



**Cynulliad Cenedlaethol Cymru  
The National Assembly for Wales**

**Pwyllgor Deddfwriaeth Rhif 2  
Legislation Committee No. 2**

**Dydd Iau, 14 Hydref 2010  
Thursday, 14 October 2010**

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Cofnodir y trafodion hyn yn yr iaith y llefarwyd hwy ynndi yn y pwyllgor. Yn ogystal, cynhwysir cyfieithiad Saesneg o gyfraniadau yn y Gymraeg.

These proceedings are reported in the language in which they were spoken in the committee.  
In addition, an English translation of Welsh speeches is included.

**Aelodau'r pwyllgor yn bresennol**  
**Committee members in attendance**

Lorraine Barrett	Llafur (yn dirprwyo ar ran Lynne Neagle) Labour (substitute for Lynne Neagle)
Paul Davies	Ceidwadwyr Cymreig (yn dirprwyo ar ran Brynle Williams) Welsh Conservatives (substitute for Brynle Williams)
Gareth Jones	Plaid Cymru The Party of Wales
Val Lloyd	Llafur (Cadeirydd y Pwyllgor) Labour (Chair of the Committee)
Rhodri Morgan	Llafur Labour
Kirsty Williams	Democratiaid Rhyddfrydol Cymru (yn dirprwyo ar ran Jenny Randerson) Welsh Liberal Democrats (substitute for Jenny Randerson)

**Eraill yn bresennol**  
**Others in attendance**

Nerys Arch	Gwasanaethau Cyfreithiol, Llywodraeth Cynulliad Cymru Legal Services, Welsh Assembly Government
Alun Ffred Jones	Aelod Cynulliad, Plaid Cymru (y Gweinidog dros Dreftadaeth) Assembly Members, The Party of Wales (the Minister for Heritage)
Dr Huw Onllwyn Jones	Pennaeth Uned Bolisi'r Iaith Gymraeg a'r Cyfryngau, Llywodraeth Cynulliad Cymru Head of Welsh Language and Media Policy Unit, Welsh Assembly Government

**Swyddogion Cynulliad Cenedlaethol Cymru yn bresennol**  
**National Assembly for Wales officials in attendance**

Stephen Davies	Cynghorydd Cyfreithiol Legal Adviser
Karl Gomila	Dirprwy Glerc Deputy Clerk
Gwyn Griffiths	Uwch-gynghorydd Cyfreithiol Senior Legal Adviser
Sarah Sargeant	Dirprwy Glerc Deputy Clerk
Gareth Williams	Clerc Clerk

*Dechreuodd y cyfarfod am 12.59 p.m.*  
*The meeting began at 12.59 p.m.*

**Cyflwyniad, Ymddiheuriadau a Dirprwyon**  
**Introduction, Apologies and Substitutions**

[1] **Val Lloyd:** Good afternoon and welcome to today's meeting of Legislation Committee No. 2. Unfortunately, there has been a complication, and some Members will be delayed until about 1.15 p.m.. Therefore, I suggest that we adjourn the meeting until then.

[2] **Paul Davies:** Cytunaf y dylem **Paul Davies:** I agree that we should adjourn  
ohirio'r cyfarfod. the meeting.

[3] **Val Lloyd:** Are we all agreed? I see that we are.

*Gohiriwyd y cyfarfod rhwng 1 p.m. ac 1.13 p.m.  
The meeting adjourned between 1 p.m. and 1.13 p.m.*

[4] **Val Lloyd:** Welcome to this meeting of Legislation Committee No. 2, where we will be considering Stage 2 of the Proposed Welsh Language (Wales) Measure. I will start with a few housekeeping issues. Kirsty Williams is substituting for Jenny Randerson, Paul Davies is substituting for Brynle Williams, and Lorraine Barrett is continuing to substitute for Lynne Neagle.

[5] In the event of a fire alarm, please leave by the marked fire exits. All mobile phones, pagers and such equipment should be switched off. The National Assembly for Wales operates through the media of the Welsh and English languages. Headphones are provided; simultaneous translation is available on channel 1 and amplification is on channel 0. When you speak, please do not touch the buttons on the microphones, as they come on automatically.

1.14 p.m.

**Mesur Arfaethedig y Gymraeg (Cymru)—Cyfnod 2: Ystyried y Gwelliannau  
Proposed Welsh Language (Wales) Measure—Stage 2: Consideration of  
Amendments**

[6] **Val Lloyd:** Members should have before them a copy of the proposed Measure, the marshalled list of amendments, and the groupings of amendments for debate. The marshalled list of amendments is a list of all amendments tabled, which have been marshalled into the order in which the sections to which they relate appear in the proposed Measure. Schedules will be considered with the relevant sections that introduce them.

[7] You will see from the list of groupings that amendments have been grouped to facilitate debate, but the order in which they are called and moved for a decision is dictated by the marshalled list. There will be one debate on each group of amendments. I will call the proposer of the first amendment in the group, who should speak to, and move, the first amendment, and speak to the other amendments in that group. I will then call other speakers, including any other proposers of amendments in that group, but they should not move their amendments at that stage. Members who do not have an amendment in the group, but who wish to speak, should indicate their wish to speak in the usual way. I will call the Minister to speak on each group. To conclude each debate, I will call the proposer of the first amendment in the group to wind up. In order to ensure that the debate is properly focused, I do not intend to allow interventions, other than in exceptional circumstances. However, all Members will have an opportunity to speak in the debate on each group.

[8] Following the debate on a group, I will clarify whether the Member who moved the first amendment still wishes to press it to a decision. If not, he or she may seek the agreement of the committee to withdraw it. If it is not withdrawn, I will put the question on the first amendment in the group, asking 'that the amendment be agreed to'. It is my intention that the names of those voting for and against, or abstaining, are recorded.

[9] I will call the proposers of other amendments in each group to move their amendments at the appropriate time, and in accordance with the marshalled list. If you do not wish to move your amendment, you should say so clearly when the amendment is called. For

the record, only committee members can move amendments. I will move amendments for the Minister. Members will be aware that the only way to debate a section of the proposed Measure is to have tabled an amendment to it. Any sections that do not have amendments tabled to them will be deemed agreed, as will any sections where tabled amendments are not agreed to. I will announce which sections have been agreed at the end of the meeting. There will be a further opportunity to table amendments to any sections that are not disposed of today. In order to be considered at next week's meeting, amendments need to be tabled by 5 p.m. today. Does anyone have any questions? I see that you do not. We will, therefore, move on to the consideration of amendments.

1.17 p.m.

**Grŵp 1: Statws Swyddogol yr Iaith Gymraeg (153, 5, 1)**  
**Group 1: Official Status of the Welsh Language (153, 5, 1)**

[10] **Val Lloyd:** I call on Kirsty Williams to move and speak to the lead amendment, in the name of Jenny Randerson, and to other amendments in the group.

[11] **Kirsty Williams:** I move amendment 153 in the name of Jenny Randerson, and apologise for any inconvenience that I caused earlier. In moving this amendment, I pass reference to the Minister's amendment 5.

[12] There has been a great deal of debate around the principles of establishing official status for the Welsh language. These are arguments that I will not rehearse here. I believe that amendment 153, on behalf of the Welsh Liberal Democrats, and amendment 5, on behalf of the Minister, are two different approaches aimed at achieving the same thing: giving official status to the Welsh language.

[13] However, we believe that the Minister's amendment is very complex. It sets out several areas where the official status of the language is guaranteed, such as in the proceedings of our own institution, the National Assembly, by setting standards for the use of Welsh. Nevertheless, we believe that there is a danger in this approach. By setting out in such detail the circumstances in which Welsh is equal, it inevitably implies that anything not included on the list does not have equal status. Our amendment is simple and clear. It is directly based on the committee's report and previous work, including a specific proposed amendment. We believe that the inclusion of a clear, unambiguous statement of official status is an important symbolic action. Without that, the whole proposed Measure is undermined. As I said earlier, Chair, there has been a great deal of debate on this issue, and I believe that there is strong public support for this principle. Therefore, we are pleased that the debate that has taken place to date has moved the Minister from his original position—that such a statement was unnecessary—to where he is today, with his own amendment on this issue. However, we believe that our amendment, as I said earlier, is the most simple, clear and unambiguous approach to achieving this aim.

1.20 p.m.

[14] **Paul Davies:** Cefnogaf yn gryf yr hyn a ddywedodd Kirsty Williams. Credaf ei bod yn hanfodol bod y Mesur arfaethedig yn cynnwys datganiad clir ynghylch statws swyddogol yr iaith Gymraeg. Deallaf welliant y Llywodraeth, a'i fod yn ceisio cryfhau'r Mesur arfaethedig, ond nid yw'n mynd yn ddigon pell. Os ydym am greu Cymru gwir ddwyieithog, mae'n hollbwysig bod y **Paul Davies:** I strongly support what Kirsty Williams said. I think that it is crucial that the proposed Measure includes a clear statement regarding the official status of the Welsh language. I understand the Government's amendment, and that it endeavours to strengthen the proposed Measure, but it does not go far enough. If we want to create a truly bilingual Wales, it is crucial that Welsh and

Gymraeg a'r Saesneg yn cael eu cydnabod fel ieithoedd swyddogol Cymru a'u bod yn cael eu trin yn gyfartal. Cytunaf yn llwyr â'r pwyllgor yn ei adroddiad o Gyfnod 1 y Mesur arfaethedig y dylai'r Gymraeg a'r Saesneg gael statws cyfartal, a dyna pam y byddaf yn cefnogi'r gwelliant yn enw Jenny Randerson. Mae'n cynnwys yr union eirfa a gynigiwyd gan y pwyllgor hwn. Byddwn yn synnu pe bai'r Aelodau a gynigiodd yr argymhelliad hwn yn y lle cyntaf yn awr yn penderfynu pleidleisio yn erbyn gwelliant Jenny Randerson, sy'n cynnwys yr union eiriau. Felly, byddaf yn cefnogi gwelliant Jenny Randerson.

English are recognised as official languages of Wales and that they are treated equally. I agree entirely with the committee in its Stage 1 report on the proposed Measure that Welsh and English should have equal status, which is why I will be supporting the amendment in the name of Jenny Randerson. It includes the exact wording proposed by this committee. I would be surprised if the Members who proposed this amendment in the first place now vote against Jenny Randerson's amendment, which includes that very wording. So, I will be supporting Jenny Randerson's amendment.

[15] **Val Lloyd:** I now call on the Minister to reply.

[16] **Y Gweinidog dros Dreftadaeth (Alun Ffred Jones):** Dylem ddychwelyd at yr egwyddorion sylfaenol a'r datganiad a wnaed yn 'Cymru'n Un' i gadarnhau statws yr iaith Gymraeg. Mesur arfaethedig ynghylch yr iaith Gymraeg yw hwn, i roi hawl i siaradwyr Cymraeg dderbyn gwasanaeth yn y Gymraeg ac i greu swydd comisiynydd. Dyna pam y mae'r gwelliant yr wyf wedi ei roi gerbron yn gwneud y datganiad clir hwnnw ynglŷn â statws yr iaith Gymraeg. Gallwn wedyn symud ymlaen i wireddu'r addewidion sy'n weddill drwy sicrhau bod gan siaradwyr Cymraeg hawl i dderbyn gwasanaeth yn y Gymraeg gan ystod eang o gyrrff, a hynny drwy osod dyletswyddau ar y cyrrff hynny. Mae'r dyletswyddau hynny'n troi'n hawliau i siaradwyr Cymraeg, a bydd y comisiynydd yn ei le wedyn i sicrhau bod yr hawliau hynny'n cael eu cadarnhau a'u cynnal ar gyfer pob siaradwr Cymraeg yn ddiwahân, heb orfod mynd i'r llys. Mae eglurder ynglŷn â phwrpas y Mesur arfaethedig yn y datganiadau hynny yn adran 1(1). Fel y dywedais, bydd y Mesur arfaethedig yn rhoi gwarchodaeth i ddefnyddwyr y Gymraeg drwy'r comisiynydd, fydd yn cael hawliau cryf a phellgyrhaeddol.

**The Minister for Heritage (Alun Ffred Jones):** We should return to basic principles and the statement made in the 'One Wales' agreement to confirm the status of the Welsh language. This is a proposed Measure regarding the Welsh language, to give Welsh speakers the right to receive services through the medium of Welsh and to create the post of commissioner. That is why the amendment that I have proposed makes that clear statement regarding the status of the Welsh language. We can then go on to realise the remainder of the pledges by ensuring that Welsh speakers have the right to receive services in Welsh from a wide range of organisations, by placing duties on those organisations. Those duties then become rights for Welsh speakers, and the commissioner will then be in place to ensure that those rights are confirmed and sustained for all Welsh speakers, without distinction, and without having to go to court. There is clarity regarding the purpose of the proposed Measure in those statements in section 1(1). As I said, the proposed Measure will give protection to those who wish to use the Welsh language through the commissioner, who will have strong and far-reaching powers.

[17] Mae'r datganiad ynglŷn â dilysrwydd cyfartal yn swnio'n un teg, ac mewn un ystyr gallem ei dderbyn fel yr ystyr gyffredinol, ond y cwestiwn yw beth y mae'n ei olygu mewn Deddf. Y gwir amdani yw nad oes datganiad yn y Mesur arfaethedig hwn yn disgrifio beth yw ystyr y dilysrwydd cyfartal.

The statement on equal validity sounds fair, and in one sense we could accept it as a general statement, but the question is what it means when enacted. The truth is that there is no statement within this proposed Measure describing the definition of equal validity. So, rather than create clarity, it creates ambiguity,

Felly, yn hytrach na chreu eglurder, mae'n creu ansicrwydd, a'r unig ffordd y gallech brofi hynny yw mewn llys barn. Yr hyn yr ydym yn ei ddweud yw os mai dyna'r ffordd ymlaen, yr ydych wedyn yn trosglwyddo'r ddyletswydd i ddehongli statws neu ddilysrwydd i lys barn nad yw wedi'i ethol. Yr wyf yn dweud mai busnes y Cynulliad hwn, sydd wedi'i ethol, yw gwneud deddfwriaeth glir ac eglur ac nid creu sefyllfa lle byddai pobl yn mynd i lys barn i geisio sicrhau hawliau.

and the only place where you could test that would be in a court of law. What we are saying is that, if that is the way forward, you are then transferring the duty to interpret status or validity to a non-elected court of law. I maintain that the business of this Assembly, which is elected, is to draft clear legislation and not create a situation where people would go to a court of law to try to secure rights.

[18] For the most part, critics of section 1 as drafted have advocated the insertion of a broad statement along the lines of amendment 153. However, an amendment such as is proposed is completely unpredictable and ambiguous in terms of its legal effect. It should be borne in mind that a key part of the Assembly's role as a democratically elected legislature is to produce clear and certain legislation, and what is proposed in amendment 153 represents the opposite of these aims and would result in lawyers challenging and, ultimately, courts of law determining the effect of this section. I cannot for the life of me believe that that is what Members of this Assembly would want.

[19] Concepts such as official status and equal validity, which appear in legislation without further elaboration, will inevitably come before a court of law, and any court tasked with interpreting those concepts will attempt to discern illegal effect and reconcile them with existing, potentially conflicting, law. I concede readily that those pressing for the inclusion of a broad statement are content to have recourse to the courts to explore the possible legal effect of such a statement. I do not agree with that approach. I see it as an abdication of our responsibility as a legislature. As a democratically elected legislature, we should set out to legislate in a way that does not mislead and that does not create unintended legal consequences. To include a broad statement, the effect of which we cannot predict, and to hand over wholesale the development of the interpretation of the statement to the judiciary would be unacceptable and irresponsible; indeed, I think that it could be reckless. What would appear in amendment 153 to be a broad provision regarding the status and validity of the use of Welsh and English would soon prove to be anything but, due to the nature of the Assembly's legislative competence. Since the introduction of the proposed Measure, I have given sustained and serious consideration to the most effective means of realising the commitment in 'One Wales' regarding status. I have concluded that it is paramount to ensure that no amendment misleads or has unintended legal consequences.

