefydlwyd y fforwm hwn, a bu'r Gweinidog yn amharod i gael ei holi am y darpariaethau hyn; mae hynny'n drueni. I roi enghraifft o'i hymagwedd, yr wythnos diwethaf, ceisiodd dau fyfyrwr Ceidwadol, Richard John a Will Quinn, drosglwyddo deiseb ac arni lofnodion 2,500 o fyfyrwyr ym mhob rhan o Gymru—yr oedd llawer yn fyfyrwyr mewn prifysgol yn ei hetholaeth, ac felly'n etholwyr iddi hi—ond gwrthododd dderbyn y ddeiseb honno. Unwaith eto, gwelwn enghraifft o'r trahauster a'r ymagwedd awdurdodol honno yn ei dull o weithredu heddiw. Dyma arddangosiad o unbennaeth etholedig. Yr wyf wedi fy siomi gan agwedd yr wrthblaid arall, er ei bod yn cydnabod y peryglon o ddilyn y llwybr hwn, a fydd, fel y dywedodd Jocelyn Davies, yn gosod cynsail. Dywedodd hefyd y byddai'r Llywodraeth yn defnyddio gweithdrefnau i geisio trechu'r hyn yr oeddem yn ceisio'i

wneud; dyna'n union sydd wedi digwydd.

3:40 p.m.

Helen Mary Jones: I wish to further clarify our stance on this. Had the Conservative Party tabled amendments of real substance which would change the timeframe to allow for more scrutiny of the commencement procedures, if that were appropriate, and had they discussed them with other parties in advance, we might have felt minded to support them. However, what we have is an example of playing about; the Conservatives are merely seeking to move commencement dates one day forward. I accept that suspending Standing Orders is an unusual procedure but, if your amendments were of more substance, we might have considered them seriously.

Nick Bourne: You might and you might not. A precedent has been set, which will no doubt be returned to when Ministers decide to act once again in this arrogant, high-handed way. The Liberal Democrat spokesperson said that she welcomes the attitude of parties towards the Richard commission. We are in the strange situation of knowing a senior civil servant's view on the Assembly's powers, when we should not, and when we are not aware of the Government's view. I hope that this Government will sort out its priorities.

We wanted to discuss the commencement provisions. We also wanted to consider the issue of playschools, to which the Minister has taken a divergent approach. She has indicated in the Chamber that she is not happy with playschools. However, the Minister took a different and ambiguous stance in a letter I received from her and the First Minister in relation to the Interfaith Council for Wales. The letter referred to the possibility of establishing faith schools in Wales. We would have valued the opportunity to discuss such an issue. That opportunity was not forthcoming in Committee.

Gareth Jones: Yr wyf am gyfrannu fel Cadeirydd y Pwyllgor Addysg a Dysgu Gydol Oes gan y cyfeiriwyd at weithgarwch y Pwyllgor yng nghyd-destun craffu ar

Helen Mary Jones: Dymunaf egluro ein safbwynt ar hyn ymhellach. Pe byddai'r Blaid Geidwadol wedi cyflwyno gwelliannau o wir sylwedd a fyddai'n newid yr amserlen er mwyn caniatáu rhagor o graffu ar y gweithdrefnau cychwyn, pe byddai hynny'n briodol, a phe byddent wedi'u trafod gyda phleidiau eraill o flaen llaw, efallai y byddem wedi bod yn bleidiol i'w cefnogi. Fodd bynnag, lolian yw hyn; nid yw'r Ceidwadwyr ond yn ceisio symud dyddiadau cychwyn un diwrnod ymlaen. Derbyniaf mai gweithdrefn anarferol yw atal Rheolau Sefydlog ond, pe byddai'ch gwelliannau'n fwy sylweddol, gallem fod wedi'u hystyried o ddirif.

Nick Bourne: Efallai y byddech ac efallai na fyddech. Gosodwyd cysail y mae'n sicr y bydd Gweinidogion yn troi ato pan benderfynant weithredu yn y modd trahaus a gormesol hwn eto. Dywedodd llefarydd y Democratiaid Rhyddfrydol ei bod yn croesawu agwedd pleidiau at gomisiwn Richard. Yr ydym yn y sefyllfa ryfedd o wybod barn gwas sifil uwch am bwerau'r Cynulliad, er na ddylem, ac o beidio â gwybod barn y Llywodraeth. Gobeithiaf y bydd y Llywodraeth hon yn rhoi trefn ar ei blaenoriaethau.

Yr oeddem am drafod y darpariaethau cychwyn. Yr oeddem hefyd am drafod mater ysgolion chwarae, y cymerodd y Gweinidog agwedd wahanol ato. Dywedodd yn y Siambr nad yw'n fodlon ar ysgolion chwarae. Fodd bynnag, yr oedd safbwynt y Gweinidog yn wahanol ac yn amwys mewn llythyr a gefais ganddi hi a'r Prif Weinidog mewn cysylltiad â Chyngor Rhyng-grefyddol Cymru. Cyfeiriodd y llythyr at y posibilrwydd o sefydlu ysgolion crefyddol yng Nghymru. Byddem wedi gwerthfawrogi'r cyfle i drafod mater o'r fath. Ni chafwyd y cyfle hwnnw yn y Pwyllgor.

Gareth Jones: I wish to comment as Chair of the Education and Lifelong Learning Committee as reference has been made to the Committee's work in scrutinising legislation.

ddeddfwriaeth. Hoffwn gofnodi na roddwyd fawr o bwysau arnaf i na'r Pwyllgor i ymgymryd i graffu'n fanylach ar ddeddfwriaeth o'r fath. Efallai y dylem ystyried wneud hynny yn y dyfodol. Er tegwch i bawb, ac er mwyn cyfrannu at y ddadl hon, annoeth fyddai cyfleu neges bod y Pwyllgor wedi bod o dan bwysau a bod rhywun wedi ei rwystro rhag ystyried deddfwriaeth.

Nick Bourne: I did not want to create that impression, and I regret doing so. I was trying to say that, as not all Members are on the Education and Lifelong Learning Committee, we would have valued the opportunity to discuss the legislation today. The rights of minority parties should be protected. The Minister's attitude, exemplified in her opening remarks, is that she wants everyone to support what she believes in. However, if Members do not agree with her, the devil take the hindmost—the subject will not be discussed in Plenary. This is the sadness of what is happening today. Not all Ministers have this attitude, but it has been exemplified by the Minister for Education and Lifelong Learning. Today's suspension of Standing Orders sets a precedent. We should not take this path lightly, and I regret that we do not have the support of other parties, particularly the so-called other opposition party, Plaid Cymru.

Alun Pugh: I will support this motion. I wish to raise a procedural point. The Assembly prides itself on its use of electronic media. However, we have a thick printed document containing 116 amendments, many of which are legally defective as they are the product of overworked and underpaid Conservative research staff. Worse still, the document has been printed on one side of the page only and it does not have perforations. I wish to ask the Trefnydd and your office, Presiding Officer, whether it would be possible to ensure that, if we have another batch of wrecking amendments drafted in this style, they are only distributed electronically, which, when reading, would mean that the delete button would be at hand.

David Melding: The Government has a right

I wish to place on record that neither I nor the Committee have been put under pressure to undertake more detailed scrutiny of such legislation. Perhaps we should consider doing so in future. In fairness to all, and in order to contribute to this debate, it would be unwise to suggest that the Committee had come under pressure and that someone had prevented it from scrutinising legislation.

Nick Bourne: Nid oeddwn yn dymuno creu'r argraff honno, ac mae'n ofid i mi fy mod wedi gwneud hynny. Yr oeddwn yn ceisio dweud y byddem wedi gwerthfawrogi'r cyfle i drafod y ddeddfwriaeth heddiw gan nad yw'r holl Aelodau ar y Pwyllgor Addysg a Dysgu Gydol Oes. Dylid diogelu hawliau pleidiau lleiafrifol. Agwedd y Gweinidog, a ddangoswyd yn ei sylwadau agoriadol, yw ei bod yn dymuno i bawb gefnogi'r hyn y mae'n credu ynddo. Fodd bynnag, os nad yw Aelodau'n cytuno â hi, trechaf treisied, gwannaf gwichied—ni thrafodir y pwnc yn y Cyfarfod Llawn. Dyma dristwch yr hyn sy'n digwydd heddiw. Nid yw agwedd pob Gweinidog yr un fath, ond fe'i hamlygwyd gan y Gweinidog dros Addysg a Dysgu Gydol Oes. Mae atal Rheolau Sefydlog heddiw'n gosod cysail. Ni ddylem ddilyn y llwybr hwn yn ddifeddwl, ac mae'n ofid imi nad yw pleidiau eraill yn ein cefnogi, yn enwedig yr wrthblaid arall honedig, Plaid Cymru.

Alun Pugh: Cefnogaf y cynnig hwn. Dymunaf godi pwynt trefniadol. Mae'r Cynulliad yn ymfalchïo yn ei ddefnydd o gyfryngau electronig. Er hynny, mae gennym ddogfen brintiedig dew ac ynddi 116 o welliannau, y mae llawer ohonynt yn gyfreithiol ddiffygiol am mai ymchwilwyr y Ceidwadwyr, sy'n orlwythog â gwaith ac yn isel eu cyflog, sydd wedi'u cynhyrchu. Yn waeth byth, argraffwyd y ddogfen ar un ochr o'r ddalen yn unig ac nid oes rhydylliadau ynddi. Dymunaf ofyn i'r Trefnydd ac i'ch swyddfa chi, Lywydd, a fyddai modd sicrhau, os cawn swp arall o welliannau difetha sydd wedi'u drafftio fel hyn, na chânt eu dosbarthu ond drwy ddull electronig, a byddai hynny'n golygu, wrth eu darllen, y byddai'r botwm dileu wrth law.

David Melding: Mae gan y Llywodraeth

to conduct its business. That is clearly the only way that a Government can be run and that we can be properly governed. It is important to the people of Wales and Britain that that right exists, and that the Government can conduct its business. No-one would deny that. However, minorities have a right to scrutinise legislation effectively. There is a situation here whereby Standing Orders are about to be suspended, clearly indicating that, for a short while at least, normal relations between parties behind the scenes have broken down. I regret that, because there is generally an effort to ensure that issues are discussed when they should be and when parties ask for them to be discussed. A great deal of what has happened this afternoon is the result of the style of the Minister for Education and Lifelong Learning. I do not think that we would be in this unfortunate position had she tried to follow the somewhat belated example of the Minister for Health and Social Services who, when she saw the error of her ways, allowed quite a full discussion on the NHS Reform Bill.

I have listened to the contributions of several Members, and I agreed with around 70 per cent of Kirsty Williams's comments. She made some mischievous but quite thought-provoking points. However, she slipped into hyperbole at the end—we are all occasionally vulnerable to doing that. I was also pleased to hear Jocelyn say that suspending Standing Orders is a serious issue. In fairness, she gave some criteria as to how Plaid Cymru will judge such issues in future, namely that it would expect to fully debate amendments that reflect substantial policy differences, that are drafted in that fashion and that would alter secondary legislation. I welcome that—it is good to hear such a comment.

However, some of the points raised by the Minister for Education and Lifelong Learning require further consultation. The Assembly was established as an executive devolved body largely to scrutinise secondary legislation. That was a huge element of the build-up to the referendum on devolution. However, we hardly spend any time examining secondary legislation. We are all at fault in that and Members elected to the Assembly in the next elections must address

hawl i gynnal ei busnes. Mae'n amlwg mai hwnnw yw'r unig fodd y gellir rhedeg Llywodraeth a'n llywodraethu'n briodol. Mae'n bwysig i bobl Cymru a Phrydain fod yr hawl honno'n bodoli, ac y gall y Llywodraeth gynnal ei busnes. Ni fyddai neb yn gwadu hynny. Fodd bynnag, mae gan leiafrifoedd hawl i graffu ar ddeddfwriaeth yn effeithiol. Mae sefyllfa yma lle y mae Rheolau Sefydlog ar fin cael eu hatal, sy'n dangos yn eglur, am amser byr o leiaf, fod y cysylltiadau arferol rhwng pleidiau y tu ôl i'r llenni wedi methu. Mae hynny'n ofid i mi oherwydd, fel arfer, mae ymdrech i sicrhau bod materion yn cael eu trafod pan ddylid gwneud hynny a phan yw pleidiau'n gofyn am eu trafod. Mae llawer iawn o'r hyn a ddigwyddodd y prynhawn yma'n ganlyniad i arddull y Gweinidog dros Addysg a Dysgu Gydol Oes. Ni chredaf y byddem yn y sefyllfa anffodus hon pe byddai wedi ceisio dilyn esiampl hwyr braidd y Gweinidog dros Iechyd a Gwasanaethau Cymdeithasol a ganiataodd drafodaeth eithaf llawn, ar ôl gweld ei chamgymeriad, ar Fesur Diwygio'r GIG.

Gwrandewais ar gyfraniadau sawl Aelod, a chytunais â thua 70 y cant o sylwadau Kirsty Williams. Gwnaeth rai pwyntiau direidus ond eithaf pryfoclyd. Er hynny, llithrodd i ormodiaith ar y diwedd—yr ydym i gyd yn dueddol i wneud hynny weithiau. Yr oeddwn yn falch hefyd o glywed Jocelyn yn dweud mai mater difrifol yw atal Rheolau Sefydlog. Er tegwch, rhoddodd rai meini prawf o ran y modd y bydd Plaid Cymru'n barnu ar faterion o'r fath yn y dyfodol, sef y byddai'n disgwyl cael trafodaeth lawn ar welliannau sy'n adlewyrchu gwahaniaethau polisi o bwys, a gâi eu drafftio felly ac a fyddai'n newid deddfwriaeth eilaidd. Croesawaf hynny—mae'n dda clywed sylw o'r fath.

Fodd bynnag, rhaid ymgynghori ymhellach ar rai o'r pwyntiau a godwyd gan y Gweinidog dros Addysg a Dysgu Gydol Oes. Sefydlwyd y Cynulliad i fod yn gorff datganoledig gweithredol a hynny'n bennaf er mwyn archwilio deddfwriaeth eilaidd. Yr oedd hynny'n elfen fawr iawn yn y cyfnod cyn y refferendwm ar ddatganoli. Er hynny, o'r braidd y treuliwn unrhyw amser yn craffu ar ddeddfwriaeth eilaidd. Mae pob un ohonom ar fai yn hynny o beth a bydd yn rhaid i

that issue, including Members of minority parties and Members of the Government—I hope that it is a different Government. However, the present Government should have spent much more time on the methodology of how it sifts secondary legislation, how it refers it for full discussion in Committees, how our Committees are structured, how they examine such issues and how minority parties are given a genuine opportunity to scrutinise. When scrutiny has been undertaken, the Government has a right to have its measure put to the vote.

Cynog Dafis: Os yw'r broses o graffu ar is-ddeddfwriaeth i fod yn un ddfifrifol, bydd yn effeithio ar sut y caiff deddfwriaeth gynradd ei llunio. Pe bai gennym Lywodraeth yn San Steffan a fyddai'n arfer llunio ddeddfwriaeth gynradd fframwaith a fyddai'n rhoi'r disgresiwn eithaf i'r Cynulliad, byddai gennym waith i'w wneud. Fodd bynnag, nid yw hynny'n digwydd ar hyn o bryd. A gytunech â hynny ac a fydddech am weld newid sylfaenol yn y ffordd y caiff deddfwriaeth gynradd ei llunio?

David Melding: The Member has kindly given me the opportunity to go down a road that I would perhaps rather not follow at present, not in this arena at least. I will not comment further on that.

This institution would be different if it spent more time scrutinising secondary legislation—I am convinced about that. Let us reflect on what the Minister said. She boasted about the fact that the Government consults on secondary legislation in an open and accessible way. That is broadly true: there have been advances on that compared with the situation under previous procedures. However, she then added that Assembly Members, and the Assembly in general, have also had this right, as if it were one consultee among the many legitimate consultees in Wales. The Assembly is the body that approves secondary legislation. It is the seat of power and authority and is the source of the power that she exercises on our behalf. She then comes to the Chamber and boasts that in one, no doubt highly didactic, hour in

Aelodau a etholir i'r Cynulliad yn yr etholiadau nesaf ymdrin â'r mater hwnnw, gan gynnwys Aelodau pleidiau lleiafrifol ac Aelodau'r Llywodraeth—gobeithiaf y bydd yn Llywodraeth wahanol. Fodd bynnag, dylai'r Llywodraeth bresennol fod wedi treulio mwy o amser o lawer ar ei methodoleg wrth ddioli deddfwriaeth eilaidd, sut y mae'n ei chyfeirio ar gyfer trafodaeth lawn yn y Pwyllgorau, strwythur ein Pwyllgorau, sut y maent yn archwilio materion o'r fath a sut y rhoddir cyfle gwirioneddol i bleidiau lleiafrifol gael archwilio. Pan fo archwilio wedi digwydd, mae gan y Llywodraeth hawl i gael pleidlais ar ei mesur.

Cynog Dafis: If the process of scrutinising secondary legislation is to be a serious one, it will affect how primary legislation is formulated. If we had a Government in Westminster that made a habit of formulating framework primary legislation that gave the Assembly ultimate discretion, we would have work to do. However, that does not occur at present. Would you agree with that and would you want to see a fundamental change in how primary legislation is formulated?

David Melding: Mae'r Aelod wedi bod mor garedig â chynnig cyfle imi fynd ar drywydd y byddai'n well gennyf beidio â'i ddilyn ar hyn o bryd, nid yn y man trafod hwn o leiaf. Ni wnaif sylw pellach am hynny.

Byddai'r sefydliad hwn yn wahanol pe treuliai fwy o amser yn craffu ar ddeddfwriaeth eilaidd—yr wyf yn argyhoeddedig o hynny. Gadewch inni ystyried yr hyn a ddywedodd y Gweinidog. Ymffrostiodd ynghylch y ffaith bod y Llywodraeth yn ymgynghori ar ddeddfwriaeth eilaidd mewn modd agored a hygyrch. Mae hynny'n wir, at ei gilydd: bu cynnydd yn hynny o beth o'i gymharu â'r sefyllfa o dan weithdrefnau blaenorol. Fodd bynnag, ychwanegodd wedyn fod Aelodau o'r Cynulliad, a'r Cynulliad yn gyffredinol, hefyd yn meddu ar yr hawl hon, fel pe na bai ond yn un o blith y nifer fawr o ymgynghoredigion dilys yng Nghymru. Y Cynulliad yw'r corff sy'n cymeradwyo deddfwriaeth eilaidd. Ef yw canolfan pŵer ac awdurdod a ffynhonnell y pŵer y mae hi'n ei

the Education and Lifelong Learning Committee, this former talented teacher can deal with all the issues at hand. It is her style that has led to this debacle of having to suspend Standing Orders. In tabling 116 amendments, we have provoked an important discussion. I candidly avow that voting on all 116 amendments at once is, on this occasion, probably not a great loss to the Assembly. However, we will use such tactics in future if we feel that genuine discussion has been denied—debate should be allowed when legislation is at the Bill stage, and not after the event, when it has become an Act.

3:50 p.m.

I know that we will be well served by our Presiding Officer and his deputy in that, when amendments are tabled in great quantity—as I hope they will be—and reflect genuine policy differences, more time will be given to discuss amendments and to vote on each amendment that contains a policy option. We must reflect on the current situation and seek to improve our mechanisms because we cannot work in this limited way as a secondary legislature, and we will not have primary powers anytime soon.

Richard Edwards: The Minister might find it helpful to remind the Welsh Conservatives, and David Melding, that their party is allegedly, and I use the words advisedly, no longer ‘the nasty party’. Clearly, Iain Duncan Smith has forgotten to tell Nick Bourne this—that is nothing new.

Peter Rogers: Seeking to suspend Standing Orders is a great challenge to the Assembly. I speak on behalf of the Conservative spokesperson for education, Jonathan Morgan, who has put a lot of work into these amendments. I have heard some Labour Members—certainly Brian Gibbons—agreeing with some of the amendments, as they found that they could be party to them. That made me realise that they too have been denied the right to debate these matters. There must be scrutiny. We have devolution,

arfer ar ein rhan. Wedyn daw i'r Siambr ac ymffrostio bod y gyn-athrawes dalentog hon, o fewn un awr, a oedd yn un dra didactig mae'n siŵr, yn y Pwyllgor Addysg a Dysgu Gydol Oes, yn gallu delio â'r holl faterion dan sylw. Ei harddull hi sydd wedi arwain at y llanastr hwn o orfod atal Rheolau Sefydlog. Drwy gyflwyno 116 o welliannau, yr ydym wedi peri trafodaeth bwysig. Cyfaddefaf yn blwmp ac yn blaen nad yw pleidleisio ar y cwbl o'r 116 o welliannau ar unwaith, y tro hwn, yn fawr o golled i'r Cynulliad, yn ôl pob tebyg. Er hynny, defnyddiwn dactegau o'r fath yn y dyfodol os teimlwn fod trafodaeth ddilys wedi'i hatal—dylid caniatáu dadl pan yw deddfwriaeth ar ffurf Mesur, ac nid wedyn, pan yw wedi'i wneud yn Ddeddf.

Gwn y cawn wasanaeth da gan ein Llywydd a'i ddirprwy o ran rhoi mwy o amser, pan gyflwynir nifer fawr o welliannau—fel yr wyf yn gobeithio y gwneir—a'r rheini'n adlewyrchu gwahaniaethau polisi dilys, i drafod gwelliannau a phleidleisio ar bob gwelliant sy'n cynnwys dewis polisi. Rhaid inni ystyried y sefyllfa bresennol a cheisio gwella ein mecanweithiau gan na allwn weithredu yn y modd cyfyngedig hwn fel deddfwrfa eilaidd, ac ni chawn bwerau sylfaenol yn y dyfodol agos.

Richard Edwards: Efallai y bydd y Gweinidog yn ei chael yn fuddiol atgoffa Ceidwadwyr Cymru, a David Melding, nad ‘y blaid gas’—a defnyddiaf y geiriau'n bwyllog—yw eu plaid bellach yn ôl y sôn. Mae'n amlwg bod Iain Duncan Smith wedi anghofio dweud hyn wrth Nick Bourne—nid oes dim newydd yn hynny.

Peter Rogers: Mae ceisio atal Rheolau Sefydlog yn her fawr i'r Cynulliad. Siaradaf ar ran llefarydd y Ceidwadwyr ar addysg, Jonathan Morgan, sydd wedi gweithio'n galed ar y gwelliannau hyn. Clywais rai Aelodau Llafur—a Brian Gibbons yn sicr—yn cytuno â rhai o'r gwelliannau, gan eu bod yn sylweddoli y gallant fod yn bleidiol iddynt. Parodd hynny imi sylweddoli bod eu hawl i drafod y materion hyn wedi'i nacáu iddynt hwythau. Rhaid cael gwaith craffu. Mae datganoli gennym, a rhaid inni fwrw

and we must take this matter forward.

I have already raised today the serious problems that we face in agriculture. I wanted to bring those issues before the Assembly, to highlight the problems faced by agriculture and administrators in that area, but the Minister denied me the opportunity by saying that the proper place to debate the issues was in Committee. He knows that I have tried to raise these problems in every Committee meeting that I have ever attended, but have always been denied the opportunity.

Education is one of the most important factors to improve the lives of the people of Wales. There is contention in education at present, Minister, in terms of the number of children leaving education without qualifications. You have opted for a system that only approves of academic achievements. I remember grammar schools, through which we set the standards in this country. Children who could not get to the grammar school found ways, through the secondary modern system, of developing the skills and abilities required to be part of a working Wales or a working Britain. You have denied children that opportunity. That is why there is social exclusion throughout Wales at present. Truancy poses a great challenge today; people are not receiving education because they are lost in the system. Jonathan Morgan has spent time examining this Bill in order to raise questions, but you will not give them due consideration. We must consider how we can move forward and get a better education system in Wales to cater for pupils of all social classes.

I have been studying homelessness and the number of young people who are homeless as a result of not having taken part in education—

Peter Black *rose*—

Peter Rogers: I only have 25 minutes. Be quick.

The Presiding Officer: Order. You have five minutes, not 25.

ymlaen â'r mater hwn.

Yr wyf eisoes wedi codi'r problemau difrifol a wynebwn mewn amaethyddiaeth heddiw. Yr oeddwn am ddod â'r materion hynny gerbron y Cynulliad, i dynnu sylw at y problemau a wynebir gan amaethyddiaeth a gweinyddwyr yn y maes hwnnw, ond gwrthododd y Gweinidog y cyfle hwnnw i mi gan ddweud mai'r lle priodol i drafod y materion sy'n codi yw'r Pwyllgor. Gŵyr fy mod wedi ceisio codi'r problemau hyn ym mhob cyfarfod o'r Pwyllgor y bûm ynddo, ond bod y cyfle wedi'i wrthod imi bob tro.

Addysg yw un o'r ffactorau pwysicaf i wella bywydau pobl yng Nghymru. Mae dadl ym maes addysg ar hyn o bryd, Weinidog, ynghylch y nifer o blant sy'n gadael addysg heb gymwysterau. Yr ydych chi wedi dewis system nad yw ond yn cymeradwyo cymwysterau academaidd. Yr wyf fi'n cofio ysgolion gramadeg, y gwnaethom osod y safonau drwyddynt yn y wlad hon. Yr oedd plant na allent fynd i'r ysgol ramadeg yn dod o hyd i ffyrdd, drwy'r system ysgolion uwchradd modern, i ddatblygu'r sgiliau a'r galluoedd yr oedd arnynt eu hangen i fod yn rhan o Gymru sy'n gweithio neu Brydain sy'n gweithio. Yr ydych chi wedi gwrthod y cyfle hwnnw i blant. Dyna pam y mae allgáu cymdeithasol ledled Cymru ar hyn o bryd. Mae triwantiaeth yn her fawr heddiw; nid yw pobl yn derbyn addysg am eu bod ar goll yn y system. Mae Jonathan Morgan wedi treulio amser yn craffu ar y Mesur hwn er mwyn codi cwestiynau, ond ni wnewch roi ystyriaeth ddyladwy iddynt. Rhaid inni ystyried sut y gallwn symud ymlaen a chael gwell system addysg yng Nghymru er mwyn darparu ar gyfer disgyblion o bob dosbarth cymdeithasol.

Bûm yn astudio digartrefedd a'r nifer o bobl ifanc sy'n ddigartref o ganlyniad i beidio â chymryd rhan mewn addysg—

Peter Black *a gododd*—

Peter Rogers: Dim ond 25 munud sydd gennyf. Brysiwch.

Y Llywydd: Trefn. Pum munud sydd gennyf, nid 25.

Peter Black: I am grateful to the Member for giving way. Does Peter accept that one reason that so many young people are homeless is the change to benefit rules that his party introduced in government?

The Presiding Officer: Order. This debate is straying from the topic, which is the suspension of Standing Orders Nos. 22.18 and 22.19.

Peter Rogers: I will return to the procedures. Today, the system has been used to deny someone who has given so much to the Assembly. Jonathan Morgan is a young person who has much experience of education; he has been to university and seen many things. He spent a great deal of time preparing these amendments.

Gareth Jones: Pwynt o drefn. Mae'n amlwg bod y ddadl hon yn hynod o ddiddorol i rai. Faint o amser a glustnodir ar ei chyfer?

Y Llywydd: Clustnodwyd amser gan y Pwyllgor Busnes y bore hwn. Gweithredaf o fewn y fframwaith hwnnw a chaniataf i Aelodau siarad am fwyafswm o bum munud yr un.

Peter Rogers: It is arrogant of the Plaid Cymru spokesman on education to interrupt and to try to waste my time. This motion denies us the right to proceed with our amendments.

Brian Gibbons: This has been a pretty shallow charade by the Welsh Conservatives. David Melding let the cat out of the bag in one of his closing sentences when he said that they will use these tactics if they have to. That shows that this is merely a tactic and a sideshow. If the Conservatives were seriously interested in these issues in which they profess an interest, they would have responded more responsibly, paying greater attention to the use of the Assembly's time. As David Melding said, this is a tactic. It is unprincipled, and it is hypocrisy and humbug.

William Graham: To address the motion, this is a disappointing day for democracy in

Peter Black: Yr wyf yn ddiolchgar i'r Aelod am ildio. A yw Peter yn derbyn mai un rheswm pam y mae cynifer o bobl ifanc yn ddigartref yw'r newid mewn rheoliadau budd-daliadau a gyflwynodd ei blaid ef pan oedd mewn llywodraeth?

Y Llywydd: Trefn. Mae'r ddadl hon yn crwydro oddi ar y pwnc, sef atal Rheolau Sefydlog Rhifau 22.18 a 22.19.

Peter Rogers: Af yn ôl at y gweithdrefnau. Heddiw, defnyddiwyd y system i wrthod rhywun a roddodd gymaint i'r Cynulliad. Mae Jonathan Morgan yn berson ifanc sydd â llawer o brofiad o addysg; bu mewn prifysgol a gwelodd lawer o bethau. Treuliodd lawer iawn o amser yn paratoi'r gwelliannau hyn.

Gareth Jones: Point of order. This debate is obviously of great interest to some. How much time is allocated for it?

The Presiding Officer: Time was allocated by the Business Committee this morning. I am working within that framework and allowing Members to speak for a maximum of five minutes each.

Peter Rogers: Trahauster ar ran llefarydd Plaid Cymru ar addysg yw ymyrryd a cheisio gwastraffu fy amser. Mae'r cynnig hwn yn gwrthod yr hawl inni fynd ymlaen â'r gwelliannau.

Brian Gibbons: Siarâd eithaf arwynebol fu hwn gan Geidwadwyr Cymru. Gwnaeth David Melding ollwng y gath o'r cwd mewn un o'i frawddegau cloi pan ddywedodd y byddant yn defnyddio'r tactegau hyn os bydd rhaid iddynt. Dengys hynny mai tacteg ac eilbeth yw hyn a dim mwy. Os oedd y Ceidwadwyr yn ymddiddori o ddifrif yn y materion hyn, fel yr honnant eu bod, byddent wedi ymateb yn fwy cyfrifol, gan dalu mwy o sylw i'r defnydd o amser y Cynulliad. Fel y dywedodd David Melding, tacteg yw hyn. Mae'n ddiogwyddor, ac mae'n dwyll ac yn rhagrith.

William Graham: Er mwyn ymdrin â'r cynnig, diwrnod siomedig i ddemocratiaeth

Wales. It is a travesty—committed by the Welsh Government, which claims to demonstrate openness and transparency—for this nascent institution to be weakened by the use of this kind of measure so early in its life. I have been a victim of such measures often in local government, where the Welsh Labour dinosaurs would invoke it at the drop of a hat. As soon as they were annoyed, or faced particular scrutiny, they would suspend standing orders time and again. I ask the Government to reconsider.

Glyn Davies: I must concede that I have not been involved in detail, for a variety of reasons, with my party's decision to propose 116 amendments today. Some people have called it a tactic, and I am disappointed by Brian Gibbons's contribution, because it is clear from some of the contributions from Members of other parties, that the Conservative Party has made an important point today. We are dealing with an important issue. I have listened to the contributions and if we set aside the politics and the head shaking—of the kind that Members such as Tom Middlehurst are doing now—it is clear that many people agree that we are addressing an important point of principle regarding how the National Assembly operates.

The issue concerns how we, as the National Assembly, deal with legislation and how we carry out our responsibility to scrutinise the legislation that is placed before us. We are currently dealing with secondary legislation, which may increase in number. There is also an issue as to how we might deal with primary legislation if, at some time in the future, it were decreed that it should become a responsibility of the Assembly to do that. Perhaps because I chair one of the Assembly's Committees, I see an important role for them in that regard. I was impressed by some of the comments that Jonathan Morgan made about the potential role of the Committees.

4:00 p.m.

The Agriculture and Rural Development Committee has tried—perhaps more so than others, although I am not sure if that is

yng Nghymru yw hwn. Mae'n barodi—a gyflawnwyd gan Lywodraeth Cymru, sy'n honni gweithredu'n agored ac yn dryloyw—i'r sefydliad eginol hwn gael ei wanbau drwy ddefnyddio mesur o'r math hwn mor gynnar yn ei fywyd. Yr wyf fi wedi dioddef gan fesurau o'r fath mewn llywodraeth leol, lle y byddai deinosoriaid Llafur Cymru yn troi ato ar yr esgus lleiaf. Cyn gynted ag y byddent wedi digio, neu'n wynebu eu holi ar fater penodol, byddent yn atal rheolau sefydlog dro ar ôl tro. Gofynnaf i'r Llywodraeth ailystyried.

Glyn Davies: Rhaid imi gyfaddef na fŷm yn ymwneud yn fanwl, am amryw o resymau, â phenderfyniad fy mhlaid i gynnig 116 o welliannau heddiw. Mae rhai wedi galw hynny'n dacteg, ac yr wyf wedi fy siomi yng nghyfraniad Brian Gibbons, gan ei bod yn amlwg o rai o'r cyfraniadau gan Aelodau o bleidiau eraill, fod y Blaid Geidwadol wedi gwneud pwynt pwysig heddiw. Yr ydym yn ymdrin â mater pwysig. Gwrandewais ar y cyfraniadau ac os rhown y wleidyddiaeth a'r ysgwyd pen o'r neilltu—o'r math y mae Aelodau fel Tom Middlehurst yn ei wneud yn awr—mae'n amlwg bod llawer yn cytuno ein bod yn ymdrin â phwynt o egwyddor pwysig ynghylch dull gweithredu'r Cynulliad Cenedlaethol.