[20] The Government has given careful consideration to its amendment in light of the strength of the views put forward during the committee's consideration of the proposed Measure at Stage 1 that section 1, as drafted, did not achieve the 'One Wales' objective of confirming official status. The result is seen in amendment 5, which confirms the official status of the Welsh language and provides certainty as to how the law gives legal effect to the concept of official status for the Welsh language. To this end, new subsection 1 states that the Welsh language has official status in Wales. New subsection 2 provides that legal effect is given to official status through legislation about the matters described in that part of the legislation. New subsection 3 provides examples of the types of enactments that give legal effect to the official status of the Welsh language. New subsection 4 states that the proposed Measure does not affect the status of the English language in Wales. In Wales, the English language already enjoys the status of being the language of default of the Governments of the UK. Therefore, it is important to stress that the rights of English speakers are not affected. This is a proposed Measure about the Welsh language and its promotion. Acceptance of amendment 153 would create a corridor of uncertainty in law that I do not think would be



helpful. I urge the committee to resist amendment 153 in the name of Jenny Randerson and to support amendments 5 and 1.

[21] **Val Lloyd:** Thank you, Minister. I call on Kirsty Williams to reply.

[22] **Kirsty Williams:** I begin by welcoming the fact that the Minister has, in part, listened to the committee's concerns and brought forward amendment 5. However, I again stress my concerns about the wording of that amendment. The Minister has not addressed those concerns today. Having a list that does not include some elements is a cause for concern. I listened very carefully to what the Minister said about uncertainty arising from amendment 153 in the name of Jenny Randerson. I understand that these issues and concerns were addressed during this committee's Stage 1 consideration. The committee was unanimous in its belief that such an unambiguous, simple statement should be included, and the arguments that you raised today were not arguments that were brought forward as matters that should have been concerns for the committee at that time. Therefore, Chair, I would like to press for amendment 153.

[23] **Val Lloyd:** Thank you, Kirsty. I take it that you wish to move to a vote on amendment 153 in the name of Jenny Randerson.

[24] **Kirsty Williams:** I do.

[25] **Val Lloyd:** The question is that amendment 153 be agreed to. I call for a vote.

1.30 p.m.

*Gwelliant 153: O blaid 2, Ymatal 0, Yn erbyn 3.  
Amendment 153: For 2, Abstain 0, Against 3.*

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

Davies, Paul  
Williams, Kirsty

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

Barrett, Lorraine  
Jones, Gareth  
Morgan, Rhodri

*Gwrthodwyd gwelliant 153.  
Amendment 153 not agreed.*

[26] **Val Lloyd:** Minister, do you wish amendment 5 in your name to be moved?

[27] **Alun Ffred Jones:** Yes.

[28] **Val Lloyd:** I move amendment 5 in the name of Alun Ffred Jones. The question is that amendment 5 be agreed to. I call for a vote.

*Gwelliant 5: O blaid 4, Ymatal 1, Yn erbyn 0.  
Amendment 5: For 4, Abstain 1, Against 0.*

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

Barrett, Lorraine  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

Ymataliodd yr Aelod canlynol:

The following Member abstained:

Davies, Paul

*Derbyniwyd gwelliant 5.  
Amendment 5 agreed.*

**Grŵp 2: Comisiynydd y Gymraeg—Penodi (Gwelliannau 158, 66, 67 a 159)  
Group 2: Welsh Language Commissioner—Appointment (Amendments 158, 66, 67 and 159)**

[29] **Val Lloyd:** The lead amendment in this group is amendment 158, tabled in the name of Paul Davies.

[30] **Paul Davies:** Cynigiaf welliant 158 yn fy enw i. **Paul Davies:** I move amendment 158 in my name.

[31] Pwrpas y gwelliannau hyn yw i sicrhau annibyniaeth y comisiynydd, sydd yn hollbwysig i'r broses. Mae fy ngwelliannau i yn sicrhau bod y broses yn agored a thryloyw. Ni chredaf y dylai penodiad y comisiynydd gael ei wneud gan y Prif Weinidog na'r Gweinidogion gan ei bod yn hollbwysig bod hyd braich rhwng Gweinidogion a'r comisiynydd. Nid wyf yn awgrymu am un funud y byddai'r Gweinidog hwn na'r Prif Weinidog presennol yn ceisio dylanwadu ar y broses ac ar benderfyniadau'r comisiynydd, ond nid yw hynny'n golygu na allai Gweinidogion eraill wneud hynny yn y dyfodol. Bydd y gwelliannau hyn yn diogelu'r Llywodraeth hon, a Llywodraethau'r dyfodol, rhag unrhyw bosibilrwydd o gyhuddiadau eu bod yn dylanwadu ar y broses. Drwy dderbyn y gwelliannau hyn byddwn yn sicrhau bod gan bawb hyder yn y system a bod y broses yn annibynnol, clir a thryloyw.

The purpose of these amendments is to ensure the independence of the commissioner, which is crucial to this process. My amendments ensure that the process is open and transparent. I do not believe that the appointment of the commissioner should be carried out by the First Minister or by the Ministers, because it is crucial that there should be an arm's length between Ministers and the commissioner. I am not suggesting for one second that this Minister or the current First Minister would try to bring influence to bear on the process and on the decisions of the commissioner, but that does not mean that other Ministers could not do so in the future. These amendments will safeguard this Government and future Governments, from any possibility of accusations that they are endeavouring to influence the process. By accepting these amendments we would ensure that everyone could have confidence in the system and that the process was independent, clear and transparent.

[32] Hoffwn atgoffa'r pwyllgor hefyd mai'r pwyllgor hwn, yng Nghyfnod 1 y Mesur arfaethedig, a awgrymodd yn union yr hyn y mae fy ngwelliannau i yn ceisio eu cyflawni. Felly, erfyniaf arnoch i gefnogi'r gwelliannau hyn.

I also remind the committee that it was this committee, at Stage 1 of the proposed Measure, that suggested exactly what my amendments are endeavouring to achieve. Therefore, I urge you to support these amendments.

[33] **Kirsty Williams:** I support Paul and his amendments 158 and 159. I will just repeat the points that Paul has made about the importance of establishing the commissioner at arm's length from the Government and strengthening the commissioner's independence as much as possible, while recognising the legitimate role of the Minister and the First Minister in the appointment of such an important person. We only have to look at the example of the Children's Commissioner for Wales, and the success of that post, to see that such an arm's-

length principle is desirable and workable. We feel that with a commissioner who must, perhaps, at some stage—not necessarily with this Minister, but with Ministers in years to come—go head to head with a Minister over an issue, a situation could arise in which the commissioner could be seen to be weak in failing to challenge the Government in its handling of issues surrounding the language. We believe that amendments 158 and 159 will strengthen the hand of the commissioner by making this more at arm's length than is currently envisaged. As I have said, we think that these amendments do that but, at the same time, still recognise the legitimate role that the Minister has in this regard. The Minister will, of course, still continue to be the person who selects the candidate whose name will go forward to the Assembly for approval.

[34] **Val Lloyd:** I see that no other Members wish to speak. Therefore, I call on the Minister.

[35] **Alun Ffred Jones:** Mae'n werth pwysleisio unwaith eto bod y dull yr ydym yn ei argymhell, bod penodi gan y Prif Weinidog, yn gwbl gyson â'r broses o benodi Comisiynydd Plant Cymru a Chomisiynydd Pobl Hŷn Cymru. Yr un broses yw hi. Yr wyf wedi gwrandao'n ofalus ar y dystiolaeth a gyflwynwyd am rôl y Cynulliad wrth benodi. Mae'r Mesur arfaethedig, fel y'i drafftwyd, yn caniatáu i'r Prif Weinidog gymryd sylw o farn y Cynulliad Cenedlaethol, pwyllgorau'r Cynulliad Cenedlaethol ac Aelodau unigol, wrth ymgymryd â'r dasg o benodi comisiynydd. Hefyd, adeiladwyd ffyrdd o gadw cydbwysedd i mewn i'r broses honno i sicrhau ei bod yn agored, yn dryloyw ac yn deg.

**Alun Ffred Jones:** It is worth emphasising once again that the method that we recommend, that the First Minister makes the appointment, is totally consistent with the process of appointing the Children's Commissioner for Wales and the Commissioner for Older People in Wales. It is exactly the same process. I have listened to the evidence that has been presented regarding the Assembly's role in appointments. The proposed Measure, as drafted, allows the First Minister to take heed of the views of the National Assembly, the committees of the National Assembly and individual Members, in undertaking the task of appointing a commissioner. Furthermore, checks and balances have been built in to that process to ensure that it is open, transparent and fair.

[36] The Welsh Ministers must make provision about the appointment of the commissioner in appointment regulations, which will make provision for the establishment of a panel to interview candidates for appointment as commissioner, and make recommendations to the First Minister. The appointment regulations may also make provision for the principles to be followed in appointing the commissioner, which may include principles similar to the Nolan principles on public appointments. I have accepted the recommendation made by the Constitutional Affairs Committee that the appointment regulations for the commissioner should be subject to the affirmative resolution procedure. That means that the National Assembly will debate the content of the appointment regulations and will have to approve the regulations by resolution. Amendment 62, which I have tabled and which we will discuss in a later group, will secure this objective. I therefore urge the committee to resist amendment 158, moved by Paul Davies.

[37] An important principle that should be maintained is that the duty to appoint the commissioner and the power to dismiss the commissioner should rest with the same person. I have explained the reasons why I am firmly of the view that the commissioner should be appointed by the First Minister in an open and transparent manner. As such, it follows that the First Minister should be responsible for the dismissal of the commissioner and it would not be appropriate for the dismissal to be subject to the Assembly's agreement. It should be remembered that the First Minister may only dismiss the commissioner on certain grounds, as specified in Schedule 1 to the proposed Measure. The First Minister would need to be

satisfied, prior to dismissal, that the commissioner was unfit to continue as commissioner, or unable or unwilling to exercise the commissioner's functions. I therefore urge the committee to resist amendment 159, tabled by Paul Davies.

[38] Shall I speak to Government amendments 66 and 67?

[39] **Val Lloyd:** Yes, please.

[40] **Alun Ffred Jones:** Taking both together, the purpose of the amendments is to increase the duration of the commissioner's appointment from five to seven years, and limit it to a single term without reappointment. Together, these amendments will ensure that the commissioner holds office for a sufficient amount of time to be able to make a difference, and removing the provision for reappointment would mean that the commissioner would be unconcerned by the prospect of reappointment at the end of his or her tenure, and would be able to carry out his or her functions independently until the end of the appointment period. That is consistent with the appointment of the Children's Commissioner for Wales. I therefore urge the committee to support amendments 66 and 67.

[41] **Paul Davies:** Yr wyf yn siomedig bod y Llywodraeth yn gwrthod derbyn fy ngwelliannau. Unwaith eto, eu pwrpas yw sicrhau annibyniaeth y comisiynydd a sicrhau bod y broses yn hollol agored a thryloyw. Yr wyf wedi gwrando'n astud ar sylwadau'r Gweinidog ynglŷn â phenodi comisiynwyr eraill, ond mae gwahaniaeth rhwng penodi'r comisiynydd plant neu'r comisiynydd pobl hŷn a phenodi'r comisiynydd iaith, gan y bydd gan y comisiynydd iaith fwy o bwerau. Felly, er mwyn i'r cyhoedd gael hyder yn y system, mae'n bwysig eu bod yn gweld bod penodi'r comisiynydd yn cael ei wneud yn annibynnol, a'r ffordd orau o wneud hynny yw sicrhau bod hynny'n cael ei wneud gan y Cynulliad Cenedlaethol. Byddwn yn eich atgoffa mai'r pwyllgor a wnaeth y cynnig hwn yn y lle cyntaf ac yr wyf yn erfyn arnoch i gefnogi gwelliannau 158 a 159. Felly, Gadeirydd, hoffwn symud i bleidlais.

**Paul Davies:** I am disappointed that the Government is rejecting my amendments. Once again, their purpose is to ensure the independence of the commissioner and to ensure that the process is completely open and transparent. I have listened carefully to the Minister's comments on the appointment of other commissioners, but there is a difference between the appointment of the children's commissioner or the older people's commissioner and the appointment of the language commissioner, because the language commissioner will have more powers. Therefore, for the public to have confidence in the system, it is important that they see that the commissioner should be appointed independently, and the most effective way of doing that is to ensure that it is done by the National Assembly. Once again, I remind you that it was the committee that proposed this in the first place and I urge you to support amendments 158 and 159. Therefore, Chair, I would like to move to a vote.

**Val Lloyd:** The question is that amendment 158 be agreed to. I call for a vote.

*Gwelliant 1: O blaid 2, Ymatal 0, Yn erbyn 3.*

*Amendment 1: For 2, Abstain 0, Against 3.*

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

Davies, Paul  
Williams, Kirsty

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

Barrett, Lorraine  
Jones, Gareth  
Morgan, Rhodri

*Gwrthodwyd gwelliant 158.*

*Amendment 158 not agreed.*

1.40 p.m.

**Grŵp 3: Swyddogaethau Gweinidogion Cymru Mewn Perthynas â Chomisiynydd y Gymraeg—Penodi (Gwelliannau 64, 181 a 12)**  
**Group 3: Welsh Ministers' Functions in Relation to the Welsh Language Commissioner (Amendments 64, 181 and 12)**

[42] **Val Lloyd:** Group 3 concerns the functions of the Welsh Ministers in relation to the Welsh language commissioner. The lead amendment in this group is amendment 64, tabled in the name of Alun Ffred Jones. Minister, do you wish me to move amendment 64 in your name?

[43] **Alun Ffred Jones:** Yes.

[44] **Val Lloyd:** I move amendment 64 in the name of Alun Ffred Jones. I call on the Minister to speak to amendment 64 and the other amendments in the group.

[45] **Alun Ffred Jones:** Fel y dywedodd Paul, mae sicrhau annibyniaeth y comisiynydd wedi bod yn thema gyson yn y trafodaethau a gafwyd am y Mesur arfaethedig hwn. Yr wyf wedi tanlinellu y bydd y comisiynydd yn annibynnol o Lywodraeth a bod darpariaethau'r Mesur arfaethedig yn caniatáu'r annibyniaeth honno. Rhoddais gyflwyniad ysgrifenedig i'r pwyllgor yn ystod Cyfnod 1 yn datgan sut y byddai'r annibyniaeth honno yn cael ei diogelu. Caf ar ddeall fod rhai yn dymuno gweld mwy o warchodaeth yn y Mesur arfaethedig i sicrhau annibyniaeth oddi ar y Llywodraeth. Mae gwelliant 64 yn un o nifer o welliannau sy'n cadarnhau'r annibyniaeth honno.

**Alun Ffred Jones:** As Paul said, securing the independence of the commissioner has been a constant theme in the discussions on this proposed Measure. I have emphasised the fact that the commissioner will be independent of Government and that the provisions within the proposed Measure allow that independence. I gave a written submission to the committee during Stage 1 stating how that independence would be safeguarded. I understand that some people wish to see greater protection in the proposed Measure to secure independence from the Government. Amendment 64 is one of a number of amendments confirming that independence.

[46] The amendment will place a duty on the Welsh Ministers when exercising functions in relation to the commissioner to have regard to the desirability of ensuring that the commissioner is under as few constraints as reasonably possible when determining his or her own activities, timetables and priorities. Such a duty would require the Welsh Ministers, when exercising any functions in relation to the commissioner, to give careful consideration to the way in which the function is exercised. Any failure on the part of the Welsh Ministers to comply with the duty to have regard to the desirability of minimising the constraints placed upon the commissioner could be subject to the overview of the courts by way of judicial review. As such, I believe that this amendment will provide an additional safeguard in relation to the commissioner's independence from Government. I ask you to support amendment 64.