Mae'r mater hwn yn ymwneud â'r modd yr ydym ni, fel y Cynulliad Cenedlaethol, yn delio â deddfwriaeth a'r modd y cyflawnwn ein cyfrifoldeb i graffu ar y deddfwriaeth a roddir ger ein bron. Ar hyn o bryd yr ydym yn delio â deddfwriaeth eilaidd, a allai gynyddu o ran ei nifer. Mae mater yn codi hefyd ynghylch y modd y gallem ymdrin â deddfwriaeth sylfaenol os dyfernir, rywdro yn y dyfodol, y dylai ddod yn gyfrifoldeb i'r Cynulliad wneud hynny. Efallai mai oherwydd fy mod yn Gadeirydd ar un o Bwyllgorau'r Cynulliad y gwelaf rôl bwysig iddynt hwy yn hynny o beth. Fe'm trawyd gan rai o'r sylwadau a wnaeth Jonathan Morgan am rôl bosibl y Pwyllgorau.

Mae'r Pwyllgor Amaethyddiaeth a Datblygu Gwledig wedi ceisio—yn fwy nag eraill efallai, er nad wyf yn sicr bod hynny'n gwbl

absolutely true—to get to grips with scrutinising the legislation that comes before it. Despite our efforts, my general impression—and I do not know whether other Committee members would agree with me—is that the burden of scrutiny, even of the legislation with which we currently deal, is too great for the time that the Committee can devote to it. In some ways, I feel that we deal with matters in a hit-and-miss fashion. Often, we deal with what seem to be small items of legislation, but which turn out to contain important principles. It worries me that we are moving forward with legislation now, often without knowing what we are agreeing to.

I have heard reports, some today, of Members telling the Richard commission why the Assembly should have primary legislative powers. Members will know that I have made comments about wanting to engage enthusiastically with how the Assembly operates and that I have talked in the past about the Assembly having more influence. The Assembly should have more influence. I have lost the argument about the comments that an official has made about us having more powers.

I want Members to ask themselves whether the Assembly would be able to cope if primary legislative powers were granted to it. If, at any stage, we intend to put that question to the people of Wales, then it should be put honestly. What would be the demands on the civil service? Jon Shortridge has already made public comments about how hard the civil service works. Any of us who deal closely with those who serve Committees know perfectly well that all our civil servants work hard, often beyond what might be reasonably expected of them. That is the current position. What level of legal expertise would this Assembly need to employ to be able to deal with primary legislation sensibly? How much would that cost? Such information should be made public whenever anyone makes a statement about the Assembly needing primary legislative powers.

wir—fynd i'r afael â'r gwaith o graffu ar y ddeddfwriaeth a ddaw ger ei fron. Er gwaethaf ein hymdrechion, yr argraff gyffredinol a gaf—ac ni wn a fyddai aelodau eraill o'r Pwyllgor yn cytuno â mi—yw bod y baich o graffu, hyd yn oed ar y ddeddfwriaeth yr ydym yn ymwneud â hi ar hyn o bryd, yn rhy fawr i'r amser y gall y Pwyllgor ei neilltuo ar ei gyfer. Ar rai ystyron, teimlaf ein bod yn delio â materion mewn dull damwain a hap. Yn aml, ymdriniwn â'r hyn sy'n ymddangos yn eitemau bach o ddeddfwriaeth, y ceir eu bod yn cynnwys egwyddorion pwysig. Yr wyf yn poeni ein bod yn symud ymlaen â deddfwriaeth yn awr, yn aml heb wybod beth yr ydym yn cytuno arno.

Yr wyf wedi clywed adroddiadau, rhai ohonynt heddiw, am Aelodau'n dweud wrth gomisiwn Richard pam y dylai'r Cynulliad gael pwerau deddfu sylfaenol. Bydd Aelodau'n gwybod fy mod wedi gwneud sylwadau am fy nymuniad i ymwneud yn frwdfrydig â'r modd y mae'r Cynulliad yn gweithredu ac fy mod yn y gorffennol wedi sôn am gael mwy o ddylanwad i'r Cynulliad. Dylai'r Cynulliad gael mwy o ddylanwad. Yr wyf wedi methu'r ddadl am y sylwadau a wnaeth swyddog am gael rhagor o bwerau i ni.

Yr wyf am i Aelodau ystyried a fyddai'r Cynulliad yn gallu ymdopi os rhoddid pwerau deddfu sylfaenol iddo. Os bwriadwn ofyn y cwestiwn hwnnw i bobl Cymru, rywbryd neu'i gilydd, dylid ei ofyn yn onest. Beth fyddai'r galwadau ar y gwasanaeth sifil? Mae Jon Shortridge eisoes wedi gwneud sylwadau cyhoeddus ynghylch mor galed y mae'r gwasanaeth sifil yn gweithio. Mae unrhyw un ohonom sy'n ymwneud yn agos â'r rhai sy'n gwasanaethu Pwyllgorau'n gwybod yn iawn fod ein holl weision sifil yn gweithio'n galed, a hynny'n aml ymhellach na'r hyn y gellid ei ddisgwyl ganddynt yn rhesymol. Dyna'r sefyllfa bresennol. Pa lefel o arbenigedd cyfreithiol y byddai angen i'r Cynulliad hwn ei defnyddio i allu ymdrin â deddfwriaeth sylfaenol yn synhwyrol? Beth fyddai cost hynny? Dylid rhoi gwybodaeth o'r fath i'r cyhoedd pryd bynnag y mae rhywun yn gwneud datganiad am yr angen i'r Cynulliad gael pwerau deddfu sylfaenol.

Kirsty Williams: I listen with great interest to what you say, but do you agree that the principle of regions within Britain being able to approve primary legislation has been broached by the creation of the Scottish Parliament and the Northern Ireland Assembly? Are you suggesting that we in Wales are any less able to cope with a primary legislative system than Scotland or Northern Ireland are? I hope you that you are not suggesting that we are a second-rate nation and cannot cope with that.

The Presiding Officer: Order. This debate is not about primary legislative powers in the Assembly. It is about the suspension of Standing Orders in dealing with our current subordinate legislation.

Glyn Davies: In that case I will not go down the road that Kirsty is leading me despite the fact that she asks a reasonable question that I would like to address. However, all I can say today is that the question should be put to the people in an honest way so that they know on what they are deciding.

Peter Law: We are all pleased to see you here, Glyn, and we wish you well for the future. [ASSEMBLY MEMBERS: 'Hear, hear.']

However, the Conservatives' contribution to this debate has been a waste of time, unproductive and of no consequence, which exactly reflects 18 years of Conservative government in my constituency and others.

Glyn Davies: The first part of that intervention, I find it difficult to agree with. However the second part is the Peter Law who I am used to.

Members can take their views on the position that we have adopted today in terms of tabling 116 amendments. However, I have come to this Chamber and taken part in what seemed to me to be meaningless debates many times over the last three and a half years. I have listened to statements issued from the podium designed to do nothing but fill time. Today's debate—you should be listening to this First Minister, because this is a serious debate which you seem incapable of

Kirsty Williams: Gwrandewais gyda diddordeb mawr ar yr hyn a ddywedsoch, ond a ydych yn cytuno bod yr egwyddor o alluogi rhanbarthau o fewn Prydain i gymeradwyo deddfwriaeth sylfaenol wedi'i sefydlu drwy greu Senedd yr Alban a Chynulliad Gogledd Iwerddon? A ydych yn awgrymu ein bod ni yng Nghymru'n llai galluog o gwbl i allu ymdopi â system deddfwriaeth sylfaenol nag y mae'r Alban neu Ogledd Iwerddon? Gobeithiaf nad ydych yn awgrymu ein bod yn genedl eilradd ac na allwn ymdopi â hynny.

Y Llywydd: Trefn. Nid yw'r ddadl hon yn un am bwerau deddfu sylfaenol yn y Cynulliad. Mae'n ymwneud ag atal Rheolau Sefydlog wrth ddelio â'n his-ddeddfwriaeth bresennol.

Glyn Davies: Os felly, ni ddilynaf y trywydd y mae Kirsty yn fy nhywys ar ei hyd er ei bod yn gofyn cwestiwn rhesymol y carwn ymdrin ag ef. Fodd bynnag, y cwbl y gallaf ei ddweud heddiw yw y dylid gofyn y cwestiwn i'r bobl mewn modd gonest fel y gwyddant beth y maent yn penderfynu arno.

Peter Law: Yr ydym i gyd yn falch o'ch gweld yma, Glyn, a dymunwn yn dda ichi ar gyfer y dyfodol. [AELODAU CYNULLIAD: 'Clywch, clywch.']

Fodd bynnag, bu cyfraniad y Ceidwadwyr i'r ddadl hon yn wastraff amser, yn ofer ac yn ddibwys, sy'n adlewyrchiad union o 18 mlynedd o lywodraeth Geidwadol yn fy etholaeth i a rhai eraill.

Glyn Davies: Yr wyf yn ei chael yn anodd cytuno â rhan gyntaf yr ymyriad hwnnw. Fodd bynnag, yr ail ran yw'r Peter Law yr wyf wedi arfer ag ef.

Caiff Aelodau farnu ar y safbwynt yr ydym wedi'i fabwysiadu heddiw o ran cyflwyno 116 o welliannau. Fodd bynnag, yr wyf wedi dod i'r Siambr hon ac wedi cymryd rhan mewn dadleuon a oedd yn ymddangos yn ddiystyr i mi lawer gwaith dros y tair blynedd a hanner diwethaf. Yr wyf wedi gwrandao ar ddatganiadau a roddwyd o'r podiwm nad oedd diben iddynt heblaw llenwi amser. Mae'r ddadl heddiw—dylech wrando ar hyn, Brif Weinidog, oherwydd dadl ddifrif yw hon

getting to grips with.

The Presiding Officer: We are now five minutes over the allocated time for this debate. I have not received a request to close the debate under Standing Order No. 6.17, therefore I call David Ian Jones.

David Ian Jones: There are hardy souls who spend their afternoons watching the proceedings of this Assembly. I daresay that there are an awful lot of bemused members of the Welsh public watching us this afternoon and wondering what we are talking about. We are talking about an important point of principle, which is the ability of a parent to choose or to express a preference about the school that his or her child attends.

Carwyn Jones: Point of order. There is an obligation on Members to avoid tedious repetition and to be relevant. This commencement Order deals with the bringing into force of an Act, not its substance. I would like your ruling on that, Llywydd.

The Presiding Officer: I have sought to draw Members back to the main subject of debate on several occasions, and I remind them further of the subject before us. I have not heard David Ian Jones speak out of order in relation to the substance of the matter before us.

David Ian Jones: It is the Conservative group's view that the legislation before us today will lead to a withering away of the right of parents to choose a faith-based education for their children. If this Assembly is to fulfil its purpose as a Chamber of scrutiny, then we should be given the opportunity to scrutinise. Such an opportunity to scrutinise this important piece of legislation has not been given to this Assembly or to its Committees. This legislation will deny faith-based education to thousands of school children throughout Wales, where faith-based education has possibly been more highly prized than in any other part of the country. For what it is worth, I am a product of a faith-based primary education and am proud of that, because it has led me to have certain ethical beliefs that I treasure.

y mae'n ymddangos na allwch fynd i'r afael â hi.

Y Llywydd: Yr ydym bellach bum munud dros yr amser a neilltuwyd ar gyfer y ddatl hon. Nid wyf wedi cael cais i gloi'r ddatl o dan Reol Sefydlog Rhif 6.17, felly galwaf ar David Ian Jones.

David Ian Jones: Mae rhai dewr sy'n treulio eu prynhawniau'n gwyllo trafodion y Cynulliad hwn. Mentraf ddweud bod llawer iawn o aelodau syfrdan o'r cyhoedd yng Nghymru'n ein gwyllo'r prynhawn yma ac yn meddwl tybed am beth yr ydym yn siarad. Yr ydym yn sôn am bwynt bwysig o egwyddor, sef gallu rhiant i ddewis yr ysgol y bydd ei blentyn yn ei mynychu neu i ddweud pa un sydd orau ganddo.

Carwyn Jones: Pwynt o drefn. Mae ymrwymiad ar Aelodau i osgoi ailadrodd diflas ac i fod yn berthnasol. Mae'r Gorchymyn cychwyn hwn yn delio â rhoi Deddf ar waith, nid â'i sylwedd. Hoffwn gael dyfarniad gennyh ar hynny, Lywydd.

Y Llywydd: Yr wyf wedi ceisio tynnu Aelodau'n ôl at brif bwnc y ddatl sawl gwaith, ac yr wyf yn eu hatgoffa ymhellach am y pwnc sydd ger ein bron. Ni chlywais David Ian Jones yn siarad allan o drefn o ran sylwedd y mater sydd o'n blaen.

David Ian Jones: Barn y grŵp Ceidwadol yw y bydd y ddeddfwriaeth sydd o'n blaen heddiw yn arwain at edwino hawl rhieni i ddewis addysg sy'n seiliedig ar grefydd ar gyfer eu plant. Os yw'r Cynulliad hwn i gyflawni ei bwrpas fel Siambr archwilio, dylem gael cyfle i archwilio. Ni roddwyd cyfle o'r fath i archwilio'r eitem bwysig hon o ddeddfwriaeth i'r Cynulliad hwn neu i'w Bwyllgorau. Bydd y ddeddfwriaeth hon yn nacáu addysg sy'n seiliedig ar grefydd i filoedd o blant ysgol ledled Cymru, lle y trysorwyd addysg sy'n seiliedig ar grefydd yn fwy na'r un rhan arall o'r wlad o bosibl. Am ei werth, yr wyf fi'n gynnyrch addysg gynradd a oedd yn seiliedig ar grefydd ac yr wyf yn falch o hynny, oherwydd parodd imi arddel rhai credoau moesegol a drysoraf.

If this Chamber is to become a supine rubber stamp for the Labour Government in Westminster, then it has no purpose whatsoever. When certain Members talk of acquiring primary legislative powers for the Assembly when it is patently incapable of discharging secondary legislative powers, then the people watching this afternoon's proceedings must be laughing in the aisles.

The Business Minister (Carwyn Jones): I will first respond to the debate, then I will propose a procedural motion under Standing Order No. 6.17 to close the debate. That motion will require the support of 10 Members before a vote can be held. I submit that it does not infringe on the rights of minorities here, because there has been sufficient airing of the Conservative Party's views.

We have seen high farce today. The Conservatives missed out on the opportunity to consider this commencement Order in Committee and so they have stamped their feet and tried to paralyse the Assembly and its workings. As a responsible Government, we have to ensure that that does not happen.

I heard Nick Bourne use the phrase 'elected dictatorship'. That phrase was originally used by Lord Hailsham in the 1970s. It was used to describe the Labour Government at that time. Funnily enough, during the 1980s when Margaret Thatcher was running riot across Britain and when Hailsham was Lord Chancellor, she conveniently forgot about that phrase. That shows a double standard. The phrase has been resurrected today, but in the 1980s and 1990s when the Conservatives were content to destroy the economy of Wales and the social fabric—

David Davies: Point of order. What does this have to do with whether or not we can have a debate on a procedural motion?

The Presiding Officer: Order. That is not a point of order for me. The Minister is replying to the content of the debate.

Carwyn Jones: The Conservatives destroyed

Os yw'r Siambr hon i fynd yn stamp rwber diymadferth i'r Llywodraeth Lafur yn San Steffan, nid oes pwrpas iddi o gwbl. Pan fo rhai Aelodau'n sôn am gael pwerau deddfu sylfaenol i'r Cynulliad, tra bo'n amlwg ei fod yn methu â gweithredu pwerau deddfu eilaidd, mae'n siŵr bod y rhai sy'n gwyllo'r trafodion y prynhawn yma'n chwerthin yn eu dyblau.

Y Trefnydd (Carwyn Jones): Ymatebaf i'r ddadl yn gyntaf, ac wedyn cynigïaf gynneg trefniadol o dan Reol Sefydlog Rhif 6.17 i gloi'r ddadl. Bydd y cynneg hwnnw'n gofyn cefnogaeth 10 Aelod cyn y gellir cynnal pleidlais. Awgrymaf nad yw hynny'n tresmasu ar hawliau lleiafrifoedd yn y fan hon, oherwydd bu digon o wyntyllu ar farn y Blaid Geidwadol.

Gwelsom ffars fawr heddiw. Collodd y Ceidwadwyr y cyfle i ystyried y Gorchymyn cychwyn yn y Pwyllgor felly maent wedi stampio'r llawr a cheisio parlysu'r Cynulliad a'i weithrediadau. Fel Llywodraeth gyfrifol, rhaid inni sicrhau nad yw hynny'n digwydd.

Clywais Nick Bourne yn defnyddio'r ymadrodd 'unbennaeth etholedig'. Defnyddiwyd yr ymadrodd hwnnw'n wreiddiol gan yr Arglwydd Hailsham yn y 1970au. Fe'i defnyddiwyd i ddisgrifio'r Llywodraeth Lafur ar y pryd. Yn rhyfedd ddigon, yn ystod y 1980au pan oedd Margaret Thatcher yn rhedeg yn wyllt ledled Prydain a phan oedd Hailsham yn Arglwydd Ganghellor, anghofiodd yn gyfleus am yr ymadrodd hwnnw. Mae hynny'n dangos safon ddwbl. Atgyfodwyd yr ymadrodd heddiw, ond yn y 1980au a'r 1990au pan oedd y Ceidwadwyr yn fodlon dinistrio economi Cymru a gwedd cymdeithasol—

David Davies: Pwynt o drefn. Beth sydd a wnelo hyn â pha un a gawn ddadl ar gynneg trefniadol ai peidio?

Y Llywydd: Trefn. Nid yw hynny'n bwynt o drefn i mi. Mae'r Gweinidog yn ymateb i gynnwys y ddadl.

Carwyn Jones: Dinistriodd y Ceidwadwyr

the social fabric of our country. David Melding, who made a sensible contribution, suggested that the Assembly should scrutinise, yet what we are seeing today are proposals that, by the admission of the Welsh Conservative group, are designed to wreck, not to scrutinise. There is nothing in their proposals to do with scrutiny; they are purely wrecking amendments.

4:10 p.m.

Alun Cairns: Will you give way?

Carwyn Jones: No. Time enough has elapsed. It has been suggested today that devolution does not work. If you are a Conservative and believe that the people of Wales should be ruled from afar, that the Conservative Party should rule Wales, that the people of Wales should not have a democratic interest in the way in which their country is governed, that there should not be devolution, and that the Conservative Party should have a free hand to govern Wales, then devolution does not work. However, this is a democracy. The people of Wales elected the Members of this Assembly and ensured that the Conservative Party can no longer govern Wales by remote control. We live in a democracy. The Conservative Party is using wrecking tactics, because it does not believe in democracy. [ASSEMBLY MEMBERS: 'Give way.']

The Presiding Officer: Order.

Carwyn Jones: Today, we have again seen that lack of belief in democracy put before the Chamber and, again, democracy is but a thin veneer on the Conservative Party's beliefs.

I propose that

the National Assembly, under Standing Order No. 6.17, closes this debate and moves to a vote upon it immediately.

wead cymdeithasol ein gwlad. Awgrymodd David Melding, a wnaeth gyfraniad synhwyrol, y dylai'r Cynulliad archwilio, ond yr hyn a welwn heddiw, yn ôl addefiad grŵp Ceidwadwyr Cymru, yw cynigion sydd â'r bwriad o ddifetha, nid archwilio. Nid oes dim yn eu cynigion sy'n ymwneud ag archwilio; gwelliannau i ddifetha'n unig ydynt.

Alun Cairns: A wnewch ildio?

Carwyn Jones: Na wna. Mae hen ddigon o amser wedi mynd heibio. Awgrymwyd heddiw nad yw datganoli'n gweithio. Os mai Ceidwadwr ydych a chithau'n credu y dylai pobl Cymru gael eu rheoli o bell, mai'r Blaid Geidwadol a ddylai reoli Cymru, na ddylai pobl Cymru gael buddiant democrataidd yn y dull o reoli eu gwlad, na ddylid cael datganoli, ac y dylai'r Blaid Geidwadol gael rhwydd hynt i lywodraethu Cymru, yna nid yw datganoli'n gweithio. Fodd bynnag, democratiaeth yw hon. Pobl Cymru a etholodd Aelodau'r Cynulliad a sicrhau nad yw'r Blaid Geidwadol bellach yn cael llywodraethu Cymru o bell. Yr ydym yn byw mewn democratiaeth. Mae'r Blaid Geidwadol yn defnyddio tactegau difetha, am nad yw'n credu mewn democratiaeth. [AELODAU CYNULLIAD: 'Ildiwch.']

Y Llywydd: Trefn.

Carwyn Jones: Heddiw, gwelsom eto roddi'r anghred honno mewn democratiaeth gerbron y Siambr ac, unwaith eto, nid yw democratiaeth ond yn haen denau ar gredoau'r Blaid Geidwadol.

Cynigiaf fod

y Cynulliad Cenedlaethol, o dan Reol Sefydlog Rhif 6.17, yn cloi'r ddadl hon ac yn symud ymlaen at bleidlais arni ar unwaith.

The Presiding Officer: The Minister has indicated that he wishes to move this debate immediately to a vote under Standing Order No. 6.17. Do any more speakers wish to participate in the debate? I see that they do, in which case I will put the procedural motion to close this debate before the Assembly. I am satisfied that we have had opportunity to debate the issue and that I am not infringing the rights of minorities in allowing the procedural motion. However, 10 Members must express support before we can move to a vote. I see that 10 Members are in support. Therefore, we will vote on the proposal that this debate be closed and voted on immediately under Standing Order No. 6.17.

Y Llywydd: Mae'r Gweinidog wedi nodi ei fod yn dymuno mynd â'r ddadl hon at bleidlais yn syth o dan Reol Sefydlog Rhif 6.17. A oes rhagor o siaradwyr sy'n dymuno cymryd rhan yn y ddadl? Gwelaf fod, ac felly rhoddaf y cynnig trefniadol i gloi'r ddadl hon gerbron y Cynulliad. Yr wyf yn fodlon ein bod wedi cael cyfle i drafod y mater ac nad wyf yn tresmasu ar hawliau lleiafrifoedd wrth ganiatáu'r cynnig trefniadol. Fodd bynnag, rhaid i 10 Aelod fynegi cefnogaeth cyn y gallwn symud ymlaen at bleidlais. Gwelaf fod 10 Aelod yn ei gefnogi. Gan hynny, pleidleisiwn ar y cynnig y dylid cloi'r ddadl hon a phleidleisio arni ar unwaith o dan Reol Sefydlog Rhif 6.17.

Cynnig: O blaid 45, Ymatal 0, Yn erbyn 9.

Motion: For 45, Abstain 0, Against 9.

Pleidleisiodd yr Aelodau canlynol o blaid:
The following Members voted for:

Barrett, Lorraine
Bates, Mick
Black, Peter
Burnham, Eleanor
Butler, Rosemary
Chapman, Christine
Dafis, Cynog
Davidson, Jane
Davies, Andrew
Davies, Geraint
Davies, Janet
Davies, Jocelyn
Edwards, Richard
Essex, Sue
Evans, Delyth
German, Michael
Gibbons, Brian
Gregory, Janice
Griffiths, John
Hancock, Brian
Hart, Edwina
Hutt, Jane
Jones, Ann
Jones, Carwyn
Jones, Elin
Jones, Gareth
Jones, Helen Mary
Jones, Ieuan Wyn
Law, Peter
Lewis, Huw
Lloyd, David
Lloyd, Val
Middlehurst, Tom
Morgan, Rhodri
Neagle, Lynne
Pugh, Alun
Randerson, Jenny
Ryder, Janet
Sinclair, Karen
Thomas, Gwenda

Pleidleisiodd yr Aelodau canlynol yn erbyn:
The following Members voted against:

Bourne, Nick
Cairns, Alun
Davies, David
Davies, Glyn
Graham, William
Jones, David Ian
Melding, David
Morgan, Jonathan
Rogers, Peter

Thomas, Owen John
 Thomas, Rhodri Glyn
 Wigley, Dafydd
 Williams, Kirsty
 Williams, Phil

*Derbyniwyd y cynnig.
 Motion carried.*

Y Llywydd: Mae'r cynnig trefniadol wedi'i dderbyn. Felly, symudwn yn syth at bleidlais ar y cynnig i ohirio Rheolau Sefydlog. Fodd bynnag, cyn inni wneud hynny, ymatebaf i'r pwynt a godwyd gan Alun Pugh. Dosbarthwyd y gwelliannau ar ffurf ysgrifenedig yn unig er hwylustod yr Aelodau gan y byddai'n anodd i'w darllen ar we'r Siambr.

The Presiding Officer: The procedural motion has been carried. Therefore, we will move directly to a vote on the motion to suspend Standing Orders. However, before doing so, I will respond to the point raised by Alun Pugh. The amendments were distributed in written form only for Members' convenience as it would have been difficult to read them on the Chamberweb.

*Cynnig (NDM1282): O blaid 47, Ymatal 0, Yn erbyn 9.
 Motion (NDM1282): For 47, Abstain 0, Against 9.*

Pleidleisiodd yr Aelodau canlynol o blaid:
 The following Members voted for:

Barrett, Lorraine
 Bates, Mick
 Black, Peter
 Burnham, Eleanor
 Butler, Rosemary
 Chapman, Christine
 Dafis, Cynog
 Davidson, Jane
 Davies, Andrew
 Davies, Geraint
 Davies, Janet
 Davies, Jocelyn
 Davies, Ron
 Edwards, Richard
 Essex, Sue
 Evans, Delyth
 German, Michael
 Gibbons, Brian
 Gregory, Janice
 Griffiths, John
 Hancock, Brian
 Hart, Edwina
 Hutt, Jane
 Jarman, Pauline
 Jones, Ann
 Jones, Carwyn
 Jones, Elin
 Jones, Gareth
 Jones, Helen Mary
 Jones, Ieuan Wyn
 Law, Peter
 Lewis, Huw
 Lloyd, David
 Lloyd, Val
 Middlehurst, Tom
 Morgan, Rhodri
 Neagle, Lynne
 Pugh, Alun
 Randerson, Jenny

Pleidleisiodd yr Aelodau canlynol yn erbyn:
 The following Members voted against:

Bourne, Nick
 Cairns, Alun
 Davies, David
 Davies, Glyn
 Graham, William
 Jones, David Ian
 Melding, David
 Morgan, Jonathan
 Rogers, Peter

Ryder, Janet
Sinclair, Karen
Thomas, Gwenda
Thomas, Owen John
Thomas, Rhodri Glyn
Wigley, Dafydd
Williams, Kirsty
Williams, Phil

*Derbyniwyd y cynnig.
Motion carried.*

*Daeth y Dirprwy Lywydd i'r Gadair am 4.12 p.m.
The Deputy Presiding Officer took the Chair at 4.12 p.m.*

**Cymeradwyo Gorchymyn Deddf Addysg 2002 (Cychwyn Rhif 1) (Cymru) 2002
Approval of the Education Act 2002 (Commencement No. 1) (Wales) Order 2002**

The Deputy Presiding Officer: I have selected amendments 1 to 116 to NDM1264 in the names of Jonathan Morgan, Nick Bourne, and David Melding.

Y Dirprwy Lywydd: Yr wyf wedi dethol gwelliannau 1 i 116 i NDM1264 yn enwau Jonathan Morgan, Nick Bourne, and David Melding.

The Minister for Education and Lifelong Learning (Jane Davidson): I propose that

Y Gweinidog dros Addysg a Dysgu Gydol Oes (Jane Davidson): Cynigiaf fod

the National Assembly for Wales considers the principle of the Education Act 2002 (Commencement No. 1) (Wales) Order 2002, laid in the Table Office on 2 December 2002. (NDM1263)

Cynulliad Cenedlaethol Cymru yn ystyried egwyddor Gorchymyn Deddf Addysg 2002 (Cychwyn Rhif 1) (Cymru) 2002, a osodwyd yn y Swyddfa Gyflwyno ar 2 Rhagfyr 2002. (NDM1263)

I propose that

Cynigiaf fod

the National Assembly for Wales:

Cynulliad Cenedlaethol Cymru:

1. considers the report of the Legislation Committee which does not draw the special attention of the Assembly to any matter under Standing Order No. 11.5, in relation to the draft Order, the Education Act 2002 (Commencement No. 1) (Wales) Order 2002, laid in the Table Office and e-mailed to members on 10 December 2002;

1. yn ystyried adroddiad y Pwyllgor Deddfau, nad yw'n tynnu sylw arbennig y Cynulliad at unrhyw fater o dan Reol Sefydlog Rhif 11.5 mewn perthynas â'r Gorchymyn drafft, Gorchymyn Deddf Addysg 2002 (Cychwyn Rhif 1) (Cymru) 2002, a osodwyd yn y Swyddfa Gyflwyno ac a ebostiwyd at aelodau ar 10 Rhagfyr 2002;

2. approves that the Order is made in accordance with the draft laid in the Table Office on 2 December 2002. (NDM1264)

2. yn cymeradwyo bod y Gorchymyn yn cael ei wneud yn unol â'r drafft a osodwyd yn y Swyddfa Gyflwyno ar 2 Rhagfyr 2002. (NDM1264)

I welcome this debate on the commencement Order because our ambition is for Wales to be seen as an excellent place in which to teach and learn. We described that ambition in detail just over a year ago in 'The Learning Country'. The Assembly Government has

Croesawaf y ddadl hon ar y Gorchymyn cychwyn oherwydd ein huchelgais yw i Gymru gael ei gweld yn lle rhagorol i ddysgu ac addysgu. Gwnaethom ddisgrifio'r uchelgais hwnnw'n fanwl ychydig dros flwyddyn yn ôl yn 'Y Wlad sy'n Dysgu'.

taken full responsibility for ensuring that we realise that ambition, working in partnership with people throughout Wales. While we drive our innovative, made-in-Wales policy forward and put in place distinctive, Welsh policies that are right for Wales and which were consulted upon in 'The Learning Country', the Conservatives merely focus on blocking the whole process. I deplore their efforts to deny the people of Wales this exciting opportunity and can only determine that their actions demonstrate an anti-Welsh view.

I draw Members' attention to the repeal of section 91. No schools in Wales use the special arrangements that allow them to keep places empty in their schools. The Catholic Church, the Church in Wales and the Church of England were fully consulted on the repeal and determined that it should go ahead. There were arrangements in place with the 11 Catholic schools in the Cardiff area and they have not been used.

Jonathan Morgan: Will you confirm that section 91 of the School Standards and Framework Act 1998 refers generally to provisions and admissions arrangements that are agreed between local authorities and church schools to allow those schools to preserve their religious character? There is no reference to Catholic schools, or to several places being kept open for pupils from that faith community. Can you confirm that this is a general provision allowing faith schools to preserve the religious nature of their schools through their admissions arrangements?

Jane Davidson: I will confirm, as I have done in answer to your written questions and in response to your requests to my officials, that church authorities were consulted before section 91 was repealed and are fully content with the change.

I wish to focus on the purpose of this commencement Order. Most Members would agree that the provision in the Act for a separate national curriculum, which will be wholly distinct from the national curriculum in England, is a significant and exciting step

Mae Llywodraeth y Cynulliad wedi ymgymryd yn llawn â'r cyfrifoldeb dros sicrhau ein bod yn cyflawni'r uchelgais hwnnw, gan weithio mewn partneriaeth â phobl ledled Cymru. Tra ydym ni'n hyrwyddo ein polisi arloesol a wnaed yng Nghymru ac yn rhoi polisiau Cymreig, neilltuol ar waith sy'n addas i Gymru ac yr ymgynghorwyd yn eu cylch yn 'Y Wlad sy'n Dysgu', y cwbl a wnaiff y Ceidwadwyr yw canolbwyntio ar atal yr holl broses. Gresynaf at eu hymdrechion i wrthod y cyfle cyffrous hwn i bobl Cymru ac ni allaf ond barnu bod eu gweithredoedd yn amlygu safbwynt gwrth-Gymreig.

Tynnaf sylw Aelodau at ddiddymu adran 91. Nid oes yr un ysgol yng Nghymru sy'n defnyddio'r trefniadau arbennig sy'n caniatáu iddynt gadw lleoedd gwag yn eu hysgolion. Ymgynghorwyd yn llawn â'r Eglwys Gatholig, yr Eglwys yng Nghymru ac Eglwys Loegr ar y diddymiad hwn a gwnaethant farnu y dylai fynd yn ei flaen. Yr oedd trefniadau ar waith gyda'r 11 ysgol Gatholig yn ardal Caerdydd ac nis defnyddiwyd.

Jonathan Morgan: A wnewch gadarnhau bod adran 91 o'r Ddeddf Safonau a Fframwaith Ysgolion 1998 yn cyfeirio'n gyffredinol at ddarpariaethau a threfniadau derbyn a gytunir rhwng awdurdodau lleol ac ysgolion eglwys i ganiatáu i'r ysgolion hynny gadw eu cymeriad crefyddol? Nid oes cyfeiriad at ysgolion Catholig, neu at gadw nifer o leoedd ar gyfer disgyblion o'r gymuned grefyddol honno. A allwch gadarnhau mai darpariaeth gyffredinol yw hon sy'n caniatáu i ysgolion crefyddol gadw natur grefyddol eu hysgolion drwy eu trefniadau derbyn?

Jane Davidson: Gwnaf gadarnhau, fel y gwneuthum wrth ateb eich cwestiynau ysgrifenedig ac mewn ymateb i'ch ceisiadau i'm swyddogion, yr ymgynghorwyd ag awdurdodau'r eglwysi cyn diddymu adran 91 a'u bod yn gwbl fodlon ar y newid.

Dymunaf ganolbwyntio ar ddiben y Gorchymyn cychwyn hwn. Byddai'r rhan fwyaf o'r Aelodau'n cytuno bod y ddarpariaeth yn y Ddeddf ar gyfer cwricwlwm cenedlaethol ar wahân, a fydd yn hollol ar wahân i'r cwricwlwm cenedlaethol

forward. It is a notable first, which we should celebrate. It is significant that we are moving forward with our plans for a foundation curriculum for three to seven-year-olds. That is only happening in Wales and it has aroused a great deal of public support. It is significant that we are developing quality special educational needs provision, and the new opportunities that the Act gives us are important. We will have regional centres funded by the Assembly and our own SEN tribunal for Wales.

Also included are powers to require governing bodies of secondary schools and their feeder primary schools to plan together for the transition from key stage 2 to key stage 3—a Wales-only provision in the Act. That will directly benefit school children across Wales. The Assembly Government strongly believes that schools are integral to community capacity building. From September 2003, governing bodies can, if they wish, get involved in the provision of community facilities. We shall, in due course, establish budget fora, school councils and partnership agreements, and there will be new scope for adjusting provision for 14 to 19-year-olds as we consult and drive forward our innovative agenda for 14 to 19-year-olds.

The key feature of this legislation is that it will serve us. It is our education and lifelong learning agenda and I am confident that it will make a real difference. That we are delivering on this agenda for the people of Wales is a significant step forward today. I find it difficult to accept the Conservatives' concerns about a lack of consultation. When 'The Learning Country', our comprehensive education and lifelong learning programme to 2010 in Wales, was published, it was sent out to some 12,000 people. Countries across the world still ask for copies of it now. A copy of 'The Learning Country' was sent to each Assembly Member and to MPs, Peers and others with an interest, both in Wales and beyond. Responses to the consultation were overwhelmingly in favour of the agenda. We

yn Lloegr, yn gam ymlaen pwysig a chyffrous. Mae'n rhywbeth nodedig sy'n digwydd am y tro cyntaf erioed y dylem ei ddathlu. Mae'n bwysig ein bod yn symud ymlaen â'n cynlluniau ar gyfer cwricwlwm sylfaen i blant tair i saith mlwydd oed. Dim ond yng Nghymru y mae hynny'n digwydd ac mae wedi ennyn llawer o gefnogaeth ymysg y cyhoedd. Mae'n bwysig ein bod yn datblygu darpariaeth anghenion addysgol arbennig o ansawdd da, ac mae'r cyfleoedd newydd a gawn drwy'r Ddeddf yn bwysig. Bydd gennym ganolfannau rhanbarthol a ariannir gan y Cynulliad a'n tribiwnlys anghenion addysgol arbennig ein hun yng Nghymru.

Cynhwysir hefyd bwerau i fynnu bod cyrff llywodraethu ysgolion uwchradd a'r ysgolion cynradd sy'n eu porthi yn cynllunio gyda'i gilydd ar gyfer y trawsnewid o gyfnod allweddol 2 i gyfnod allweddol 3—darpariaeth i Gymru'n unig yn y Ddeddf. Bydd hynny o fudd uniongyrchol i blant ysgol ledled Cymru. Mae Llywodraeth y Cynulliad yn credu'n gryf bod ysgolion yn hanfodol i ddatblygu potensial cymunedau. O fis Medi 2003, caiff cyrff llywodraethu gymryd rhan, os dymunant, yn y gwaith o ddarparu cyfleusterau cymunedol. Gyda hyn, byddwn yn sefydlu fforymau cyllideb, cynghorau ysgol a chytundebau partneriaeth, a bydd cyfle newydd i addasu'r ddarpariaeth ar gyfer y rhai 14 i 19 mlwydd oed wrth inni ymgynghori a hyrwyddo ein hagenda arloesol ar gyfer rhai 14 i 19 oed.

Nodwedd allweddol y ddeddfwriaeth hon yw y bydd yn ein gwasanaethu ni. Ein hagenda addysg a dysgu gydol oes ni ydyw ac yr wyf yn ffyddiog y bydd yn gwneud gwahaniaeth gwirioneddol. Mae'r ffaith ein bod yn cyflawni'r agenda hon ar ran pobl Cymru yn gam pwysig ymlaen heddiw. Mae'n anodd gennyf dderbyn pryderon y Ceidwadwyr ynghylch diffyg ymgynghori. Pan gyhoeddwyd 'Y Wlad sy'n Dysgu', ein rhaglen addysg a dysgu gydol oes gynhwysfawr hyd 2010 yng Nghymru, fe'i hanfonwyd at tua 12,000 o bobl. Mae gwledydd drwy'r byd yn dal i ofyn am gopiau ohono. Anfonwyd copi o 'Y Wlad sy'n Dysgu' at bob Aelod o'r Cynulliad ac at Aelodau Seneddol, Arglwyddi ac eraill sydd â diddordeb, yng Nghymru a'r tu hwnt. Yr

then drafted the provisions of the Welsh clauses in the Education Bill to reflect the outcome of the consultation.

We deliberately gave the Education and Lifelong Learning Committee an early opportunity to consider the Bill, before the parliamentary committee, so that it could influence the Bill's development. Regular progress reports were given to the Committee during the Bill's progress, as well as a meeting with the Wales Office Minister taking the Bill through Parliament on Wales's behalf. The Committee had a full opportunity to comment on the programme of intended secondary legislation emanating from the Act on 24 October. All AMs had the opportunity to comment on 'The Learning Country' and, in a full debate on 16 October, we agreed that the Government should begin the introduction of the secondary legislation required to implement the Act from December 2002. That does not and cannot amount to a lack of consultation. On several occasions, Jonathan has tried to use the Business Committee, this Plenary and Committee meetings to ask other members of the Committee to accept amendments to defer proposals. In each case, he has not been supported. The Chair of the Committee has said that he has not been under pressure for changes to this legislation; that is because we have actively engaged as widely as possible.

4:20 p.m.

If the 116 Conservative amendments were carried, they would delay the introduction of the legislation for three years. They are just another attempt to block genuine opportunity, higher standards of learning and radical new thinking. All they seek to do is to change the commencement times and they therefore damage the agenda. The Conservatives do not want to see in Wales an education agenda that has been made in Wales and contributed to by people in Wales. In my written statement of 27 November 2001, following consultation on 'The Learning Country', I made it clear—as I did in 'The Learning Country'—that the primary legislation would be shaped to enable the Assembly to take its own path towards realising our education

oedd y mwyafrif llethol o'r ymatebion i'r ymgynghori'n bleidiol i'r agenda. Wedyn gwnaethom ddrafftio darpariaethau'r cymalau Cymreig yn y Mesur Addysg i adlewyrchu canlyniad yr ymgynghori.

Rhoesom gyfle'n fuan yn fwiadol i'r Pwyllgor Addysg a Dysgu Gydol Oes gael ystyried y Mesur, cyn y pwyllgor seneddol, fel y gallai ddylanwadu ar ddatblygiad y Mesur. Rhoddwyd adroddiadau rheolaidd ar y cynnydd i'r Pwyllgor yn ystod hynt y Mesur, yn ogystal â chyfarfod â'r Gweinidog yn Swyddfa Cymru a oedd yn mynd â'r Mesur drwy'r Senedd ar ran Cymru. Cafodd y Pwyllgor gyfle llawn i wneud sylwadau ar y rhaglen ddeddfwriaeth eilaidd arfaethedig sy'n deillio o'r Ddeddf ar 24 Hydref. Cafodd pob AC gyfle i wneud sylwadau am 'Y Wlad sy'n Dysgu' ac, mewn dadl lawn ar 16 Hydref, gwnaethom gytuno y dylai'r Llywodraeth ddechrau cyflwyno'r ddeddfwriaeth eilaidd sydd ei hangen i weithredu'r Ddeddf o Ragfyr 2002 ymlaen. Nid yw hynny'n gyfystyr â diffyg ymgynghori. Ar sawl achlysur, mae Jonathan wedi ceisio defnyddio'r Pwyllgor Busnes, y Cyfarfod Llawn hwn a chyfarfodydd y Pwyllgor i ofyn i aelodau eraill o'r Pwyllgor dderbyn gwelliannau i ohirio cynigion. Ym mhob achos, nis cefnogwyd. Mae Cadeirydd y Pwyllgor wedi dweud na fu dan bwysau i wneud newidiadau i'r ddeddfwriaeth hon; y rheswm am hynny yw ein bod wedi mynd ati i gysylltu mor eang â phosibl.

Pe derbynnid y 116 o welliannau'r Ceidwadwyr, byddent yn gohirio cyflwyno'r ddeddfwriaeth am dair blynedd. Nid ydynt ond yn ymgais arall i rwystro cyfle gwirioneddol, safonau dysgu uwch a syniadau newydd radical. Y cwbl y ceisiant ei wneud yw newid yr amseroedd cychwyn ac maent felly'n amharu ar yr agenda. Nid yw'r Ceidwadwyr am weld agenda addysg yng Nghymru a wnaed yng Nghymru ac y cyfrannwyd ati gan bobl yng Nghymru. Yn fy natganiad ysgrifenedig ar 27 Tachwedd 2001, ar ôl ymgynghori ar 'Y Wlad sy'n Dysgu', rhoddais ar ddeall—fel y gwneuthum yn 'Y Wlad sy'n Dysgu'—y byddai'r ddeddfwriaeth sylfaenol yn cael ei llunio i alluogi'r Cynulliad i ddilyn ei lwybr ei hun at

agenda in Wales.

The Order brings into force on 19 December 2002 in Wales those provisions of the Education Act 2002 specified in part I of the schedule to the Order. It brings part II of the schedule into force on 31 March 2003, and part III on 1 September 2003. The Order also makes transitional provisions in relation to admission arrangements. Several of the items are of a technical nature, amending earlier legislation, and the explanatory notes succinctly set out a lay description of the provisions. Most of those will have immediate effect once the Order comes into force.

Regional provision for special educational needs is just one key issue that the Assembly has strongly supported. Section 191 enables the Assembly to direct local education authorities to consider whether they could provide for special educational needs more effectively by region. Section 192 enables the Assembly to direct an LEA or governing body to make proposals in connection with the establishment of a regional school providing for children with special educational needs, or arrangements for providing education or goods and services on a regional basis. Section 193 enables the Assembly to make proposals to secure regional provision, and section 194 makes consequential amendments to the Education Act 1996.

The commencement of these Wales-only provisions in the Act, together with the bringing into force of measures to establish a special educational needs tribunal for Wales, fulfil our commitment to enhance and improve our special educational needs arrangements. It demonstrates the seriousness of my commitment in addressing what has been left unattended for far too long.

The sections on the General Teaching Council for Wales provide several additional functions, such as important powers to allow the council to undertake activities to promote the teaching profession for the first time. The teaching profession will be able to promote itself. We are determined to attract and retain high-quality entrants to teaching and increase

gyflawni ein hagenda addysg yng Nghymru.

Mae'r Gorchymyn yn rhoi mewn grym ar 19 Rhagfyr 2002 yng Nghymru y darpariaethau hynny yn y Ddeddf Addysg 2002 a nodir yn rhan I o'r atodlen i'r Gorchymyn. Daw â rhan II o'r atodlen i rym ar 31 Mawrth 2003, a rhan III ar 1 Medi 2003. Mae'r Gorchymyn hefyd yn gwneud darpariaethau trosiannol mewn cysylltiad â threfniadau derbyn. Mae nifer o'r eitemau o natur dechnegol sy'n diwygio deddfwriaeth gynharach, ac mae'r nodiadau eglurhaol yn rhoi disgrifiad cryno i'r llysgwr o'r darpariaethau. Daw'r rhan fwyaf o'r rheini i rym pan roddir y Gorchymyn ar waith.

Darpariaeth ranbarthol ar gyfer anghenion addysgol arbennig yw un o nifer o faterion allweddol y mae'r Cynulliad wedi'u cefnogi'n gryf. Mae adran 191 yn galluogi'r Cynulliad i gyfarwyddo awdurdodau addysg lleol i ystyried a allent ddarparu'n fwy effeithiol ar gyfer anghenion addysgol arbennig yn rhanbarthol. Mae adran 192 yn galluogi'r Cynulliad i gyfarwyddo AALl neu gorff llywodraethu i wneud cynigion mewn cysylltiad â sefydlu ysgol ranbarthol ar gyfer plant ag anghenion addysgol arbennig, neu drefniadau ar gyfer darparu addysg neu nwyddau neu wasanaethau'n rhanbarthol. Mae adran 193 yn galluogi'r Cynulliad i wneud cynigion i sicrhau darpariaeth ranbarthol, ac mae adran 194 yn gwneud newidiadau canlyniadol i'r Ddeddf Addysg 1996.

Mae cychwyn y darpariaethau hyn yn y Ddeddf sydd i Gymru'n unig, ynghyd â gweithredu mesurau i sefydlu tribiwnlys anghenion addysgol arbennig i Gymru, yn cyflawni ein hymrwymiad i hyrwyddo a gwella ein trefniadau anghenion addysgol arbennig. Mae'n dangos fy mod o ddifrif yn fy ymrwymiad i ymdrin â rhywbeth a esgeuluswyd yn rhy hir o lawer.

Mae'r adrannau ar Gyngor Addysgu Cyffredinol Cymru'n darparu sawl swyddogaeth ychwanegol, fel pwerau pwysig i ganiatáu i'r cyngor ymgymryd â gweithgareddau i hybu'r proffesiwn dysgu am y tro cyntaf. Bydd y proffesiwn dysgu'n gallu ei hyrwyddo ei hun. Yr ydym yn benderfynol o ddenu a chadw athrawon

the independence of the council and that move will help us in that.

The Order also brings into force provisions to extend the powers of the Qualifications, Curriculum and Assessment Authority for Wales, in terms of the curriculum for children below compulsory school age. That allows ACCAC to lend its full support as we introduce our new foundation phase, and it will gain powers to strengthen its hand in rationalising qualifications and regulating awarding bodies.

Estyn has a key role in our drive to raise standards and quality of learning. The provisions of the Act will enable it to make a full and effective contribution to the evidence base, which is important to underpin the agenda set for action. Section 179 recognises that learning embraces a range of activities beyond the school gate, and extends Estyn's powers to examine such provisions for 14 to 16-year-olds, which is a key development that fits in with our review of educational provision for 14 to 19-year-olds. Section 180 importantly extends Estyn's powers to ensure that learning arranged by the local authority for young people in hospital or specialist provision will be subject to inspection and the same rigorous standards. Therefore, we can ensure that we deliver the right kind of quality education to young people whatever their educational environment.

Let us consider the regulations in terms of school lunches. We can use this new power to ensure that children required to attend school over the lunch period are entitled to free school lunches. The Act allows the Assembly to prescribe additional benefits or tax credits, the receipt of which will entitle the parent to request a free school lunch for a child and, where the provision is made, free milk. That flexibility is essential if we are to keep pace with changes to the tax credit system contained in the Tax Credits Act 2002. That provision will commence on 31 March 2003, and the regulations will come into effect at the same time.

newydd o ansawdd da a gwneud y cyngor yn fwy annibynnol a bydd y cam hwnnw'n ein helpu yn hynny o beth.

Yn ogystal â hynny, mae'r Gorchymyn yn rhoi darpariaethau ar waith i ymestyn pwerau Awdurdod Cymwysterau, Cwricwlwm ac Asesu Cymru, yng nghyd-destun y cwricwlwm i blant o dan oedran ysgol gorfodol. Mae hynny'n caniatáu i ACCAC roi ei holl gefnogaeth wrth inni gyflwyno ein cyfnod sylfaen newydd, a bydd yn cael pwerau i roi nerth bôn braich iddo wrth resymoli cymwysterau a rheoleiddio cyrff dyfarnu.

Mae rôl allweddol i Estyn yn ein hymgyrch i hybu safonau ac ansawdd dysgu. Bydd darpariaethau'r Ddeddf yn ei alluogi i gyfrannu'n llawn ac yn effeithiol i'r sylfaen dystiolaeth, sy'n bwysig i ategu'r agenda a bennwyd ar gyfer gweithredu. Mae adran 179 yn cydnabod bod dysgu'n cwmpasu amryw o weithgareddau y tu allan i'r ysgol, ac mae'n ehangu pwerau Estyn i gwmpasu archwilio darpariaethau o'r fath ar gyfer rhai 14 i 16 mlwydd oed, sy'n ddatblygiad allweddol sy'n cyd-fynd â'n hadolygiad o'r ddarpariaeth addysgol ar gyfer rhai 14 i 19 mlwydd oed. Mae darpariaeth bwysig yn adran 180 i ehangu pwerau Estyn er mwyn sicrhau y bydd dysgu a drefnir gan yr awdurdod lleol ar gyfer pobl ifanc yn yr ysbyty neu ddarpariaeth arbenigol yn cael ei arolygu ac yn cadw at yr un safonau cadarn. Felly, gallwn sicrhau ein bod yn darparu'r math iawn o addysg safonol ar gyfer pobl ifanc beth bynnag fo'u hamgylchedd addysgol.

Gadewch inni ystyried y rheoliadau yng nghyd-destun ciniawau ysgol. Gallwn ddefnyddio'r pŵer newydd hwn i sicrhau hawl i ginio ysgol am ddim i blant y mae'n ofynnol iddynt fod yn yr ysgol dros amser cinio. Mae'r Ddeddf yn caniatáu i'r Cynulliad bennu budd-daliadau ychwanegol neu greddyau treth, y bydd eu derbyn yn rhoi hawl i riant ofyn am ginio ysgol am ddim i'w blentyn ac, os oes darpariaeth o'r fath, laeth am ddim. Mae'r hyblygrwydd hwnnw'n hollbwysig os ydym i gadw'n wastad â newidiadau i'r system credyd treth a geir yn y Ddeddf Credydau Treth 2002. Bydd y ddarpariaeth honno'n cychwyn ar 31 Mawrth 2003, a daw'r rheoliadau i rym yr un pryd.

Of the 116 Conservative amendments, 90 are deficient. They do not work; they specify dates for commencement that differ from the dates for the coming into force of the provisions to which they relate. Somewhat bizarrely, given the issues that Jonathan is determined to try to make capital out of, churches have supported the repeal of the School Standards and Framework Act 1998, in terms of ensuring that school places are fully occupied by pupils. Such schools will retain their religious character. You have proposed repealing this—

Jonathan Morgan: Will you give way on that point?

Jane Davidson: No. You have proposed repealing this legislation twice, in amendments 1 and 116, without any other transitional Order. Therefore, not only are the amendments deficient, but it is sad that I cannot find one that proposes anything constructive that we can debate today. The Conservatives know full well that the Assembly consults fully on every set of regulations and, once again, they are rejecting the chance to make a genuine contribution to a debate. We have no choice other than to reject all the amendments. I am determined that such blocking, delaying and backward-looking tactics will not hold back our exciting learning agenda in Wales.

This debate is about empowering the Assembly to legislate and take action. It is about empowering the Assembly to drive forward its education agenda for the people of Wales, and about firmly establishing Wales, the learning country, as an excellent place in which to teach and learn.

Jonathan Morgan: I propose the following amendments in my name and those of Nick Bourne and David Melding. Amendment 1: omit the reference to section 49 in part I of the schedule to this Order and add at the end of article 4:

and the day appointed for the coming into force of section 49 shall be 19 December 2003.

O'r 116 o welliannau gan y Ceidwadwyr, mae 90 ohonynt yn ddiffygiol. Nid ydynt yn gweithio; maent yn pennu dyddiadau cychwyn sy'n wahanol i ddyddiadau dod i rym y darpariaethau y maent yn ymwneud â hwy. Yn rhyfedd braidd, o ystyried y materion y mae Jonathan yn benderfynol o geisio ymelwa ohonynt, mae eglwysi wedi cefnogi diddymu'r Ddeddf Safonau a Fframwaith Ysgolion 1998, o ran sicrhau bod disgyblion yn llenwi pob lle mewn ysgol. Bydd ysgolion o'r fath yn cadw eu cymeriad crefyddol. Yr ydych wedi cynnig diddymu hyn—

Jonathan Morgan: A wnewch ildio ar y pwynt hwnnw?

Jane Davidson: Na wna. Yr ydych wedi cynnig diddymu'r ddeddfwriaeth hon ddwy waith, yng ngwelliannau 1 a 116, heb unrhyw Orchymyn trosiannol arall. Felly, mae'r gwelliannau'n ddiffygiol, ac mae'n drist hefyd na allaf ddod o hyd i un sy'n cynnig rhywbeth adeiladol y gallwn ei drafod heddiw. Gŵyr y Ceidwadwyr yn iawn fod y Cynulliad yn ymgynghori'n llawn ar bob set o reoliadau ac, unwaith eto, maent yn gwrthod y cyfle i wneud cyfraniad dilys i ddadl. Nid oes gennym ddewis ond gwrthod yr holl welliannau. Yr wyf yn benderfynol na fydd tactegau rhwystro a gohirio hen ffasiwn o'r fath yn atal ein hagenda dysgu gyffrous yng Nghymru.

Mae'r ddadl hon yn ymwneud â galluogi'r Cynulliad i ddeddfu a gweithredu. Mae'n ymwneud â galluogi'r Cynulliad i hyrwyddo ei agenda addysg ar gyfer pobl Cymru, a sefydlu Cymru, y wlad sy'n dysgu, yn gadarn fel lle rhagorol i ddysgu ac addysgu.

Jonathan Morgan: Cynigiau y gwelliannau canlynol yn fy enw i ac yn enwau Nick Bourne a David Melding. Gwelliant 1: dileu'r cyfeiriad at adran 49 yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

a 19 Rhagfyr 2003 fydd y diwrnod penodedig y bydd adran 49 yn dod i rym.

I propose amendment 2. Omit the reference to sections 54, 55, 56 in part I of the schedule to this Order and add at the end of article 4:

and the day appointed for the coming into force of sections 54, 55, 56 shall be 2 January 2003.

I propose amendment 3. Omit the reference to section 75 in so far as it relates to provisions of schedule 10 below in part I of the schedule to this Order and add at the end of article 4:

and the day appointed for the coming into force of section 75 in so far as it relates to provisions of schedule 10 below shall be 3 January 2003.

I propose amendment 4. Omit the reference to sections 97, 98, 99(1), 100 except sub-paragraphs (1)(b), (2)(b) and (5), 101 except sub-paragraph (3)(b), 103, 105 to 107, 108 except sub-paragraphs (1)(a), (2) and (6), 109, 111 to 118 in part I of the schedule to this Order and add at the end of article 4:

and the day appointed for the coming into force of sections 97, 98, 99(1), 100 except sub-paragraphs (1)(b), (2)(b) and (5), 101 except sub-paragraph (3)(b), 103, 105 to 107, 108 except sub-paragraphs (1)(a), (2) and (6), 109, 111 to 118 shall be 4 January 2003.

I propose amendment 5. Omit the reference to section 131 in part I of the schedule to this Order and add at the end of article 4:

and the day appointed for the coming into force of section 131 shall be 5 January 2003.

I propose amendment 6. Omit the reference to sections 132, 133, 134(1), (4) and (5), 135 in part I of the schedule to this Order and add at the end of article 4:

and the day appointed for the coming into force of sections 132, 133, 134(1), (4) and (5), 135 shall be 6 January 2003.

I propose amendment 7. Omit the reference to section 141 in part I of the schedule to this Order and add at the end of article 4:

Cynigiaf welliant 2. Dileu'r cyfeiriad at adrannau 54, 55, 56 yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

a 2 Ionawr 2003 fydd y diwrnod penodedig y bydd adrannau 54, 55, 56 yn dod i rym.

Cynigiaf welliant 3. Dileu'r cyfeiriad at adran 75 i'r graddau y mae'n ymwneud â darpariaethau atodlen 10 isod yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

a 3 Ionawr 2003 fydd y diwrnod penodedig y bydd adran 75 i'r graddau y mae'n ymwneud â darpariaethau atodlen 10 isod yn dod i rym.

Cynigiaf welliant 4. Dileu'r cyfeiriad at adrannau 97, 98, 99(1), 100 ac eithrio is-baragraffau (1)(b), (2)(b) a (5), 101 ac eithrio is-baragraff (3)(b), 103, 105 i 107, 108 ac eithrio is-baragraffau (1)(a), (2) a (6), 109, 111 i 118 yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

a 4 Ionawr 2003 fydd y diwrnod penodedig y bydd adrannau 97, 98, 99(1), 100 ac eithrio is-baragraffau (1)(b), (2)(b) a (5), 101 ac eithrio is-baragraff (3)(b), 103, 105 i 107, 108 ac eithrio is-baragraffau (1)(a), (2) a (6), 109, 111 i 118 yn dod i rym.

Cynigiaf welliant 5. Dileu'r cyfeiriad at adran 131 yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

a 5 Ionawr 2003 fydd y diwrnod penodedig y bydd adran 131 yn dod i rym.

Cynigiaf welliant 6. Dileu'r cyfeiriad at adrannau 132, 133, 134(1), (4) a (5), 135 yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

a 6 Ionawr 2003 fydd y diwrnod penodedig y bydd adrannau 132, 133, 134(1), (4) a (5), 135 yn dod i rym.

Cynigiaf welliant 7. Dileu'r cyfeiriad at adran 141 yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

and the day appointed for the coming into force of section 141 shall be 7 January 2003. a 7 Ionawr 2003 fydd y diwrnod penodedig y bydd adran 141 yn dod i rym.

I propose amendment 8. Omit the reference to section 145 in part I of the schedule to this Order and add at the end of article 4: Cynigiau welliant 8. Dileu'r cyfeiriad at adran 145 yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

and the day appointed for the coming into force of section 145 shall be 8 January 2003. a 8 Ionawr 2003 fydd y diwrnod penodedig y bydd adran 145 yn dod i rym.

I propose amendment 9. Omit the reference to section 148 in so far as it relates to provisions of schedule 12 below in part I of the schedule to this Order and add at the end of article 4: Cynigiau welliant 9. Dileu'r cyfeiriad at adran 148 i'r graddau y mae'n ymwneud â darpariaethau atodlen 12 isod yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

and the day appointed for the coming into force of section 148 in so far as it relates to provisions of schedule 12 below shall be 9 January 2003. a 9 Ionawr 2003 fydd y diwrnod penodedig y bydd adran 148 i'r graddau y mae'n ymwneud â darpariaethau atodlen 12 isod yn dod i rym.

I propose amendment 10. Omit the reference to section 151(2) in part I of the schedule to this Order and add at the end of article 4: Cynigiau welliant 10. Dileu'r cyfeiriad at adran 151(2) yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

and the day appointed for the coming into force of section 151(2) shall be 10 January 2003. a 10 Ionawr 2003 fydd y diwrnod penodedig y bydd adran 151(2) yn dod i rym.

I propose amendment 11. Omit the reference to section 152 in so far as it relates to provisions of schedule 13 below in part I of the schedule to this Order and add at the end of article 4: Cynigiau welliant 11. Dileu'r cyfeiriad at adran 152 i'r graddau y mae'n ymwneud â darpariaethau atodlen 13 isod yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

and the day appointed for the coming into force of section 152 in so far as it relates to provisions of schedule 13 below shall be 11 January 2003. a 11 Ionawr 2003 fydd y diwrnod penodedig y bydd adran 152 i'r graddau y mae'n ymwneud â darpariaethau atodlen 13 isod yn dod i rym.

I propose amendment 12. Omit the reference to section 179(1), (4), (5) and (6) in part I of the schedule to this Order and add at the end of article 4: Cynigiau welliant 12. Dileu'r cyfeiriad at adran 179(1), (4), (5) a (6) yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

and the day appointed for the coming into force of section 179(1), (4), (5) and (6) shall be 12 January 2003. a 12 Ionawr 2003 fydd y diwrnod penodedig y bydd adran 179(1), (4), (5) a (6) yn dod i rym.

I propose amendment 13. Omit the reference to section 180 in part I of the schedule to this Order and add at the end of article 4: Cynigiau welliant 13. Dileu'r cyfeiriad at adran 180 yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

and the day appointed for the coming into force of section 180 shall be 13 January 2003.

I propose amendment 14. Omit the reference to section 188 in so far as it relates to provisions of schedule 16 below in part I of the schedule to this Order and add at the end of article 4:

and the day appointed for the coming into force of section 188 in so far as it relates to provisions of schedule 16 below shall be 14 January 2003.

I propose amendment 15. Omit the reference to section 189 in so far as it relates to provisions of schedule 17 below in part I of the schedule to this Order and add at the end of article 4:

and the day appointed for the coming into force of section 189 in so far as it relates to provisions of schedule 17 below shall be 15 January 2003.

I propose amendment 16. Omit the reference to sections 191 to 194 in part I of the schedule to this Order and add at the end of article 4:

and the day appointed for the coming into force of sections 191 to 194 shall be 16 January 2003.

I propose amendment 17. Omit the reference to section 196 in part I of the schedule to this Order and add at the end of article 4:

and the day appointed for the coming into force of section 196 shall be 17 January 2003.

I propose amendment 18. Omit the reference to section 215(1) in so far as it relates to provisions of schedule 21 below in part I of the schedule to this Order and add at the end of article 4:

and the day appointed for the coming into force of section 215(1) in so far as it relates to provisions of schedule 21 below shall be 18 January 2003.

a 13 Ionawr 2003 fydd y diwrnod penodedig y bydd adran 180 yn dod i rym.

Cynigiau welliant 14. Dileu'r cyfeiriad at adran 188 i'r graddau y mae'n ymwneud â darpariaethau atodlen 16 isod yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

a 14 Ionawr 2003 fydd y diwrnod penodedig y bydd adran 188 i'r graddau y mae'n ymwneud â darpariaethau atodlen 16 isod yn dod i rym.

Cynigiau welliant 15. Dileu'r cyfeiriad at adran 189 i'r graddau y mae'n ymwneud â darpariaethau atodlen 17 isod yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

a 15 Ionawr 2003 fydd y diwrnod penodedig y bydd adran 189 i'r graddau y mae'n ymwneud â darpariaethau atodlen 17 isod yn dod i rym.

Cynigiau welliant 16. Dileu'r cyfeiriad at adrannau 191 i 194 yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

a 16 Ionawr 2003 fydd y diwrnod penodedig y bydd adrannau 191 i 194 yn dod i rym.

Cynigiau welliant 17. Dileu'r cyfeiriad at adran 196 yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

a 17 Ionawr 2003 fydd y diwrnod penodedig y bydd adran 196 yn dod i rym.

Cynigiau welliant 18. Dileu'r cyfeiriad at adran 215(1) i'r graddau y mae'n ymwneud â darpariaethau atodlen 21 isod yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

a 18 Ionawr 2003 fydd y diwrnod penodedig y bydd adran 215(1) i'r graddau y mae'n ymwneud â darpariaethau atodlen 21 isod yn dod i rym.

- I propose amendment 19. Omit the reference to section 215(2) in so far as it relates to provisions of schedule 22 below in part I of the schedule to this Order and add at the end of article 4:
- and the day appointed for the coming into force of section 215(2) in so far as it relates to provisions of schedule 22 below shall be 19 January 2003.*
- I propose amendment 20. Omit the reference to schedule 5 in part I of the schedule to this Order and add at the end of article 4:
- and the day appointed for the coming into force of schedule 5 shall be 20 January 2003.*
- I propose amendment 21. Omit the reference to schedule 10, paragraphs 1, 6, 11 and 15 in part I of the schedule to this Order and add at the end of article 4:
- and the day appointed for the coming into force of schedule 10, paragraphs 1, 6, 11 and 15 shall be 21 January 2003.*
- I propose amendment 22. Omit the reference to schedule 12, paragraphs 1, 2, 4(1) and (3), 6 and 7 in part I of the schedule to this Order and add at the end of article 4:
- and the day appointed for the coming into force of schedule 12, paragraphs 1, 2, 4(1) and (3), 6 and 7 shall be 22 January 2003.*
- I propose amendment 23. Omit the reference to schedule 13, paragraphs 1 to 3, 5, 6, 7(1), (3), 8 in part I of the schedule to this Order and add at the end of article 4:
- and the day appointed for the coming into force of schedule 13, paragraphs 1 to 3, 5, 6, 7(1), (3), 8 shall be 23 January 2003.*
- I propose amendment 24. Omit the reference to schedule 16, paragraphs 4 to 9 in part I of the schedule to this Order and add at the end of article 4:
- and the day appointed for the coming into force of schedule 16, paragraphs 4 to 9 shall be 24 January 2003.*
- I propose amendment 25. Omit the reference
- Cynigiaf welliant 19. Dileu'r cyfeiriad at adran 215(2) i'r graddau y mae'n ymwneud â darpariaethau atodlen 22 isod yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:
- a 19 Ionawr 2003 fydd y diwrnod penodedig y bydd adran 215(2) i'r graddau y mae'n ymwneud â darpariaethau atodlen 22 isod yn dod i rym.*
- Cynigiaf welliant 20. Dileu'r cyfeiriad at atodlen 5 yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:
- a 20 Ionawr 2003 fydd y diwrnod penodedig y bydd atodlen 5 yn dod i rym.*
- Cynigiaf welliant 21. Dileu'r cyfeiriad at atodlen 10, paragraffau 1, 6, 11 a 15 yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:
- a 21 Ionawr 2003 fydd y diwrnod penodedig y bydd atodlen 10, paragraffau 1, 6, 11 a 15 yn dod i rym.*
- Cynigiaf welliant 22. Dileu'r cyfeiriad at atodlen 12, paragraffau 1, 2, 4(1) a (3), 6 a 7 yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:
- a 22 Ionawr 2003 fydd y diwrnod penodedig y bydd atodlen 12, paragraffau 1, 2, 4(1) a (3), 6 a 7 yn dod i rym.*
- Cynigiaf welliant 23. Dileu'r cyfeiriad at atodlen 13, paragraffau 1 i 3, 5, 6, 7(1), (3), 8 yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:
- a 23 Ionawr 2003 fydd y diwrnod penodedig y bydd atodlen 13, paragraffau 1 i 3, 5, 6, 7(1), (3), 8 yn dod i rym.*
- Cynigiaf welliant 24. Dileu'r cyfeiriad at atodlen 16, paragraffau 4 i 9 yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:
- a 24 Ionawr 2003 fydd y diwrnod penodedig y bydd atodlen 16, paragraffau 4 i 9 yn dod i rym.*
- Cynigiaf welliant 25. Dileu'r cyfeiriad at

to schedule 17, paragraphs 5 (1)-(4), (6), 6 to 8 in part I of the schedule to this Order and add at the end of article 4:

and the day appointed for the coming into force of schedule 17, paragraphs 5 (1)-(4), (6), 6 to 8 shall be 25 January 2003.