[47] The existence of powers in legislation for Ministers to direct bodies that they fund is not novel. For example, the Welsh Ministers have the power to direct the Commissioner for Older People in Wales and the Children's Commissioner for Wales. They also have a power of direction in relation to the Welsh Language Board under the Welsh Language Act 1993. However, I have responded to the view expressed by some stakeholders, and also raised in the committee's Stage 1 report, of the wish to see additional safeguards included in the proposed

Measure to secure the commissioner's independence from Government. I have therefore tabled amendment 12, which provides exceptions to the Welsh Ministers' power to give direction to the commissioner under section 15—a power that I would expect to be used only in exceptional cases in any event. That will mean that the Welsh Ministers will not be able to give directions to the commissioner in relation to giving a compliance notice to a person, under Part 5 of the proposed Measure, 'Enforcement of Standards', and Part 6 on the 'Freedom to use Welsh'. In other words, this amendment will secure the commissioner's independence from Government in undertaking his or her key regulatory function of imposing and enforcing standards on organisations and investigating alleged interferences with a person's freedom to use Welsh. For those reasons, I urge you to support amendment 12.

[48] **Val Lloyd:** I see that no other Members wish to speak. Therefore, Minister, do you wish to proceed to a vote on amendment 64?

[49] **Alun Ffred Jones:** Yes, indeed.

[50] **Val Lloyd:** The question is that amendment 64 be agreed to. I call for a vote.

*Gwelliant 64: O blaid 4, Ymatal 1, Yn erbyn 0.  
Amendment 64: For 4, Abstain 1, Against 0.*

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

Barrett, Lorraine  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

Ymataliodd yr Aelod canlynol:  
The following Member abstained:

Davies, Paul

*Derbyniwyd gwelliant 64.  
Amendment 64 was agreed.*

**Grŵp 4: Gwelliannau Technegol a Gwelliannau Amrywiol (Gwelliannau 65, 68, 70, 11, 14, 15, 16, 17, 71, 72, 73, 74, 75, 76, 122, 23, 24, 25, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 39, 41, 126, 127, 128, 129, 130, 131, 132, 46, 47, 49, 53, 133, 134, 135, 136, 138, 139, 54, 55, 59, 63, a 4)**

**Group 4: Technical and Miscellaneous Amendments (Amendments 65, 68, 70, 11, 14, 15, 16, 17, 71, 72, 73, 74, 75, 76, 122, 23, 24, 25, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 39, 41, 126, 127, 128, 129, 130, 131, 132, 46, 47, 49, 53, 133, 134, 135, 136, 138, 139, 54, 55, 59, 63, and 4)**

[51] **Val Lloyd:** This group deals with technical and miscellaneous amendments. The lead amendment to be considered is amendment 65, tabled in the name of Alun Ffred Jones. Minister, do you wish amendment 65 in your name to be moved?

[52] **Alun Ffred Jones:** Yes.

[53] **Val Lloyd:** I move amendment 65 in the name of Alun Ffred Jones. I call on the Minister to speak to amendment 65 and the other amendments in the group.

[54] **Alun Ffred Jones:** All the technical and miscellaneous amendments in this group are drafting improvements to correct, clarify or confirm matters and to ensure consistency

throughout the text of the proposed Measure.

[55] **Val Lloyd:** Thank you, Minister; that was very—

[56] **Alun Ffred Jones:** Succinct?

[57] **Val Lloyd:** Yes, that is a better word than the one that I was going to use: ‘brief’. Do you wish to move to a vote on these amendments?

[58] **Alun Ffred Jones:** Yes, please.

[59] **Val Lloyd:** The question is that amendment 65 be agreed to. I call for a vote.

*Gwelliant 65: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 65: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 65.  
Amendment 65 agreed.*

[60] **Val Lloyd:** We now move to dispose of amendment 66. Minister, do you wish amendment 66 in your name to be moved and to proceed to a vote?

[61] **Alun Ffred Jones:** Yes.

[62] **Val Lloyd:** I move amendment 66 in the name of the Minister. The question is that amendment 66 be agreed to. I call for a vote.

*Gwelliant 66: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 66: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 66.  
Amendment 66 agreed.*

[63] **Val Lloyd:** We now move to dispose of amendment 67. Minister, do you wish amendment 67 in your name to be moved and to proceed to a vote?

[64] **Alun Ffred Jones:** Yes, please.

[65] **Val Lloyd:** I move amendment 67 in the name of the Minister. The question is that amendment 67 be agreed to. I call for a vote.

*Gwelliant 67: O blaid 5, Ymatal 0, Yn erbyn 0.*

*Amendment 67: For 5, Abstain 0, Against 0.*

Pleidleisiodd yr Aelodau canlynol o blaid:

The following Members voted for:

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 67.*

*Amendment 67 agreed.*

[66] **Val Lloyd:** We now move to dispose of amendment 68. Minister, do you wish amendment 68 in your name to be moved and to proceed to a vote?

[67] **Alun Ffred Jones:** Yes, please.

[68] **Val Lloyd:** I move amendment 68 in the name of the Minister. The question is that amendment 68 be agreed. I call for a vote.

*Gwelliant 68: O blaid 5, Ymatal 0, Yn erbyn 0.*

*Amendment 68: For 5, Abstain 0, Against 0.*

Pleidleisiodd yr Aelodau canlynol o blaid:

The following Members voted for:

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 68.*

*Amendment 68 agreed.*

**Grŵp 5: Comisiynydd y Gymraeg—Cyllid (Gwelliant 69)**  
**Group 5: Welsh Language Commissioner—Finance (Amendment 69)**

[69] **Val Lloyd:** We now move on to the next group. Minister, do you wish me to move amendment 69 in your name?

[70] **Alun Ffred Jones:** Please.

[71] **Val Lloyd:** I move amendment 69 in the name of the Minister and call upon him to speak to the amendment.

[72] **Alun Ffred Jones:** Amendment 69 provides the Welsh Ministers with an express power to fund the commissioner. It was always the intention that the commissioner should be funded by the Welsh Ministers, so I ask you to support this amendment.

[73] **Val Lloyd:** I have no further speakers. Would you like me to move to a vote, Minister?

[74] **Alun Ffred Jones:** Yes.



[75] **Val Lloyd:** The question is that amendment 69 be agreed to. I call for a vote.

*Gwelliant 69: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 69: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 69.  
Amendment 69 agreed.*

[76] **Val Lloyd:** We now move to dispose of amendment 159, and I call on Paul Davies to move the amendment.

[77] **Paul Davies:** I move amendment 159 in my name.

[78] **Val Lloyd:** Do you wish to put the amendment to a vote?

[79] **Paul Davies:** Yes.

[80] **Val Lloyd:** The question is that amendment 159 be agreed to. I call for a vote.

*Gwelliant 159: O blaid 2, Ymatal 0, Yn erbyn 3.  
Amendment 159: For 2, Abstain 0, Against 3.*

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

Davies, Paul  
Williams, Kirsty

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

Barrett, Lorraine  
Jones, Gareth  
Morgan, Rhodri

*Gwrthwyd gwelliant 159.  
Amendment 159 not agreed.*

**Grŵp 6: Comisiynydd y Gymraeg—Swyddogaethau (Gwelliannau 185, 186, 10, 160 a 6)  
Group 6: Welsh Language Commissioner—Functions (Amendments 185, 186, 10, 160 and 6)**

[81] **Val Lloyd:** We move on to the next group. The first amendment to be considered is amendment 185 in the name of Leanne Wood. Does any Member wish to move this amendment? I see not, so amendment 185 is not moved.

*Ni chynigiwyd gwelliant 185.  
Amendment 185 not moved.*

**Grŵp 7: Y Modd y caiff y Gymraeg a'r Saesneg eu trin (Gwelliannau 7, 18, 19, 20, 21, 3)  
Group 7: Treatment of Welsh and English (Amendments 7, 18, 19, 20, 21, 3)**

[82] **Val Lloyd:** We move on to the next group, which is in relation to the treatment of Welsh and English.

1.50 p.m.

[83] In this group, the first amendment to be considered is amendment 7 in the name of the Minister. Minister, do you wish for amendment 7 in your name to be moved?

[84] **Alun Ffred Jones:** Yes, please.

[85] **Val Lloyd:** I move amendment 7 in the name of Alun Ffred Jones and call on the Minister to speak to his amendment and the other amendments in the group.

[86] **Alun Ffred Jones:** Mae gwelliannau 7, 18, 19, 20, 21 a 3, gyda'i gilydd, yn adlewyrchu trafodaethau a gafwyd yng Nghyfnod 1 y craffu o ran amcanion y Mesur arfaethedig. Awgrym y pwyllgor oedd y dylai'r Mesur arfaethedig ddatgan yn gliriach mai ei bwrpas yw hyrwyddo a datblygu'r Gymraeg. Bwriad y gwelliannau hyn yw adlewyrchu ei amcanion, sef hyrwyddo'r defnydd a wneir o'r Gymraeg a sefydlu comisiynydd sydd â'r amcan creiddiol o hyrwyddo'r Gymraeg.

**Alun Ffred Jones:** Taken together, amendments 7, 18, 19, 20, 21 and 3 reflect the discussions held during Stage 1 of the scrutiny regarding the aims of the proposed Measure. The committee suggested that the proposed Measure should state more clearly that its purpose is to promote and develop the Welsh language. The intention with these amendments is to reflect its aims, which are to promote the use of the Welsh language and to establish a commissioner with the core aim of promoting the Welsh language.

[87] Amendment 7 will ensure that, in exercising his or her general functions, the commissioner may do anything that he or she thinks appropriate to work towards ensuring that the Welsh language is treated no less favourably than the English language. Amendment 18 will ensure that service delivery standards are intended to promote and facilitate the use of the Welsh language and will work towards ensuring that it is treated no less favourably than the English language.

[88] Amendments 19, 20 and 21 will ensure that policy-making standards are intended to focus on the effects of policy decisions on the promotion and facilitation of the use of the Welsh language and on working towards ensuring that it is treated no less favourably than the English language. Amendment 3 is required to ensure that the long title of the proposed Measure accurately reflects those amendments.

[89] The proposed Measure is designed to promote and facilitate the use of the Welsh language and to bring Welsh-language services up to the level of English-language services, because, as a rule, it is Welsh speakers who face difficulties obtaining services in Welsh. By and large, English speakers are well provided for with regard to their choice of language.

[90] Felly, pwrpas y gwelliannau hyn yw rhoi cyfeiriad a ffocws clir i waith y comisiynydd. Y bwriad creiddiol y tu ôl i greu'r safonau hyn a'r safonau sy'n ymwneud â pholisi yw cryfhau safle'r Gymraeg. Credaf fod y gwelliannau hyn yn adlewyrchu'r trafodaethau a gafwyd yn y pwyllgor yn ystod Cyfnod 1, a gofynnaf i chi eu cefnogi.

So, the purpose of these amendments is to give the work of the commissioner a clear direction and focus. The core aim behind the creation of these standards and those relating to policy is to strengthen the position of the Welsh language. I believe that these amendments reflect the discussions that took place in the committee at Stage 1, and I ask you to support them.

[91] **Val Lloyd:** A number of Members have indicated that they wish to speak.

[92] **Paul Davies:** Yr wyf yn deall pwrpas **Paul Davies:** I understand the purpose of

y gwelliannau hyn ac nid wyf yn eu herbyn o reidrwydd, ond credaf fod geiriad presennol y Mesur arfaethedig yn briodol gan ei fod yn glir bod y Gymraeg a'r Saesneg yn cael eu trin yn gyfartal. Mae'r geiriad newydd yn wannach, ac mae'r geiriad presennol yn well o ran cydraddoldeb rhwng y Gymraeg a Saesneg. Fel y soniais yn gynharach, os ydym eisiau creu Cymru sy'n wirioneddol ddwyieithog, mae'n hanfodol ein bod yn trin y ddwy iaith yn gyfartal. Nid wyf o blaid y gwelliannau hyn ond nid wyf ychwaith yn eu herbyn, felly byddaf yn ymatal rhag pleidleisio ar y grŵp hwn.

[93] **Gareth Jones:** A ydych yn dweud bod yr adran sy'n sôn am sicrhau nad yw'r Gymraeg yn cael ei thrin yn llai ffafriol na'r Saesneg wedi'i chyfyngu i waith y comisiynydd? A ddeallais hynny'n iawn, hynny yw, bod a wnelo hwn â sut mae'r comisiynydd yn mynd o gwmpas ei waith, ac nid rhyw hawl gyffredinol i'r Gymraeg?

[94] **Alun Ffred Jones:** Yr oeddem yn ceisio adlewyrchu'r awydd i sicrhau bod ffocws gwaith y comisiynydd ar hyrwyddo ac ehangu'r defnydd a wneir o'r Gymraeg, a dyna fwriad y Mesur arfaethedig. Mae'r gwelliant i sicrhau nad oes amwysedd ynghylch rôl y comisiynydd wrth ymwneud a'i waith neu ei gwaith, o ran pa agwedd bynnag ar y gwaith hwnnw. Mae'r gwaith yn ehangach na chreu safonau, ond y ffocws yw hyrwyddo defnydd y Gymraeg a sicrhau bod y gwasanaethau sydd ar gael yn Gymraeg yn cyrraedd yr un safon â'r gwasanaethau sydd ar gael yn Saesneg. Felly, ffocws y gwaith yw'r Gymraeg. Comisiynydd dros y Gymraeg fydd y comisiynydd hwn, a dyna pam yr ydym wedi'i eirio yn y ffordd hon.

[95] **Gareth Jones:** Diolch, Weinidog, am hynny. Mae gennyf dipyn o drafferth lle bo hwn yn y cwestiwn, achos mae'n dod yn union ar ôl y datganiad ynghylch statws swyddogol yr iaith. Y driniaeth honno o dan (b) ar waelod y dudalen yr ydym yn cyfeirio ati. Dywed y dylid peidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg.

[96] Nid oes sôn am gomisiynydd yn y rhan sy'n ymwneud â statws swyddogol yr

these amendments and I do not necessarily oppose them, but I believe that the current wording of the proposed Measure is appropriate, because it is clear that both the Welsh and English languages are to be treated equally. The new wording is weaker, and the current wording is better as regards equality between both languages. As I said earlier, if we want to create a truly bilingual Wales, it is essential that we treat both languages equally. Given that I am not in favour of these amendments but nor am I opposed to them either, I will abstain from voting on this group.

**Gareth Jones:** Are you saying that the section that talks of ensuring that the Welsh language is treated no less favourably than the English language is restricted to the work of the commissioner? Did I understand that correctly, namely that this is to do with how the commissioner goes about his or her work rather than a general right for the Welsh language?

**Alun Ffred Jones:** We were trying to reflect the desire to ensure that the focus of the commissioner's work is on promoting and enhancing the use of the Welsh language, and that is the intention of the proposed Measure. The amendment is to ensure that there is no ambiguity about the commissioner's role as it relates to his or her work, and regardless of the aspects of that work. The work is broader than the creation of standards, but the focus is to promote the use of the Welsh language and ensure that the services available in Welsh meet the same standard as those available in English. Therefore, Welsh is the focus of the work. The commissioner will be a commissioner for the Welsh language, which is why we have phrased it in this way.

**Gareth Jones:** Thank you, Minister, for that. I am having a bit of difficulty where this is concerned, because it comes immediately after the declaration on official status for the language. It is the treatment under (b) at the bottom of the page that we are referring to. It states that the Welsh language should be treated no less favourably than the English language.

There is no mention of a commissioner in the part on the official status of the language. I

iaith. Fe'm calonogwyd yn fawr o ddarllen hwn, achos yr wyf yn teimlo, fel y dywedodd Paul, fod cydraddoldeb rhwng y Gymraeg a'r Saesneg yn ymhlyg yn y cymal hwnnw, ac y byddai hynny'n golygu dilysrwydd hefyd. Wrth gwrs, gan fod y pwynt wedi cael ei wneud yn gynharach, gyda'r gwelliant yn enw Jenny Randerson, y byddai hynny'n creu amwysedd yn y gyfraith, mae hwn yn gwbl glir ei ddatganiad—mae'n glir i mi, beth bynnag; nid wyf yn gwybod a fyddai'n glir i gyfreithiwr. Mae'n codi fy nghalon o ran statws yr iaith, fod llai o wahaniaeth rhwng y Gymraeg a'r Saesneg. A wyf yn iawn i ddehongli yn y modd hwnnw?