I propose amendment 26. Omit the reference to schedule 21, in part I of the schedule to this Order and add at the end of article 4:

and the day appointed for the coming into force of schedule 21, shall be 26 January 2003.

I propose amendment 27. Omit the reference to paragraph 8, in part I of the schedule to this Order and add at the end of article 4:

and the day appointed for the coming into force of paragraph 8, shall be 27 January 2003.

I propose amendment 28. Omit the reference to paragraph 11, in part I of the schedule to this Order and add at the end of article 4:

and the day appointed for the coming into force of paragraph 11, shall be 28 January 2003.

I propose amendment 29. Omit the reference to paragraph 13, in part I of the schedule to this Order and add at the end of article 4:

and the day appointed for the coming into force of paragraph 13, shall be 29 January 2003.

I propose amendment 30. Omit the reference to paragraph 16, in part I of the schedule to this Order and add at the end of article 4:

and the day appointed for the coming into force of paragraph 16 shall be 30 January 2003.

I propose amendment 31. Omit the reference to paragraph 19, in part I of the schedule to

atodlen 17, paragraffau 5 (1)-(4), (6), 6 i 8 yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

a 25 Ionawr 2003 fydd y diwrnod penodedig y bydd atodlen 17, paragraffau 5 (1)-(4), (6), 6 i 8 yn dod i rym.

Cynigiad welliant 26. Dileu'r cyfeiriad at atodlen 21, yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

a 26 Ionawr 2003 fydd y diwrnod penodedig y bydd atodlen 21 yn dod i rym.

Cynigiad welliant 27. Dileu'r cyfeiriad at baragraff 8, yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

a 27 Ionawr 2003 fydd y diwrnod penodedig y bydd paragraff 8 yn dod i rym.

Cynigiad welliant 28. Dileu'r cyfeiriad at baragraff 11, yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

a 28 Ionawr 2003 fydd y diwrnod penodedig y bydd Paragraff 11 yn dod i rym.

Cynigiad welliant 29. Dileu'r cyfeiriad at baragraff 13, yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

a 29 Ionawr 2003 fydd y diwrnod penodedig y bydd paragraff 13 yn dod i rym.

Cynigiad welliant 30. Dileu'r cyfeiriad at baragraff 16, yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

a 30 Ionawr 2003 fydd y diwrnod penodedig y bydd paragraff 16 yn dod i rym.

Cynigiad welliant 31. Dileu'r cyfeiriad at baragraff 19, yn rhan I o'r atodlen i'r

this Order and add at the end of article 4:	Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:
<i>and the day appointed for the coming into force of paragraph 19, shall be 31 January 2003.</i>	<i>a 31 Ionawr 2003 fydd y diwrnod penodedig y bydd paragraff 19 yn dod i rym.</i>
I propose amendment 32. Omit the reference to paragraphs 20 and 21, in part I of the schedule to this Order and add at the end of article 4:	Cynigiau welliant 32. Dileu'r cyfeiriad at baragraff 19, yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:
<i>and the day appointed for the coming into force of paragraphs 20 and 21, shall be 1 February 2003.</i>	<i>a 31 Ionawr 2003 fydd y diwrnod penodedig y bydd paragraff 19 yn dod i rym.</i>
I propose amendment 33. Omit the reference to paragraphs 31, 32 and 33, in part I of the schedule to this Order and add at the end of article 4:	Cynigiau welliant 33. Dileu'r cyfeiriad at baragraffau 31, 32 a 33, yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:
<i>and the day appointed for the coming into force of paragraphs 31, 32 and 33, shall be 2 February 2003.</i>	<i>a 2 Chwefror 2003 fydd y diwrnod penodedig y bydd paragraffau 31, 32 a 33 yn dod i rym.</i>
I propose amendment 34. Omit the reference to paragraph 45, in part I of the schedule to this Order and add at the end of article 4:	Cynigiau welliant 34. Dileu'r cyfeiriad at baragraff 45, yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:
<i>and the day appointed for the coming into force of paragraph 45, shall be 3 February 2003.</i>	<i>a 3 Chwefror 2003 fydd y diwrnod penodedig y bydd paragraff 45 yn dod i rym.</i>
I propose amendment 35. Omit the reference to paragraph 46 (except sub-paragraph (6)), in part I of the schedule to this Order and add at the end of article 4:	Cynigiau welliant 35. Dileu'r cyfeiriad at baragraff 46 (ac eithrio is-baragraff (6)), yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:
<i>and the day appointed for the coming into force of paragraph 46 (except sub-paragraph (6)), shall be 4 February 2003.</i>	<i>a 4 Chwefror 2003 fydd y diwrnod penodedig y bydd paragraff 46 (ac eithrio is-baragraff (6)), yn dod i rym.</i>
I propose amendment 36. Omit the reference to paragraph 47 (except sub-paragraph (3)), in part I of the schedule to this Order and add at the end of article 4:	Cynigiau welliant 36. Dileu'r cyfeiriad at baragraff 47 (ac eithrio is-baragraff (3)), yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:
<i>and the day appointed for the coming into force of paragraph 47 (except sub-paragraph (3)), shall be 5 February 2003.</i>	<i>a 5 Chwefror 2003 fydd y diwrnod penodedig y bydd paragraff 47 (ac eithrio is-baragraff (3)) yn dod i rym.</i>
I propose amendment 37. Omit the reference to paragraph 48, in part I of the schedule to this Order and add at the end of article 4:	Cynigiau welliant 37. Dileu'r cyfeiriad at baragraff 48, yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd

erthygl 4:

and the day appointed for the coming into force of paragraph 48, shall be 6 February 2003. a 6 Chwefror 2003 fydd y diwrnod penodedig y bydd paragraff 48 yn dod i rym.

I propose amendment 38. Omit the reference to paragraph 51, in part I of the schedule to this Order and add at the end of article 4: Cynigiaf welliant 38. Dileu'r cyfeiriad at baragraff 51, yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

and the day appointed for the coming into force of paragraph 51, shall be 7 February 2003. a 7 Chwefror 2003 fydd y diwrnod penodedig y bydd paragraff 51 yn dod i rym.

I propose amendment 39. Omit the reference to paragraph 53, in part I of the schedule to this Order and add at the end of article 4: Cynigiaf welliant 39. Dileu'r cyfeiriad at baragraff 53, yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

and the day appointed for the coming into force of paragraph 53, shall be 8 February 2003. a 8 Chwefror 2003 fydd y diwrnod penodedig y bydd paragraff 53 yn dod i rym.

I propose amendment 40. Omit the reference to paragraph 57 (except sub-paragraph (a)), in part I of the schedule to this Order and add at the end of article 4: Cynigiaf welliant 40. Dileu'r cyfeiriad at baragraff 57 (ac eithrio is-baragraff (a)), yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

and the day appointed for the coming into force of paragraph 57 (except sub-paragraph (a)), shall be 9 February 2003. a 9 Chwefror 2003 fydd y diwrnod penodedig y bydd paragraff 57 (ac eithrio is-baragraff (a)) yn dod i rym.

I propose amendment 41. Omit the reference to paragraph 59 (except sub-paragraph (a)) , in part I of the schedule to this Order and add at the end of article 4: Cynigiaf welliant 41. Dileu'r cyfeiriad at baragraff 59 (ac eithrio is-baragraff (a)), yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

and the day appointed for the coming into force of paragraph 59 (except sub-paragraph (a)) shall be 10 February 2003. a 10 Chwefror 2003 fydd y diwrnod penodedig y bydd paragraff 59 (ac eithrio is-baragraff (a)) yn dod i rym.

I propose amendment 42. Omit the reference to paragraph 66, in part I of the schedule to this Order and add at the end of article 4: Cynigiaf welliant 42. Dileu'r cyfeiriad at baragraff 66, yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

and the day appointed for the coming into force of paragraph 66 shall be 11 February 2003. a 11 Chwefror 2003 fydd y diwrnod penodedig y bydd paragraff 66 yn dod i rym.

I propose amendment 43. Omit the reference to paragraph 70, in part I of the schedule to this Order and add at the end of article 4: Cynigiaf welliant 43. Dileu'r cyfeiriad at baragraff 70, yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

and the day appointed for the coming into force of paragraph 70 shall be 12 February 2003. *a 12 Chwefror 2003 fydd y diwrnod penodedig y bydd paragraff 70 yn dod i rym.*

I propose amendment 44. Omit the reference to paragraph 74, in part I of the schedule to this Order and add at the end of article 4: Cynigiaf welliant 44. Dileu'r cyfeiriad at baragraff 74, yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

and the day appointed for the coming into force of paragraph 74 shall be 13 February 2003. *a 13 Chwefror 2003 fydd y diwrnod penodedig y bydd paragraff 74 yn dod i rym.*

I propose amendment 45. Omit the reference to paragraph 76 (except sub-paragraph (b)), in part I of the schedule to this Order and add at the end of article 4: Cynigiaf welliant 45. Dileu'r cyfeiriad at baragraff 76 (ac eithrio is-baragraff (b)), yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

and the day appointed for the coming into force of paragraph 76 (except sub-paragraph (b)) shall be 14 February 2003. *a 14 Chwefror 2003 fydd y diwrnod penodedig y bydd paragraff 76 (ac eithrio is-baragraff (b)) yn dod i rym.*

I propose amendment 46. Omit the reference to paragraph 78, in part I of the schedule to this Order and add at the end of article 4: Cynigiaf welliant 46. Dileu'r cyfeiriad at baragraff 78, yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

and the day appointed for the coming into force of paragraph 78 shall be 15 February 2003. *a 15 Chwefror 2003 fydd y diwrnod penodedig y bydd paragraff 78 yn dod i rym.*

I propose amendment 47. Omit the reference to paragraph 81, in part I of the schedule to this Order and add at the end of article 4: Cynigiaf welliant 47. Dileu'r cyfeiriad at baragraff 81, yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

and the day appointed for the coming into force of paragraph 81 shall be 16 February 2003. *a 16 Chwefror 2003 fydd y diwrnod penodedig y bydd paragraff 81 yn dod i rym.*

I propose amendment 48. Omit the reference to paragraph 85 (except sub-paragraph (b)), in part I of the schedule to this Order and add at the end of article 4: Cynigiaf welliant 48. Dileu'r cyfeiriad at baragraff 85 (ac eithrio is-baragraff (b)), yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

and the day appointed for the coming into force of paragraph 85 (except sub-paragraph (b)) shall be 17 February 2003. *a 17 Chwefror 2003 fydd y diwrnod penodedig y bydd paragraff 85 (ac eithrio is-baragraff (b)), yn dod i rym.*

I propose amendment 49. Omit the reference to paragraphs 87 and 88, in part I of the schedule to this Order and add at the end of article 4: Cynigiaf welliant 49. Dileu'r cyfeiriad at baragraffau 87 ac 88, yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

and the day appointed for the coming into force of paragraphs 87 and 88 shall be 18 February 2003.

I propose amendment 50. Omit the reference to paragraphs 95 and 96, in part I of the schedule to this Order and add at the end of article 4:

and the day appointed for the coming into force of paragraphs 95 and 96 shall be 19 February 2003.

I propose amendment 51. Omit the reference to paragraph 98(1) and (2) (except subparagraphs (b) and (c)), in part I of the schedule to this Order and add at the end of article 4:

and the day appointed for the coming into force of paragraph 98(1) and (2) (except subparagraphs (b) and (c)) shall be 20 February 2003.

I propose amendment 52. Omit the reference to paragraph 99(1) and (3) (except subparagraph (a)), in part I of the schedule to this Order and add at the end of article 4:

and the day appointed for the coming into force of paragraph 99(1) and (3) (except subparagraph (a)) shall be 21 February 2003.

I propose amendment 53. Omit the reference to paragraphs 104 and 105, in part I of the schedule to this Order and add at the end of article 4:

and the day appointed for the coming into force of paragraphs 104 and 105 shall be 22 February 2003.

I propose amendment 54. Omit the reference to paragraphs 108 and 109, in part I of the schedule to this Order and add at the end of article 4:

and the day appointed for the coming into force of paragraphs 108 and 109 shall be 23 February 2003.

I propose amendment 55. Omit the reference to paragraph 113 (except subparagraphs (a) to (d), (f) and (g)), in part I of the schedule to this Order and add at the end of article 4:

a 18 Chwefror 2003 fydd y diwrnod penodedig y bydd paragraffau 87 ac 88 yn dod i rym.

Cynigiaf welliant 50. Dileu'r cyfeiriad at baragraffau 95 a 96, yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

a 19 Chwefror 2003 fydd y diwrnod penodedig y bydd paragraffau 95 a 96 yn dod i rym.

Cynigiaf welliant 51. Dileu'r cyfeiriad at baragraff 98(1) a (2) (ac eithrio is-baragraffau (b) a (c)), yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

a 20 Chwefror 2003 fydd y diwrnod penodedig y bydd paragraff 98(1) a (2) (ac eithrio is-baragraffau (b) a (c)) yn dod i rym.

Cynigiaf welliant 52. Dileu'r cyfeiriad at baragraff 99 (1) a (3) (ac eithrio is-baragraff (a)), yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

a 21 Chwefror 2003 fydd y diwrnod penodedig y bydd paragraff 99 (1) a (3) (ac eithrio is-baragraff (a)) yn dod i rym.

Cynigiaf welliant 53. Dileu'r cyfeiriad at baragraffau 104 a 105, yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

a 22 Chwefror 2003 fydd y diwrnod penodedig y bydd paragraffau 104 a 105 yn dod i rym.

Cynigiaf welliant 54. Dileu'r cyfeiriad at baragraffau 108 a 109, yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

a 23 Chwefror 2003 fydd y diwrnod penodedig y bydd paragraffau 108 a 109 yn dod i rym.

Cynigiaf welliant 55. Dileu'r cyfeiriad at baragraff 113 (ac eithrio is-baragraffau (a) i (d), (f) a (g)), yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd

erthygl 4:

and the day appointed for the coming into force of paragraph 113 (except sub-paragraphs (a) to (d), (f) and (g)) shall be 24 February 2003.

I propose amendment 56. Omit the reference to paragraph 114 in part I of the schedule to this Order and add at the end of article 4:

and the day appointed for the coming into force of paragraph 114 shall be 25 February 2003.

I propose amendment 57. Omit the reference to paragraph 117, in part I of the schedule to this Order and add at the end of article 4:

and the day appointed for the coming into force of paragraph 117 shall be 26 February 2003.

I propose amendment 58. Omit the reference to paragraph 118(1), (2), (3) (except sub-paragraph (b)), (4) (except sub-paragraph (a)(ii)) and (5), in part I of the schedule to this Order and add at the end of article 4:

and the day appointed for the coming into force of paragraph 118(1), (2), (3) (except sub-paragraph (b)), (4) (except sub-paragraph (a)(ii)) and (5) shall be 27 February 2003.

I propose amendment 59. Omit the reference to paragraph 126(1), (2) in so far as it relates to the amendments of paragraphs 21 and 29 of schedule 7 to the Learning and Skills Act 2000 (a) and (3) in so far as it relates to the amendment of paragraph 39 of schedule 7 to the Learning and Skills Act 2000 in part I of the schedule to this Order and add at the end of article 4:

and the day appointed for the coming into force of paragraph 126(1), (2) in so far as it relates to the amendments of paragraphs 21 and 29 of schedule 7 to the Learning and Skills Act 2000(a) and (3) in so far as it relates to the amendment of paragraph 39 of schedule 7 to the Learning and Skills Act

a 24 Chwefror 2003 fydd y diwrnod penodedig y bydd paragraff 113 (ac eithrio is-baragraffau (a) i (d), (f) a (g)) yn dod i rym.

Cynigiau welliant 56. Dileu'r cyfeiriad at baragraff 114, yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

a 25 Chwefror 2003 fydd y diwrnod penodedig y bydd paragraff 114 yn dod i rym.

Cynigiau welliant 57. Dileu'r cyfeiriad at baragraff 117, yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

a 26 Chwefror 2003 fydd y diwrnod penodedig y bydd paragraff 117 yn dod i rym.

Cynigiau welliant 58. Dileu'r cyfeiriad at baragraff 118(1), (2), (3) (ac eithrio is-baragraff (b)), (4) (ac eithrio is-baragraff (a)(ii)) a (5), yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

a 27 Chwefror 2003 fydd y diwrnod penodedig y bydd paragraff 118(1), (2), (3) (ac eithrio is-baragraff (b)), (4) (ac eithrio is-baragraff (a)(ii)) a (5) yn dod i rym.

Cynigiau welliant 59. Dileu'r cyfeiriad at baragraff 126(1), (2) i'r graddau y mae'n ymwneud â'r diwygiadau i baragraffau 21 a 29 o atodlen 7 i Ddeddf Dysgu a Medrau 2000 (a), a (3) i'r graddau y mae'n ymwneud â'r diwygiad i baragraff 39 o atodlen 7 i Ddeddf Dysgu a Medrau 2000 yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

a 28 Chwefror 2003 fydd y diwrnod penodedig y bydd paragraff 126 (1), (2) i'r graddau y mae'n ymwneud â'r diwygiadau i baragraffau 21 a 29 o atodlen 7 i Ddeddf Dysgu a Medrau 2000(a), a (3) i'r graddau y mae'n ymwneud â'r diwygiad i baragraff 39 o atodlen 7 i Ddeddf Dysgu a Medrau 2000

2000 shall be 28 February 2003.

I propose amendment 60. Omit the reference to In Schedule 22, Part 2, the repeal of - Education Act 1997(a), in section 29, in subsection (2), paragraph (f) and the word 'and' immediately preceding it, in section 32(3), the words 'or approved' and the words 'and subject to such conditions'; in Part I of the Schedule to this Order and add at the end of article 4:

and the day appointed for the coming into force of In Schedule 22, Part 2, the repeal of - Education Act 1997(a), in section 29, in subsection (2), paragraph (f) and the word 'and' immediately preceding it, in section 32(3), the words 'or approved' and the words 'and subject to such conditions'; shall be 1 March 2003.

I propose amendment 61. Omit the reference to In Schedule 22, Part 3, the repeal of - Education (No. 2) Act 1986(b), section 49; in part I of the schedule to this Order and add at the end of article 4:

and the day appointed for the coming into force of In Schedule 22, Part 3, the repeal of - Education (No. 2) Act 1986(b), section 49; shall be 2 March 2003.

I propose amendment 62. Omit the reference to In Schedule 22, Part 3, the repeal of - Children Act 1989(c), in section 79M(1), the word 'or' at the end of paragraph (a), in section 79U, subsection (5) and in subsection (9), the definition of 'authorised inspector'; in part I of the schedule to this Order and add at the end of article 4:

and the day appointed for the coming into force of In Schedule 22, Part 3, the repeal of - Children Act 1989(c), in section 79M(1), the word 'or' at the end of paragraph (a), in section 79U, subsection (5) and in subsection (9), the definition of 'authorised inspector'; shall be 3 March 2003.

I propose amendment 63. Omit the reference to In Schedule 22, Part 3, the repeal of - Further and Higher Education Act 1992(d), in section 23(4), paragraph (b) and the word 'and' immediately preceding it, sections 39 to 42, section 60; in part I of the schedule to this

yn dod i rym.

Cynigiau welliant 60. Dileu'r cyfeiriad at Yn atodlen 22, Rhan 2, diddymu - Deddf Addysg 1997(a), yn adran 29, yn is-adran (2), paragraff (f), a'r gair 'and' yn union o'i flaen, Yn adran 32(3), y geiriau 'or approved' a'r geiriau 'and subject to such conditions'; yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

a 1 Mawrth 2003 fydd y diwrnod penodedig y bydd Yn atodlen 22, Rhan 2, diddymu - Deddf Addysg 1997(a), yn adran 29, yn is-adran (2), paragraff (f), a'r gair 'and' yn union o'i flaen, yn adran 32(3), y geiriau 'or approved' a'r geiriau 'and subject to such conditions'; yn dod i rym.

Cynigiau welliant 61. Dileu'r cyfeiriad at Yn Atodlen 22, Rhan 3, diddymu - Deddf Addysg (Rhif 2) 1986(b), adran 49; yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

a 2 Mawrth 2003 fydd y diwrnod penodedig y bydd Yn Atodlen 22, Rhan 3, diddymu - Deddf Addysg (Rhif 2) 1986(b), adran 49; yn dod i rym.

Cynigiau welliant 62. Dileu'r cyfeiriad at Yn Atodlen 22, Rhan 3, diddymu - Deddf Plant 1989(c), yn adran 79M(1), y gair 'or' ar ddiwedd paragraff (a), yn adran 79U, is-adran (5) ac yn is-adran (9), y diffiniad o 'authorised inspector'; yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

a 3 Mawrth 2003 fydd y diwrnod penodedig y bydd Yn Atodlen 22, Rhan 3, diddymu - Deddf Plant 1989(c), yn adran 79M(1), y gair 'or' ar ddiwedd paragraff (a), yn adran 79U, is-adran (5) ac yn is-adran (9), y diffiniad o 'authorised inspector'; yn dod i rym.

Cynigiau welliant 63. Dileu'r cyfeiriad at Yn Atodlen 22, Rhan 3, diddymu - Deddf Addysg Bellach ac Uwch 1992(ch), yn adran 23(4), paragraff (b), a'r gair 'and' yn union o'i flaen, adrannau 39 i 42, adran 60; yn rhan I o'r atodlen i'r Gorchymyn hwn ac

Order and add at the end of article 4:

and the day appointed for the coming into force of In Schedule 22, Part 3, the repeal of - Further and Higher Education Act 1992(d), in section 23(4), paragraph (b) and the word 'and' immediately preceding it, sections 39 to 42, section 60; shall be 4 March 2003.

I propose amendment 64. Omit the reference to In Schedule 22, Part 3, the repeal of - Education Act 1996(e), sections 350 to 369, section 408(4)(a), in section 409(1), the words 'with the approval of the Secretary of State and'; in part I of the schedule to this Order and add at the end of article 4:

and the day appointed for the coming into force of In Schedule 22, Part 3, the repeal of - Education Act 1996(e), sections 350 to 369, section 408(4)(a), in section 409(1), the words 'with the approval of the Secretary of State and'; shall be 5 March 2003.

I propose amendment 65. Omit the reference to In Schedule 22, Part 3, the repeal of - School Inspections Act 1996(a), in section 6(3) the word 'and' at the end of paragraph (a), in section 16(3) the word 'and' preceding paragraph (d); in part I of the schedule to this Order and add at the end of article 4:

and the day appointed for the coming into force of In Schedule 22, Part 3, the repeal of - School Inspections Act 1996(a), in section 6(3) the word 'and' at the end of paragraph (a), in section 16(3) the word 'and' preceding paragraph (d); shall be 6 March 2003.

I propose amendment 66. Omit the reference to In Schedule 22, Part 3, the repeal of - Teaching and Higher Education Act 1998(b), section 1(8), in section 3 the words 'within the meaning of section 218(2) of the Education Reform Act 1988'; in part I of the schedule to this Order and add at the end of article 4:

and the day appointed for the coming into force of In Schedule 22, Part 3, the repeal of - Teaching and Higher Education Act 1998(b), section 1(8), in section 3 the words 'within the meaning of section 218(2) of the Education Reform Act 1988'; shall be 7 March 2003.

ychwanegu ar ddiwedd erthygl 4:

a 4 Mawrth 2003 fydd y diwrnod penodedig y bydd Yn Atodlen 22, Rhan 3, diddymu - Deddf Addysg Bellach ac Uwch 1992(ch), yn adran 23 (4), paragraff (b), a'r gair 'and' yn union o'i flaen, adrannau 39 i 42, adran 60; yn dod i rym.

Cynigiau welliant 64. Dileu'r cyfeiriad at Yn Atodlen 22, Rhan 3, diddymu - Deddf Addysg 1996(a), adrannau 350 i 369, adran 408(4)(a), yn adran 409(1) y geiriau 'with the approval of the Secretary of State and'; yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

a 5 Mawrth 2003 fydd y diwrnod penodedig y bydd Yn Atodlen 22, Rhan 3, diddymu - Deddf Addysg 1996(a), adrannau 350-369, adran 408(4)(a), yn adran 409(1) y geiriau 'with the approval of the Secretary of State and'; yn dod i rym.

Cynigiau welliant 65. Dileu'r cyfeiriad at Yn Atodlen 22, Rhan 3, diddymu - Deddf Arolygiadau Ysgolion 1996(a), yn adran 6(3) y gair 'and' ar ddiwedd paragraff (a), Yn adran 16(3) y gair 'and' o flaen paragraff (d); yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

a 6 Mawrth 2003 fydd y diwrnod penodedig y bydd Yn Atodlen 22, Rhan 3, diddymu - Deddf Arolygiadau Ysgolion 1996(a), yn adran 6(3) y gair 'and' ar ddiwedd paragraff (a), Yn adran 16(3) y gair 'and' o flaen paragraff (d); yn dod i rym.

Cynigiau welliant 66. Dileu'r cyfeiriad at Yn Atodlen 22, Rhan 3, diddymu - Deddf Addysgu ac Addysg Uwch 1998(b), adran 1(8), yn adran 3 y geiriau 'within the meaning of section 218(2) of the Education Reform Act 1988'; yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

a 7 Mawrth 2003 fydd y diwrnod penodedig y bydd Yn Atodlen 22, Rhan 3, diddymu - Deddf Addysgu ac Addysg Uwch 1998(b), adran 1(8), yn adran 3 y geiriau 'within the meaning of section 218(2) of the Education Reform Act 1988'; yn dod i rym.

I propose amendment 67. Omit the reference to In Schedule 22, Part 3, the repeal of - School Standards and Framework Act 1998(c), section 16(4) and (13), in section 22(1), in paragraph (b) the words 'under section 28 or 31' and in paragraph (c) the words 'under section 28', sections 86(3)(b) and 91, in schedule 6, in paragraph 10(6), the words 'or (5)', in schedule 28, paragraph 4(1); in part I of the schedule to this Order and add at the end of article 4:

and the day appointed for the coming into force of In Schedule 22, Part 3, the repeal of - School Standards and Framework Act 1998(c), section 16(4) and (13), in section 22(1), in paragraph (b) the words 'under section 28 or 31' and in paragraph (c) the words 'under section 28', sections 86(3)(b) and 91, in schedule 6, in paragraph 10(6), the words 'or (5)', in schedule 28, paragraph 4(1); shall be 8 March 2003.

I propose amendment 68. Omit the reference to In Schedule 22, Part 3, the repeal of - Learning and Skills Act 2000(d), sections 130 to 132 and 148(2), in schedule 9, paragraphs 26, 30, 35, 59(6)(b), in part I of the schedule to this Order and add at the end of article 4:

and the day appointed for the coming into force of In Schedule 22, Part 3, the repeal of - Learning and Skills Act 2000(d), sections 130 to 132 and 148(2), in schedule 9, paragraphs 26, 30, 35, 59(6)(b); shall be 9 March 2003.

I propose amendment 69. Omit the reference to sections 14 to 17 and 18(2) in part II of the schedule to this Order and add at the end of article 5:

and the day appointed for the coming into force of sections 14 to 17 and 18(2) shall be 1 April 2003.

I propose amendment 70. Omit the reference to sections 142 to 144 in part II of the schedule to this Order and add at the end of article 5:

and the day appointed for the coming into force of sections 142 to 144 shall be 2 April

Cynigiaf welliant 67. Dileu'r cyfeiriad at Yn Atodlen 22, Rhan 3, diddymu - Deddf Safonau a Fframwaith Ysgolion 1998(c), adran 16(4) a (13), yn adran 22(1), ym mharagraff (b) y geiriau 'under section 28 or 31' ac ym mharagraff (c) y geiriau 'under section 28', adrannau 86(3)(b) a 91, yn atodlen 6, ym mharagraff 10(6), y geiriau 'or (5)', yn atodlen 28, paragraff 4(1); yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

a 8 Mawrth 2003 fydd y diwrnod penodedig y bydd Yn Atodlen 22, Rhan 3, diddymu - Deddf Safonau a Fframwaith Ysgolion 1998(c), adran 16(4) a (13), yn adran 22(1), ym mharagraff (b) y geiriau 'under section 28 or 31' ac ym mharagraff (c) y geiriau 'under section 28', adrannau 86(3)(b) a 91, yn atodlen 6, ym mharagraff 10(6), y geiriau 'or (5)', yn atodlen 28, paragraff 4(1); yn dod i rym.

Cynigiaf welliant 68. Dileu'r cyfeiriad at Yn Atodlen 22, Rhan 3, diddymu - Deddf Dysgu a Medrau 2000(d), adrannau 130 i 132 a 148(2), yn atodlen 9, paragraffau 26, 30, 35, 59(6)(b), yn rhan I o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 4:

a 9 Mawrth 2003 fydd y diwrnod penodedig y bydd Yn Atodlen 22, Rhan 3, diddymu - Deddf Dysgu a Medrau 2000(d), adrannau 130 i 132 a 148(2), yn atodlen 9, paragraffau 26, 30, 35, 59(6)(b); yn dod i rym.

Cynigiaf welliant 69. Dileu'r cyfeiriad at adrannau 14 i 17, a 18(2) yn rhan II o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 5:

a 1 Ebrill 2003 fydd y diwrnod penodedig y bydd adrannau 14 i 17, a 18(2) yn dod i rym.

Cynigiaf welliant 70. Dileu'r cyfeiriad at adrannau 142 i 144 yn rhan II o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 5:

a 2 Ebrill 2003 fydd y diwrnod penodedig y bydd adrannau 142 i 144 yn dod i rym.

2003.

I propose amendment 71. Omit the reference to section 146 in so far as it relates to the repeal of sections 218(2B), (6), (6ZA), (6A), (6B), (7) and 218A of the Education Reform Act 1988(a) in part II of the schedule to this Order and add at the end of article 5:

and the day appointed for the coming into force of section 146 in so far as it relates to the repeal of sections 218(2B), (6), (6ZA), (6A), (6B), (7) and 218A of the Education Reform Act 1988(a) shall be 3 April 2003.

I propose amendment 72. Omit the reference to section 148 in so far as it relates to provisions of schedule 12 below in part II of the schedule to this Order and add at the end of article 5:

and the day appointed for the coming into force of section 148 in so far as it relates to provisions of schedule 12 below shall be 4 April 2003.

I propose amendment 73. Omit the reference to section 149 in part II of the schedule to this Order and add at the end of article 5:

and the day appointed for the coming into force of section 149 shall be 5 April 2003.

I propose amendment 74. Omit the reference to section 150 in part II of the schedule to this Order and add at the end of article 5:

and the day appointed for the coming into force of section 150 shall be 6 April 2003.

I propose amendment 75. Omit the reference to section 195 in so far as it relates to provisions of schedule 18 below in part II of the schedule to this Order and add at the end of article 5:

and the day appointed for the coming into force of section 195 in so far as it relates to provisions of schedule 18 below shall be 7 April 2003.

I propose amendment 76. Omit the reference to section 200 in part II of the schedule to this

Cynigiaf welliant 71. Dileu'r cyfeiriad at adran 146 i'r graddau y mae'n ymwneud â diddymu adrannau 218(2B), (6), (6ZA), (6A), (6B), (7) a 218A o Ddeddf Diwygio Addysg 1998(a) yn rhan II o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 5:

a 3 Ebrill 2003 fydd y diwrnod penodedig y bydd adran 146 i'r graddau y mae'n ymwneud â diddymu adrannau 218(2B), (6), (6ZA), (6A), (6B), (7) a 218A o Ddeddf Diwygio Addysg 1998(a) yn dod i rym.

Cynigiaf welliant 72. Dileu'r cyfeiriad at adran 148 i'r graddau y mae'n ymwneud â darpariaethau atodlen 12 isod yn rhan II o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 5:

a 4 Ebrill 2003 fydd y diwrnod penodedig y bydd adran 148 i'r graddau y mae'n ymwneud â darpariaethau atodlen 12 isod yn dod i rym.

Cynigiaf welliant 73. Dileu'r cyfeiriad at adran 149 yn rhan II o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 5:

a 5 Ebrill 2003 fydd y diwrnod penodedig y bydd adran 149 yn dod i rym.

Cynigiaf welliant 74. Dileu'r cyfeiriad at adran 150 yn rhan II o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 5:

a 6 Ebrill 2003 fydd y diwrnod penodedig y bydd adran 150 yn dod i rym.

Cynigiaf welliant 75. Dileu'r cyfeiriad at adran 195 i'r graddau y mae'n ymwneud â darpariaethau atodlen 18 isod yn rhan II o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 5:

a 7 Ebrill 2003 fydd y diwrnod penodedig y bydd adran 195 i'r graddau y mae'n ymwneud â darpariaethau atodlen 18 isod yn dod i rym.

Cynigiaf welliant 76. Dileu'r cyfeiriad at adran 200 yn rhan II o'r atodlen i'r

Order and add at the end of article 5:

Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 5:

and the day appointed for the coming into force of section 200 shall be 8 April 2003.

a 8 Ebrill 2003 fydd y diwrnod penodedig y bydd adran 200 yn dod i rym.

I propose amendment 77. Omit the reference to section 201(1) except in so far as it relates to sub-section (1)(c) of the new section 512 of the Education Act 1996, (2) and (3) in part II of the schedule to this Order and add at the end of article 5:

Cynigiau welliant 77. Dileu'r cyfeiriad at adran 201(1) ac eithrio i'r graddau y mae'n ymwneud ag is-adran newydd (1)(c) o adran 512 o Ddeddf Addysg 1996, (2) a (3) yn rhan II o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 5:

and the day appointed for the coming into force of section 201(1) except in so far as it relates to sub-section (1)(c) of the new section 512 of the Education Act 1996, (2) and (3) shall be 9 April 2003.

a 9 Ebrill 2003 fydd y diwrnod penodedig y bydd adran 201(1) ac eithrio i'r graddau y mae'n ymwneud ag is-adran newydd (1)(c) o adran 512 o Ddeddf Addysg 1996, (2) a (3) yn dod i rym.

I propose amendment 78. Omit the reference to section 215(1) in so far as it relates to provisions of schedule 21 below in part II of the schedule to this Order and add at the end of article 5:

Cynigiau welliant 78. Dileu'r cyfeiriad at adran 215(1) i'r graddau y mae'n ymwneud â darpariaethau atodlen 21 isod yn rhan II o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 5:

and the day appointed for the coming into force of section 215(1) in so far as it relates to provisions of schedule 21 below shall be 10 April 2003.

a 10 Ebrill 2003 fydd y diwrnod penodedig y bydd adran 215(1) i'r graddau y mae'n ymwneud â darpariaethau atodlen 21 isod yn dod i rym.

I propose amendment 79. Omit the reference to section 215(2) in so far as it relates to provisions of schedule 22 below in part II of the schedule to this Order and add at the end of article 5:

Cynigiau welliant 79. Dileu'r cyfeiriad at adran 215(2) i'r graddau y mae'n ymwneud â darpariaethau atodlen 22 isod yn rhan II o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 5:

and the day appointed for the coming into force of section 215(2) in so far as it relates to provisions of schedule 22 below shall be 11 April 2003.

a 11 Ebrill 2003 fydd y diwrnod penodedig y bydd adran 215(2) i'r graddau y mae'n ymwneud â darpariaethau atodlen 22 isod yn dod i rym.

I propose amendment 80. Omit the reference to schedule 22 below in part II of the schedule to this Order and add at the end of article 5:

Cynigiau welliant 80. Dileu'r cyfeiriad at atodlen 22 isod yn rhan II o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 5:

and the day appointed for the coming into force of schedule 22 shall be 12 April 2003.

a 12 Ebrill 2003 fydd y diwrnod penodedig y bydd atodlen 22 yn dod i rym.

I propose amendment 81. Omit the reference to schedule 12, paragraph 12(1) and (2) in part II of the schedule to this Order and add at the end of article 5:

Cynigiau welliant 81. Dileu'r cyfeiriad at atodlen 12, paragraff 12(1) a (2) yn rhan II o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 5:

and the day appointed for the coming into force of schedule 12, paragraph 12(1) and (2) shall be 13 April 2003.

I propose amendment 82. Omit the reference to schedule 18, paragraphs 1, 4, 5 and 7, in part II of the schedule to this Order and add at the end of article 5:

and the day appointed for the coming into force of schedule 18, paragraphs 1, 4, 5 and 7, shall be 14 April 2003.

I propose amendment 83. Omit the reference to paragraph 8 in so far as it inserts a new sub-section (2) of section 28H of the Disability Discrimination Act 1995, in part II of the schedule to this Order and add at the end of article 5:

and the day appointed for the coming into force of paragraph 8 in so far as it inserts a new sub-section (2) of section 28H of the Disability Discrimination Act 1995 shall be 15 April 2003.

I propose amendment 84. Omit the reference to paragraphs 13 to 15 in part II of the schedule to this Order and add at the end of article 5:

and the day appointed for the coming into force of paragraphs 13 to 15 shall be 16 April 2003.

I propose amendment 85. Omit the reference to schedule 21, in part II of the schedule to this Order and add at the end of article 5:

and the day appointed for the coming into force of schedule 21 shall be 17 April 2003.

I propose amendment 86. Omit the reference to paragraph 9, in part II of the schedule to this Order and add at the end of article 5:

and the day appointed for the coming into force of paragraph 9 shall be 18 April 2003.

I propose amendment 87. Omit the reference to paragraph 49, in part II of the schedule to this Order and add at the end of article 5:

a 13 Ebrill 2003 fydd y diwrnod penodedig y bydd atodlen 12, paragraff 12(1) a (2) yn dod i rym.

Cynigiau welliant 82. Dileu'r cyfeiriad at atodlen 18, paragraffau 1, 4, 5 a 7, yn rhan II o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 5:

a 14 Ebrill 2003 fydd y diwrnod penodedig y bydd atodlen 18, paragraffau 1, 4, 5 a 7 yn dod i rym.

Cynigiau welliant 83. Dileu'r cyfeiriad at baragraff 8 i'r graddau y mae'n mewnosod is-adran newydd (2) yn adran 28H o Ddeddf Gwahaniaethu ar Sail Anabledd 1995, yn rhan II o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 5:

a 15 Ebrill 2003 fydd y diwrnod penodedig y bydd paragraff 8 i'r graddau y mae'n mewnosod is-adran newydd (2) yn adran 28H o Ddeddf Gwahaniaethu ar Sail Anabledd 1995 yn dod i rym.

Cynigiau welliant 84. Dileu'r cyfeiriad at baragraffau 13 i 15 yn rhan II o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 5:

a 16 Ebrill 2003 fydd y diwrnod penodedig y bydd paragraffau 13 i 15 yn dod i rym.

Cynigiau welliant 85. Dileu'r cyfeiriad at atodlen 21, yn rhan II o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 5:

a 17 Ebrill 2003 fydd y diwrnod penodedig y bydd atodlen 21 yn dod i rym.

Cynigiau welliant 86. Dileu'r cyfeiriad at baragraff 9, yn rhan II o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 5:

a 18 Ebrill 2003 fydd y diwrnod penodedig y bydd paragraff 9 yn dod i rym.

Cynigiau welliant 87. Dileu'r cyfeiriad at baragraff 49, yn rhan II o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 5:

and the day appointed for the coming into force of paragraph 49 shall be 19 April 2003. *a 19 Ebrill 2003 fydd y diwrnod penodedig y bydd paragraff 49 yn dod i rym.*

I propose amendment 88. Omit the reference to paragraph 54, in part II of the schedule to this Order and add at the end of article 5: Cynigiaf welliant 88. Dileu'r cyfeiriad at baragraff 54, yn rhan II o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 5:

and the day appointed for the coming into force of paragraph 54 shall be 20 April 2003. *a 20 Ebrill 2003 fydd y diwrnod penodedig y bydd paragraff 54 yn dod i rym.*

I propose amendment 89. Omit the reference to paragraph 71 in so far as it relates to section 49(2) and (3) of the Education Act 1997, in part II of the schedule to this Order and add at the end of article 5: Cynigiaf welliant 89. Dileu'r cyfeiriad at baragraff 71 i'r graddau y mae'n ymwneud ag adran 49(2) a (3) o Ddeddf Addysg 1997, yn rhan II o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 5:

and the day appointed for the coming into force of paragraph 71 in so far as it relates to section 49(2) and (3) of the Education Act 1997, shall be 21 April 2003. *a 21 Ebrill 2003 fydd y diwrnod penodedig y bydd paragraff 71 i'r graddau y mae'n ymwneud ag adran 49(2) a (3) o Ddeddf Addysg 1997 yn dod i rym.*

I propose amendment 90. Omit the reference to paragraph 72, in part II of the schedule to this Order and add at the end of article 5: Cynigiaf welliant 90. Dileu'r cyfeiriad at baragraff 72, yn rhan II o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 5:

and the day appointed for the coming into force of paragraph 72 shall be 22 April 2003. *a 22 Ebrill 2003 fydd y diwrnod penodedig y bydd paragraff 72 yn dod i rym.*

I propose amendment 91. Omit the reference to paragraph 73, in part II of the schedule to this Order and add at the end of article 5: Cynigiaf welliant 91. Dileu'r cyfeiriad at baragraff 73, yn rhan II o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 5:

and the day appointed for the coming into force of paragraph 73 shall be 23 April 2003. *a 23 Ebrill 2003 fydd y diwrnod penodedig y bydd paragraff 73 yn dod i rym.*

I propose amendment 92. Omit the reference to paragraph 75, in part II of the schedule to this Order and add at the end of article 5: Cynigiaf welliant 92. Dileu'r cyfeiriad at baragraff 75, yn rhan II o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 5:

and the day appointed for the coming into force of paragraph 75 shall be 24 April 2003. *a 24 Ebrill 2003 fydd y diwrnod penodedig y bydd paragraff 75 yn dod i rym.*

I propose amendment 93. Omit the reference to paragraph 76 in so far as not already in force, in part II of the schedule to this Order and add at the end of article 5: Cynigiaf welliant 93. Dileu'r cyfeiriad at baragraff 76 i'r graddau nad yw eisoes mewn grym, yn rhan II o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 5:

and the day appointed for the coming into force of paragraph 76 in so far as not already in force shall be 25 April 2003. *a 25 Ebrill 2003 fydd y diwrnod penodedig y bydd paragraff 76 i'r graddau nad yw eisoes mewn grym yn dod i rym.*

- I propose amendment 94. Omit the reference to paragraph 77, in part II of the schedule to this Order and add at the end of article 5:
- and the day appointed for the coming into force of paragraph 77 shall be 26 April 2003.*
- I propose amendment 95. Omit the reference to paragraph 83, in part II of the schedule to this Order and add at the end of article 5:
- and the day appointed for the coming into force of paragraph 83 shall be 27 April 2003.*
- I propose amendment 96. Omit the reference to paragraph 85 in so far as not already in force, in part II of the schedule to this Order and add at the end of article 5:
- and the day appointed for the coming into force of paragraph 85 in so far as not already in force shall be 28 April 2003.*
- I propose amendment 97. Omit the reference to paragraph 86, in part II of the schedule to this Order and add at the end of article 5:
- and the day appointed for the coming into force of paragraph 86 shall be 29 April 2003.*
- I propose amendment 98. Omit the reference to paragraph 120, in part II of the schedule to this Order and add at the end of article 5:
- and the day appointed for the coming into force of paragraph 120 shall be 30 April 2003.*
- I propose amendment 99. Omit the reference to paragraph 121, in part II of the schedule to this Order and add at the end of article 5:
- and the day appointed for the coming into force of paragraph 121 shall be 1 May 2003.*
- I propose amendment 100. Omit the reference to paragraph 122 except subparagraph (b), in part II of the schedule to this Order and add at the end of article 5:
- Cynigiau welliant 94. Dileu'r cyfeiriad at baragraff 77, yn rhan II o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 5:
- a 26 Ebrill 2003 fydd y diwrnod penodedig y bydd paragraff 77 yn dod i rym.*
- Cynigiau welliant 95. Dileu'r cyfeiriad at baragraff 83, yn rhan II o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 5:
- a 27 Ebrill 2003 fydd y diwrnod penodedig y bydd paragraff 83 yn dod i rym.*
- Cynigiau welliant 96. Dileu'r cyfeiriad at baragraff 85 i'r graddau nad yw eisoes mewn grym, yn rhan II o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 5:
- a 28 Ebrill 2003 fydd y diwrnod penodedig y bydd paragraff 85 i'r graddau nad yw eisoes mewn grym yn dod i rym.*
- Cynigiau welliant 97. Dileu'r cyfeiriad at baragraff 86, yn rhan II o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 5:
- a 29 Ebrill 2003 fydd y diwrnod penodedig y bydd paragraff 86 yn dod i rym.*
- Cynigiau welliant 98. Dileu'r cyfeiriad at baragraff 120, yn rhan II o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 5:
- a 30 Ebrill 2003 fydd y diwrnod penodedig y bydd paragraff 120 yn dod i rym.*
- Cynigiau welliant 99. Dileu'r cyfeiriad at baragraff 121, yn rhan II o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 5:
- a 1 Mai 2003 fydd y diwrnod penodedig y bydd paragraff 121 yn dod i rym.*
- Cynigiau welliant 100. Dileu'r cyfeiriad at baragraff 122 ac eithrio is-baragraff (b), yn rhan II o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 5:

and the day appointed for the coming into force of paragraph 122 except subparagraph (b) shall be 2 May 2003.

I propose amendment 101. Omit the reference to paragraph 123, in part II of the schedule to this Order and add at the end of article 5:

and the day appointed for the coming into force of paragraph 123 shall be 3 May 2003.

I propose amendment 102. Omit the reference to paragraph 128, in part II of the schedule to this Order and add at the end of article 5:

and the day appointed for the coming into force of paragraph 128 shall be 4 May 2003.

I propose amendment 103. Omit the reference to In Schedule 22, Part 3, the repeal of - Education Reform Act 1988(a), sections 218 (2B), (6), (6ZA), (6A), (6B), (7) and 218A; in part II of the schedule to this Order and add at the end of article 5:

and the day appointed for the coming into force of In Schedule 22, Part 3, the repeal of - Education Reform Act 1988(a), sections 218 (2B), (6), (6ZA), (6A), (6B), (7) and 218A; shall be 5 May 2003.

I propose amendment 104. Omit the reference to In Schedule 22, Part 3, the repeal of - Children Act 1989(b), in section 19, subsections (1) and (2) and in subsection (4) the words 'the two authorities, or in Scotland;' in part II of the schedule to this Order and add at the end of article 5:

and the day appointed for the coming into force of In schedule 22, part 3, the repeal of - Children Act 1989(b), in section 19, subsections (1) and (2) and in subsection (4) the words 'the two authorities, or in Scotland, '; shall be 6 May 2003.

I propose amendment 105. Omit the reference to In Schedule 22, Part 3, the repeal of - Education Act 1997(c), section 49(2) and (3); in part II of the schedule to this Order and add at the end of article 5:

a 2 Mai 2003 fydd y diwrnod penodedig y bydd paragraff 122 ac eithrio is-baragraff (b) yn dod i rym.

Cynigiau welliant 101. Dileu'r cyfeiriad at baragraff 123, yn rhan II o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 5:

a 3 Mai 2003 fydd y diwrnod penodedig y bydd paragraff 123 yn dod i rym.

Cynigiau welliant 102. Dileu'r cyfeiriad at baragraff 128, yn rhan II o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 5:

a 4 Mai 2003 fydd y diwrnod penodedig y bydd paragraff 128 yn dod i rym.

Cynigiau welliant 103. Dileu'r cyfeiriad at Yn Atodlen 22, Rhan 3, diddymu - Deddf Diwygio Addysg 1988(a), adrannau 218 (2B), (6), (6ZA), (6A), (6B), (7) a 218A; yn rhan II o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 5:

a 5 Mai 2003 fydd y diwrnod penodedig y bydd Yn Atodlen 22, Rhan 3, diddymu - Deddf Diwygio Addysg 1988(a), adrannau 218 (2B), (6), (6ZA), (6A), (6B), (7) a 218A; yn dod i rym.

Cynigiau welliant 104. Dileu'r cyfeiriad at Yn Atodlen 22, Rhan 3, diddymu - Deddf Plant 1989(b), yn adran 19, is-adrannau (1) a (2) ac yn is-adran (4) y geiriau 'the two authorities, or in Scotland, '; yn rhan II o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 5:

a 6 Mai 2003 fydd y diwrnod penodedig y bydd Yn Atodlen 22, Rhan 3, diddymu - Deddf Plant 1989(b), yn adran 19, is-adrannau (1) a (2) ac yn is-adran (4) y geiriau 'the two authorities, or in Scotland, '; yn dod i rym.

Cynigiau welliant 105. Dileu'r cyfeiriad at Yn Atodlen 22, Rhan 3, diddymu - Deddf Addysg 1997(c), adran 49(2) a (3); yn rhan II o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 5:

and the day appointed for the coming into force of In Schedule 22, Part 3, the repeal of - Education Act 1997(c), section 49(2) and (3); shall be 7 May 2003.

I propose amendment 106. Omit the reference to In Schedule 22, Part 3, the repeal of - Police Act 1997(d), in section 113, in subsection (3A), paragraph (a)(ii) and (iii) and in subsection (3B), paragraph (c) and the words from 'and the reference' to the end, section 115 (6A)(a)(ii) and (iii); in part II of the schedule to this Order and add at the end of article 5:

and the day appointed for the coming into force of In schedule 22, part 3, the repeal of - Police Act 1997(d), in section 113, in subsection (3A), paragraph (a)(ii) and (iii) and in subsection (3B), paragraph (c) and the words from 'and the reference' to the end, section 115 (6A)(a)(ii) and (iii); shall be 8 May 2003.

I propose amendment 107. Omit the reference to In Schedule 22, Part 3, the repeal of - Teaching and Higher Education Act 1998, in schedule 2, paragraph 1(5); in part II of the schedule to this Order and add at the end of article 5:

and the day appointed for the coming into force of In Schedule 22, Part 3, the repeal of - Teaching and Higher Education Act 1998, in schedule 2, paragraph 1(5); shall be 9 May 2003.

I propose amendment 108. Omit the reference to In Schedule 22, Part 3, the repeal of - Protection of Children Act 1999(a), section 5, in section 7, subsection (1)(a)(ii) and (iii), the word 'and' immediately preceding subsection (2)(c) and subsection (4), in section 9(2), the word 'or' at the end of paragraph (d), in section 12(2) the definition of 'the 1988 Act'; in part II of the schedule to this Order and add at the end of article 5:

and the day appointed for the coming into force of In Schedule 22, Part 3, the repeal of - Protection of Children Act 1999(a), section 5, in section 7, subsection (1)(a)(ii) and (iii),

a 7 Mai 2003 fydd y diwrnod penodedig y bydd Yn Atodlen 22, Rhan 3, diddymu - Deddf Addysg 1997(c), adran 49(2) a (3); yn dod i rym.

Cynigiau welliant 106. Dileu'r cyfeiriad at Yn Atodlen 22, Rhan 3, diddymu - Deddf yr Heddlu 1997(ch), yn adran 113, yn is-adran (3A), paragraff (a)(ii) a (iii) ac yn is-adran (3B), paragraff (c) a'r geiriau o 'and the reference' hyd at y diwedd, adran 115 (6A)(a)(ii) a (iii); yn rhan II o'r atodlen i'r Gorchymyn hwn ac yn ychwanegu ar ddiwedd erthygl 5:

a 8 Mai 2003 fydd y diwrnod penodedig y bydd Yn Atodlen 22, Rhan 3, diddymu - Deddf yr Heddlu 1997(ch), Yn adran 113, yn is-adran (3A), paragraff (a)(ii) a (iii) ac yn is-adran (3B), paragraff (c) a'r geiriau o 'and the reference' hyd at y diwedd, adran 115 (6A)(a)(ii) a (iii); yn dod i rym.

Cynigiau welliant 107. Dileu'r cyfeiriad at Yn Atodlen 22, Rhan 3, diddymu - Deddf Addysgu ac Addysg Uwch 1998, yn atodlen 2, paragraff 1(5); yn rhan II o'r atodlen i'r Gorchymyn hwn ac yn ychwanegu ar ddiwedd erthygl 5:

a 9 Mai 2003 fydd y diwrnod penodedig y bydd Yn Atodlen 22, Rhan 3, diddymu - Deddf Addysgu ac Addysg Uwch 1998, yn atodlen 2, paragraff 1(5); yn dod i rym.

Cynigiau welliant 108. Dileu'r cyfeiriad at Yn Atodlen 22, Rhan 3, diddymu - Deddf Amddiffyn Plant 1999(a), adran 5, yn adran 7, is-adran (1)(a)(ii) a (iii), y gair 'and' yn union o flaen is-adran (2)(c) ac is-adran (4), yn adran 9(2), y gair 'or' ar ddiwedd paragraff (d), yn adran 12(2) y diffiniad o 'the 1988 Act'; yn rhan II o'r atodlen i'r Gorchymyn hwn ac yn ychwanegu ar ddiwedd erthygl 5:

a 10 Mai 2003 fydd y diwrnod penodedig y bydd Yn Atodlen 22, Rhan 3, diddymu - Deddf Amddiffyn Plant 1999(a), adran 5, yn adran 7, is-adran (1)(a)(ii) a (iii), y gair

the word 'and' immediately preceding subsection (2)(c) and subsection (4), in section 9(2), the word 'or' at the end of paragraph (d), in section 12(2) the definition of 'the 1988 Act'; shall be 10 May 2003.

I propose amendment 109. Omit the reference to In Schedule 22, Part 3, the repeal of - Immigration and Asylum Act 1999(b), in schedule 14, paragraph 117; in part II of the schedule to this Order and add at the end of article 5:

and the day appointed for the coming into force of In Schedule 22, Part 3, the repeal of - Immigration and Asylum Act 1999(b), in schedule 14, paragraph 117; shall be 11 May 2003.

I propose amendment 110. Omit the reference to In Schedule 22, Part 3, the repeal of - Criminal Justice and Court Services Act 2000(c), section 35(5), in schedule 7, paragraph 83, in part II of the schedule to this Order and add at the end of article 5:

and the day appointed for the coming into force of In Schedule 22, Part 3, the repeal of - Criminal Justice and Court Services Act 2000(c), section 35(5), in schedule 7, paragraph 83; shall be 12 May 2003.

I propose amendment 111. Omit the reference to section 195 in so far as it relates to provisions of schedule 18 below in part III of the schedule to this Order and add at the end of article 6:

and the day appointed for the coming into force of section 195 in so far as it relates to provisions of schedule 18 below shall be 2 September 2003.

I propose amendment 112. Omit the reference to section 215(2) in so far as it relates to provisions of schedule 22 below in part III of the schedule to this Order and add at the end of article 6:

and the day appointed for the coming into force of section 215(2) in so far as it relates to provisions of schedule 22 below shall be 3 September 2003.

I propose amendment 113. Omit the

'and' yn union o flaen is-adran (2)(c) ac is-adran (4), yn adran 9(2), y gair 'or' ar ddiwedd paragraff (d), yn adran 12(2) y diffiniad o 'the 1988 Act'; yn dod i rym.

Cynigiau welliant 109. Dileu'r cyfeiriad at Yn Atodlen 22, Rhan 3, diddymu - Deddf Mewnfudo a Llochesu 1999(b), yn atodlen 14, paragraff 117; yn rhan II o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 5:

a 11 Mai 2003 fydd y diwrnod penodedig y bydd Yn Atodlen 22, Rhan 3, diddymu - Deddf Mewnfudo a Llochesu 1999(b), yn atodlen 14, paragraff 117; yn dod i rym.

Cynigiau welliant 110. Dileu'r cyfeiriad at Yn Atodlen 22, Rhan 3, diddymu - Deddf Cyfiawnder Troseddol a Gwasanaethau Llys 2000(c), adran 35(5), yn atodlen 7, paragraff 83, yn rhan II o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 5:

a 12 Mai 2003 fydd y diwrnod penodedig y bydd Yn Atodlen 22, Rhan 3, diddymu - Deddf Cyfiawnder Troseddol a Gwasanaethau Llys 2000(c), adran 35(5), yn atodlen 7, paragraff 83; yn dod i rym.

Cynigiau welliant 111. Dileu'r cyfeiriad at adran 195 i'r graddau y mae'n ymwneud â darpariaethau atodlen 18 isod yn rhan III o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 6:

a 2 Medi 2003 fydd y diwrnod penodedig y bydd adran 195 i'r graddau y mae'n ymwneud â darpariaethau atodlen 18 isod yn dod i rym.

Cynigiau welliant 112. Dileu'r cyfeiriad at adran 215(2) i'r graddau y mae'n ymwneud â darpariaethau atodlen 22 isod yn rhan III o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 6:

a 3 Medi 2003 fydd y diwrnod penodedig y bydd adran 215(2) i'r graddau y mae'n ymwneud â darpariaethau atodlen 22 isod yn dod i rym.

Cynigiau welliant 113. Dileu'r cyfeiriad at

reference to schedule 18, paragraphs 2, 3, 6, 8 (in so far as not already in force), 9 to 12 and 16 to 18 in part III of the schedule to this Order and add at the end of article 6:

and the day appointed for the coming into force of schedule 18, paragraphs 2, 3, 6, 8 (in so far as not already in force), 9 to 12 and 16 to 18 shall be 4 September 2003.

I propose amendment 114. Omit the reference to In Schedule 22, Part 2, the repeal of - Disability Discrimination Act 1995(a), section 28J(4); in part III of the schedule to this Order and add at the end of article 6:

and the day appointed for the coming into force of In Schedule 22, Part 2, the repeal of - Disability Discrimination Act 1995(a), section 28J(4); shall be 5 September 2003.

I propose amendment 115. Omit the reference to In Schedule 22, Part 2, the repeal of - Special Educational Needs and Disability Act 2001(b), section 42(2), in schedule 8, paragraph 2, in part III of the schedule to this Order and add at the end of article 6:

and the day appointed for the coming into force of In Schedule 22, Part 2, the repeal of - Special Educational Needs and Disability Act 2001 (b), section 42(2), in schedule 8, paragraph 2; shall be 6 September 2003.

I propose amendment 116. In article 7 of the Order delete '2004 to 2005' and replace with '2007 to 2008'.

I will focus briefly on certain aspects of the Bill—the Act, I mean. I am sorry, I thought that we were debating the Bill, but we were not allowed to do that, were we?

David Melding: You wish.

Jonathan Morgan: Yes indeed.

First, I will focus on section 49 of the Education Act 2002, which repeals section 91 of the School Standards and Framework Act 1998. I point out to the Minister—I was not able to do so earlier given that she was not keen to take an intervention on the matter—

atodlen 18, paragraffau 2, 3, 6, 8 (i'r graddau nad yw eisoes mewn grym), 9 i 12 a 16 i 18 yn rhan III o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 6:

a 4 Medi 2003 fydd y diwrnod penodedig y bydd atodlen 18, paragraffau 2, 3, 6, 8 (i'r graddau nad yw eisoes mewn grym), 9 i 12 a 16 i 18 yn dod i rym.

Cynigiau welliant 114. Dileu'r cyfeiriad at Yn Atodlen 22, Rhan 2, diddymu - Deddf Gwahaniaethu ar sail Anabledd 1995(a), adran 28J(4); yn rhan III o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 6:

a 5 Medi 2003 fydd y diwrnod penodedig y bydd Yn atodlen 22, rhan 2, diddymu - Deddf Gwahaniaethu ar sail Anabledd 1995(a), adran 28J(4); yn dod i rym.

Cynigiau welliant 115. Dileu'r cyfeiriad at Yn Atodlen 22, Rhan 2, diddymu - Deddf Anghenion Addysgol Arbennig ac Anabledd 2001(b), adran 42(2), yn atodlen 8, paragraff 2, yn rhan III o'r atodlen i'r Gorchymyn hwn ac ychwanegu ar ddiwedd erthygl 6:

a 6 Medi 2003 fydd y diwrnod penodedig y bydd Yn Atodlen 22, Rhan 2, diddymu - Deddf Anghenion Addysgol Arbennig ac Anabledd 2001(b), adran 42(2), yn atodlen 8, paragraff 2; yn dod i rym.

Cynigiau welliant 116. Yn erthygl 7 o'r Gorchymyn dileu '2004 i 2005' a rhoi yn ei le '2007 i 2008'.

Canolbwyntiaf yn fyr ar rai agweddau ar y Mesur—y Ddeddf, yr wyf yn ei feddwl. Mae'n ddrwg gennyf, meddyliais ein bod yn trafod y Mesur, ond ni chawsom wneud hynny, naddo?

David Melding: Dyna fyddai'ch dymuniad.

Jonathan Morgan: Ie'n wir.

Yn gyntaf, canolbwyntiaf ar adran 49 o'r Ddeddf Addysg 2002, sy'n diddymu adran 91 o'r Ddeddf Safonau a Fframwaith Ysgolion 1998. Tynnaf sylw'r Gweinidog at y ffaith—ni allwn wneud hynny'n gynharach gan nad oedd yn awyddus i dderbyn ymyriad ar y

that section 91 of the School Standards and Framework Act 1998 is a general provision allowing voluntary-aided schools that have a religious character to preserve that religious character by admitting pupils from the relevant faith community. It makes perfect sense to most of us that a prerequisite of attending a church school is that you attend a similar church to which that school is affiliated. That is a general provision enshrined in statute for those schools to rely upon when they wish to use their admissions policies to preserve their religious character. That provision, for some reason, which the Minister was not able to outline in her speech, has been scrapped. It was not referred to in the original Bill—which contained merely tweaking amendments—but the Act completely repeals that provision. The Minister has not explained to the Assembly why the repeal of that provision was included in the final Act. Why did the Westminster Parliament see fit to repeal section 91 of the School Standards and Framework Act 1998?

When you consider section 91 of that Act, it is different from how the Minister explains it. She thinks that it somehow refers primarily to Catholic schools and allows those schools, by means of this repeal, to open up surplus places to pupils from a non-Catholic community. That is not contained in section 91 of the School Standards and Framework Act 1998. The Minister is wrong and is, probably unwittingly, misleading the Assembly. The Minister has not explained correctly the provisions of section 91 of the School Standards and Framework Act 1998, which are quite different. It is a general provision supporting and underpinning the work of church schools that want to recruit pupils to that school from their faith community. In the absence of this statute, what provision can church schools rely on to underpin their admissions policies? What is the difference between the admissions policy of a voluntary-aided school that is religious in character, and that of a maintained school within the usual local education authority remit of maintained schools, now that there is

mater hwn—fod adran 91 o'r Ddeddf Safonau a Fframwaith Ysgolion 1998 yn ddarpariaeth gyffredinol sy'n caniatáu i ysgolion a gynorthwyr yn wirfoddol sydd â chymeriad crefyddol gadw'r cymeriad crefyddol hwnnw drwy dderbyn disgyblion o'r gymuned grefyddol berthnasol. Mae'r rhan fwyaf ohonom yn ei gweld yn gwbl synhwyrol mai un peth gofynnol er mwyn mynychu ysgol eglwys yw eich bod yn mynychu eglwys sy'n debyg i'r rhai y mae'r ysgol honno'n gysylltiedig â hwy. Mae honno'n ddarpariaeth gyffredinol sydd wedi ei diogelu mewn statud y gall yr ysgolion hynny ddibynnu arni pan eu bod yn dymuno defnyddio eu polisïau derbyn i gadw eu cymeriad crefyddol. Mae'r ddarpariaeth honno, am ryw reswm na allai'r Gweinidog ei egluro yn ei haraith, wedi'i thafu ar y domen. Ni chyfeiriwyd ati yn y Mesur gwreiddiol—nad oedd ond yn cynnwys mân newidiadau—ond mae'r Ddeddf yn llwyr ddiddymu'r ddarpariaeth honno. Nid yw'r Gweinidog wedi egluro i'r Cynulliad pam y diddymwyd y ddarpariaeth honno yn y Ddeddf derfynol. Pam yr oedd Senedd San Steffan o'r farn mai priodol oedd diddymu adran 91 o'r Ddeddf Safonau a Fframwaith Ysgolion 1998?