[97] **Val Lloyd:** Minister, I do have one more speaker, and I think that it might be more helpful for you if I were to allow the next speaker, and then you could deal with that in summing up.

[98] **Rhodri Morgan:** Yr wyf am fynegi barn gefnogol dros ben i welliant 7, am ei fod yn rhoi ffurf i eiriau'r drafodaeth a gawsom yn y pwyllgor, sef mai pwrpas y Mesur arfaethedig a phrif ffocws y comisiynydd yw helpu'r iaith Gymraeg i ddal lan. Felly, o dderbyn bod y Gymraeg mewn sefyllfa fregus a'i bod yn wan ac yn lleiafrifol, bwriad y Mesur arfaethedig a swyddogaeth y comisiynydd o dan hwnnw yw helpu'r iaith Gymraeg i ddal lan. Felly, nid yw'n gosod yr iaith Gymraeg ar bedestal, ac nid ydyw ond yn dweud y dweud am gydraddoldeb; mae'n dweud beth yw ei bwrpas o ran gwneud y gwneud, sef helpu'r Gymraeg, sy'n iaith wan, leiafrifol, i ddal lan gyda'r iaith Saesneg. Dyna'r gorau a gewch gan unrhyw Fesur. Nid oes dim y gall Gweinidogion na chomisiynwyr ei wneud yn sydyn i wneud y Gymraeg yn gydradd o ran nifer y bobl sy'n ei siarad ac ati, ond mae'n glir yn awr, yn y gwelliant hwn, fod pawb yn derbyn mai iaith wan a lleiafrifol ydyw fel ag y mae hi yn awr, a phwrpas hwn yw cryfhau'r iaith fel y bydd yn dal lan drwy'r cyfnod nesaf â'r iaith Saesneg. Dyna fy nehongliad i.

was extremely encouraged to read that, because I feel, as Paul said, that equality between Welsh and English is implied in that phrase, and it would mean validity as well. Of course, since the point was made earlier with regard to the amendment in the name of Jenny Randerson, that it would create ambiguity in the law, this is an absolutely clear statement—it is clear to me at least; I do not know whether it would be clear to a solicitor. It is heartening for me in terms of the status of the language, in that there is less of a difference between English and Welsh. Am I right to interpret it in that way?

**Rhodri Morgan:** I want to express overwhelming support for amendment 7, because it puts into words the discussion that we had in the committee, namely that the purpose of the proposed Measure and the main focus of the commissioner is to help the Welsh language to catch up. So, given that the Welsh language is in a vulnerable position and that it is weak and a minority language, the intention of the proposed Measure and the role of the commissioner under it is to help the Welsh language to catch up. Therefore, it does not put the Welsh language on a pedestal and neither is it just talking the talk about equality; it is stating what its purpose is in terms of action, which is to help Welsh, a weak, minority language, to catch up with English. That is the best that you will get from any Measure. There is nothing that Ministers and commissioners can do immediately to put Welsh on an equal footing with regard to the number of speakers and so on, but it is now clear, in this amendment, that everyone accepts that the language in its current state is weak and spoken by a minority, and the purpose of this is to strengthen the language so that it catches up with English over the next period. That is my interpretation.

[99] **Val Lloyd:** Thank you very much. Minister, would you like to reply to the debate?

[100] **Alun Ffred Jones:** Cefnogwn sylwadau'r ddau siaradwr diwethaf, am eu bod yn iawn—ceisio gosod ffocws a

**Alun Ffred Jones:** I would support the comments made by the last two speakers, because they are right—trying to set a clear

chyfeiriad clir i waith y comisiynydd yn ei holl agweddau yw'r nod. Bydd ei egnïon ef neu hi yn mynd tuag at gynyddu defnydd y Gymraeg ar draws ystod eang o gyrff a meysydd fel nad oes unrhyw amwysedd ynglŷn a'i bwrpas ef neu hi ac y gallwn amcanu felly i newid y sefyllfa o safbwynt statws y Gymraeg a'i defnydd cyn belled ag y mae pwerau'r Cynulliad yn caniatáu.

focus and direction to the work of the commissioner in all its aspects is the goal. His or her energies will be directed towards increasing the use of Welsh across a wide range of organisations and areas so that there can be no ambiguity about his or her purpose and we can therefore aim to change the position of the Welsh language's status and its use as far as the Assembly's powers allow.

[101] **Val Lloyd:** Would you like to move to a vote on amendment 7?

[102] **Alun Ffred Jones:** Yes, please.

[103] **Val Lloyd:** Thank you. The question is that amendment 7 be agreed to. I call for a vote.

*Gwelliant 7: O blaid 4, Ymatal 1, Yn erbyn 0.  
Amendment 7: For 4, Abstain 1, Against 0.*

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

Barrett, Lorraine  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

Ymataliodd yr Aelod canlynol:  
The following Member abstained:

Davies, Paul

*Derbyniwyd gwelliant 7.  
Amendment 7 agreed.*

[104] **Val Lloyd:** We now move to amendment 186 in the name of Leanne Wood. Does any Member wish to move this amendment? I see that no-one does.

*Ni symudwyd gwelliant 186.  
Amendment 186 not moved*

2.00 p.m.

**Grŵp 8: Comisynydd y Gymraeg—Gofynion Adrodd (Gwelliannau 8 ac 13)  
Group 8: Welsh Language Commissioner—Reporting Requirements (Amendments 8 and 13)**

[105] **Val Lloyd:** We move on to the next group in accordance with the marshalled list. Group 8 is on the reporting requirements for the Welsh language commissioner. Minister, in this group the first amendment to be considered is amendment 8, in your name; do you wish me to move the amendment?

[106] **Alun Ffred Jones:** Yes, please.

[107] **Val Lloyd:** I move amendment 8 in the name of the Minister and call upon him to

speak to it and the other amendment in the group.

[108] **Alun Ffred Jones:** Having reviewed the content of the proposed Measure since its introduction, I have concluded that the commissioner's duty to publish his or her five-year report and an annual report is sufficient to ensure that interested MPs and peers will be able to access copies of these reports should they wish to do so. Accordingly, amendment 8 removes the duty placed upon the commissioner to send copies of each five-year report to the House of Commons and the House of Lords in section 5(6). Amendment 13 does likewise with regard to the commissioner's annual report by removing the duty in section 18(6). The proposed Measure already rightly provides that these reports must be laid before the National Assembly. In publishing the reports, I am sure that the commissioner will wish to bring them to the attention of as wide an audience as possible and will utilise the most effective means of achieving this aim, including the internet. I therefore urge you to support amendments 8 and 13.

[109] **Val Lloyd:** I have no further speakers. Do you wish to move to a vote on amendment 8?

[110] **Alun Ffred Jones:** Yes, please.

[111] **Val Lloyd:** The question is that amendment 8 be agreed to. I call for a vote.

*Gwelliant 8: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 8: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 8.  
Amendment 8 agreed.*

**Grŵp 9: Comisynydd y Gymraeg—Ymholiadau (Gwelliant 9)  
Group 9: Welsh Language Commissioner—Inquiries (Amendment 9)**

[112] **Val Lloyd:** We move on to the next group in accordance with the marshalled list. There is one amendment in this group—amendment 9, in the name of the Minister. Minister, do you wish amendment 9 in your name to be moved?

[113] **Alun Ffred Jones:** Yes, please.

[114] **Val Lloyd:** I move amendment 9 in the name of the Minister and call him to speak to his amendment.

[115] **Alun Ffred Jones:** Having reviewed section 6 of the proposed Measure as introduced, which provides the commissioner with a power to conduct inquiries into any matter relating to his or her functions, I have concluded that subsection 6(8)(d) needs to be removed. This is rather technical, to my mind, anyway. The committee will recall that there is a distinction between an 'inquiry', or '*ymholiad*', in section 6, and an 'investigation', or '*ymchwiliad*', under Part 5. The provision regarding inquiries will allow the commissioner to undertake an inquiry into any matter relating to any of the commissioner's functions, subject

to certain restrictions. For example, the commissioner may wish to inquire into the use of Welsh for young people. The provision in Part 5 regarding investigations relates to investigations into matters of non-compliance by bodies subject to standards. As drafted, if the commissioner in the course of an inquiry begins to suspect that a person may have failed to comply with one or more relevant requirements, such as failure to comply with standards, and undertakes an investigation into the suspected failure, then the commissioner must, as far as possible, ensure that any aspect of the inquiry that concerns the person being investigated or may require that person's involvement are not pursued while the investigation is in progress.

[116] Briefly, the effect of section 6(8)(d) is to exclude from the inquiry any aspect that relates to the person under investigation and, in so doing, the provision goes beyond placing a restriction on inquiring into the suspected failure to comply with the relevant requirement. That section could result in the commissioner's having to discontinue or suspend an inquiry. My concern regarding this provision is that it could lead to a situation where the effectiveness of inquiries would be impaired because they would, as far as possible, have to refrain from looking into any aspect relating to the person under investigation, or which could require that person's involvement. Additionally, the commissioner could have to discontinue or suspend numerous inquiries which, among other things, could lead to a waste of public money. Such circumstances could also lead to the credibility of the commissioner's office and other inquiries conducted by the commissioner being undermined. The effect of amendment 9 will be to allow the commissioner freedom to continue with those aspects of an inquiry that relate to the person being investigated under Part 5. However, under section 6(8)(a), the commissioner's inquiry would still, as far as possible, have to avoid further consideration of whether the person has failed to comply with the relevant requirements. Deletion of the current provision would allow an inquiry under section 6 and an investigation under Part 5 to run in parallel and avoid the situation that an inquiry could not continue to look at any aspects of a particular person's conduct. Deletion of section 18 would also avoid the inconvenience and potential cost of having to discontinue or suspend the inquiry. I am sorry about the nature of that explanation. I urge you to support amendment 9.

[117] **Val Lloyd:** Minister, would you like to move to a vote on amendment 9?

[118] **Alun Ffred Jones:** Yes, please.

[119] **Val Lloyd:** The question is that amendment 9 be agreed to. I call for a vote.

*Gwelliant 9: O blaid 5, Ymatal 0, Yn erbyn 0.*

*Amendment 9: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 9.  
Amendment 9 agreed.*

[120] **Val Lloyd:** We now come to dispose of amendment 70 in the name of the Minister, which we discussed earlier as part of group 4. Minister, do you wish amendment 70 in your name to be moved and to proceed to a vote?

[121] **Alun Ffred Jones:** Yes, please.

[122] **Val Lloyd:** I move amendment 70 in the name of the Minister. The question is that amendment 70 be agreed to. I call for a vote.

*Gwelliant 70: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 70: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 70.  
Amendment 70 agreed.*

**Grŵp 6: Comisiynydd y Gymraeg—Swyddogaethau (Gwelliannau 185, 186, 10, 160 a 6):  
Parhad  
Group 6: Welsh Language Commissioner—Functions (Amendments 185, 186, 10, 160  
and 6):Continued**

[123] **Val Lloyd:** In accordance with the marshalled list, we now come to amendment 10 as, by virtue of amendments 185 and 186 not being moved, amendment 10 now becomes the lead amendment in group 6. Minister, do you wish amendment 10 in your name to be moved?

[124] **Alun Ffred Jones:** Yes, please.

[125] **Val Lloyd:** I move amendment 10 in the name of the Minister. I call on the Minister to speak to amendment 10 and the other amendments in the group.

[126] **Alun Ffred Jones:** To deal with amendment 6—

[127] **Val Lloyd:** It is group 6, but you are speaking first to Government amendment 10, which is now the lead amendment.

[128] **Alun Ffred Jones:** There are two remaining amendments in this group, are there not? Those are amendments 10 and 6. Is that right?

[129] **Val Lloyd:** There are three remaining amendments in this group. They are amendments 10, 160 and 6. Amendments 10 and 6 are in your name.

[130] **Alun Ffred Jones:** To deal with amendment 6 first, I recognise that some stakeholders said, during the Stage 1 scrutiny of the proposed Measure, that they felt that the purpose of the office of a Welsh language commissioner needed to be more clearly articulated in the proposed Measure. I fully understand the desire for the proposed Measure to set out what is expected of the commissioner. To this end, I have offered an alternative approach to providing clarity for the commissioner and the public regarding the purpose of the commissioner's office. This approach clearly sets out the commissioner's principal aim and therefore the expectations on him or her as a result of the proposed Measure. I have tabled amendment 6 to ensure that the commissioner's principal aim in exercising his or her functions is to promote and facilitate the use of the Welsh language. The proposed new section also places a duty on the commissioner in exercising any of his or her functions in



accordance with the same to undertake certain actions that include working towards increasing the use of the Welsh language in the provision of services and increasing other opportunities for persons to use the Welsh language.

[131] Amendment 6 also requires the commissioner in exercising his or her functions in accordance with the principal aim to have regard to the official status that the Welsh language has in Wales ; the duties to use Welsh that are or may be imposed by law and the rights that arise from the enforceability of those duties; the principle that, in Wales, the Welsh language should be treated no less favourably than the English language; and the principle that persons in Wales should be able to live their lives through the medium of Welsh. For these reasons, I urge the committee to support amendment 6, which I have tabled.

2.10 p.m.

[132] Amendment 10 is a drafting improvement to provide consistency between the drafting of sections 7(1) and 8(1), by removing from section 7(1) the words

[133] ‘whether for judicial review or otherwise’.

[134] I urge the committee to support amendment 10. Should I turn now to amendment 160, tabled by Paul Davies?

[135] **Val Lloyd:** Yes, please.

[136] **Alun Ffred Jones:** I am unclear about the purpose of this amendment. This committee has heard a great deal of evidence about the need to preserve the operational independence of the commissioner. I have listened, and I have introduced a number of amendments to reinforce that independence. If this amendment is accepted, the proposed Measure would tie the commissioner’s hands and determine how he or she exercises his or her functions and runs his or her office. If I have understood this correctly, the purpose and effect of this amendment is to try to keep the regulatory and promotional functions apart. In practice, however, it would not achieve this purpose, as the deputy commissioner could still be undertaking the regulatory and promotional functions on a day-to-day basis. It would, in any case, be extremely unusual to legislate in order to confer functions on the commissioner, namely to promote and facilitate the use of Welsh, but then to deprive the commissioner of the freedom to exercise those functions, and to require responsibility for those functions to be delegated to the deputy commissioner or another member of staff. Provisions relating to the delegation of functions by an officer, established by statute, are usually framed as discretionary powers. An example is section 12 of the proposed Measure. I therefore urge the committee to resist amendment 160, tabled by Paul Davies.

[137] **Val Lloyd:** I call on Paul Davies to speak to his amendment.

[138] **Paul Davies:** Hoffwn egluro pwrpas y gwelliant hwn i'r Gweinidog, sef ceisio gwahanu'r cyfrifoldebau dros hyrwyddo a rheoleiddio'r iaith Gymraeg. Mae rhai pobl yn pryderu y gallai sefyllfa lle mae gan un person gyfrifoldeb dros hyrwyddo a phlisma'r iaith Gymraeg greu problemau yn y dyfodol. Byddai'n llawer mwy dymunol pe bai rheoleiddio a hyrwyddo'r Gymraeg yn hollol annibynnol ar ei gilydd, er mwyn osgoi anghysondeb. Nid wyf am sefydlu corff neu sefydliad arall i hyrwyddo'r Gymraeg, gan fy

**Paul Davies:** I would like to explain the purpose of this amendment to the Minister, namely to try to separate the responsibilities for promoting and regulating the Welsh language. Some fear that a situation in which one person has responsibility for promoting and policing the Welsh language could create problems in the future. It would be far more desirable if regulating and promoting the Welsh language were completely independent of each other, so as to avoid inconsistency. I do not wish to establish

mod yn ymwybodol o'r gost y byddai hyn yn peri, yn enwedig o ystyried ein sefyllfa ariannol bresennol.

another body or organisation to promote the Welsh language, given that I am aware of the cost that this would involve, particularly in light of our current financial situation.