Pan ystyriwch adran 91 o'r Ddeddf honno, mae'n wahanol i'r eglurhad a roddwyd arni gan y Gweinidog. Mae'n credu ei bod rywsut yn cyfeirio'n bennaf at ysgolion Catholig ac yn caniatáu i'r ysgolion hynny, drwy'r diddymiad hwn, agor lleoedd sydd dros ben i ddisgyblion o gymuned nad yw'n Gatholig. Ni cheir hynny yn adran 91 o'r Ddeddf Safonau a Fframwaith Ysgolion 1998. Mae'r Gweinidog yn anghywir ac mae'n camarwain y Cynulliad, yn ddarwybod yn ôl pob tebyg. Nid yw'r Gweinidog wedi rhoi eglurhad cywir o'r ddarpariaethau yn adran 91 o'r Ddeddf Safonau a Fframwaith Ysgolion 1998, sy'n gwbl wahanol. Darpariaeth gyffredinol ydyw sy'n cynnal ac yn ategu gwaith ysgolion eglwys sy'n dymuno recriwtio disgyblion i'r ysgol honno o'u cymuned grefyddol. Yn niffyg y statud hon, ar ba ddarpariaeth y gall ysgolion eglwys ddibynnu i gynnal eu polisïau derbyn? Beth yw'r gwahaniaeth rhwng polisi derbyn ysgol a gynorthwyr yn wirfoddol a chanddi gymeriad crefyddol, a pholisi derbyn ysgol a gynhelir o fewn cwmpas arferol ysgolion a

this repeal? I hope that the Minister can outline what will now happen to those church schools.

Can the Minister also confirm that she did not tell the Education and Lifelong Learning Committee of this change when it occurred at Westminster? Can she also confirm that she did not tell the Assembly when that change occurred at Westminster? We were not informed, even though the Minister had given an undertaking that she would inform the Assembly of changes. The Minister has said this afternoon that Church schools will still be able to preserve their religious character. However, where in law and in statute is the provision that will allow Church schools to preserve their character? Your Government has just repealed it. If you think that that is provided in law, perhaps you could tell us, Minister, which statute Church schools can now rely upon to preserve their religious character.

4:30 p.m.

On the rest of the Education Act 2002, there are good points included in it and I have supported those throughout the process. However, there are some points about which I have grave concerns. I am concerned about the nature of the partnership agreements and the budget fora that the Government wishes to introduce. Once again, that will tie up headteachers in more meetings, with more paperwork and more bureaucracy. We want to free schools, not tie them in to cosy, local arrangements. We want to allow schools to develop and deliver an agenda according to local needs. The lack of consultation over the Bill—let us forget about ‘The Learning Country’; that is a Government document—with Assembly Members and members of the Education and Lifelong Learning Committee has been a disgrace. It is a disgraceful way for this Government to deal with important legislation.

Finally, I will propose a procedural motion under Standing Order No. 6.16 to ask that this matter be referred back to the Subject

gynhelir yr awdurdod addysg lleol, ar ôl y diddymiad hwn? Gobeithiaf y gall y Gweinidog ddisgrifio beth fydd yn digwydd yn awr i'r ysgolion eglwys hynny.

A all y Gweinidog hefyd gadarnhau na ddywedodd wrth y Pwyllgor Addysg a Dysgu Gydol Oes am y newid hwn pan ddigwyddodd yn San Steffan? A all hefyd gadarnhau na ddywedodd wrth y Cynulliad pryd y digwyddodd y newid hwnnw yn San Steffan? Ni chawsom wybod, er bod y Gweinidog wedi ymrwymo y byddai'n hysbysu'r Cynulliad am newidiadau. Dywedodd y Gweinidog y prynhawn yma y bydd ysgolion eglwys yn dal i allu cadw eu cymeriad crefyddol. Fodd bynnag, ym mhle yn y gyfraith ac yn y llyfr deddfau y ceir y ddarpariaeth a fydd yn caniatáu i ysgolion eglwys gadw eu cymeriad? Mae'ch Llywodraeth newydd ei diddymu. Os credwch fod y ddarpariaeth honno yn y gyfraith, efallai y gallech ddweud wrthym, Weinidog, ar ba ddeddf y gall ysgolion eglwys ddibynnu'n awr i gadw eu cymeriad crefyddol.

Ynghylch gweddill y Ddeddf Addysg 2002, mae pwyntiau da ynddi a bu imi eu cefnogi drwy gydol y broses. Fodd bynnag, mae rhai pwyntiau yr wyf yn pryderu'n fawr yn eu cylch. Yr wyf yn bryderus ynghylch natur y cytundebau partneriaeth a'r fforymau cyllideb y mae'r Llywodraeth yn dymuno eu cyflwyno. Unwaith eto, bydd hynny'n clymu penaethiaid ysgol wrth ragor o gyfarfodydd, gyda mwy o waith papur a mwy o fiwrocratiaeth. Yr ydym ni am ryddhau ysgolion, nid eu clymu wrth drefniadau lleol, cartrefol. Yr ydym am ganiatáu i ysgolion ddatblygu a chyflawni agenda yn ôl anghenion lleol. Bu'r diffyg ymgynghori ar y Mesur—gadewch inni anghofio am ‘Y Wlad sy'n Dysgu’; dogfen y Llywodraeth yw honno—gydag Aelodau o'r Cynulliad ac aelodau o'r Pwyllgor Addysg a Dysgu Gydol Oes yn warth. Mae'n warthus bod y Llywodraeth hon yn ymdrin â deddfwriaeth bwysig fel hyn.

Yn olaf, gwnaf gynnig cynnig trefniadol o dan Reol Sefydlog Rhif 6.16 i ofyn am gyfeirio'r mater hwn yn ôl i'r Pwyllgor Pwnc

Committee so that the Minister can explain her actions to the Committee, and explain more fully the implications of the provisions of this Act for the education sector in Wales, particularly those provisions relating to section 49 of the Act. I propose that

the National Assembly, under Standing Order No. 6.16, refers this matter to a Subject Committee.

The Deputy Presiding Officer: I accept that procedural motion. Under Standing Order No. 6.15, I can permit one Member to speak briefly in favour and another to speak briefly against the motion, before moving to a vote. If this proposition is carried we will move on to the next item of business, and the matter will be referred to a Subject Committee. Does any Member wish to speak in favour of this procedural motion?

Jonathan Morgan: I will speak briefly in favour of the procedural motion. I have always believed that Subject Committees should develop their role of examining legislation and its implications for public services in Wales. We have an ideal opportunity to examine how the Education Act 2002, and the provisions set out in this commencement Order, will affect the education system in Wales. The Education and Lifelong Learning Committee has only spent roughly one-and-a-half hours examining the provisions of the Education Bill. We did that after the second reading of the Bill in the House of Commons. We did not, as a Committee, even have a chance to examine the changes introduced at Westminster during the committee stages of the Bill.

Cynog Dafis *rose*—

Jonathan Morgan: I am happy to give way.

The Deputy Presiding Officer: I remind you that this is meant to be a brief speech, and you are on the borderline already.

Cynog Dafis: Gŵyr Jonathan fy mod yn fwy na pharod i feirniadu'r Gweinidog am nifer o resymau. Fodd bynnag, nid oes modd beirniadu'r Gweinidog am y ffaith na

fel y gall y Gweinidog egluro ei gweithredoedd i'r Pwyllgor, ac egluro'n llawnach y goblygiadau sydd yn narpariaethau'r Ddeddf hon i'r sector addysg yng Nghymru, yn enwedig y darpariaethau hynny sy'n ymwneud ag adran 49 o'r Ddeddf. Cynigiau fod

y Cynulliad Cenedlaethol, o dan Reol Sefydlog Rhif 6.16, yn cyfeirio'r mater hwn i Bwyllgor Pwnc.

Y Dirprwy Lywydd: Derbyniaf y cynnig trefniadol hwnnw. O dan Reol Sefydlog Rhif 6.15, gallaf ganiatáu i un Aelod siarad yn fyr o blaid y cynnig ac un arall i siarad yn fyr yn ei erbyn, cyn symud ymlaen at bleidlais. Os derbynir y cynnig hwn byddwn yn symud ymlaen at yr eitem nesaf o fusnes, a chyfeirir y mater i Bwyllgor Pwnc. A oes unrhyw Aelod sy'n dymuno siarad o blaid y cynnig trefniadol hwn?

Jonathan Morgan: Siaradaf yn fyr o blaid y cynnig trefniadol. Credais erioed y dylai Pwyllgorau Pwnc ddatblygu eu rôl o graffu ar ddeddfwriaeth a'i goblygiadau i wasanaethau cyhoeddus yng Nghymru. Mae gennym gyfle delfrydol i ymchwilio i'r modd y bydd y Ddeddf Addysg 2002, a'r darpariaethau a nodir yn y Gorchymyn cychwyn hwn, yn effeithio ar y system addysg yng Nghymru. Dim ond tua awr a hanner a dreuliodd y Pwyllgor Addysg a Dysgu Gydol Oes yn archwilio darpariaethau'r Mesur Addysg. Gwnaethom hynny ar ôl ail ddarlleniad y Mesur yn Nhŷ'r Cyffredin. Ni chawsom gyfle hyd yn oed, fel Pwyllgor, i archwilio'r newidiadau a gyflwynwyd yn San Steffan yn ystod camau pwyllgor y Mesur.

Cynog Dafis *a gododd*—

Jonathan Morgan: Yr wyf yn fodlon ildio.

Y Dirprwy Lywydd: Yr wyf yn eich atgoffa mai araith fyr yw hon i fod, ac yr ydych ar y ffin yn barod.

Cynog Dafis: Jonathan knows that I am more than willing to criticise the Minister for several reasons. However, you cannot criticise the Minister on the basis that the

roddodd y Pwyllgor amser i'r mater hwn. Mater i'r Pwyllgor fel corff fyddai hynny, nid i'r Gweinidog.

Jonathan Morgan: We spent one-and-a-half hours after the second reading of the Bill in the House of Commons considering its provisions. We were not afforded any other opportunity to debate these matters in Committee or in Plenary. Only when that Bill had become an Act of Parliament were we able to do that. The right and proper action for us to take as the National Assembly for Wales would be to send this matter back to the Subject Committee so that Committee members can give it the detailed consideration that it rightly deserves.

The Deputy Presiding Officer: Does anybody wish to speak against this procedural motion? I see that nobody does.

The Business Minister (Carwyn Jones): I request that the division bell be rung.

The Deputy Presiding Officer: A request has been made for the bell to be rung. Under Standing Order No. 6.21, at least three Members must request that the bell be rung. Do three Members support the request? I see that they do. Clerk, please ring the bell.

Committee did not devote time to this issue. That would be a matter for the Committee as a body, not for the Minister.

Jonathan Morgan: Gwnaethom dreulio awr a hanner ar ôl ail ddarlleniad y Mesur yn Nhŷ'r Cyffredin yn ystyried y ddarpariaethau a oedd ynddi. Ni roddwyd cyfle arall inni drafod y materion hyn yn y Pwyllgor neu yn y Cyfarfod Llawn. Dim ond ar ôl i'r Mesur hwnnw ddod yn Ddeddf Seneddol yr oeddem yn gallu gwneud hynny. Y cam priodol i ni ei gymryd fel Cynulliad Cenedlaethol Cymru fyddai anfon y mater hwn yn ôl i'r Pwyllgor Pwnc fel y gall aelodau'r Pwyllgor ei ystyried yn fanwl fel y dylid ei wneud.

Y Dirprwy Lywydd: A oes rhywun sy'n dymuno siarad yn erbyn y cynnig trefniadol hwn? Gwelaf nad oes.

Y Trefnydd (Carwyn Jones): Gofynnaf am ganu cloch y bleidlais.

Y Dirprwy Lywydd: Gwnaed cais am ganu cloch y bleidlais. O dan Reol Sefydlog Rhif 6.21, rhaid i o leiaf dri Aelod ofyn am ganu'r gloch. A oes tri Aelod sy'n cefnogi'r cais? Gwelaf fod. Glerc, cenwch y gloch, os gwelwch yn dda.

Cynnig: O blaid 23, Ymatal 0, Yn erbyn 30.

Motion: For 23, Abstain 0, Against 30.

Pleidleisiodd yr Aelodau canlynol o blaid:
The following Members voted for:

Bourne, Nick
Cairns, Alun
Dafis, Cynog
Davies, David
Davies, Geraint
Davies, Glyn
Davies, Janet
Davies, Jocelyn
Graham, William
Hancock, Brian
Jarman, Pauline
Jones, David Ian
Jones, Elin
Jones, Gareth
Jones, Helen Mary
Jones, Ieuan Wyn
Lloyd, David
Melding, David
Morgan, Jonathan
Rogers, Peter
Ryder, Janet

Pleidleisiodd yr Aelodau canlynol yn erbyn:
The following Members voted against:

Barrett, Lorraine
Bates, Mick
Black, Peter
Burnham, Eleanor
Butler, Rosemary
Chapman, Christine
Davidson, Jane
Davies, Andrew
Edwards, Richard
Essex, Sue
Evans, Delyth
German, Michael
Gibbons, Brian
Gregory, Janice
Griffiths, John
Hart, Edwina
Hutt, Jane
Jones, Ann
Jones, Carwyn
Law, Peter
Lewis, Huw

Thomas, Rhodri Glyn
Williams, Phil

Lloyd, Val
Middlehurst, Tom
Morgan, Rhodri
Neagle, Lynne
Pugh, Alun
Randerson, Jenny
Sinclair, Karen
Thomas, Gwenda
Williams, Kirsty

*Gwrthodwyd y cynnig.
Motion rejected.*

4:40 p.m.

Helen Mary Jones: Trafodaf yn gyntaf welliannau Jonathan Morgan. Esboniodd Jocelyn Davies yn y ddadl ddiwethaf pam ein bod yn gwrthwynebu'r gwelliannau. Mae'r rhan fwyaf ohonynt yn ddisylwedd ac nid ydynt yn rhoi mwy o amser ar gyfer craffu, a fyddai'n ddilys efallai. Maent yn chwarae o gwmpas gyda materion pwysig, positif fel sefydlu tribiwnlys Cymreig ar gyfer addysg arbennig, ac felly fe'u gwrthwynebwn.

Fodd bynnag, rhaid i'r Llywodraeth a'r Gweinidog gymryd y cyfrifoldeb am rai o'r tactegau blocio ac oedi y mae'r Gweinidog ei hun eisoes wedi'u condemnio, ac am y ffars sydd o'n blaen y prynhawn yma. Mae'r Gweinidog yn trin y Cynulliad a democratiaeth Cymru yn ddiystyriol. Mae'n ein trin fel rhai yr ymgynhorir â hwy yn ychwanegol, fel y dywedodd David Melding. Dywedodd y prynhawn yma fod yr agenda wedi cael ei hanfon allan i'r byd a'r betws. Nid y byd a'r betws yw'r Cynulliad hwn. Democratiaeth Cymru ydyw, ac mae'n hen bryd i'r Gweinidog dros Addysg a Dysgu Gydol Oes sylweddoli hynny.

Rhannwn rai o'r pryderon a fynegodd Jonathan Morgan y prynhawn yma ynglŷn â diffyg cyfraniad digonol y Cynulliad cyfan i'r Mesur pwysig hwn. Dylem fod wedi cael cyfle—ac mae hyn yn fater i'r Llywodraeth ac nid i'r Pwyllgor, fel y clywsom—i drafod hyn. Fodd bynnag, nid y Cynulliad sydd yn penderfynu busnes y Cynulliad; y Llywodraeth sy'n rhoi Mesurau ger ein bron—

Lorraine Barrett: Will the Member give way?

Helen Mary Jones: In a moment, Lorraine.

Helen Mary Jones: I will first discuss Jonathan Morgan's amendments. Jocelyn Davies explained in the previous debate why we oppose the amendments. The majority have no substance and they do not afford more time for scrutiny, which might have been valid. They play around with important, positive issues such as establishing a Welsh tribunal for special education, and we therefore oppose them.

However, the Government and the Minister must take responsibility for some of the blocking and delaying tactics that the Minister herself has already condemned, and for the farce facing us today. The Minister is dismissive of the Assembly and of Welsh democracy. She is treating us as additional consultees, as David Melding said. She said this afternoon that the agenda had been sent out to all and sundry. This Assembly does not constitute all and sundry. It is the democracy of Wales, and it is high time that the Minister for Education and Lifelong Learning realised that.

We share some of Jonathan Morgan's concerns that the Assembly as a whole has not had an opportunity to discuss this important Bill. We should have had that opportunity—and this is a matter for the Government, and not the Committee, as we heard—to discuss this. However, the Assembly does not decide its business; the Government places Bills before us—

Lorraine Barrett: A wnaiff yr Aelod ildio?

Helen Mary Jones: Ymhen eiliad, Lorraine.

Dylem fod wedi cael cyfle i drafod yn fanylach ac i wneud cyfraniad manylach cyn i'r Gweinidog fynd â'r cais i San Steffan. Efallai y byddai hynny wedi rhoi mwy o gyfle i ni i geisio llenwi rhai o'r bylchau amlwg sy'n dal i'n pryderu—er enghraifft, y diffyg rheolaeth dros gyflog a thelerau gwaith athrawon. Nid wyf yn deall sut mae'r Gweinidog yn meddwl ei bod yn gallu rheoli a datblygu system addysg heb yr hawl i wobrwyo'r sawl sy'n darparu addysg i blant a phobl ifanc.

Ni wrthwynebwn y rheoliadau sydd o'n blaen heddiw—dim ond rheoliadau gweithdrefnol ydynt, a chrosawn lawer ohonynt. Fodd bynnag, y broblem wirioneddol yw diffyg pwerau'r Cynulliad i greu'i ddeddfau addysg ei hun, i'w trafod yn fanwl yma er mwyn gweld pa fath o system addysg mae cynrychiolwyr pobl Cymru am eu creu ar gyfer ein gwlad—

David Davies: Os nad oes modd craffu ar hyn o bryd, pam y byddai pethau'n well pe bai gennym bwerau deddfu sylfaenol?

Helen Mary Jones: Byddai llawer mwy o gyfle gennym, a byddai rhaid inni ailystyried sut yr ydym yn gweithredu yn y Cynulliad. Mae rhai o'ch Aelodau wedi dweud yn barod y byddai angen mwy o weision sifil a mwy o arbenigedd, ond nid yw'r ffaith nad yw'r arbenigedd gennym ar hyn o bryd yn rheswm inni beidio â chael yr hawl i reoli'n gwlad.

Tra bod gofyn i Weinidogion Addysg Cymru fynd ar eu gliniau i San Steffan i ofyn am amser ac i drafod cynnwys Deddf Addysg i Gymru, yr ydym yn sicr o weld yr un math o gawlach ag a welsom y prynhawn yma. Anaml y cytunaf yn gyhoeddus gyda Kirsty Williams, ond gwnaf yn yr achos hwn. Gobeithiaf y bydd Jonathan Morgan, gan ei fod mor awyddus i gyflwyno gwelliannau, yn ymuno â mi i alw am senedd wirioneddol i Gymru, fel ein bod yn gallu trafod a gwella Mesurau o sylwedd ym maes addysg, yn ogystal â meysydd eraill. Hyd nes bod gennym senedd felly, bydd llywodraethu'n gwlad mewn perygl beunyddiol o fod yn llanast cymhleth, aneffeithiol. Mae Cymru'n haeddu gwell.

We should have had an opportunity to debate in much more detail, and to make a more detailed contribution before the Minister took the request to Westminster. That might have given us more opportunity to try to fill some of the obvious gaps that still concern us—such as the lack of control over teachers' pay and conditions. I do not understand how the Minister believes that she can control and develop an education system without the right to reward the people who deliver education to children and young people.

We will not oppose today's regulations—they are only procedural regulations, and we welcome many of them. However, the real problem is the Assembly's inability to create its own education acts, to be discussed in detail here to see what kind of education system the representatives of the people of Wales wish to create for this country—

David Davies: If it is not possible to scrutinise at present, why would things be better if we had primary legislative powers?

Helen Mary Jones: We would have much more opportunity, and we would have to reconsider how we operate in the Assembly. Some of your Members have already said that we would need more civil servants and more expertise, but the fact that we do not have that expertise at present is not a reason for us not to have the right to rule our own country.

While Welsh Education Ministers have to go on their knees to Westminster to ask for time and to discuss the content of the Education Act for Wales, we are bound to see the kind of mess that we have seen here this afternoon. I seldom agree with Kirsty Williams in public, but I do in this case. I hope that Jonathan Morgan, as he is so anxious to table amendments, will join me in calling for a real parliament for Wales, so that we can discuss and improve Bills of substance in education, as well as in other areas. Until we have such a parliament, governing our country will always be in danger of being a complex and ineffective mess. Wales deserves better.

Mick Bates: There have been moments when I have found the current debate, and the previous discussion, quite enjoyable. Many would benefit from attending the lunchtime seminar on primary legislative powers, which is being held on 22 January. I will make two points about secondary legislation. First, while people are currently clamouring for greater scrutiny of secondary legislation, in Westminster, for example, only one signature is normally needed to sign off such legislation. While I am also impatient for us to have full scrutiny powers in terms of primary legislation, there is a great deal of unnecessary heat generated about scrutinising secondary legislation. Secondly, there are small legislatures around the world. In the Tasmanian parliament, for example, there are 22 members who have full primary legislative powers. We must examine some of the rationale behind the arguments that we need to expand numbers and to scrutinise secondary legislation more widely. It is worth pointing out—although Jonathan is not here—that in this particular case, there was no pressure from him as his party's spokesman to consider this issue in greater detail in Committee.

The publication of 'The Learning Country' by the partnership Government was a landmark for education in Wales. Within our limited powers, there have been steps to ensure that there is a distinctly Welsh angle to the Education Act 2002. We have achieved much already. I remind some Members, who seem to be presenting the case that Wales has no power, that we have achieved a great deal. We have already abolished tests for 7-year-olds; we have reintroduced free school milk; we are piloting a Welsh baccalaureate, and we have introduced a rural schools policy. We have also introduced grants for further and higher education. Those are tremendous achievements. However, I accept that there are challenges that we must face to improve all those areas. Legislation is about improving the situation.

I am pleased to hear Helen welcome the new special educational needs tribunals. We have greater transitional arrangements between

Mick Bates: Bu adegau pan gefais y ddadl bresennol, a'r drafodaeth o'i blaen, yn eithaf pleserus. Byddai llawer yn cael budd o ddod i'r seminar amser cinio ar bwerau deddfu sylfaenol, a gynhelir ar 22 Ionawr. Gwnaf ddau bwynt am ddeddfwriaeth eilaidd. Yn gyntaf, er bod pobl yn gweiddi ar hyn o bryd am fwy o graffu ar ddeddfwriaeth eilaidd, yn San Steffan, er enghraifft, dim ond un llofnod sydd ei hangen fel arfer i gwblhau deddfwriaeth o'r fath. Er fy mod innau'n dyheu am inni gael bwerau craffu llawn o ran deddfwriaeth sylfaenol, mae llawer o falu awyr diangen am graffu deddfwriaeth eilaidd. Yn ail, ceir deddfwrfeydd bach o gwmpas y byd. Yn senedd Tasmania, er enghraifft, mae 22 o aelodau sydd â phwerau deddfu sylfaenol llawn. Rhaid inni edrych ar ryw faint o'r sail resymegol i'r dadleuon o blaid cynyddu ein nifer a chraffu ar deddfwriaeth eilaidd yn fwy eang. Mae'n werth nodi—er nad yw Jonathan yma—na fu iddo fel llefarydd ei blaid yn yr achos penodol hwn bwysu i ystyried y mater hwn yn fanylach yn y Pwyllgor.

Yr oedd cyhoeddi 'Y Wlad sy'n Dysgu' gan y Llywodraeth bartneriaeth yn ddirgwyddiad o bwys i addysg yng Nghymru. O fewn ein pwerau cyfyngedig, cymerwyd camau i sicrhau bod gwedd Gymreig benodol ar y Ddeddf Addysg 2002. Yr ydym wedi cyflawni llawer eisoes. Yr wyf yn atgoffa rhai Aelodau, y mae'n ymddangos eu bod yn dadlau nad oes gan Gymru bŵer, ein bod wedi cyflawni llawer iawn. Yr ydym eisoes wedi diddymu profion ar gyfer rhai saith mlwydd oed; yr ydym wedi ailgyflwyno llaeth yn yr ysgol am ddim; yr ydym yn rhagbrofi bagloriaeth Gymreig, ac yr ydym wedi cyflwyno polisi ysgolion gwledig. Yr ydym hefyd wedi cyflwyno grantiau ar gyfer addysg bellach ac uwch. Cyflawniadau aruthrol yw'r rhain. Er hynny, derbyniaf fod heriau y mae'n rhaid inni eu hwynebu i wella pob un o'r meysydd hynny. Mae deddfu'n ymwneud â gwella'r sefyllfa.

Yr wyf yn falch o glywed Helen yn croesawu'r tribiwnlysoedd anghenion addysgol arbennig newydd. Mae gennym fwy

each key stage in education. The Minister also mentioned our ability to provide free school lunches. I am disappointed that we do not take on more powers so that we can say that food for school lunches must be provided locally; that procurement would benefit children, because of the quality of the food, and its effect on the local economy. We have a long way to go in that respect before I am truly satisfied that the action we are taking benefits the people of Wales.

As I have said already, we have been able to influence the Education Act 2002. I wish to concentrate on two points in particular. The comprehensive system of education will be maintained in Wales, whereas in England there will be more specialism, more division in society and less cohesion. The same principle applies to the fact that we will not accept more faith schools being established in Wales. Unlike the situation in England, we stand together in Wales and are inclusive. Above all, we must accept that the process is evolving. We will learn about better ways in which to use our legislative powers. One day, an education Bill and an education Act will be debated in the Assembly and will truly be part of Welsh democracy.

David Davies: One basic principle of democracy is that the minority will accept governance by the majority. However, it is a two-way agreement. In return for accepting that governance, the minority must be accorded certain rights, in particular, being able to scrutinise decisions. Today, we have seen a Government turning its back on its responsibilities and refusing to allow debate on a policy area, namely education, which it claims is of fundamental importance. We tabled amendments to the motion because we wanted to discuss the future of voluntary-aided faith schools because we support such schools and feel that these measures may threaten their existence.

4:50 p.m.

To answer an earlier point, my colleague Jonathan Morgan has not made the case for the Assembly having full legislative powers;

o drefniadau trosiannol rhwng pob cyfnod allweddol mewn addysg. Soniodd y Gweinidog hefyd am ein gallu i ddarparu cinio yn yr ysgol am ddim. Yr wyf yn siomedig nad ydym yn ymgymryd â rhagor o bwerau fel y gallwn ddweud bod yn rhaid i'r bwyd ar gyfer ciniawau yn yr ysgol gael ei ddarparu'n lleol; byddai caffael o'r fath o fudd i blant, oherwydd ansawdd y bwyd, a'i effaith ar yr economi leol. Bydd yn rhaid inni wneud llawer mwy yn hynny o beth cyn y byddaf yn wirioneddol fodlon bod y camau yr ydym yn eu cymryd o fudd i bobl Cymru.

Fel y dywedais eisoes, yr ydym wedi gallu dylanwadu ar y Ddeddf Addysg 2002. Dymunaf ganolbwyntio ar ddau bwynt yn benodol. Cedwir y system addysg gyfun yng Nghymru, tra bydd mwy o arbenigo, mwy o raniadau mewn cymdeithas a llai o gydlynad yn Lloegr. Mae'r un egwyddor yn berthnasol i'r ffaith na wnawn dderbyn sefydlu rhagor o ysgolion crefyddol yng Nghymru. Yn wahanol i'r sefyllfa yn Lloegr, safwn gyda'n gilydd yng Nghymru ac yr ydym yn gynhwysol. Yn fwy na dim, rhaid inni dderbyn bod y broses yn datblygu. Gwnawn ddysgu am well ddulliau o ddefnyddio ein pwerau deddfu. Ryw ddydd, trafodir Mesur addysg a Deddf addysg yn y Cynulliad a fydd yn rhan wirioneddol o ddemocratiaeth Cymru.

David Davies: Un o egwyddorion sylfaenol democratiaeth yw y gwnaiff y lleiafrif gymryd ei lywodraethu gan y mwyafrif. Fodd bynnag, cytundeb dwyffordd ydyw. Yn gyfnewid am gymryd ei lywodraethu, rhaid rhoi rhai hawliau i'r lleiafrif, yn benodol, y gallu i graffu ar benderfyniadau. Heddiw, gwelsom Lywodraeth yn troi ei chefn ar ei chyfrifoldebau a gwrthod caniatáu dadl ar faes polisi, sef addysg, y mae'n honni ei fod o bwys sylfaenol. Gwnaethom gyflwyno gwelliannau i'r cynnig am ein bod yn dymuno trafod dyfodol ysgolion crefyddol a gynorthwyr yn wirfoddol gan ein bod o blaid ysgolion o'r fath ac yn teimlo y gallai'r mesurau hyn fygwth eu bodolaeth.

Er mwyn ateb pwynt a wnaed yn gynharach, nid yw fy nghyd-Aelod Jonathan Morgan wedi cyflwyno achos dros gael pwerau

he has made a coherent case for the Assembly scrutinising legislation that affects Wales—that was what the National Assembly was set up to do. Jonathan Morgan has asked for the Assembly to be allowed to do that job. Those who have tried to prevent the discussion today are making a strong case against the National Assembly gaining further and primary legislative powers. At present, primary legislation is passed in Parliament, which has a second chamber for legislation scrutiny. Opposition parties are usually accorded the right to scrutinise; we are not. The only protection against totalitarianism in the Assembly is to allow opposition parties to scrutinise; that right is being threatened.

Scrutiny of legislation is not a favour to be bestowed by the Government and removed at a whim—it is a fundamental right. Rhodri Morgan exercised that right on numerous occasions during the passage of the Cardiff Bay Barrage Act 1993, and it is shameful that the Government that he now leads has denied us the same right of scrutiny today.

Gareth Jones: Mae'r cynnig hwn yn cymeradwyo'r hyn sydd yn angenrheidiol, sef, dwyn y darpariaethau o dan Reoliadau Deddf Addysg 2002 (Dapariaethau Trosiannol) (Cymru) 2002 i rym. Mae natur galluogol y darpariaethau'n cynnig cyfleoedd newydd ac adeiladol i'r Cynulliad, ond mae hefyd yn gosod dyletswydd a chyfrifoldeb ar Lywodraeth y Cynulliad i fynd i'r afael â'r gwendidau sydd yn bodoli yn y gyfundrefn addysg ar hyn o bryd.

Gwyddoch, Weinidog, i Estyn gyhoeddi 'Ysgolion Ardderchog: gweledigaeth i ysgolion yng Nghymru yn ystod yr 21ain ganrif' yr wythnos hon. Trafodir yr adroddiad hwn gan y Pwyllgor Addysg a Dysgu Gydol Oes ddydd Iau. Wrth edrych ymlaen, mae'r adroddiad yn ein hatgoffa o'r materion sydd angen sylw os ydym o ddifrif am foderneiddio ein hysgolion a'n gwasanaeth addysg. Dyma'r tro cyntaf, ond nid y tro olaf, inni ddarllen y geiriau 'agenda foderneiddio' yng nghyd-destun addysg, ac mae goblygiadau sylweddol trefnyddol a chenedlaethol ynghlwm wrth agweddau ar

deddfu llawn i'r Cynulliad; cyflwynodd ddadl resymegol i'r perwyl y dylai'r Cynulliad archwilio deddfwriaeth sy'n effeithio ar Gymru—ar gyfer hynny y sefydlwyd y Cynulliad Cenedlaethol. Mae Jonathan Morgan wedi gofyn am i'r Cynulliad gael gwneud y gwaith hwnnw. Mae'r rhai a geisiodd atal trafodaeth heddiw'n cyflwyno achos cryf yn erbyn cael pwerau deddfu sylfaenol a phellach i'r Cynulliad Cenedlaethol. Ar hyn o bryd, caiff deddfwriaeth sylfaenol ei phasio yn y Senedd, sydd ag ail siambr i graffu ar ddeddfwriaeth. Fel arfer mae gwrthbleidiau'n cael hawl i graffu; nid ydym ni. Yr unig amddiffyniad rhag totalitariaeth yn y Cynulliad yw caniatáu i wrthbleidiau graffu; mae bygythiad i'r hawl honno.

Nid ffafr i'w rhoi a'i thynnu'n ôl yn fympwyol gan y Llywodraeth yw craffu ar ddeddfwriaeth—mae'n hawl sylfaenol. Arferodd Rhodri Morgan yr hawl honno nifer o weithiau yn ystod hynt Deddf Morglawdd Bae Caerdydd 1993, ac mae'n gywilyddus bod y Llywodraeth y mae'n ei harwain yn awr wedi gwrthod yr un hawl craffu i ni heddiw.

Gareth Jones: This motion approves that which is necessary, namely, the bringing into force of provisions under the Education Act 2002 (Transitional Provisions) (Wales) Regulations 2002. The enabling nature of the motion's provisions provides the Assembly with new and constructive opportunities, but also places a duty and responsibility on the Assembly Government to tackle the weaknesses that exist in the education system at present.

You will know, Minister, that Estyn published 'Excellent Schools: a vision for schools in Wales in the twenty-first century' this week. This report will be discussed by the Education and Lifelong Learning Committee on Thursday. In looking forward, this report reminds us of the matters that require attention if we are serious about modernising our schools and education system. This is the first time, but it will not be the last, that we have read the words 'modernising agenda' in the context of education and Estyn's vision has significant organisational and national implications, to

weledigaeth Estyn, ac yr ydych chi, Weinidog, wedi cyfeirio atynt yn ddiweddar.