[139] Mae'r gwelliant hwn yn cynnig y dylai'r dirprwy gomisiynydd, neu unigolyn arall o fewn swyddfa'r comisiynydd, fod yn gyfrifol am hyrwyddo'r Gymraeg, tra bod y comisiynydd ei hun yn gyfrifol am blismona a rheoleiddio'r iaith. Credaf fod y gwelliant hwn yn rhoi'r hyblygrwydd sydd ei angen ar y comisiynydd i strwythuro ei swyddfa fel y dymunai ef neu hi. Y comisiynydd, felly, byddai'n penderfynu sut y byddai'r cyfrifoldebau plismona a hyrwyddo yn cael eu cyflawni. Mae'r gwelliant hwn yn briodol, gan ei fod yn gwahaniaethu'r swyddogaeth hyrwyddo a'r swyddogaeth rheoleiddio o fewn swyddfa'r comisiynydd. Annogaf y pwyllgor i gefnogi'r gwelliant hwn.

This amendment proposes that the deputy commissioner, or another individual in the office of the commissioner, should be responsible for promoting the Welsh language, while the commissioner is responsible for policing and regulating it. I believe that this amendment provides the flexibility necessary for the commissioner to structure the office of the commissioner as he or she sees fit. The commissioner would therefore decide how the responsibilities for policing and promoting the language would be carried out. This amendment is appropriate, as it separates the promotional and regulatory responsibilities within the office of the commissioner. I urge the committee to support this amendment.

[140] **Val Lloyd:** Minister, do you wish to reply?

[141] **Alun Ffred Jones:** Hoffwn ddatgan, Paul, y byddet yn ceisio dweud wrth y comisiynydd sut yn union y byddai'n rhaid iddo weithredu. Bydd gennym un comisiynydd, ac un swyddfa. Mae ceisio datgan—mewn Mesur arfaethedig—sut y bydd y comisiynydd yn gweithredu, yn y dull hwn ac yn y maes hwn, yn amhriodol. Nid oes sicrwydd ynghylch lle bydd y prif waith o hyrwyddo yn gorwedd. Nid yw'r penderfyniad hwnnw wedi ei wneud hyd yn hyn. Er mwyn eglurder, ac am y rhesymau a nodwyd gennyf eisoes, ni chredaf y dylid derbyn y gwelliant hwn. Serch hynny, yr wyf yn deall cymhelliad Paul wrth gynnig y gwelliant. Mewn un ystyr, cydymdeimlaf â'r cymhelliad hwnnw, a derbynias fod Paul wedi cynnig y gwelliant yn yr ysbryd gorau. Ni chredaf, fodd bynnag, mai dyma'r ffordd briodol i sicrhau'r gwahaniaeth y mae Paul am ei weld. Credaf fod ffyrdd eraill ar gael i wneud hynny.

**Alun Ffred Jones:** I would like to state, Paul, that you would be trying to tell the commissioner how exactly he or she would have to operate. We will have one commissioner and one office. Trying to state—in a proposed Measure—how the commissioner will operate, in this manner and in this field, is inappropriate. There is no certainty regarding where the main promotional work will rest. That decision has not yet been made. For the sake of clarity, and for the reasons I have already identified, I do not believe that this amendment should be accepted. Despite this, I understand Paul's motive in proposing this amendment. In one sense, I sympathise with that motive, and I accept that Paul has proposed the amendment in the right spirit. I do not believe, however, that this is an appropriate way to achieve the separation that Paul wishes to see. I believe that there are other ways available to do that.

[142] **Val Lloyd:** Thank you very much, Minister. Would you like to proceed to a vote on amendment 10?

[143] **Alun Ffred Jones:** Yes, please.

[144] **Val Lloyd:** The question is that amendment 10 be agreed to. I call for a vote.

*Gwelliant 10: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 10: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri Williams, Kirsty

*Derbyniwyd gwelliant 10.  
Amendment 10 agreed.*

[145] We now move to dispose of amendment 11, which we discussed as part of group 4. Minister, would you like amendment 11 in your name to be moved?

[146] **Alun Ffred Jones:** Yes.

[147] **Val Lloyd:** I move amendment 11 in the name of Alun Ffred Jones. The question is that amendment 11 be agreed to. I call for a vote.

*Gwelliant 11: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 11: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 11.  
Amendment 11 agreed.*

[148] **Val Lloyd:** We now move to dispose of amendment 160 in the name of Paul Davies. I invite Paul Davies to move amendment 160.

[149] **Paul Davies:** Cynigiaf welliant 160 **Paul Davies:** I move amendment 160 in my yn fy enw i. name.

[150] **Val Lloyd:** The question is that amendment 160 be agreed to. I call for a vote.

*Gwelliant 160: O blaid 2, Ymatal 0, Yn erbyn 3.  
Amendment 160: For 2, Abstain 0, Against 3.*

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

Davies, Paul  
Williams, Kirsty

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

Barrett, Lorraine  
Jones, Gareth  
Morgan, Rhodri

*Gwrthodwyd gwelliant 160.  
Amendment 160 not agreed.*

[151] **Val Lloyd:** In accordance with the marshalled list, we now move to dispose of

amendment 181 in the name of Leanne Wood. Does any Member wish to move amendment 181? I see that no-one does.

*Ni symudwyd gwelliant 181.  
Amendment 181 not moved.*

[152] **Val Lloyd:** We shall now move to dispose of amendment 12 in the name of Alun Ffred Jones. Minister, do you wish for amendment 12 in your name to be moved?

[153] **Alun Ffred Jones:** Yes.

[154] **Val Lloyd:** I move amendment 12 in the name of Alun Ffred Jones. The question is that amendment 12 be agreed to. I call for a vote.

*Gwelliant 12: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 12: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 12.  
Amendment 12 agreed.*

[155] **Val Lloyd:** We now move to dispose of amendment 13 in the name of Alun Ffred Jones. Minister, do you wish for amendment 13 in your name to be moved?

[156] **Alun Ffred Jones:** Yes.

[157] **Val Lloyd:** I move amendment 13 in the name of Alun Ffred Jones. The question is that amendment 13 be agreed to. I call for a vote.

*Gwelliant 13: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 13: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 13.  
Amendment 13 agreed.*

[158] **Val Lloyd:** We now move to dispose of amendment 14 in the name of Alun Ffred Jones. Minister, do you wish for amendment 14 in your name to be moved?

[159] **Alun Ffred Jones:** Yes.

[160] **Val Lloyd:** I move amendment 14 in the name of Alun Ffred Jones. The question is

that amendment 14 be agreed to. I call for a vote.

*Gwelliant 14: O blaid 5, Ymatal 0, Yn erbyn 0.*  
*Amendment 14: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 14.*  
*Amendment 14 agreed.*

[161] **Val Lloyd:** We now move to dispose of amendment 15 in the name of Alun Ffred Jones. Minister, do you wish for amendment 15 in your name to be moved?

[162] **Alun Ffred Jones:** Yes.

[163] **Val Lloyd:** I move amendment 15 in the name of Alun Ffred Jones. The question is that amendment 15 be agreed to. I call for a vote.

*Gwelliant 15: O blaid 5, Ymatal 0, Yn erbyn 0.*  
*Amendment 15: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 15.*  
*Amendment 15 agreed.*

[164] **Val Lloyd:** We shall now dispose of amendment 16 in the name of Alun Ffred Jones. Minister, do you wish for amendment 16 in your name to be moved?

[165] **Alun Ffred Jones:** Yes.

[166] **Val Lloyd:** I move amendment 16 in the name of Alun Ffred Jones. The question is that amendment 16 be agreed to. I call for a vote.

*Gwelliant 16: O blaid 5, Ymatal 0, Yn erbyn 0.*  
*Amendment 16: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 16.  
Amendment 16 agreed.*

[167] **Val Lloyd:** We now move to dispose of amendment 17 in the name of Alun Ffred Jones. Minister, do you wish for amendment 17 in your name to be moved?

[168] **Alun Ffred Jones:** Yes.

[169] **Val Lloyd:** I move amendment 17 in the name of Alun Ffred Jones. The question is that amendment 17 be agreed to. I call for a vote.

*Gwelliant 17: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 17: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 17.  
Amendment 17 agreed.*

[170] **Val Lloyd:** We now move to dispose of amendment 71 in the name of Alun Ffred Jones. Minister, do you wish for amendment 71 in your name to be moved?

[171] **Alun Ffred Jones:** Yes.

[172] **Val Lloyd:** I move amendment 71 in the name of Alun Ffred Jones. The question is that amendment 71 be agreed to. I call for a vote.

*Gwelliant 71: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 71: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 71.  
Amendment 71 agreed.*

[173] **Val Lloyd:** We now move to dispose of amendment 72 in the name of Alun Ffred Jones. Minister, do you wish for amendment 72 in your name to be moved?

[174] **Alun Ffred Jones:** Yes.

[175] **Val Lloyd:** I move amendment 72 in the name of Alun Ffred Jones. The question is that amendment 72 be agreed to. I call for a vote.

*Gwelliant 72: O blaid 5, Ymatal 0, Yn erbyn 0.*

*Amendment 72: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 72.  
Amendment 72 agreed.*

[176] **Val Lloyd:** We now move to dispose of amendment 73 in the name of Alun Ffred Jones. Minister, do you wish for amendment 73 in your name to be moved?

[177] **Alun Ffred Jones:** Yes.

[178] **Val Lloyd:** I move amendment 73 in the name of Alun Ffred Jones. The question is that amendment 73 be agreed to. I call for a vote.

*Gwelliant 73: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 73: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 73.  
Amendment 73 agreed.*

**Grŵp 10: Panel Cynghori Comisiynydd y Gymraeg (Gwelliannau 182, 161, 152, 162, 183)**

**Group 10: Advisory Panel to the Welsh Language Commissioner (Amendments 182, 161, 152, 162, 183)**

[179] **Val Lloyd:** The lead amendment in this group is amendment 182 in the name of Leanne Wood. Does any Member wish to move the amendment? I see that no-one does.

*Ni symudwyd gwelliant 182.  
Amendment 182 not moved.*

[180] **Val Lloyd:** In accordance with the marshalled list, the lead amendment in the group is now amendment 161 in the name of Paul Davies. I call on Paul Davies to move amendment 161 and to speak to it and the other amendments in the group.

[181] **Paul Davies:** Cynigiaf welliant 161 yn fy enw i. **Paul Davies:** I move amendment 161 in my name.

[182] Pwrpas y gwelliannau hyn yw sicrhau annibyniaeth y panel ymgynghori, sy'n hollbwysig i'r broses. Mae fy The purpose of the amendments is to ensure the independence of the advisory panel, which is crucial to the process. My

ngwelliannau—yn union yr un modd ag a ddefnyddir ar gyfer apwyntio'r comisiynydd, fel y soniais yn gynharach—yn sicrhau bod y broses yn agored ac yn dryloyw. Ni chredaf y dylai Gweinidogion benodi'r panel, gan ei fod yn hollbwysig bod hyd braich rhwng Gweinidogion a'r panel. Bydd y gwelliannau yn diogelu'r Llywodraeth hon a Llywodraethau yn y dyfodol o'r posibilrwydd o gael eu cyhuddo o ddylanwadu ar y broses. Drwy dderbyn y gwelliannau, byddwn yn sicrhau y bydd gan bawb hyder yn y system a bod y broses yn annibynnol, glir a thryloyw. Mae'r gwelliannau hyn hefyd yn adlewyrchu'n union argymhelliad y pwyllgor hwn yn ystod Cyfnod 1 y Mesur arfaethedig.

amendments—in exactly the same way as in relation to the appointment of the commissioner, as I mentioned earlier—ensure that the process is open and transparent. I do not believe that the panel should be appointed by Ministers, because it is crucial that Ministers and the panel are kept at arm's length. The amendments will protect this and future Governments from the possibility of being accused of influencing the process. By accepting the amendments, we will ensure that everyone has confidence in the system and that the process is independent, clear and transparent. These amendments also exactly reflect the recommendations made by this committee during Stage 1 of the proposed Measure.

2.20 p.m.

[183] Byddaf hefyd yn cefnogi gwelliant 152 yn enw Jenny Randerson, achos mae'n bwysig ein bod yn gweld amrywiaeth o bobl yn eistedd ar y panel sy'n adlewyrchu Cymru gyfan. Felly, yr wyf yn erfyn ar y pwyllgor i gefnogi'r gwelliannau hyn.

I will also be supporting amendment 152 in the name of Jenny Randerson, because it is important that we should see a variety of people sitting on this panel who reflect the whole of Wales. Therefore, I urge the committee to support these amendments.

[184] **Rhodri Morgan:** Yr wyf wedi gwrandao yn ofalus iawn ar yr hyn a ddywedodd Paul o ran sut i gael pobl i fod yn gyfrifol am beth maent yn ei wneud, ac yn y blaen. Fodd bynnag, ar y teledu rhyw ddwyawr yn ôl, clywais Francis Maude yn siarad yn hollol i'r gwrthwyneb o ran pam y maent yn cael gwared ar 150 o gwangos, gan eu bod yn meddwl nad yw hynny yn rhoi ffordd i Weinidogion fod yn gyfrifol am yr arian cyhoeddus maent yn ei wario.

**Rhodri Morgan:** I have listened very carefully to what Paul said with regard to how to make people responsible for what they do, and so on. However, on the television a couple of hours ago, I heard Francis Maude speaking completely to the contrary in explaining why they are getting rid of 150 quangos, because they do not believe that that allows Ministers to be accountable for the public money that they spend.

[185] **Val Lloyd:** I call upon Kirsty Williams to speak to amendment 152 in the name of Jenny Randerson and to the other amendments in the group.

[186] **Kirsty Williams:** Amendment 152 relates to the make-up of the advisory panel. We believe that the advisory panel has a role to play in advising and reflecting experiences and needs across the country. We would like to ensure that the panel is as diverse as possible to include representatives from a range of geographical areas in Wales whose experience of using services and use of Welsh in the community is very different. It could also look at reflecting the diversity of those people who speak the language—everything from people whose first language is Welsh to those who are learning the language. I appreciate that such diversity might be difficult to achieve given the current size of the panel, which at present is set to be three to five people. If this amendment was to be accepted, it would be the Welsh Liberal Democrats' intention to bring forward a further amendment at Stage 3 to allow the diversity to be accommodated in a larger panel, which it is currently unable to do, given its proposed size.



[187] **Alun Ffred Jones:** I gymryd gwelliant 152 yn enw Jenny Randerson yn gyntaf, pwrpas penodi comisiynydd yw creu pencampwr yr iaith. Bydd y comisiynydd yn bencampwr o'r fath ac yn ffigwr amlwg iawn a fydd yn gallu cynrychioli buddiannau siaradwyr Cymraeg o safbwynt creu dyletswyddau ar gyrff a gofalu eu bod yn cael eu gweithredu. Bydd y panel dim ond yn gweithredu fel ymgynghorwr, ac ni fydd yn ymwneud â gwaith dydd i ddydd y comisiynydd. Ni fydd ychwaith yn ymwneud â gwneud penderfyniadau, dim ond bod yn ffynhonnell arbenigedd i'r comisiynydd os oes angen o dro i dro. Gellir recriwtio'r panel o fewn Cymru ond mae'n bosibl y gellir recriwtio ei aelodau o wledydd eraill er mwyn cael arbenigedd rhyngwladol o safbwynt cynllunio ieithyddol, neu mewn rhyw faes arbenigol arall. Bydd y panel yn fach o ran nifer—tri i bump o bobl—er mwyn adlewyrchu'r ffaith mai ei bwrpas yw rhoi cyngor arbenigol i'r comisiynydd, ac nid i weithredu, fel mae'r bwrdd yn ei wneud ar hyn o bryd, fel rhyw fath o gorff sy'n cynrychioli holl amrywiaeth Cymru. Nid bwriad y panel hwn yw creu ail bwrdd yr iaith.

**Alun Ffred Jones:** To take amendment 152 in the name of Jenny Randerson first of all, the purpose of appointing a commissioner is to create a language champion. The commissioner will be such a champion and a very prominent figure who will be able to represent the interests of Welsh speakers from the point of view of imposing duties on bodies and ensuring that they are implemented. The panel will only act in an advisory capacity, and will not be involved with the commissioner's daily work. It will also not be involved in decision making, only as a source of expertise for the commissioner if required from time to time. Members of the panel may be recruited from within Wales but it is possible that they may be recruited from other countries in order to secure international expertise as regards language planning, or any other specialist field. It will be a small panel of three to five people in order to reflect the fact that its intention is to give expert advice to the commissioner, and not to act, as the board currently does, as some kind of body representing the whole diversity of Wales. It is not this panel's intention to create a language board mark 2.