Un o brif rinweddau'r adroddiad yw ei fod yn egluro pa welliannau sydd eu hangen yn sgîl rheoliadau'r offerynnau statudol a ddaw gyda Rheoliadau Deddf Addysg 2002 (Dapariaethau Trosiannol) (Cymru) 2002. Mae hyn yn her i'r Llywodraeth bresennol a'r Llywodraeth Blaid Cymru sydd yn debygol o fod mewn grym yn y Cynulliad Cenedlaethol ym Mai 2003. Bydd angen rhoi sylw brys i nifer o faterion. Er enghraifft, mae'r adroddiad yn nodi bod y bwloch rhwng perfformiad gwahanol ysgolion yn parhau i fod mor fawr ag erioed, sydd yn drist. Mae Estyn hefyd yn argymhell y dylai ysgolion gael mwy o reolaeth dros eu sefyllfaedd ariannol ynghyd â'r hawl i gynllunio eu cyllidebau dros gyfnodau hwy. Gobeithiaf y bydd Llywodraeth y Cynulliad yn cyflwyno is-ddeddfwriaeth neu ganllawiau i ymateb i'r gofynion hyn.

Dadlennol a diddorol hefyd yw gweld bod Estyn am i ysgolion roi mwy o ystyriaeth i anghenion ac amgylchiadau lleol wrth ddatblygu eu cwricwla, ac mae'r adroddiad yn frith o'r mathau hyn o ofynion ac anghenion, a'r hyn y mae'n ei ystyried yn wendidau ar hyn o bryd. Gobeithiaf y bydd ysgolion Cymru yn mabwysiadu cwricwlwm gwirioneddol Gymreig ac y bydd y Gweinidog a Llywodraeth Cymru yn sicrhau canllawiau ac is-ddeddfwriaeth ar gyfer hyn.

Gobeithiaf hefyd y bydd yr is-ddeddfwriaeth a fydd yn dilyn yn llwyddo i wireddu'r materion eraill yr ydym eisoes wedi clywed digon amdanynt, sef, sicrhau statws cyfartal i lwybrau academiaidd a galwedigaethol, a chau'r bwloch cyrhaeddiad rhwng bechgyn a merched. Mae'r adroddiad yn gofyn am ganllawiau a deddfwriaeth newydd i sicrhau dilyniant effeithiol rhwng ysgolion cynradd ac uwchradd. Mae nifer o faterion felly y mae rhaid inni ddechrau ymwneud â nhw, a chreu deddfwriaeth i wella'r system addysg yng Nghymru. Bydd yr is-ddeddfwriaeth a fydd yn deillio o'r Rheoliadau Deddf Addysg 2002 (Dapariaethau Trosiannol) (Cymru) 2002 yn rhoi'r cyfle i'r Cynulliad lunio polisiau i ddarparu gwasanaeth addysg Cymreig ac ymateb i anghenion Cymreig. Dyna'r her i Lywodraeth Cymru, a bydd Plaid Cymru—

which you, Minister, have referred recently.

One of the report's main virtues is that it explains which improvements are needed as a result of the regulations of the statutory instruments that will come into force with the Education Act 2002 (Transitional Provisions) (Wales) Regulations 2002. This is a challenge for the present Government and the Plaid Cymru Government that is likely to be in power in May 2003. Urgent attention will be required on several matters. For example, the report notes that the gap between the performance of different schools continues to be as wide as ever, which is sad. Estyn also recommends that schools should have more regulation over their financial positions and should have the right to plan their budgets over longer periods. I hope that the Assembly Government will introduce subordinate legislation or guidance to respond to these requirements.

It is also revealing and interesting that Estyn wants schools to give more consideration to local needs and circumstances in developing their curricula, and the report is interspersed with these kind of requirements, needs and what it considers to be weaknesses at present. I hope that schools in Wales adopt a truly Welsh curriculum, and that the Minister and Government of Wales will ensure guidance and subordinate legislation to this end.

I also hope that the subordinate legislation that will follow will succeed in delivering on the other matters of which we have already heard plenty, namely, ensuring equal status for academic and vocational paths, and closing the achievement gap between boys and girls. The report asks for guidance and new legislation to ensure effective progression from primary to secondary schools. We must begin to deal with these issues, and formulate legislation to improve the education system in Wales. The subordinate legislation that will result from the Education Act 2002 (Transitional Provisions) (Wales) Regulations 2002 will give the Assembly an opportunity to formulate policies for a Welsh education service and to respond to Welsh needs. That is the challenge for the Government of

The Party of Wales yn craffu ar bob canllaw a deddfwriaeth addysg newydd i sicrhau na cholllir unrhyw gyfle i hyrwyddo'r dimensiwn Cymreig yn gymunedol nac yn genedlaethol.

Alun Cairns: Thank you for allowing me to contribute to this important debate. It is unfortunate that the substance of the debate was curtailed by a procedural motion. The Assembly was established to bring Government closer to the people, to enable legislation to be better framed, and to allow several Ministers to specialise in a range of subjects. The counterbalance is that the opposition parties should be allowed to scrutinise and propose policy. It is some time since we heard the consensus politics statement from the then Secretary of State for Wales; now the goalposts are literally being moved to prevent appropriate scrutiny of tabled amendments.

I emphasise the principle that Jonathan Morgan highlighted relating to church schools. I had the opportunity on Friday to visit one church school in South Wales West. The standards at that school, which are recognised in Estyn reports, are second to none. Parents choose to send their children to church schools. Having visited several schools over the last month or so it has become evident to me that there is a distinctively different ethos and culture in church schools. In school halls, it was clear that the religious meaning of Christmas was central to the schools' approach with the drawings and posters on the walls, which had all been developed by the children, relating to that. On the other hand, in the non-church schools—and I am not detracting from them, but merely contrasting the style and approaches of the different schools—material related to Santa Claus and the more commercial aspects of Christmas are displayed. There is a place for both in a diverse education system. However, parents make that choice and decide to which school to send their children.

Cynog Dafis: A allwch enwi unrhyw ysgol yng Nghymru sydd yn rhoi mwy o bwyslais ar Siôn Corn nag ar Iesu Grist adeg y Nadolig?

Wales, and Plaid Cymru—The Party of Wales will scrutinise all guidance and new education legislation to ensure that no opportunity to promote the Welsh dimension on both a community and national basis is missed.

Alun Cairns: Diolch i chi am ganiatáu imi gyfrannu i'r ddadl bwysig hon. Mae'n anffodus bod sylwedd y ddadl wedi'i chwotgi drwy gynnig trefniadol. Sefydlwyd y Cynulliad i ddod â Llywodraeth yn agosach at y bobl, fel y gellid llunio deddfwriaeth yn well, ac i ganiatáu i sawl Gweinidog arbenigo mewn amryw o bynciau. Y gwrthbws y hynny yw y dylid caniatáu i'r gwrthbleidiau graffu a chynnig polisi. Mae cryn amser wedi mynd heibio ers inni glywed y datganiad ar wleidyddiaeth gonsensws gan Ysgrifennydd Gwladol Cymru ar y pryd; bellach mae pyst y gôl yn cael eu symud yn llythrennol i atal craffu priodol ar welliannau a gyflwynwyd.

Pwysleisiaf yr egwyddor y tynnodd Jonathan Morgan sylw ati mewn cysylltiad ag ysgolion eglwys. Cefais gyfle ddydd Gwener i ymweld ag un ysgol eglwys yng Ngorllewin De Cymru. Mae safonau heb eu hail yn yr ysgol honno, a gydnabyddir yn adroddiadau Estyn. Mae rhieni'n dewis anfon eu plant i ysgolion eglwys. A minnau wedi ymweld â sawl ysgol dros y mis diwethaf fwy neu lai, daeth yn amlwg i mi fod ethos a diwylliant neilltuol a gwahanol mewn ysgolion eglwys. Yn neuaddau'r ysgolion, yr oedd yn amlwg bod ystyr grefyddol y Nadolig yn ganolog i ddull gweithredu'r ysgolion o'r darluniau a'r posteri ar y waliau, yr oedd pob un ohonynt wedi'i ddatblygu gan y plant, mewn cysylltiad â hynny. Ar y llaw arall, yn yr ysgolion nad ydynt yn rhai eglwys—ac nid wyf yn eu bychanu, dim ond cyferbynnu arddull a dulliau gweithredu'r gwahanol ysgolion—arddangosir deunydd sy'n ymwneud â Siôn Corn a'r agweddau mwy masnachol ar y Nadolig. Mae lle i'r ddwy mewn system addysg amrywiol. Fodd bynnag, rhieni sy'n dewis ac yn penderfynu i ba ysgol y maent yn anfon eu plant.

Cynog Dafis: Can you name any school in Wales that places more emphasis on Santa Claus than on Jesus Christ at Christmas?

Alun Cairns: Yr wyf wedi codi'r pwynt gyda'r prifathro, ac nid wyf am achosi embaras i'r ysgol. Dyna pam nad wyf wedi enwi yr un ysgol yr ymwelais â hi. Fodd bynnag, mae'n amlwg o'r ysgol eglwysig yr ymwelais â hi ddydd Gwener y rhoddir lle mwy canolog i'r ethos a'r diwylliant Cristnogol yr oedd yn ceisio addysgu ynddi.

It was obvious that the culture of the school was different in the church school than in local education authority primary schools. I am not detracting from either side; I am highlighting the opportunity of choice for parents to send their children to those schools that can offer the best education to suit their unique circumstances.

Lorraine Barrett: Can you assure me that you are in no way criticising schools that are not faith-based nor those parents, of whom I am one, who have taught their children about social justice, and not about Christianity? That goes against all my beliefs.

Alun Cairns: I am grateful to Lorraine Barrett for allowing me to underline that point. I am not judging, I am merely highlighting the diverse nature and the different styles and approaches in different schools in Wales, and the opportunity for parents to decide which school best suits those needs. I am glad to underline what Lorraine Barrett said. I am not criticising the approach of some of the other schools that I visited when compared to church schools, but merely focusing on the choice that we should be offering parents.

Gareth Jones: Pwysleiswch ddewis y rhieni. A ydych yn cydnabod ac yn sylweddoli nad oes gan y mwyafrif o rieni yng Nghymru heddiw ddewis o gwbl? Mae gan yr ysgolion efallai ddewis, a hwy sy'n dewis y disgyblion ac, felly, eu rhieni. Mae hyn yn deillio o system addysg a gyflwynwyd gennych chi flynyddoedd yn ôl, ac yr ydym yn dal i ddioddef oherwydd y polisiau hynny.

5:00 p.m.

Alun Cairns: I have raised the point with the headteacher, and I do not want to cause embarrassment to the school. That is why I have not named any school that I have visited. However, it is obvious from the church school that I visited on Friday that the Christian ethos and culture within which it was trying to teach is given more focus.

Yr oedd yn amlwg bod diwylliant yr ysgol eglwys yn wahanol i'r hyn a geir yn ysgolion cynradd awdurdodau addysg lleol. Nid wyf yn bychanu'r naill na'r llall; yr wyf yn tynnu sylw at y cyfle sydd gan rieni i ddewis anfon eu plant i'r ysgolion hynny sy'n gallu cynnig yr addysg orau sy'n gweddu i'w hamgylchiadau unigryw.

Lorraine Barrett: A allwch fy sicrhau nad ydych yn beirniadu ysgolion nad ydynt yn seiliedig ar grefydd o gwbl, na'r rhieni hynny, yr wyf fi'n un ohonynt, sydd wedi dysgu eu plant am gyfiawnder cymdeithasol, ac nid am Gristnogaeth? Mae hynny'n mynd yn groes i'm holl gredoau.

Alun Cairns: Yr wyf yn ddiolchgar i Lorraine Barrett am ganiatáu imi bwysleisio'r pwynt hwnnw. Nid wyf yn beirniadu, ond yn tynnu sylw at natur amrywiol a gwahanol arddulliau a dulliau gweithredu ysgolion yng Nghymru, a'r cyfle sydd gan rieni i benderfynu ar ba ysgol sy'n gweddu i'r anghenion hynny orau. Yr wyf yn falch o ategu'r hyn a ddywedodd Lorraine Barrett. Nid wyf yn beirniadu dull gweithredu rhai o'r ysgolion eraill yr ymwelais â hwy o'u cymharu ag ysgolion eglwys, dim ond yn canolbwyntio ar y dewis y dylem ei gynnig i rieni.

Gareth Jones: You emphasise parents' choice. Do you acknowledge and realise that the majority of parents in Wales today have no choice at all? The schools may have a choice, and they select the pupils and, therefore, their parents. This is the result of an education system that you introduced years ago, and we are still suffering because of those policies.

Alun Cairns: Yr wyf yn falch bod Gareth Jones wedi sôn am hyn oherwydd mae'n tanlinellu'r gwirionedd ynglŷn â'r ddeddfwriaeth hon—bydd llawer llai o ddewis ar ôl ei phasio. Yn yr etholaeth y soniais amdani mae dewis go iawn gan rieni—dewis i anfon eu plant i'r ysgol a welais ddydd Gwener, neu i unrhyw ysgol arall o fewn yr ardal leol. Dyna'r dewis sydd ganddynt yn awr, ond mae'r Gweinidog yn ceisio tansilio'r egwyddor sydd y tu ôl i ysgolion sydd â ffocws eglwysig.

The Minister is undermining the purpose of church schools. If we compared the results, culture and output of schools, I am sure that church schools would be higher on the table than local education authority schools.

The Minister for Education and Lifelong Learning (Jane Davidson): It would have been too much to expect that the Conservatives—having tabled a set of wrecking amendments—would not continue being peripheral. Jonathan, I will give you a detailed reply to your question. Sections 20 and 21 of the Schools Standards and Framework Act 1998 designate the categories of schools, including voluntary-aided and foundation schools, which may have a religious character. Section 88 of the Act provides for the governing body being the admission authority for foundation and voluntary-aided schools, and this legislation does not change those admission arrangements. The repeal of section 91, which relates purely to special arrangements for admissions, does not affect the above in any way—that is why the Church authority supported it. You are doing Wales a disservice by inaccurately reflecting the consequences of today's legislation. It was more telling that, when you finished with that agenda, you said in passing that you are against partnership arrangements and budget fora. These are two of the specific provisions that we wanted in the legislation because they will benefit Wales. They concern partnerships with local authorities, which have a statutory responsibility to educate the children of Wales. Contrary to your view that they would mean increased bureaucracy for the headteacher, the Secondary Headteachers Association actively welcomed the budget

Alun Cairns: I am glad that Gareth Jones mentioned this because it underlines the truth about this legislation—there will be far less choice once it is passed. In the constituency that I mentioned, parents have a real choice—a choice to send their children to the school that I saw on Friday, or to any other school in the local area. That is the choice that they have at present, but the Minister is trying to undermine the underlying principle of schools that have a church focus.

Mae'r Gweinidog yn tansilio pwrpas ysgolion eglwys. Pe byddem yn cymharu canlyniadau, diwylliant a chynnyrch ysgolion, yr wyf yn siŵr y byddai ysgolion eglwys yn uwch ar y tabl nag ysgolion awdurdod addysg lleol.

Y Gweinidog dros Addysg a Dysgu Gydol Oes (Jane Davidson): Byddai'n ormod i'w ddisgwyl na fyddai'r Ceidwadwyr—a hwythau wedi cyflwyno set o welliannau difetha—yn parhau i fod yn ymylol. Jonathan, rhoddaf ateb manwl i'ch cwestiwn. Adrannau 20 a 21 o'r Ddeddf Safonau a Fframwaith Ysgolion 1998 sy'n dynodi categorïau o ysgolion, gan gynnwys ysgolion a gynorthwyir yn wirfoddol ac ysgolion sefydledig, a all fod o natur grefyddol. Mae adran 88 o'r Ddeddf yn rhagnodi mai'r corff llywodraethu fydd yr awdurdod derbyn ar gyfer ysgolion sefydledig a rhai gwirfoddol a gynorthwyir, ac nid yw'r ddeddfwriaeth hon yn newid y trefniadau derbyn hynny. Nid yw diddymu adran 91, sy'n ymwneud yn gyfan gwbl â threfniadau derbyn arbennig, yn effeithio ar yr uchod mewn unrhyw fodd—dyna pam y gwnaeth awdurdod yr Eglwys ei gefnogi. Yr ydych yn gwneud cam â Chymru drwy beidio ag adlewyrchu canlyniadau'r ddeddfwriaeth heddiw'n gywir. Yr oedd yn fwy dadlennol, wedi ichi orffen â'r agenda honno, ichi ddweud wrth fynd heibio eich bod yn gwrthwynebu trefniadau partneriaeth a fforymau cyllideb. Dyma ddwy o'r darpariaethau penodol yr oeddem am eu cael yn y ddeddfwriaeth am y byddant o fudd i Gymru. Maent yn ymwneud â phartneriaethau ag awdurdodau lleol, sydd â chyfrifoldeb statudol i addysgu plant Cymru. Yn groes i'ch barn chi y byddent yn golygu mwy o fiwrocratiaeth i'r pennaeth ysgol, gwnaeth Cymdeithas y Prifathrawon

fora when I met with it last week.

On your point, Helen Mary Jones, I realise that you were not a Committee member when it was debated. Your view surprised me because I provided many opportunities in Committee, as both previous Chairs, I hope, will confirm.

Helen Mary Jones: I saw that you were having some difficulty on that point. My point was not about scrutiny in the Committee, which has been addressed by Gareth Jones and Cynog Dafis; it concerns scrutiny in the Chamber and your reference in your previous speech to consulting Members in the same way as you consulted anybody else. That is unacceptable.

Jane Davidson: I pointed out that I consulted all Assembly Members by sending everyone a copy of 'The Learning Country'.

Lorraine Barrett: Thank you for allowing my intervention, Minister, as Helen Mary did not. Did you take it as a compliment that educationalists from all corners of the world were interested in receiving copies of the 'The Learning Country'? It is a compliment to the Assembly, and to you as Minister that they may learn something from that document.

Jane Davidson: Thank you, Lorraine. If we are to be a learning country, it is not just about people learning from us; we have much to learn from others. This is about that important engagement. However, the only support that Helen Mary Jones has secured for her proposal to transfer responsibility for teachers' pay and conditions to the National Assembly has come from Undeb Cenedlaethol Athrawon Cymru, subject to the Assembly gaining tax-raising powers. I have worked closely with the unions on this matter to ensure that teachers' pay and conditions remain on an England and Wales basis in the interests of teachers in Wales.

Finally, Alun Cairns said that legislation

Uwchradd groesawu'r fforymau cyllideb yn frwd pan gyfarfûm â hi yr wythnos diwethaf.

Ynghylch y pwynt a wnaethoch chi, Helen Mary Jones, sylweddolaf nad oeddech yn aelod o'r Pwyllgor pan drafodwyd hyn. Mae'ch barn yn peri syndod i mi oherwydd rhoddais lawer o gyfleoedd yn y Pwyllgor, fel y gwnaiff y ddau Gadeirydd blaenorol gadarnhau, yr wyf yn gobeithio.

Helen Mary Jones: Sylwais eich bod yn cael peth trafferth ynghylch y pwynt hwnnw. Nid oedd y pwynt a wneuthum yn ymwneud â chraffu yn y Pwyllgor, a drafodwyd gan Gareth Jones a Cynog Dafis; mae'n ymwneud â chraffu yn y Siambr a'r cyfeiriad a wnaethoch yn eich araith flaenorol at ymgynghori ag Aelodau yn yr un modd ag y gwnaech ag unrhywun arall. Mae hynny'n annerbyniol.

Jane Davidson: Nodais fy mod wedi ymgynghori â phob Aelod o'r Cynulliad drwy anfon copi o 'Y Wlad sy'n Dysgu' at bawb.

Lorraine Barrett: Diolch i chi am ganiatau ymyriad gennyf, Weinidog, gan na wnaeth Helen Mary. A oeddech yn ei gymryd yn ganmoliaeth fod addysgwyr o bedwar ban y byd am gael copïau o 'Y Wlad sy'n Dysgu'? Mae'n glod i'r Cynulliad, ac i chi fel Gweinidog y gallent ddysgu rhywbeth o'r ddogfen honno.

Jane Davidson: Diolch i chi, Lorraine. Os ydym i fod yn wlad sy'n dysgu, mae'n golygu mwy na bod pobl yn dysgu oddi wrthym ni; mae gennym ni lawer i'w ddysgu gan eraill. Mae hyn yn ymwneud â'r ymrwymiad pwysig hwnnw. Fodd bynnag, yr unig gefnogaeth a sicrhaodd Helen Mary Jones i'w chynnig i drosglwyddo cyfrifoldeb dros gyflogau ac amodau athrawon i'r Cynulliad Cenedlaethol yw honno gan Undeb Cenedlaethol Athrawon Cymru, ar yr amod y caiff y Cynulliad bwerau trethu. Yr wyf wedi gweithio'n agos gyda'r undebau ar y mater hwn i sicrhau bod tâl ac amodau athrawon yn parhau ar sail Cymru a Lloegr er budd athrawon yng Nghymru.

Yn olaf, dywedodd Alun Cairns y dylai

should be better framed in the Assembly: it is; that is what we are delivering, and that is what I propose today.

Jonathan Morgan: I request that the division bell be rung.

The Deputy Presiding Officer: Do three Members support the request? I see that they do. Clerk, please ring the bell.

5:10 p.m.

*Cynnig (NDM1263): O blaid 41, Ymatal 0, Yn erbyn 8.
Motion (NDM1263): For 41, Abstain 0, Against 8.*

Pleidleisiodd yr Aelodau canlynol o blaid:
The following Members voted for:

Barrett, Lorraine
Bates, Mick
Black, Peter
Burnham, Eleanor
Butler, Rosemary
Dafis, Cynog
Davidson, Jane
Davies, Andrew
Davies, Geraint
Davies, Janet
Edwards, Richard
Essex, Sue
Evans, Delyth
German, Michael
Gibbons, Brian
Gregory, Janice
Halford, Alison
Hancock, Brian
Hart, Edwina
Hutt, Jane
Jones, Ann
Jones, Carwyn
Jones, Elin
Jones, Gareth
Jones, Helen Mary
Jones, Ieuan Wyn
Law, Peter
Lewis, Huw
Lloyd, David
Lloyd, Val
Middlehurst, Tom
Morgan, Rhodri
Neagle, Lynne
Pugh, Alun
Randerson, Jenny
Ryder, Janet
Sinclair, Karen
Thomas, Gwenda
Thomas, Rhodri Glyn
Williams, Kirsty
Williams, Phil

deddfwriaeth gael ei llunio'n well yn y Cynulliad: fe gaiff; dyna'r hyn yr ydym yn ei gyflawni, a dyna a gynigiau heddiw.

Jonathan Morgan: Gofynnaf am ganu cloch y bleidlais.

Y Dirprwy Lywydd: A oes tri Aelod sy'n cefnogi'r cais? Gwelaf fod. Glerc, cenwch y gloch, os gwelwch yn dda.

Pleidleisiodd yr Aelodau canlynol yn erbyn:
The following Members voted against:

Bourne, Nick
Cairns, Alun
Davies, David
Graham, William
Jones, David Ian
Melding, David
Morgan, Jonathan
Rogers, Peter

*Derbyniwyd y cynnig.
Motion carried.*

*Gwelliannau 1–116: O blaid 8, Ymatal 0, Yn erbyn 46.
Amendments 1-116: For 8, Abstain 0, Against 46.*

Pleidleisiodd yr Aelodau canlynol o blaid:
The following Members voted for:

Bourne, Nick
Cairns, Alun
Davies, David
Graham, William
Jones, David Ian
Melding, David
Morgan, Jonathan
Rogers, Peter

Pleidleisiodd yr Aelodau canlynol yn erbyn:
The following Members voted against:

Barrett, Lorraine
Bates, Mick
Black, Peter
Burnham, Eleanor
Butler, Rosemary
Chapman, Christine
Dafis, Cynog
Davidson, Jane
Davies, Andrew
Davies, Geraint
Davies, Janet
Davies, Jocelyn
Davies, Ron
Edwards, Richard
Essex, Sue
Evans, Delyth
German, Michael
Gibbons, Brian
Gregory, Janice
Griffiths, John
Halford, Alison
Hancock, Brian
Hart, Edwina
Hutt, Jane
Jarman, Pauline
Jones, Ann
Jones, Carwyn
Jones, Elin
Jones, Gareth
Jones, Helen Mary
Jones, Ieuan Wyn
Law, Peter
Lewis, Huw
Lloyd, David
Lloyd, Val
Middlehurst, Tom
Morgan, Rhodri
Neagle, Lynne
Pugh, Alun
Randerson, Jenny
Ryder, Janet
Sinclair, Karen
Thomas, Gwenda
Thomas, Rhodri Glyn
Williams, Kirsty
Williams, Phil

*Gwrthodwyd y gwelliannau.
Amendments rejected.*

*Cynnig (NDM1264): O blaid 46, Ymatal 0, Yn erbyn 8.
Motion (NDM1264): For 46, Abstain 0, Against 8.*

Pleidleisiodd yr Aelodau canlynol o blaid:
The following Members voted for:

Barrett, Lorraine
Bates, Mick

Pleidleisiodd yr Aelodau canlynol yn erbyn:
The following Members voted against:

Bourne, Nick
Cairns, Alun

Black, Peter
 Burnham, Eleanor
 Butler, Rosemary
 Chapman, Christine
 Dafis, Cynog
 Davidson, Jane
 Davies, Andrew
 Davies, Geraint
 Davies, Janet
 Davies, Jocelyn
 Davies, Ron
 Edwards, Richard
 Essex, Sue
 Evans, Delyth
 German, Michael
 Gibbons, Brian
 Gregory, Janice
 Griffiths, John
 Halford, Alison
 Hancock, Brian
 Hart, Edwina
 Hutt, Jane
 Jarman, Pauline
 Jones, Ann
 Jones, Carwyn
 Jones, Elin
 Jones, Gareth
 Jones, Helen Mary
 Jones, Ieuan Wyn
 Law, Peter
 Lewis, Huw
 Lloyd, David
 Lloyd, Val
 Middlehurst, Tom
 Morgan, Rhodri
 Neagle, Lynne
 Pugh, Alun
 Randerson, Jenny
 Ryder, Janet
 Sinclair, Karen
 Thomas, Gwenda
 Thomas, Rhodri Glyn
 Williams, Kirsty
 Williams, Phil

Davies, David
 Graham, William
 Jones, David Ian
 Melding, David
 Morgan, Jonathan
 Rogers, Peter

*Derbyniwyd y cynnig.
 Motion carried.*

Lles yng Nghymru Wellbeing in Wales

The Deputy Presiding Officer: I have selected amendments 1, 2 and 3 in the name of Jonathan Morgan.

Y Dirprwy Lywydd: Yr wyf wedi dethol gwelliannau 1, 2 a 3 yn enw Jonathan Morgan.

The Minister for Health and Social Services (Jane Hutt): I propose that

Y Gweinidog dros Iechyd a Gwasanaethau Cymdeithasol (Jane Hutt): Cynigiaf fod

the National Assembly for Wales:

Cynulliad Cenedlaethol Cymru:

1. welcomes the integrated approach to policies and programmes set out in 'Wellbeing in Wales';

1. yn croesawu'r agwedd integredig at bolisiau a rhaglenni a nodir yn 'Lles yng Nghymru';

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| <p>2. <i>welcomes the overwhelming support for the approach as indicated by the consultation;</i></p> <p>3. <i>notes the main issues and concerns raised by respondents;</i></p> <p>4. <i>agrees to the proposed actions set out in the document and endorses the intention to produce a more detailed action plan based on the response to the consultation;</i></p> <p>5. <i>agrees to a Plenary statement on the action plan in the early part of next year;</i></p> <p>6. <i>urges Subject Committees to consider the links between their policies and programmes to people's health and wellbeing as part of developing further an integrated approach to policies and programmes. (NDM1267)</i></p> | <p>2. <i>yn croesawu'r gefnogaeth ysgubol i'r agwedd hon a welwyd yn yr ymgynghoriad;</i></p> <p>3. <i>yn nodi'r prif faterion a'r pryderon a godwyd gan ymatebwyr;</i></p> <p>4. <i>yn cytuno â'r camau arfaethedig a nodir yn y ddogfen ac yn cymeradwyo'r bwriad i gynhyrchu cynllun gweithredu mwy manwl yn seiliedig ar yr ymateb i'r ymgynghori;</i></p> <p>5. <i>yn cytuno i glywed datganiad yn y Cyfarfod Llawn ar y cynllun gweithredu yn gynnar y flwyddyn nesaf;</i></p> <p>6. <i>yn pwysu ar y Pwyllgorau Pwnc i ystyried y cysylltiadau rhwng eu polisiau a'u rhaglenni ar gyfer iechyd a lles pobl er mwyn datblygu ymhellach agwedd integredig at bolisiau a rhaglenni. (NDM1267)</i></p> |
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'Wellbeing in Wales' reinforces our work to improve health and reduce health inequalities. The document has its roots in our successful 'Better Health, Better Wales' strategy. 'Wellbeing in Wales' builds on that, but takes the work much further. Awareness of issues that affect people's health is greater now than ever before. We have already done much to integrate health into other policies and programmes, including the healthy schools schemes, the corporate health standard for employers, and the Objective 1 programme. However, we need to do more to prevent ill health in the first place. Some, though not all, instances of ill health can be avoided. Avoidable ill health has a huge impact not only on individuals and their families and communities, but also on businesses and on the Welsh economy. Therefore, it is in all our interests to do more.

To achieve sustainable changes, we must move away from traditionally separate policies and programmes. Poverty, health inequalities, social exclusion and sustainable development are issues that cut across all policy areas and professional and organisational boundaries. 'Wellbeing in Wales' reflects a far more integrated approach to policies and programmes. It sets

Mae 'Lles yng Nghymru' yn ategu ein gwaith i wella iechyd a lleihau anghydraddoldebau iechyd. Mae'r ddogfen yn deillio o'n strategaeth 'Gwell Iechyd, Gwell Cymru' lwyddiannus. Mae 'Lles yng Nghymru' yn adeiladu ar sail hynny, ond yn mynd â'r gwaith ymhellach o lawer. Mae mwy o ymwybyddiaeth nag erioed o'r blaen yn awr o faterion sy'n effeithio ar iechyd pobl. Gwnaethom lawer eisoes i integreiddio iechyd â pholisiau a rhaglenni eraill, gan gynnwys y cynlluniau ysgolion iach, y safon iechyd gorfforaethol i gyflogwyr, a rhaglen Amcan 1. Serch hynny, rhaid inni wneud rhagor i atal iechyd gwael yn y lle cyntaf. Gellir osgoi rhai, er nad y cwbl, o achosion iechyd gwael. Mae iechyd gwael y gellir ei osgoi'n cael effaith aruthrol nid yn unig ar unigolion a'u teuluoedd a'u cymunedau, ond hefyd ar fusnesau ac ar economi Cymru. Felly, byddai gwneud rhagor er budd pawb ohonom.

Er mwyn sicrhau newidiadau cynaliadwy, rhaid inni symud oddi wrth bolisiau a rhaglenni a fu ar wahân yn draddodiadol. Mae tlodi, anghydraddoldebau iechyd, allgáu cymdeithasol a datblygu cynaliadwy'n faterion sy'n torri ar draws yr holl feysydd polisi a ffiniau proffesiynol a threfniadol. Mae 'Lles yng Nghymru' yn adlewyrchu agwedd fwy integredig o lawer at bolisiau a

out proposals for joint action to improve people's health and wellbeing and to reduce health inequalities. The document provides a national context for the new local health, social care and wellbeing strategies, and will also contribute to implementing the dual strategy recommendations of Professor Peter Townsend's report, 'Targeting Poor Health', which has been adopted by the Assembly.

A detailed report on the widespread response to consultation has been circulated for this debate. There is overwhelming support for the approach taken. The integrated approach and efforts to make better connections between people's health and wellbeing and all policy areas have been welcomed. Support has come from all sectors. For example, the Wales new deal advisory taskforce said that it is one of the best examples of cross-policy consideration that has emanated from the Welsh Assembly Government. The Wales Council for Voluntary Action, the Wales TUC, the Farmers' Union of Wales, local government, town and community councils, chairs of the new local health boards and the NHS have all shown their support.

I am encouraged by the outcome of our consultation. We received 217 responses, which included comments and suggestions to develop our approach further, and calls for more specific action on issues such as poverty, drugs, crime, food and nutrition, disability, and transport and road safety. I congratulate the Chartered Society of Physiotherapy and the College of Occupational Therapists for producing a joint response to 'Wellbeing in Wales' and for getting the message through.

Amendments 1 and 2 would underplay the importance of 'Wellbeing in Wales'. The Assembly should welcome this development and the strength of support that it receives from the consultation. Amendment 3 would dismiss the support that already exists for the actions proposed in the document. We will consider all the feedback in the next stage, when a more detailed action plan will be prepared early next year, which will recognise the importance of consultees'

rhaglenni. Mae'n nodi cynigion ar gyfer gweithredu ar y cyd i wella iechyd a lles pobl ac i leihau anghydraddoldebau iechyd. Mae'r ddogfen yn cynnig cyd-destun cenedlaethol i'r strategaethau iechyd, gofal cymdeithasol a lles lleol newydd, a bydd yn cyfrannu hefyd at yr argymhellion ar gyfer strategaeth ddeuol yn adroddiad yr Athro Peter Townsend, 'Targedu Afiechyd', a fabwysiadwyd gan y Cynulliad.