[188] Therefore, amendment 152 as proposed by Jenny Randerson seems to stem from a desire to create another Welsh Language Board and fails to appreciate the intended role of the panel, which is to advise the commissioner and not to represent particular interests. I am certainly keen for a wide range of interests to contribute to policy development regarding the language, but the Welsh language partnership council will be the focus of that within the context of the Welsh language strategy. That will be subject to a discussion in a later group of amendments.

[189] As currently laid out in the proposed Measure, the appointment regulations that Ministers must make about the appointment of panel members will be able to make provision about the knowledge and experience that a member of the panel must have. I am satisfied that these appointment regulations will allow Ministers to make appropriate appointments. Those regulations will be contained in a statutory instrument and will be subject to Assembly scrutiny. I therefore urge the committee to resist amendment 152.

[190] I will take amendments 161 and 162 from Paul Davies together. As I have done in relation to the appointment of the commissioner, I have listened carefully to the evidence presented regarding giving the National Assembly a role in the process of appointing members to the advisory panel. Given that the purpose of the advisory panel is to provide expert advice and to act as a sounding board to assist the commissioner—as opposed to being Welsh Language Board mark 2—representing a wide variety of interests in Wales, it is entirely appropriate that its members should be appointed by Welsh Ministers. This is consistent with the fact that the commissioner will be appointed by the Government. An important principle that should be maintained is that the duty to appoint members of the advisory panel and the powers to dismiss them should rest with the same person. As such, it follows that the Welsh Ministers should be responsible for the dismissal of a member of the advisory panel, if they

are satisfied that the person is unfit to continue as a member of panel, or is unwilling or unable to do so. Accordingly, I cannot support either of the amendments and urge the committee to resist amendments 161 and 162.

[191] **Val Lloyd:** I call Paul Davies to reply.

[192] **Paul Davies:** Yr wyf yn siomedig bod y Gweinidog a'r Llywodraeth yn gwrthod â derbyn y gwelliannau yn fy enw i. Eu pwrpas yw sicrhau annibyniaeth y panel a sicrhau bod y broses yn hollol agored a thryloyw. Nid yw'r gwelliannau hyn unrhyw beth i wneud â chwangos. Maent yn ymwneud â sicrhau bod y bobl sy'n cael eu penodi yn hollol annibynnol. Yr wyf yn derbyn nad oes gan y panel bwerau ond mae hyn yn ymwneud â'r egwyddor o sicrhau bod penodi'r panel mor annibynnol â phosibl. Mae'n bwysig bod y cyhoedd yn gweld bod y panel yn cael ei benodi'n annibynnol er mwyn i'r cyhoedd gael gan hyder yn y system, a'r ffordd gorau o wneud hyn yw sicrhau mai'r Cynulliad Cenedlaethol sy'n gwneud y penodiadau. Felly, yr wyf yn erfyn ar y pwyllgor i gefnogi'r gwelliannau hyn a hoffwn symud i bleidlais, Gadeirydd.

**Paul Davies:** I am disappointed that the Minister and the Government have rejected the amendments in my name. Their purpose is to ensure the independence of the panel and to ensure that the process is entirely open and transparent. These amendments have nothing to do with quangos. They are aimed at ensuring that those who are appointed are completely independent. I accept that the panel does not have any powers but this is a matter of principle in ensuring that the panel and the manner of its appointment are as independent as possible. It is important that the public can see that the panel is appointed independently in order for the public to have confidence in the system. The best way of doing this is to ensure that the appointments are made by the National Assembly. I therefore urge the committee to support these amendments and I would like to move to a vote, Chair.

[193] **Val Lloyd:** The question is that amendment 161 be agreed to. I call for a vote.

*Gwelliant 161: O blaid 2, Ymatal 0, Yn erbyn 3.  
Amendment 161: For 2, Abstain 0, Against 3.*

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

Davies, Paul  
Williams, Kirsty

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

Barrett, Lorraine  
Jones, Gareth  
Morgan, Rhodri

*Gwrthodwyd gwelliant 161.  
Amendment 161 not agreed.*

[194] **Val Lloyd:** We now move to dispose of amendment 74, which we discussed in group 4. Minister, would you like amendment 74 in your name to be moved?

[195] **Alun Ffred Jones:** Yes, I would.

[196] **Val Lloyd:** I move amendment 74 in the name of Alun Ffred Jones. The question is that amendment 74 be agreed to. I call for a vote.

*Gwelliant 74: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 74: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 74.  
Amendment 74 agreed.*

[197] **Val Lloyd:** We now come to amendment 152. I invite Kirsty Williams to move the amendment.

[198] **Kirsty Williams:** I move amendment 152 in the name of Jenny Randerson.

[199] **Val Lloyd:** The question is that amendment 152 be agreed to. I call for a vote.

*Gwelliant 152: O blaid 2, Ymatal 0, Yn erbyn 3.  
Amendment 152: For 2, Abstain 0, Against 3.*

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

Davies, Paul  
Williams, Kirsty

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

Barrett, Lorraine  
Jones, Gareth  
Morgan, Rhodri

*Gwrthodwyd gwelliant 152.  
Amendment 152 not agreed.*

[200] **Val Lloyd:** We now come to amendment 162. I invite Paul Davies to move amendment 162 in his name.

[201] **Paul Davies:** Cynigiaf welliant 162 **Paul Davies:** I move amendment 162 in my yn fy enw i. name.

[202] **Val Lloyd:** The question is that amendment 162 be agreed to. I call for a vote.

*Gwelliant 162: O blaid 2, Ymatal 0, Yn erbyn 3.  
Amendment 162: For 2, Abstain 0, Against 3.*

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

Davies, Paul  
Williams, Kirsty

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

Barrett, Lorraine  
Jones, Gareth  
Morgan, Rhodri

*Gwrthodwyd gwelliant 162.  
Amendment 162 not agreed.*

[203] **Val Lloyd:** We now come to amendment 183 in the name of Leanne Wood. Would anybody like to move amendment 183? I see that no-one does. Therefore, amendment 183 is not moved.

*Ni symudwyd gwelliant 183.  
Amendment 183 not moved.*

**Grŵp 11: Safonau a'r Cyrff sy'n Ddarostyngedig i Safonau—Ymgynghori (Gwelliannau 156, 155 a 154)**  
**Group 11: Standards and Bodies Subject to Standards—Consultation (Amendments 156, 155 and 154)**

[204] **Val Lloyd:** I call upon Kirsty Williams to move the lead amendment.

[205] **Kirsty Williams:** I move amendment 156 in the name of Jenny Randerson.

2.30 p.m.

[206] The three amendments in this group are relatively straightforward. Under section 25, the Ministers have powers to set regulations in relation to standards and they can specify the different levels of performance, promotion and service delivery standards that the various organisations must meet. A common factor in the Government's approach to legislation at this time is that a lot of the devil is in the detail, which comes through in regulations at a later stage rather than being on the face of a Measure. These regulations have the potential to alter substantially the demands on various organisations covered by the proposed Measure. Therefore, it is reasonable for the Minister to consult with the commissioner and other relevant persons before making the regulations.

[207] In addition, the Minister has the ability to add or remove organisations and public bodies from the list in Schedule 6, which details who is and who is not covered by the proposed Measure. Amendment 155 again says that, before using these powers to amend that list in Schedule 6, either to add or to remove persons, the Minister—this, of course, is not just about conferring powers to this individual Minister, but the generations of Ministers to follow—will be required to consult with the commissioner and others. Amendment 154 introduces a requirement to consult with the commissioner in relation to the specific standards that apply to particular organisations. The purpose behind all three amendments is to ensure that, before the Minister makes regulations under section 25, he consults with the commissioner and relevant bodies.

[208] **Val Lloyd:** I see that no-one else wants to speak. Minister, do you want to reply to the debate?

[209] **Alun Ffred Jones:** Byddwn i'n **Alun Ffred Jones:** I would argue that there dadlau bod digonedd o ddarpariaethau o fewn is plenty of provision within the proposed y Mesur arfaethedig o safbwynt ymgynghori Measure for consultation in general. yn gyffredinol.

[210] I will discuss amendments 156, 155 and 154 together. Amendment 156 would require the Ministers, before making regulations under section 25, specifying standards, to consult the commissioner and such other persons as they consider appropriate. However, when it comes to making regulations, I have previously given assurances that a regulatory impact assessment would be prepared with regard to regulations dealing with the imposition of duties on persons, to be tabled alongside the regulations in each case. That assurance was spelt out in paragraph 5.3 of the explanatory memorandum accompanying the proposed Measure. As such, the Welsh Ministers will need to operate in accordance with the Welsh Ministers' regulatory impact assessment code for subordinate legislation, produced under section 76 of the Government of Wales Act 2006. That code includes a section on carrying out consultation in connection with regulatory impact assessments for subordinate legislation made by the Ministers. As part of the regulatory process, and in compiling any regulatory impact assessment, the Welsh Ministers are expected to carry out proper and appropriate consultation with those who are likely to be affected and those who have an interest in the overall impact of the legislation, such as the Welsh-language commissioner.

[211] Regulations under section 25 would also be subject to the affirmative process, which will ensure scrutiny by the Assembly. Therefore, with the provisions set out in the Welsh Ministers' RIA code for subordinate legislation, there is no need for these amendments, as sufficient consultation will take place.

[212] Amendment 155 would require the Ministers, before making an Order under section 34 amending the Schedule 6 and Schedule 8 tables to add or remove persons from those tables, to consult the commissioner along with the persons whom it was proposed to add or remove from Schedule 6 or Schedule 8 and other persons as they considered appropriate. In accordance with assurances given previously that a RIA would be prepared with regard to subordinate legislation dealing with the imposition of duties on persons, the Welsh Ministers will need to operate in accordance with the Welsh Ministers' regulatory impact assessment code for subordinate legislation and they would be expected to carry out proper and appropriate consultation with those who are likely to be affected and those who have an interest in the overall impact of the legislation.

[213] An Order under section 34 that added or removed a person from Schedules 6 or 8 would also be subject to the affirmative procedure, which ensures scrutiny by the Assembly. In addition, to the extent that a standards investigation looks into whether P should be liable to comply with standards—where P is in Schedules 5 or 7, but not 6 or 8, P would be consulted as a relevant person. Again, therefore, I believe that there is no need for this amendment, since sufficient consultation will take place.

[214] Amendment 154 would require Ministers, before making regulations under section 38 authorising the commissioner to give a person a compliance notice requiring that person to comply with a standard, to consult the commissioner, the person to whom it is proposed to make the standards specifically applicable, and such other persons as they consider appropriate. Again, in accordance with assurances given previously that a regulatory impact assessment would be prepared with regard to regulations dealing with the imposition of duties on persons, Welsh Ministers would need to operate in accordance with the Welsh Ministers' regulatory impact assessment code for subordinate legislation. So, again, there is no need for this amendment, since sufficient consultation will take place.

[215] I do not foresee Ministers acting without input by the commissioner, apart from in very rare circumstances, and, in general, Welsh Ministers will be well advised to await the outcome of a standards report before specifying standards under section 25 and making regulations under section 38. They need the discretion to do so. They may conclude, for example, that a person other than the commissioner could advise them with regard to standards covering a very technical field or, alternatively, the need to act swiftly may arise. I do not foresee those circumstances arising often, and, whether or not they await the outcome of a standards report, Ministers will be expected to act in accordance with the code for subordinate legislation that I referred to. Failure to do so could leave them subject to judicial review.

[216] **Val Lloyd:** I call on Kirsty Williams to reply to the debate.

[217] **Kirsty Williams:** The Minister's response to this debate gives me no reassurance whatsoever with regard to these particular amendments. The Minister relies heavily on the code that governs Ministers' actions in this area, but codes can change and can come and go, as can Ministers. The Minister's assurances this afternoon that he has every intention of carrying out regulatory impact assessments will count for nothing when he is no longer the Minister. So, what this does is pass to future Ministers the ability to move individuals and organisations in and out of Schedule 6 without any consultation with the commissioner who, supposedly, will be the champion for Welsh-language matters. The Minister, without any due

regard to that champion, will be able to specify different levels of compliance.

[218] Your assurances, Minister, are only watertight and applicable while you are the Minister, and this piece of legislation will outlive your career as a Minister. We need to legislate for all eventualities, for a Minister who is intent on increasing the coverage of this proposed Measure or, God forbid, a Minister who wants to take out organisations and wants to lessen the impact of this proposed Measure. The Assembly, as a legislature, needs to take account of that now. Personal assurances and ministerial codes do not give the Welsh language the security that it needs. If this proposed Measure is about creating the commissioner as the champion, it is therefore simply inexplicable to say that that champion does not need to be consulted while major powers are left in the hands of a Minister to fundamentally change the coverage of this legislation.

[219] **Val Lloyd:** Do you wish to proceed to a vote on an amendment 156 or withdraw it?

[220] **Kirsty Williams:** I wish to proceed to a vote, Chair.

[221] **Val Lloyd:** The question is that amendment 156 be agreed to. I call for a vote.

*Gwelliant 156: O blaid 2, Ymatal 0, Yn erbyn 3.*

*Amendment 156: For 2, Abstain 0, Against 3.*

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

Davies, Paul  
Williams, Kirsty

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

Barrett, Lorraine  
Jones, Gareth  
Morgan, Rhodri

*Gwrthodwyd gwelliant 156.  
Amendment 156 not agreed.*

**Grŵp 12: Safonau—Manylebau (Gwelliannau 175, 178, 26, 184, 42, 176 a 177)**  
**Group 12: Standards—Specification (Amendments 175, 178, 26, 184, 42, 176 and 177)**

2.40 p.m.

[222] **Val Lloyd:** We would normally now have moved to dispose of amendments in group 12 but, in this group, the first amendment to be considered is amendment 175 in the name of Leanne Wood. Does any Member wish to move this amendment? I see that no-one does, in which case, amendment 175 is not moved.

*Ni symudwyd gwelliant 175.  
Amendment 175 not moved.*

[223] Also in this group, the next amendment for consideration is amendment 178 in the name of Leanne Wood. Does any Member wish to move this amendment? I see that no-one does.

*Ni symudwyd gwelliant 178.  
Amendment 178 not moved.*

[224] We now move to dispose of amendment 18 in accordance with the marshalled list. Minister, would you like me to move the amendment?

[225] **Alun Ffred Jones:** Yes, please.

[226] **Val Lloyd:** I move amendment 18 in the name of the Minister. We discussed this amendment in group 7. The question is that amendment 18 be agreed to. I call for a vote.

*Gwelliant 18: O blaid 4, Ymatal 1, Yn erbyn 0.  
Amendment 18: For 4, Abstain 1, Against 0.*

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

Barrett, Lorraine  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

Ymataliodd yr Aelod canlynol:  
The following Member abstained:

Davies, Paul

*Derbyniwyd gwelliant 18.  
Amendment 18 agreed.*

[227] **Val Lloyd:** The next amendment is amendment 19. Would you like me to move the amendment, Minister?

[228] **Alun Ffred Jones:** Yes, please.

[229] **Val Lloyd:** I move amendment 19 in the name of the Minister. We discussed this in group 7. The question is that amendment 19 be agreed to. I call for a vote.

*Gwelliant 19: O blaid 4, Ymatal 1, Yn erbyn 0.  
Amendment 19: For 4, Abstain 1, Against 0.*

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

Barrett, Lorraine  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

Ymataliodd yr Aelod canlynol:  
The following Member abstained:

Davies, Paul

*Derbyniwyd gwelliant 19.  
Amendment 19 agreed.*

[230] **Val Lloyd:** Minister, do you want me to move amendment 20 in your name?

[231] **Alun Ffred Jones:** Yes, please.

[232] **Val Lloyd:** I move amendment 20 in the name of the Minister. The question is that amendment 20 be agreed to. I call for a vote.

*Gwelliant 20: O blaid 4, Ymatal 1, Yn erbyn 0.*

*Amendment 20: For 4, Abstain 1, Against 0.*

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

Barrett, Lorraine  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

Ymataliodd yr Aelod canlynol:  
The following Member abstained:

Davies, Paul

*Derbyniwyd gwelliant 20.*  
*Amendment 20 agreed.*

[233] **Val Lloyd:** Minister, would you like me to move amendment 21 in your name?

[234] **Alun Ffred Jones:** Yes, please.

[235] **Val Lloyd:** I move amendment 21 in the name of the Minister. The question is that amendment 21 be agreed to. I call for a vote.

*Gwelliant 21: O blaid 4, Ymatal 1, Yn erbyn 0.*  
*Amendment 21: For 4, Abstain 1, Against 0.*

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

Barrett, Lorraine  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

Ymataliodd yr Aelod canlynol:  
The following Member abstained:

Davies, Paul

*Derbyniwyd gwelliant 21.*  
*Amendment 21 agreed.*

[236] **Val Lloyd:** Amendment 75 is next in the marshalled list. Minister, would you like me to move this amendment in your name?

[237] **Alun Ffred Jones:** Yes, please.

[238] **Val Lloyd:** I move amendment 75 in the name of the Minister. The question is that amendment 75 be agreed to. I call for a vote.

*Gwelliant 75: O blaid 5, Ymatal 0, Yn erbyn 0.*  
*Amendment 75: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine



Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 75.  
Amendment 75 agreed.*

[239] **Val Lloyd:** We now move to amendment 76 in the name of Alun Ffred Jones. Minister, would you like me to move the amendment?

[240] **Alun Ffred Jones:** Yes, please.

[241] **Val Lloyd:** I move amendment 76 in the name of the Minister. The question is that amendment 76 be agreed to. I call for a vote.

*Gwelliant 76: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 76: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 76.  
Amendment 76 agreed.*

**Grŵp 13: Safonau Hyrwyddo (Gwelliannau 147, 77, 145, 146, 148, 149, 150, 151 a 22)  
Group 13: Promotion Standards (Amendments 147, 77, 145, 146, 148, 149, 150, 151 and 22)**

[242] **Val Lloyd:** I call on Kirsty Williams to move amendment 147 in the name of Jenny Randerson.

[243] **Kirsty Williams:** I move amendment 147 in the name of Jenny Randerson.

[244] All the amendments in this group relate to Schedule 6, which contains the list of public bodies that are covered by the proposed Measure. Alongside the list of organisations is a list of the potentially applicable standards that they will apply to their Welsh-language schemes. Those are service delivery standards, policy-making standards, operational standards, and record-keeping standards. This series of amendments adds promotion standards to the standards that various cultural organisations in Wales, such as the Arts Council of Wales, National Museum Wales, S4C and so on, would be subject to, and includes community councils.

[245] At Stage 1, the committee recommended that the proposed Measure be amended so that those organisations that have the Welsh language as a core function of their operations should have promotion standards added to the set of standards that would apply to them. These amendments are intended to achieve that objective.

[246] In addition, these amendments would apply promotion standards to community councils in order to achieve parity with local authorities and national parks. I believe that it is the Minister's intention to add to the Schedule, and I support that.

[247] It should be noted that, potentially, these standards could be applied to some community councils, where it is thought appropriate, while those community councils where it is not deemed appropriate would not have the standards applied, thereby affording some flexibility. However, I believe that committee councils should be included.

[248] **Val Lloyd:** I do not see anybody else wishing to speak. Minister, would you like to reply?

[249] **Alun Ffred Jones:** Yes, please. I will address amendments 147, 145, 146, 148, 149, 150 and 151 together, and I shall ask the committee to resist these amendments on two grounds. The first is on a point of principle. The policy intention is that promotion standards would apply only to those organisations that already have a wide role to play with regard to shaping and developing communities. They should apply to organisations that already provide a strong lead as far as community development is concerned, and which have available to them the expertise, influence and authority that will enable them to take that lead. It is those types of organisations that will be in a position to exercise a widespread influence on local communities in relation to the use of Welsh. Promotion standards are about taking a wider view; they are about developing new initiatives and strategies aimed at promoting the use of Welsh within and across communities.

[250] They are not suitable for organisations that have a specific focus to their work and that were established to deliver services related to specific fields. It would be not right or proper to expect those organisations to develop strategies to promote the use of Welsh in the wider sense of these words within the communities that they serve. Community councils, the Arts Council of Wales, the BBC, the National Library of Wales, National Museum Wales, S4C and the Welsh Books Council all have a crucial role to play in promoting the Welsh language. However, they do so through the undertaking of their core functions. In this sense, all of the organisations listed in Schedule 6 could have a role to play with regard to promoting the use of Welsh, but as part of their ongoing core activities and as part of the services that they offer or in policy development in their specific areas.

[251] To ensure that a wide range of organisations play some part in promoting the use of Welsh, but in a way that links specifically to their core activities, service delivery standards in section 27 and operational standards in section 29 provide that one of the intentions of both classes of standard is to promote or facilitate the use of the Welsh language. Service delivery standards and operational standards are potentially applicable to all of the bodies in the Schedule 6 table. In addition, policy-making standards in section 28 are intended to secure or contribute to securing, among other things, that persons making policy decisions consider how policy decisions have an effect on opportunities for other persons to use the Welsh language. This, in effect, is another way of ensuring that the use of Welsh is promoted. Again, policy-making standards are potentially applicable to all bodies listed in the Schedule 6 table.

[252] On a technical point, these amendments, if supported, would result in the organisations concerned being treated differently to those persons referred to in sections 37(3)(a) to (d), as proposed to be amended by amendment 22. Why is that? In future, Welsh Ministers could, under section 37(4) amend the Schedule 6 table to remove reference to promotion standards in column 2 of an entry relating to a person listed in section 37(3)(a) to (d), as proposed to be amended by amendment 22. However, the reference in column 2 of the Schedule 6 table to promotion standards could then be reinstated at a future date by Welsh Ministers in exercise of their Order-making powers set out in section 37(3). In essence, the reference to promotion standards inserted by amendments 145 and 151 could be removed in future under section 37(4) but could not later be reinstated without a new Measure. An amendment inserting the organisations listed into the list of persons and bodies set out in section 37(3) would need to accompany amendments 145 to 151 for the bodies to be treated

in the same way as the persons already listed in sections 37(3)(a) to (c). I therefore urge members of the committee to resist these amendments.

[253] Do you want me also to address the Government's amendments 22 and 77?

[254] **Val Lloyd:** Yes, you may as well, Minister.

[255] **Alun Ffred Jones:** Amendment 22 extends the Order-making power in section 37 of the proposed Measure, which allows Welsh Ministers to amend column 2 of the Schedule 6 table. New subsection (d) enables a reference to promotion standards to be inserted in column D of the Schedule 6 entry on national park authorities, to ensure that promotion standards are a class of standard potentially applicable to them. National parks carry out, in very specific areas, functions that would normally be carried out by local authorities, such as making planning decisions, awarding grants and running educational courses for the public. The fact that legislative provision relating to national park authorities has an effect for the purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of an area, and of promoting opportunities for the understanding and enjoyment of those areas by the public suggests that national park authorities could, potentially, have an important strategic role to play regarding the promotion of the Welsh language.

2.50 p.m.

[256] As such, I believe that it is appropriate to include the park authorities as a category of persons that could be required to comply with the promotion of standards. More generally, new subsection (e) provides the opportunity for persons in Schedule 6 to give consent to the promotion standards being potentially applicable to them. Amendment 22 also defines what is meant by consent and provides for any person who has given consent to be required to comply with promotion standards to be able to free themselves from this commitment at a later date, subject to the agreement of Welsh Ministers, as is the case in relation to persons volunteering to be within other kinds of standards. Amendment 77 should be read alongside amendment 22. It adds a reference to promotion standards in column 2 of the entry for national parks in the Schedule 6 table, so that a standard of that type can potentially be applicable to them.

[257] Both these amendments have been brought forward in response to a recommendation contained in your committee Stage 1 report to reconsider the range of bodies in respect of which promotion standards should apply. Therefore, I trust that committee members will support these amendments.

[258] **Val Lloyd:** Thank you, Minister. I call on Kirsty Williams to reply to the debate.

[259] **Kirsty Williams:** Thank you for your comments this afternoon, Minister. As you said, during the last stage of the committee's consideration of this proposed Measure, and, indeed, as you have repeated this afternoon, you have argued consistently that promotion standards should apply to those organisations that have the ability to influence large sections of the population. I would agree wholeheartedly with that. That is why we will be supporting your amendment 22 this afternoon, to extend that to national parks; that is perfectly appropriate. However, I would argue—and I do so through my amendments—that arts organisations, and the other cultural organisations that we have listed, such as the BBC and S4C, are organisations that are equally able to influence large sections of the Welsh population, and that, therefore, the promotion standard should apply to them also. Again, I repeat the point with regard to community councils. I would, therefore, like to move to a vote.

[260] **Val Lloyd:** The question is that amendment 147 be agreed to. I call for a vote.

*Gwelliant 147: O blaid 2, Ymatal 0, Yn erbyn 3.  
Amendment 147: For 2, Abstain 0, Against 3.*

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

Davies, Paul  
Williams, Kirsty

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

Barrett, Lorraine  
Jones, Gareth  
Morgan, Rhodri

*Gwrthodwyd gwelliant 147.  
Amendment 147 not agreed.*

[261] **Val Lloyd:** We now come to amendment 77. Minister, would you like me to move amendment 77 in your name?

[262] **Alun Ffred Jones:** Yes, please.

[263] **Val Lloyd:** I move amendment 77 in the name of the Minister. The question is that amendment 77 be agreed to. I call for a vote.

*Gwelliant 77: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 77: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 77.  
Amendment 77 agreed.*

**Grŵp 14: Cyrff Cyhoeddus sy'n Destun i Amodau (Gwelliannau 78, 79, 80, 81, 82, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 143, 144, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 141, 142, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121)**  
**Group 14: Public Bodies Subject to Standards (Amendments 78, 79, 80, 81, 82, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 143, 144, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 141, 142, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121)**

[264] **Val Lloyd:** Minister, would you like lead amendment 78 in your name to be moved?

[265] **Alun Ffred Jones:** Yes.

[266] **Val Lloyd:** I move amendment 78 in the name of the Minister, and call on the Minister to speak to amendment 78 and the other amendments in this group.

[267] **Alun Ffred Jones:** These amendments all make changes to the Schedule 6 table. The amendments either remove references to persons from column 1 of the Schedule 6 table, and remove the entries detailing the class of standard potentially applicable to those persons in column 2 of that table, such as when bodies cease to exist, and as a result of mergers, or they add persons to column 1 of the Schedule 6 table and insert references in column 2 to the class of standard potentially applicable to those persons, such as newly created bodies, and, having reflected on the list again, bodies that were omitted from the original list. It also ensures that standards can be imposed on those organisations that are located outside of Wales but that

operate in relation to Wales, by amending references that capture only the Wales branch of an organisation, or correct the names of organisations listed in column 1 of the Schedule 6 table. I am happy to explain any of these amendments individually, should the committee wish me to do so.

[268] **Val Lloyd:** I see that no-one wishes to speak to these amendments. Would you like to move to the vote, Minister, or do you wish to make any further comments?

[269] **Alun Ffred Jones:** I am happy to move to the vote.

[270] **Val Lloyd:** The question is that amendment 78 be agreed to. I call for a vote.

*Gwelliant 78: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 78: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 78.  
Amendment 78 agreed.*

[271] **Val Lloyd:** Minister, do you wish amendment 79 in your name to be moved?

[272] **Alun Ffred Jones:** Yes, please.

[273] **Val Lloyd:** I move amendment 79 in the name of the Minister. The question is that amendment 79 be agreed to. I call for a vote.

*Gwelliant 79: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 79: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 79.  
Amendment 79 agreed.*

[274] **Val Lloyd:** Minister, do you wish amendment 80 in your name to be moved?

[275] **Alun Ffred Jones:** Yes, please.

[276] **Val Lloyd:** I move amendment 80 in the name of the Minister. The question is that amendment 80 be agreed to. I call for a vote.

*Gwelliant 80: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 80: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 80.  
Amendment 80 agreed.*

[277] **Val Lloyd:** Minister, do you wish amendment 81 in your name to be moved?

[278] **Alun Ffred Jones:** Yes, please.

[279] **Val Lloyd:** I move amendment 81 in the name of the Minister. The question is that amendment 81 be agreed to. I call for a vote.

*Gwelliant 81: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 81: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 81.  
Amendment 81 agreed.*

[280] **Val Lloyd:** Minister, do you wish amendment 82 in your name to be moved?

[281] **Alun Ffred Jones:** Yes, please.

[282] **Val Lloyd:** I move amendment 82 in the name of the Minister. The question is that amendment 82 be agreed to. I call for a vote.

*Gwelliant 82: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 82: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 82.  
Amendment 82 agreed.*

[283] **Val Lloyd:** Kirsty, I invite you to move amendment 145.

[284] **Kirsty Williams:** I move amendment 145 in the name of Jenny Randerson.

[285] **Val Lloyd:** The question is that amendment 145 be agreed to. I call for a vote.

*Gwelliant 145: O blaid 2, Ymatal 0, Yn erbyn 3.  
Amendment 145: For 2, Abstain 0, Against 3.*

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

Davies, Paul  
Williams, Kirsty

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

Barrett, Lorraine  
Jones, Gareth  
Morgan, Rhodri

*Gwrthodwyd gwelliant 145.  
Amendment 145 not agreed.*

[286] **Val Lloyd:** Minister, would you like amendment 85 in your name to be moved?

[287] **Alun Ffred Jones:** Yes please.

[288] **Val Lloyd:** I move amendment 85 in the name of the Minister. The question is that amendment 85 be agreed to. I call for a vote.

*Gwelliant 85: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 85: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 85.  
Amendment 85 agreed.*

[289] **Val Lloyd:** Minister, do you wish amendment 86 in your name to be moved?

[290] **Alun Ffred Jones:** Yes, please.

[291] **Val Lloyd:** I move amendment 86 in the name of the Minister. The question is that amendment 86 be agreed to. I call for a vote.

*Gwelliant 86: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 86: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 86.  
Amendment 86 agreed.*

[292] **Val Lloyd:** Minister, do you wish amendment 87 in your name to be moved?

[293] **Alun Ffred Jones:** Yes, please.

[294] **Val Lloyd:** I move amendment 87 in the name of the Minister. The question is that amendment 87 be agreed to. I call for a vote.

*Gwelliant 87: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 87: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 87.  
Amendment 87 agreed.*

[295] **Val Lloyd:** Minister, do you wish amendment 88 in your name to be moved?

[296] **Alun Ffred Jones:** Yes, please.

[297] **Val Lloyd:** I move amendment 88 in the name of the Minister. The question is that amendment 88 be agreed to. I call for a vote.

*Gwelliant 88: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 88: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 88.  
Amendment 88 agreed.*

[298] **Val Lloyd:** Kirsty, I invite you to move amendment 146.

[299] **Kirsty Williams:** I move amendment 146 in the name of Jenny Randerson.

[300] **Val Lloyd:** The question is that amendment 146 be agreed to. I call for a vote.

*Gwelliant 146: O blaid 2, Ymatal 0, Yn erbyn 3.  
Amendment 146: For 2, Abstain 0, Against 3.*

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

Davies, Paul  
Williams, Kirsty

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

Barrett, Lorraine  
Jones, Gareth



Morgan, Rhodri

*Gwrthodwyd gwelliant 146.  
Amendment 146 not agreed.*

[301] **Val Lloyd:** Minister, do you wish amendment 89 in your name to be moved?

[302] **Alun Ffred Jones:** Yes, please.

[303] **Val Lloyd:** I move amendment 89 in the name of the Minister. The question is that amendment 89 be agreed to. I call for a vote.

*Gwelliant 89: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 89: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 89.  
Amendment 89 agreed.*

[304] **Val Lloyd:** Minister, do you wish amendment 90 in your name to be moved?