Mae adroddiad manwl ar yr ymateb eang i'r ymgynghori wedi'i ddisbarthu ar gyfer y ddaid hon. Mae mwyafrif llethol o blaid yr agwedd a gymerwyd. Croesawyd y dull gweithredu integredig a'r ymdrechion i sicrhau gwell cysylltiadau rhwng iechyd a lles pobl a phob maes polisi. Cafwyd cefnogaeth gan bob sector. Er enghraifft, dywedodd tasglu ymgynghorol bargaen newydd Cymru mai hon yw un o'r enghreifftiau gorau o ystyried traws-bolisiol sydd wedi deillio o Lywodraeth Cynulliad Cymru. Mae Cyngor Gweithredu Gwirfoddol Cymru, Cyngres Undebau Llafur Cymru, Undeb Amaethwyr Cymru, llywodraeth leol, cynghorau tref a chymuned, cadeiryddion y byrddau iechyd lleol newydd a'r GIG i gyd wedi dangos eu cefnogaeth.

Fe'm calonogwyd gan ganlyniad ein hymgynghoriad. Cawsom 217 o ymatebion, a oedd yn cynnwys sylwadau ac awgrymiadau er mwyn datblygu ein dull gweithredu ymhellach, a galwadau am weithredu mwy penodol ar faterion fel tlodi, cyffuriau, trosedd, bwyd a maethiad, anabledd, a thrafnidiaeth a diogelwch ar y ffyrdd. Llongyfarchaf Gymdeithas Siartredig Ffisiotherapi a Choleg y Therapyddion Galwedigaethol ar gynhyrchu ymateb ar y cyd i 'Lles yng Nghymru' ac am gyfleu eu neges.

Byddai gwelliannau 1 a 2 yn bychanu pwysigrwydd 'Lles yng Nghymru'. Dylai'r Cynulliad groesawu'r datblygiad hwn a chryfder y gefnogaeth iddo o'r ymgynghoriad. Byddai gwelliant 3 yn diystyru'r gefnogaeth a geir eisoes i'r camau a gynigir yn y ddogfen. Byddwn yn ystyried yr holl adborth yn y cam nesaf, pan baratoir cynllun gweithredu manylach yn gynnar y flwyddyn nesaf, a fydd yn cydnabod pwysigrwydd y ceisiadau gan

requests for more detailed action on certain subjects and will expand on the actions we propose. That will include cross-cutting action highlighted, for example, by our nutrition strategy and our healthy and active lifestyle strand. Therefore, I will not support these amendments.

We share responsibility for health and wellbeing. The Assembly, organisations and all sectors and individuals are playing their part in terms of helping to create the social, economic and environmental conditions to promote health and wellbeing in Wales through the implementation of this radical new plan.

David Melding: I propose the following amendments in the name of Jonathan Morgan. Amendment 1: in point 1 replace 'welcomes' with 'notes'.

I propose amendment 2: delete point 2 and replace with:

2. acknowledges the support for an integrated wellbeing strategy.

I propose amendment 3: in point 4 delete all before 'endorses'.

The overall approach in advancing the wellbeing agenda is a good one. There is a genuine consensus in the Assembly that this piece of work has been overdue and taken forward with appropriate enthusiasm. Emphasising the promotion of wellbeing is essential to delivering the wider health agenda that achieves a wide consensus because economic and social factors clearly have an impact on the health of everyone.

If you consider the evidence, it is clear that wellbeing and health are built on good mental health, a positive outlook, access to services, strong communities, secure employment, a lack of poverty and strong personal relationships. All these are mentioned in the strategy and deserve to be emphasised because good health and wellbeing are the consequences of a whole range of factors working together in harmony. When they work well, people achieve their potential and avoid ill health but maintain wellbeing. That

ymgyngoredigion am weithredu manylach ar rai pynciau ac yn ymhelaethu ar y camau y bwriadwn eu cymryd. Bydd hynny'n cynnwys gweithredu trawsbynciol y tynnwyd sylw ato, er enghraifft, yn ein strategaeth maethiad a'n elfen ar gyfer ffordd o fyw iach ac egniol. Gan hynny, ni chefnogaf y gwelliannau hyn.

Yr ydym yn rhannu cyfrifoldeb dros iechyd a lles. Mae'r Cynulliad, y cyrff a'r holl sectorau ac unigolion yn chwarae eu rhan wrth helpu i greu'r amodau cymdeithasol, economaidd ac amgylcheddol sydd eu hangen i hybu iechyd a lles yng Nghymru drwy weithredu'r cynllun newydd radical hwn.

David melding: Cynigïaf y gwelliannau canlynol yn enw Jonathan Morgan. Gwelliant 1: ym mhwynt 1 rhoi 'yn nodi'r' yn lle 'yn croesawu'r'.

Cynigïaf gwelliant 2. Dileu pwynt 2 a rhoi yn ei lle:

2. yn cydnabod y gefnogaeth am strategaeth les integredig.

Cynigïaf gwelliant 3. Ym mhwynt 4, dileu popeth cyn 'yn cymeradwyo'r'.

Mae'r agwedd gyffredinol at hyrwyddo'r agenda lles yn un dda. Mae consensws gwirioneddol yn y Cynulliad ei bod yn hen bryd gwneud y gwaith hwn a'i fod wedi'i hyrwyddo gyda brwdfrydedd priodol. Mae'n hollbwysig rhoi pwyslais ar hybu lles er mwyn cyflawni'r agenda ehangach ar iechyd sy'n sicrhau consensws eang gan ei bod yn amlwg bod ffactorau economaidd a chymdeithasol yn effeithio ar iechyd pawb.

Os ystyrir y dystiolaeth, mae'n amlwg bod lles ac iechyd yn seiliedig ar iechyd meddwl da, ymagwedd gadarnhaol, y gallu i gael gwasanaethau, cymunedau cadarn, cyflogaeth sicr, diffyg tlodi a chysylltiadau personol cryf. Sonnir am bob un o'r rhain yn y strategaeth a dylid eu pwysleisio gan fod iechyd da a lles yn ganlyniad i amrediad eang o ffactorau sy'n cydweithio mewn cytgor. Pan weithiant yn dda, mae pobl yn cyflawni eu potensial ac yn osgoi iechyd gwael ond yn cynnal lles. Mae hynny'n bwysig gan fod

is important because we have great challenges before us. Given the acute interventions now available to us, many people will live what would be considered traditionally as a long life, but it will not always be a healthy one, full of wellbeing. Skill is required here to ensure that longer life also adds quality years to people's lives where they contribute to their own development and to the work of their communities.

There is a deficiency, which could be addressed in the consultation and in the more detailed action plan that we are told will be developed, namely the impact of religion and spirituality, which is appropriate given the earlier discussion in the Chamber. It seems to me that these factors are easily overlooked, perhaps not deliberately, but they are not always considered to be important contributors to a healthy and successful community. There is a broad range of evidence that suggests that people who have a religious faith lead healthier lives, particularly in terms of wellbeing, mental health and moderate habits and so on. That is not to say that people should be encouraged to acquire a religious faith that they do not have spontaneously, or that they have moved away from. It would not be right to use this strategy in some form of evangelical way to increase the subscription to a particular denomination far less to Christianity or one of the other religions. However, we can take heed of the evidence. There have often been specific advantages, for example in terms of tackling addiction.

It has been long recognised that giving people a great purpose compared to their old lifestyles and encouraging them to look beyond themselves, as it were, has been a successful tool in therapy. We should use the skills and capacity that faith communities have, that great energy, and ensure that they are used appropriately for those who would welcome access to them. It is obviously not something that should be thrust on the community, and far less on individuals who are not receptive to those particular messages. However, when you consider the work of the Salvation Army, it is outstanding. We should not get so precious as to say that in delivering public policy, which is done in

heriau mawr o'n blaen. Oherwydd yr ymyriadau aciwt sydd ar gael i ni'n awr, bydd llawer o bobl yn byw bywyd a ystyrir yn draddodiadol yn un hir, ond ni fydd bob amser yn un iach a llawn cysur. Mae angen medrusrwydd yn hyn o beth i sicrhau bod bywyd hwy hefyd yn ychwanegu blynyddoedd buddiol at fywydau pobl pan fyddant yn cyfrannu at eu datblygiad eu hun a gwaith eu cymunedau.

Mae diffyg, y gellid ymdrin ag ef yn yr ymgynghoriad ac yn y cynllun gweithredu manylach a ddatblygir, yn ôl yr hyn a ddywedwyd wrthym, sef effaith crefydd ac ysbrydolrwydd, sy'n briodol yng ngolwg y drafodaeth a fu yn y Siambr yn gynharach. Ymddengys i mi ei bod yn hawdd diystyru'r ffactorau hyn, nid yn fwriadol efallai, ond nid ydynt bob amser yn cael eu hystyried yn gyfranwyr pwysig i gymuned iach a llwyddiannus. Mae tystiolaeth helaeth sy'n awgrymu bod pobl sydd â ffydd grefyddol yn byw bywyd iachach, yn enwedig o ran lles, iechyd meddwl ac arferion cymedrol ac yn y blaen. Nid yw hynny'n gyfystyr â dweud y dylid annog pobl i goleddu ffydd grefyddol os nad yw wedi codi ohoni'i hun, neu i ailgoleddu ffydd y maent wedi cilio oddi wrthi. Ni fyddai'n iawn defnyddio'r strategaeth hon mewn rhyw fodd efengylaidd i gynyddu'r nifer sy'n arddel enwad benodol ac, yn llai byth, i goleddu Cristnogaeth neu un o'r crefyddau eraill. Fodd bynnag, gallwn gymryd sylw o'r dystiolaeth. Bu manteision penodol yn aml, er enghraifft, yng nghydestun mynd i'r afael â dibyniaeth.

Mae wedi'i hen gydnabod bod rhoi pwrpas pwysig i bobl o'i gymharu â'u hen ffyrdd o fyw a'u hannog i edrych y tu hwnt iddynt hwy eu hun, fel petai, yn arf pwysig mewn therapi. Dylem ddefnyddio'r sgiliau a'r gallu sydd gan gymunedau crefyddol, yr egni mawr hwnnw, a sicrhau eu defnyddio'n briodol ar gyfer y rhai a fyddai'n eu croesawu. Mae'n amlwg nad yw'n rhywbeth y dylid ei wthio ar y gymuned, ac yn llai byth ar unigolion nad ydynt yn barod i dderbyn y negeseuon penodol hynny. Fodd bynnag, pan ystyrir gwaith Byddin yr Iachawdwriaeth, mae hynny'n rhagorol. Ni ddylem fynd yn orddethol fel ein bod yn dweud bod rhaid gosod terfynau manwl mewn gwaith a wneir

various fields, work must be demarcated precisely. Their faith informs their mission. We should accept that and recognise that that can be funded by central grants and by the Charity Commission with appropriate safeguards. It is also a matter that requires sensitivity. We need to revisit the positive contributions made by the whole range of faith communities in Wales and in Britain.

5:20 p.m.

I will close my speech by referring to the importance of good health and wellbeing in schools and colleges. The promotion of—

The Deputy Presiding Officer: Order. We are very short of time. There are only 10 minutes left.

Geraint Davies: Plaid Cymru—The Party of Wales supports the principles and framework proposed in ‘Wellbeing in Wales’. This is a wide-ranging subject, and all the Assembly’s policy areas have a part to play in promoting wellbeing in our country. However, without action and leadership from the Government, the sensible proposals in this document will be worthless platitudes.

As always, prevention is better than cure. Priority must be given to ensuring that young people are given the skills and motivation to resist the drug culture. A plethora of drug awareness schemes exist throughout Wales. In my constituency, we have the DARE project, delivered by police officers to children in the last year of primary school. These weekly lessons focus on giving young people the skills needed to resist peer pressure. Taff Ely Drug Support in Rhondda Cynon Taf is approved by the local education authority to run courses in secondary schools. It also receives funding to run ‘Talk Health’, the Assembly’s own course in two clusters of local primary schools. CAIS runs a project called, ‘Don’t touch, Tell’, which reaches 30,000 primary pupils and their parents throughout north Wales every year. It brings information on the dangers of substance misuse into the classroom in a fun and memorable way, with performances by

mewn amryw o feysydd wrth gyflawni polisi cyhoeddus. Mae eu ffydd yn goleuo eu cenhadaeth. Dylem dderbyn hynny a chydabod y gellir ariannu hynny drwy grantiau canolog a chan y Comisiynwyr Elusennau gyda mesurau diogelwch priodol. Mae’n fater sy’n gofyn sensitifrwydd hefyd. Rhaid inni ailystyried y cyfraniadau cadarnhaol a wneir gan yr holl amrywiaeth o gymunedau crefyddol yng Nghymru ac ym Mhrydain.

Terfynaf fy araith drwy gyfeirio at bwysigrwydd iechyd da a lles mewn ysgolion a cholegau. Mae hyrwyddo—

Y Dirprwy Lywydd: Trefn. Yr ydym yn brin iawn o amser. Dim ond 10 munud sydd ar ôl.

Geraint Davies: Mae Plaid Cymru—The Party of Wales yn cefnogi’r egwyddorion a’r fframwaith a gynigir yn ‘Lles yng Nghymru’. Pwnc cynhwysfawr yw hwn, ac mae rhan i’w chwarae gan holl feysydd polisi’r Cynulliad yn y gwaith o hyrwyddo lles yn ein gwlad. Fodd bynnag, heb weithredu ac arweiniad gan y Llywodraeth, bydd y cynigion synhwyrol yn y ddogfen hon yn ystrydebau diwerth.

Fel y bu erioed, gwell rhwystro’r clwy na’i wella. Rhaid rhoi blaenoriaeth i sicrhau bod pobl ifanc yn cael y sgiliau a’r cymhelliant y mae arnynt eu hangen i wrthod y diwylliant cyffuriau. Ceir toreth o gynlluniau ymwybyddiaeth cyffuriau ledled Cymru. Yn fy etholaeth i, mae gennym brosiect DARE, a ddarperir gan heddweision ar gyfer plant yn eu blwyddyn olaf yn yr ysgol gynradd. Mae’r gwersi wythnosol hyn yn canolbwyntio ar roi i bobl ifanc y sgiliau y mae arnynt eu hangen i wrthsefyll pwysau gan gyfoedion. Mae Cymorth Cyffuriau Taf Elái yn Rhondda Cynon Taf wedi’i gymeradwyo gan yr awdurdod addysg lleol i redeg cyrsiau mewn ysgolion uwchradd. Mae hefyd yn derbyn cyllid i redeg ‘Siarad Iechyd’, cwrs y Cynulliad, mewn dau glwstwr o ysgolion cynradd lleol. Mae CAIS yn rhedeg prosiect o’r enw ‘Paid Cyffwrdd—Dwêd’, sy’n cyrraedd 30,000 o ddisgyblion cynradd a’u rhieni ledled y Gogledd bob blwyddyn.

professional entertainers backed up by tailor-made support materials. Gwent police, in partnership with local authorities, run an innovative programme throughout all four key stages, using devices such as plays and multi-media presentations to raise awareness of the dangers of drug misuse. Youth Link Wales, based in Caerphilly, uses a peer-led approach that can be extremely effective, with the young people themselves taking a lead role in decision-making. In Merthyr Tydfil we have HYPE, which again has police involvement and is again a peer-led drug awareness scheme, where pupils train to become peer tutors and are then able to give information and advice to other pupils.

Mae'n cyflwyno gwybodaeth am beryglon camddefnyddio sylweddau yn yr ystafell ddosbarth mewn modd hwyliog a chofiadwy, gyda pherfformiadau gan ddiddanwyr proffesiynol gyda chymorth deunyddiau pwrpasol. Mae heddlu Gwent yn rhedeg rhaglen arloesol, ar y cyd ag awdurdodau lleol, ym mhob un o'r pedwar cam allweddol, gan ddefnyddio dulliau fel dramâu a chyflwyniadau amlgyfrwng i hybu ymwybyddiaeth o beryglon camddefnyddio cyffuriau. Mae Cyswllt Ieuencid Cymru, sydd wedi'i leoli yng Nghaerffili, yn defnyddio dull gweithredu dan arweiniad cyfoedion a all fod yn effeithiol iawn, lle y mae'r bobl ifanc eu hun yn cymryd rôl arweiniol mewn penderfynu. Ym Merthyr Tudful mae gennym HYPE, sydd hefyd yn cynnwys yr heddlu ac sydd hefyd yn gynllun ymwybyddiaeth cyffuriau a arweinir gan gyfoedion, lle y mae disgyblion yn hyfforddi i fod yn diwtoriaid i gyfoedion sydd wedyn yn gallu rhoi gwybodaeth a chynghor i ddisgyblion eraill.

All these schemes and many others I have not mentioned have much to commend them. However, often, little or no evaluation of these projects takes place. This should be an integral part of all these schemes. Whether the evaluation is internal or external, we need to know what works and how effective any given programme is in changing the perceptions and attitudes of young people to drugs.

Mae llawer i'w ganmol yn yr holl gynlluniau hyn a llawer o rai eraill nad wyf wedi'u crybwyll. Fodd bynnag, yn aml, nid oes fawr ddim gwerthuso ar y prosiectau hyn. Dylai hynny fod yn rhan annatod o'r holl gynlluniau hyn. Pa un a yw'r gwerthuso'n fewnol neu'n allanol, rhaid inni wybod beth sy'n gweithio a pha mor effeithiol y mae rhaglen benodol wrth newid canfyddiadau pobl ifanc a'u hagwedd at gyffuriau.

Drug prevention and education programmes have been neglected over the years. The Assembly Government must provide leadership and secure funding, so that we can research and evaluate best practice and extend effective methods and schemes throughout Wales for the wellbeing of all our children.

Mae rhaglenni atal ac addysg cyffuriau wedi'u hesgeuluso dros y blynyddoedd. Rhaid i Lywodraeth y Cynulliad roi arweiniad a sicrhau cyllid, fel y gallwn ymchwilio a gwerthuso'r arferion gorau a lledaenu dulliau a chynlluniau effeithiol drwy Gymru er lles pob un o'n plant.

Kirsty Williams: In his 1990 report on the state of public health, Sir Donald Acheson concluded that there was a link between deprivation and ill health, and that that link would remain. His revelations were no surprise to Sir Douglas Black, author of the 1980 Black report, which came to similar conclusions. We must now act on the long-understood principle that it is not just the responsibility of the Minister for Health and

Kirsty Williams: Yn ei adroddiad ar gyflwr iechyd cyhoeddus yn 1990, daeth Syr Donald Acheson i'r casgliad bod cysylltiad rhwng amddifadedd ac iechyd gwael, ac y byddai'r cysylltiad hwnnw'n parhau. Nid oedd yr hyn a ddatgelodd yn syndod i Syr Douglas Black, awdur adroddiad Black yn 1980, a ddaeth i gasgliadau tebyg. Rhaid inni weithredu'n awr yn unol â'r egwyddor brofedig ei fod yn gyfrifoldeb nid yn unig i'r Gweinidog dros

Social Services or the Health and Social Services Committee or even the NHS—

Brian Gibbons: Further to that, you will be aware that not only deprivation is linked to ill health. A fairly respectable body of research shows that the level of equality within society also has a major effect on health. Therefore, in order to secure positive health outcomes, we must not only tackle deprivation but also create a more equal and fair society.

Kirsty Williams: I would not disagree, and I will move on to that in a moment. As I said, I have long believed that responsibility for making a difference on health does not lie solely with the NHS and politicians associated with health policy. I agree with Brian; if there is one Minister in the National Assembly who can have a positive impact on the huge health inequalities that exist in Wales, it is the Minister for Economic Development, by tackling issues such as unemployment, low incomes and poverty.

Peter Rogers: It is interesting to hear you say that, Kirsty. I hoped that you would name the Minister for Education and Lifelong Learning, as children leaving school without the required skills, and even without healthy eating habits and healthy lifestyles, is one of our greatest problems. Although I agree that addressing economic issues is one way of tackling health inequalities, educating children in health issues at an early age is equally important.

The Deputy Presiding Officer: Order. Before Kirsty continues, I remind her that she must finish her speech at 5.30 p.m.

Kirsty Williams: I agree that it is a close call. This document strives to identify the role of each Minister in the National Assembly in improving the health of the people of Wales. A report published by the Joseph Rowntree Foundation in September 2000 supported Brian Gibbons's view and found that, if wealth inequalities were narrowed to 1983 levels, 7,500 deaths a year

Iechyd a Gwasanaethau Cymdeithasol neu'r Pwyllgor Iechyd a Gwasanaethau Cymdeithasol neu hyd yn oed y GIG—

Brian Gibbons: Ymhellach i hynny, byddwch yn ymwybodol nad amddifadedd yn unig a gysylltir ag iechyd gwael. Mae corff eithaf sylweddol o ymchwil yn dangos bod y graddau o gydraddoldeb o fewn cymdeithas yn cael effaith fawr ar iechyd hefyd. Felly, er mwyn sicrhau canlyniadau iechyd cadarnhaol, yn ogystal â mynd i'r afael ag amddifadedd rhaid inni greu cymdeithas decach a mwy cyfartal.

Kirsty Williams: Ni fyddwn yn anghytuno, ac af ymlaen at hynny ymhen eiliad. Fel y dywedais, bu imi gredu ers talwm nad cyfrifoldeb i'r GIG a gwleidyddion sy'n gysylltiedig â pholisi iechyd yn unig yw gwneud gwahaniaeth ynghylch iechyd. Cytunaf â Brian; os oes un Gweinidog yn y Cynulliad Cenedlaethol sy'n gallu cael effaith gadarnhaol ar yr anghydraddoldebau iechyd anferth a geir yng Nghymru, y Gweinidog dros Ddatblygu Economaidd yw hwnnw, drwy ymdrin â materion fel diweithdra, incwm isel a thlodi.

Peter Rogers: Diddorol yw'ch clywed yn dweud hynny, Kirsty. Yr oeddwn yn gobeithio y byddech yn enwi'r Gweinidog dros Addysg a Dysgu Gydol Oes, gan mai plant sy'n gadael yr ysgol heb y sgiliau gofynnol, a hyd yn oed heb arferion bwytia iach a ffyrdd o fyw iach, yw un o'n problemau mwyaf. Er fy mod yn cytuno mai ymdrin â materion economaidd yw un modd i fynd i'r afael ag anghydraddoldebau iechyd, mae addysgu plant mewn materion iechyd mewn oedran cynnar yr un mor bwysig.

Y Dirprwy Lywydd: Trefn. Cyn i Kirsty fynd yn ei blaen, yr wyf yn ei hatgoffa bod rhaid iddi orffen ei haraith am 5.30 p.m.

Kirsty Williams: Cytunaf ei bod yn agos rhyngddynt. Mae'r ddogfen hon yn ceisio dynodi rôl pob Gweinidog yn y Cynulliad Cenedlaethol wrth wella iechyd pobl Cymru. Yr oedd adroddiad a gyhoeddwyd gan Sefydliad Joseph Rowntree ym Medi 2000 yn ategu barn Brian Gibbons a chanfu, os byddai anghydraddoldebau iechyd yn gostwng i lefelau 1983, y byddid yn atal 7,500 o

would be prevented. It also found that full employment across the UK would prevent 2,500 deaths among those under the age of 65 and that the lives of 1,400 children under the age of 15 would be saved per year if child poverty were to be eradicated. Those stark figures demonstrate the huge impact of employment issues, poverty and economic inactivity on the health and wellbeing of the people of Wales.

It is difficult to breakdown the information contained in the many reports published in the past, and act on that information. However, by closely analysing the possible contribution of each department in the National Assembly, as this document does, we will begin to implement the principles and philosophies that have long been held by those who work in public health. If the National Assembly is to improve the health of people in Wales, it must ensure that people are in employment and that they live in decent homes and in safe environments.

The Deputy Presiding Officer: Val Lloyd, you must limit your speech to one minute.

Val Lloyd: As we all agree on the consequences of ill health, I will move on directly to specific issues. The number of work-related muscular-skeletal disorders in Wales is high and causes much debility for those affected. I can add a personal and painful perspective to that. I endorse the programme to reduce the incidence of such disorders, and to raise public awareness of back care. Improving occupational health capacity by reinstating occupational health training is a proactive step and will surely benefit those with back problems or, more importantly, will reduce the number of people who develop back problems. Those reinstated occupational health initiatives could assist with improved arrangements for helping people with health problems or disabilities to remain in, or return to, employment and also be one of the strands in establishing connections between health professionals and other agencies.

farwolaethau'r flwyddyn. Canfu hefyd y byddai cyflogaeth lawn ledled y DU yn atal 2,500 o farwolaethau ymysg rhai dan 65 oed ac y byddid yn achub bywydau 1,400 o blant dan 15 oed bob blwyddyn drwy ddileu tlodi ymysg plant. Mae'r ffigurau cignoeth hynny'n dangos yr effaith anferth a gaiff materion cyflogaeth, tlodi ac anweithgarwch economaidd ar iechyd a lles pobl Cymru.

Anodd yw dadansoddi'r wybodaeth a geir yn y nifer fawr o adroddiadau a gyhoeddwyd yn y gorffennol, a gweithredu ar sail y wybodaeth honno. Er hynny, drwy ddadansoddi'n fanwl gyfraniad posibl pob adran yn y Cynulliad Cenedlaethol, fel y gwnaiff y ddogfen hon, byddwn yn dechrau rhoi ar waith yr egwyddorion a'r athroniaethau a arddelir ers talwm gan y rhai sy'n gweithio mewn iechyd cyhoeddus. Os yw'r Cynulliad Cenedlaethol i wella iechyd pobl yng Nghymru, rhaid iddo sicrhau bod pobl mewn gwaith a'u bod yn byw mewn cartrefi derbyniol ac mewn amgylchedd diogel.

Y Dirprwy Lywydd: Val Lloyd, rhaid ichi gyfyngu'ch araith i un munud.

Val Lloyd: Gan ein bod i gyd yn gytûn ar ganlyniadau iechyd gwael, af ymlaen yn syth at faterion penodol. Ceir nifer fawr o anhwylderau cyhyrol-ysgerbydol sy'n gysylltiedig â gwaith yng Nghymru ac maent yn peri llawer o eiddilwch ymysg y rhai sy'n eu profi. Gallaf ychwanegu golwg personol a phoenus at hynny. Cymeradwyaf y rhaglen i leihau amllder anhwylderau o'r fath, ac i hybu ymwybyddiaeth gyhoeddus o ofal am y cefn. Mae gwella'r capasiti iechyd galwedigaethol drwy ailgychwyn hyfforddiant iechyd galwedigaethol yn gam rhagweithiol a bydd yn siŵr o fod yn fuddiol i rai sydd â phroblemau â'u cefn neu, yn bwysicach, bydd yn gostwng nifer y bobl sy'n datblygu problemau â'u cefn. Ar ôl ailgychwyn y mentrau iechyd galwedigaethol hynny, gallent helpu i wella'r trefniadau i gynorthwyo pobl sydd â phroblemau iechyd neu anabledau i barhau i weithio neu ailddechrau gweithio a bod yn un elfen hefyd yn y gwaith o sefydlu cysylltiadau rhwng gweithwyr iechyd proffesiynol ac asiantaethau eraill.

5:30 p.m.

The Deputy Presiding Officer: We have run out of time. Under Standing Order No. 6.14, I intend to proceed to the vote. Under Standing Order No. 6.18, Members could propose that the debate be continued or adjourned until another day and I would not deem that to be an abuse of procedures. I see that there is no such proposal, therefore we move to the vote.

Y Dirprwy Lywydd: Mae ein hamser ar ben. O dan Reol Sefydlog Rhif 6.14, bwriadaf fynd ymlaen at y bleidlais. O dan Reol Sefydlog Rhif 6.18, gallai Aelodau gynnig parhau â'r ddadl neu ei gohirio tan ddiwrnod arall ac ni fyddwn yn ystyried hynny'n gamarfer ar weithdrefnau. Gwelaf nad oes cynnig o'r fath, felly awn ymlaen at y bleidlais.

*Gwelliant 1: O blaid 6, Ymatal 6, Yn erbyn 29.
Amendment 1: For 6, Abstain 6, Against 29.*

Pleidleisiodd yr Aelodau canlynol o blaid:
The following Members voted for:

Bourne, Nick
Cairns, Alun
Davies, David
Graham, William
Melding, David
Rogers, Peter

Pleidleisiodd yr Aelodau canlynol yn erbyn:
The following Members voted against:

Barrett, Lorraine
Bates, Mick
Black, Peter
Burnham, Eleanor
Butler, Rosemary
Davidson, Jane
Davies, Andrew
Essex, Sue
Evans, Delyth
German, Michael
Gibbons, Brian
Gregory, Janice
Griffiths, John
Halford, Alison
Hart, Edwina
Hutt, Jane
Jones, Ann
Jones, Carwyn
Law, Peter
Lewis, Huw
Lloyd, Val
Middlehurst, Tom
Morgan, Rhodri
Neagle, Lynne
Pugh, Alun
Randerson, Jenny
Sinclair, Karen
Thomas, Gwenda
Williams, Kirsty

Ymataliodd yr Aelodau canlynol:
The following Members abstained:

Davies, Geraint
Davies, Jocelyn
Jarman, Pauline
Jones, Elin
Lloyd, David
Williams, Phil

*Gwrthodwyd y gwelliant.
Amendment rejected.*

Gwelliant 2: O blaid 6, Ymatal 6, Yn erbyn 29.

Amendment 2: For 6, Abstain 6, Against 29.

Pleidleisiodd yr Aelodau canlynol o blaid:
The following Members voted for:

Bourne, Nick
Cairns, Alun
Davies, David
Graham, William
Melding, David
Rogers, Peter

Pleidleisiodd yr Aelodau canlynol yn erbyn:
The following Members voted against:

Barrett, Lorraine
Bates, Mick
Black, Peter
Burnham, Eleanor
Butler, Rosemary
Davidson, Jane
Davies, Andrew
Essex, Sue
Evans, Delyth
German, Michael
Gibbons, Brian
Gregory, Janice
Griffiths, John
Halford, Alison
Hart, Edwina
Hutt, Jane
Jones, Ann
Jones, Carwyn
Law, Peter
Lewis, Huw
Lloyd, Val
Middlehurst, Tom
Morgan, Rhodri
Neagle, Lynne
Pugh, Alun
Randerson, Jenny
Sinclair, Karen
Thomas, Gwenda
Williams, Kirsty

Ymataliodd yr Aelodau canlynol:
The following Members abstained:

Davies, Geraint
Davies, Jocelyn
Jarman, Pauline
Jones, Elin
Lloyd, David
Williams, Phil

*Gwrthodwyd y gwelliant.
Amendment rejected.*

*Gwelliant 3: O blaid 6, Ymatal 6, Yn erbyn 30.
Amendment 3: For 6, Abstain 6, Against 30.*

Pleidleisiodd yr Aelodau canlynol o blaid:
The following Members voted for:

Bourne, Nick
Cairns, Alun
Davies, David
Graham, William
Melding, David
Rogers, Peter

Pleidleisiodd yr Aelodau canlynol yn erbyn:
The following Members voted against:

Barrett, Lorraine
Bates, Mick
Black, Peter
Burnham, Eleanor
Butler, Rosemary
Davidson, Jane
Davies, Andrew
Edwards, Richard
Essex, Sue
Evans, Delyth
German, Michael
Gibbons, Brian

Gregory, Janice
Griffiths, John
Halford, Alison
Hart, Edwina
Hutt, Jane
Jones, Ann
Jones, Carwyn
Law, Peter
Lewis, Huw
Lloyd, Val
Middlehurst, Tom
Morgan, Rhodri
Neagle, Lynne
Pugh, Alun
Randerson, Jenny
Sinclair, Karen
Thomas, Gwenda
Williams, Kirsty

Ymataliodd yr Aelodau canlynol:
The following Members abstained:

Davies, Geraint
Davies, Jocelyn
Jarman, Pauline
Jones, Elin
Lloyd, David
Williams, Phil

Gwrthodwyd y gwelliant.
Amendment rejected.

Cynnig (NDM1267): O blaid 42, Ymatal 0, Yn erbyn 0.
Motion (NDM1267): For 42, Abstain 0, Against 0.

Pleidleisiodd yr Aelodau canlynol o blaid:
The following Members voted for:

Barrett, Lorraine
Bates, Mick
Black, Peter
Bourne, Nick
Burnham, Eleanor
Butler, Rosemary
Cairns, Alun
Davidson, Jane
Davies, Andrew
Davies, David
Davies, Geraint
Davies, Jocelyn
Edwards, Richard
Essex, Sue
Evans, Delyth
German, Michael
Graham, William
Gregory, Janice
Griffiths, John
Gibbons, Brian
Halford, Alison
Hart, Edwina
Hutt, Jane
Jarman, Pauline
Jones, Ann
Jones, Carwyn
Jones, Elin
Law, Peter

Lewis, Huw
Lloyd, David
Lloyd, Val
Melding, David
Middlehurst, Tom
Morgan, Rhodri
Neagle, Lynne
Pugh, Alun
Randerson, Jenny
Rogers, Peter
Sinclair, Karen
Thomas, Gwenda
Williams, Kirsty
Williams, Phil

Derbyniwyd y cynnig.

Motion carried.

The Deputy Presiding Officer: That brings **Y Dirprwy Lywydd:** Daw hynny â
today's proceedings to a close. chyfarfod heddiw i ben.

Daeth y cyfarfod i ben am 5.32 p.m.

The meeting ended at 5.32 p.m.