[305] **Alun Ffred Jones:** Yes, please.

[306] **Val Lloyd:** I move amendment 90 in the name of the Minister. The question is that amendment 90 be agreed to. I call for a vote.

*Gwelliant 90: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 90: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 90.  
Amendment 90 agreed.*

[307] **Val Lloyd:** Minister, would you like amendment 91 in your name to be moved?

[308] **Alun Ffred Jones:** Yes, please.

[309] **Val Lloyd:** I move amendment 91 in the name of the Minister. The question is that amendment 91 be agreed to. I call for a vote.

*Gwelliant 91: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 91: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 91.  
Amendment 91 agreed.*

[310] **Val Lloyd:** Minister, would you like amendment 92 in your name to be moved?

[311] **Alun Ffred Jones:** Yes, please.

[312] **Val Lloyd:** I move amendment 92 in the name of the Minister. The question is that amendment 92 be agreed to. I call for a vote.

*Gwelliant 92: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 92: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 92.  
Amendment 92 agreed.*

[313] **Val Lloyd:** Minister, would you like amendment 93 in your name to be moved?

[314] **Alun Ffred Jones:** Yes, please.

[315] **Val Lloyd:** I move amendment 93 in the name of the Minister. The question is that amendment 93 be agreed to. I call for a vote.

*Gwelliant 93: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 93: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 93.  
Amendment 93 agreed.*

[316] **Val Lloyd:** Minister, would you like amendment 94 in your name to be moved?

[317] **Alun Ffred Jones:** Yes, please.

[318] **Val Lloyd:** I move amendment 94 in the name of the Minister. The question is that amendment 94 be agreed to. I call for a vote.

*Gwelliant 94: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 94: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 94.  
Amendment 94 agreed.*

[319] **Val Lloyd:** Minister, would you like amendment 95 in your name to be moved?

[320] **Alun Ffred Jones:** Yes, please.

[321] **Val Lloyd:** I move amendment 95 in the name of the Minister. The question is that amendment 95 be agreed to. I call for a vote.

*Gwelliant 95: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 95: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 95.  
Amendment 95 agreed.*

[322] **Val Lloyd:** Minister, would you like amendment 96 in your name to be moved?

[323] **Alun Ffred Jones:** Yes, please.

[324] **Val Lloyd:** I move amendment 96 in the name of the Minister. The question is that amendment 96 be agreed to. I call for a vote.

*Gwelliant 96: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 96: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 96.  
Amendment 96 agreed.*

[325] **Val Lloyd:** Minister, would you like amendment 97 in your name to be moved?

[326] **Alun Ffred Jones:** Yes, please.

[327] **Val Lloyd:** I move amendment 97 in the name of the Minister. The question is that amendment 97 be agreed to. I call for a vote.

*Gwelliant 97: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 97: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 97.  
Amendment 97 agreed.*

[328] **Val Lloyd:** Kirsty, I invite you to move amendment 148.

[329] **Kirsty Williams:** I move amendment 148 in the name of Jenny Randerson.

[330] **Val Lloyd:** The question is that amendment 148 be agreed to. I call for a vote.

*Gwelliant 148: O blaid 2, Ymatal 0, Yn erbyn 3.  
Amendment 148: For 2, Abstain 0, Against 3.*

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

Davies, Paul  
Williams, Kirsty

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

Barrett, Lorraine  
Jones, Gareth  
Morgan, Rhodri

*Gwrthodwyd gwelliant 148.  
Amendment 148 not agreed.*

[331] **Val Lloyd:** Kirsty, I invite you to move amendment 149.

[332] **Kirsty Williams:** I move amendment 149 in the name of Jenny Randerson.

[333] **Val Lloyd:** The question is that amendment 149 be agreed to. I call for a vote.

*Gwelliant 149 O blaid 2, Ymatal 0, Yn erbyn 3.  
Amendment 149: For 2, Abstain 0, Against 3.*

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

Davies, Paul  
Williams, Kirsty

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

Barrett, Lorraine  
Jones, Gareth  
Morgan, Rhodri

*Gwrthodwyd gwelliant 149.  
Amendment 149 not agreed.*

3.00 p.m.

[334] **Val Lloyd:** Minister, do you wish amendment 98 in your name to be moved? This amendment has already been debated in group 14.

[335] **Alun Ffred Jones:** Yes.

[336] **Val Lloyd:** I move amendment 98 in the name of the Minister. The question is that amendment 98 be agreed to. I call for a vote.

*Gwelliant 98: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 98: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 98.  
Amendment 98 agreed.*

[337] **Val Lloyd:** Minister, do you wish amendment 143 in your name to be moved?

[338] **Alun Ffred Jones:** Yes.

[339] **Val Lloyd:** I move amendment 143 in the name of the Minister. The question is that amendment 143 be agreed to. I call for a vote.

*Gwelliant 143: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 143: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 143.  
Amendment 143 agreed.*

[340] **Val Lloyd:** Minister, do you wish amendment 144 in your name to be moved?

[341] **Alun Ffred Jones:** Yes.

[342] **Val Lloyd:** I move amendment 144 in the name of the Minister. The question is that amendment 144 be agreed to. I call for a vote.

*Gwelliant 144: O blaid 5, Ymatal 0, Yn erbyn 0.*

*Amendment 144: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 144.  
Amendment 144 agreed.*

[343] **Val Lloyd:** Minister, do you wish amendment 99 in your name to be moved?

[344] **Alun Ffred Jones:** Yes.

[345] **Val Lloyd:** I move amendment 99 in the name of the Minister. The question is that amendment 99 be agreed to. I call for a vote.

*Gwelliant 99: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 99: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 99.  
Amendment 99 agreed.*

[346] **Val Lloyd:** Minister, do you wish amendment 100 in your name to be moved?

[347] **Alun Ffred Jones:** Yes.

[348] **Val Lloyd:** I move amendment 100 in the name of the Minister. The question is that amendment 100 be agreed to. I call for a vote.

*Gwelliant 100: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 100: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 100.  
Amendment 100 agreed.*

[349] **Val Lloyd:** Minister, do you wish amendment 101 in your name to be moved?

[350] **Alun Ffred Jones:** Yes.

[351] **Val Lloyd:** I move amendment 101 in the name of the Minister. The question is that amendment 101 be agreed to. I call for a vote.

*Gwelliant 101: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 101: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 101.  
Amendment 101 agreed.*

[352] **Val Lloyd:** Minister, do you wish amendment 102 in your name to be moved?

[353] **Alun Ffred Jones:** Yes.

[354] **Val Lloyd:** I move amendment 102 in the name of the Minister. The question is that amendment 102 be agreed to. I call for a vote.

*Gwelliant 102: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 102: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 102.  
Amendment 102 agreed.*

[355] **Val Lloyd:** Minister, do you wish amendment 103 in your name to be moved?

[356] **Alun Ffred Jones:** Yes.

[357] **Val Lloyd:** I move amendment 103 in the name of the Minister. The question is that amendment 103 be agreed to. I call for a vote.

*Gwelliant 103: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 103: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 103.  
Amendment 103 agreed.*

[358] **Val Lloyd:** Minister, do you wish amendment 104 in your name to be moved?

[359] **Alun Ffred Jones:** Yes.

[360] **Val Lloyd:** I move amendment 104 in the name of the Minister. The question is that amendment 104 be agreed to. I call for a vote.

*Gwelliant 104: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 104: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 104.  
Amendment 104 agreed.*

[361] **Val Lloyd:** Minister, do you wish amendment 105 in your name to be moved?

[362] **Alun Ffred Jones:** Yes.

[363] **Val Lloyd:** I move amendment 105 in the name of the Minister. The question is that amendment 105 be agreed to. I call for a vote.

*Gwelliant 105: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 105: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 105.  
Amendment 105 agreed.*

[364] **Val Lloyd:** Minister, do you wish amendment 106 in your name to be moved?

[365] **Alun Ffred Jones:** Yes.

[366] **Val Lloyd:** I move amendment 106 in the name of the Minister. The question is that amendment 106 be agreed to. I call for a vote.

*Gwelliant 106: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 106: For 5, Abstain 0, Against 0.*

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



Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 106.  
Amendment 106 agreed.*

[367] **Val Lloyd:** Minister, do you wish amendment 107 in your name to be moved?

[368] **Alun Ffred Jones:** Yes.

[369] **Val Lloyd:** I move amendment 107 in the name of the Minister. The question is that amendment 107 be agreed to. I call for a vote.

*Gwelliant 107: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 107: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 107.  
Amendment 107 agreed.*

[370] **Val Lloyd:** We now come to dispose of amendment 150 in the name of Jenny Randerson. This has already been debated in group 13. I invite Kirsty Williams to move amendment 150.

[371] **Kirsty Williams:** I move amendment 150 in the name of Jenny Randerson.

[372] **Val Lloyd:** The question is that amendment 150 be agreed to. I call for a vote.

*Gwelliant 150: O blaid 2, Ymatal 0, Yn erbyn 3.  
Amendment 150: For 2, Abstain 0, Against 3.*

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

Davies, Paul  
Williams, Kirsty

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

Barrett, Lorraine  
Jones, Gareth  
Morgan, Rhodri

*Gwrthodwyd gwelliant 150.  
Amendment 150 not agreed.*

[373] **Val Lloyd:** Minister, do you wish amendment 108 in your name to be moved?

[374] **Alun Ffred Jones:** Yes.

[375] **Val Lloyd:** I move amendment 108 in the name of the Minister. The question is that amendment 108 be agreed to. I call for a vote.

*Gwelliant 108: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 108: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 108.  
Amendment 108 agreed.*

[376] **Val Lloyd:** Minister, do you wish amendment 109 in your name to be moved?

[377] **Alun Ffred Jones:** Yes.

[378] **Val Lloyd:** I move amendment 109 in the name of the Minister. The question is that amendment 109 be agreed to. I call for a vote.

*Gwelliant 109: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 109: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 109.  
Amendment 109 agreed.*

[379] **Val Lloyd:** Minister, do you wish amendment 110 in your name to be moved?

[380] **Alun Ffred Jones:** Yes.

[381] **Val Lloyd:** I move amendment 110 in the name of the Minister. The question is that amendment 110 be agreed to. I call for a vote.

*Gwelliant 110: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 110: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 110.  
Amendment 110 agreed.*

[382] **Val Lloyd:** Minister, do you wish amendment 141 in your name to be moved?

[383] **Alun Ffred Jones:** Yes.

[384] **Val Lloyd:** I move amendment 141 in the name of the Minister. The question is that amendment 141 be agreed to. I call for a vote.

*Gwelliant 141: O blaid 5, Ymatal 0, Yn erbyn 0.*

*Amendment 141: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 141.  
Amendment 141 agreed.*

[385] **Val Lloyd:** Minister, do you wish amendment 142 in your name to be moved?

[386] **Alun Ffred Jones:** Yes.

[387] **Val Lloyd:** I move amendment 142 in the name of the Minister. The question is that amendment 142 be agreed to. I call for a vote.

*Gwelliant 142: O blaid 5, Ymatal 0, Yn erbyn 0.*

*Amendment 142: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 142.  
Amendment 142 agreed.*

[388] **Val Lloyd:** Minister, do you wish amendment 111 in your name to be moved?

[389] **Alun Ffred Jones:** Yes.

[390] **Val Lloyd:** I move amendment 111 in the name of the Minister. The question is that amendment 111 be agreed to. I call for a vote.

*Gwelliant 111: O blaid 5, Ymatal 0, Yn erbyn 0.*

*Amendment 111: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth

Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 111.  
Amendment 111 agreed.*

[391] **Val Lloyd:** Minister, do you wish amendment 112 in your name to be moved?

[392] **Alun Ffred Jones:** Yes.

[393] **Val Lloyd:** I move amendment 112 in the name of the Minister. The question is that amendment 112 be agreed to. I call for a vote.

*Gwelliant 112: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 112: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 112.  
Amendment 112 agreed.*

[394] **Val Lloyd:** Minister, do you wish amendment 113 in your name to be moved?

[395] **Alun Ffred Jones:** Yes.

[396] **Val Lloyd:** I move amendment 113 in the name of the Minister. The question is that amendment 113 be agreed to. I call for a vote.

*Gwelliant 113: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 113: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 113.  
Amendment 113 agreed.*

[397] **Val Lloyd:** Minister, do you wish amendment 114 in your name to be moved?

[398] **Alun Ffred Jones:** Yes.

[399] **Val Lloyd:** I move amendment 114 in the name of the Minister. The question is that amendment 114 be agreed to. I call for a vote.

*Gwelliant 114: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 114: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 114.  
Amendment 114 agreed.*

[400] **Val Lloyd:** Minister, do you wish amendment 115 in your name to be moved

[401] **Alun Ffred Jones:** Yes.

[402] **Val Lloyd:** I move amendment 115 in the name of the Minister. The question is that amendment 115 be agreed to. I call for a vote.

*Gwelliant 115: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 115: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 115.  
Amendment 115 agreed.*

[403] **Val Lloyd:** Minister, do you wish amendment 116 in your name to be moved?

[404] **Alun Ffred Jones:** Yes.

[405] **Val Lloyd:** I move amendment 116 in the name of the Minister. The question is that amendment 116 be agreed to. I call for a vote.

*Gwelliant 116: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 116: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 116.  
Amendment 116 agreed.*

[406] **Val Lloyd:** Minister, do you wish amendment 117 in your name to be moved?

[407] **Alun Ffred Jones:** Yes.

[408] **Val Lloyd:** I move amendment 117 in the name of the Minister. The question is that amendment 117 be agreed to. I call for a vote.

*Gwelliant 117: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 117: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 117.  
Amendment 117 agreed.*

[409] **Val Lloyd:** Minister, do you wish amendment 118 in your name to be moved?

[410] **Alun Ffred Jones:** Yes.

[411] **Val Lloyd:** I move amendment 118 in the name of the Minister. The question is that amendment 118 be agreed to. I call for a vote.

*Gwelliant 118: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 118: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 118.  
Amendment 118 agreed.*

[412] **Val Lloyd:** Minister, do you wish amendment 119 in your name to be moved?

[413] **Alun Ffred Jones:** Yes.

[414] **Val Lloyd:** I move amendment 119 in the name of the Minister. The question is that amendment 119 be agreed to. I call for a vote.

*Gwelliant 119: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 119: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 119.  
Amendment 119 agreed.*

[415] **Val Lloyd:** Minister, do you wish amendment 120 in your name to be moved?

[416] **Alun Ffred Jones:** Yes.

[417] **Val Lloyd:** I move amendment 120 in the name of the Minister. The question is that amendment 120 be agreed to. I call for a vote.

*Gwelliant 120: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 120: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 120.  
Amendment 120 agreed.*

[418] **Val Lloyd:** We now come to dispose of amendment 151 in the name of Jenny Randerson. This has already been debated in group 13. I invite Kirsty Williams to move amendment 151.

[419] **Kirsty Williams:** I move amendment 151 in the name of Jenny Randerson.

[420] **Val Lloyd:** The question is that amendment 151 be agreed to. I call for a vote.

*Gwelliant 151: O blaid 2, Ymatal 0, Yn erbyn 3.  
Amendment 151: For 2, Abstain 0, Against 3.*

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

Davies, Paul  
Williams, Kirsty

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

Barrett, Lorraine  
Jones, Gareth  
Morgan, Rhodri

*Gwrthodwyd gwelliant 151.  
Amendment 151 not agreed.*

[421] **Val Lloyd:** Minister, do you wish amendment 121 in your name to be moved?

[422] **Alun Ffred Jones:** Yes.

[423] **Val Lloyd:** I move amendment 121 in the name of the Minister. The question is that amendment 121 be agreed to. I call for a vote.

*Gwelliant 121: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 121: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 121.  
Amendment 121 agreed.*

[424] **Val Lloyd:** Our final amendment today, Minister, is amendment 122. Do you wish amendment 122 in your name to be moved?

[425] **Alun Ffred Jones:** Yes.

[426] **Val Lloyd:** I move amendment 122 in the name of the Minister. The question is that amendment 122 be agreed to. I call for a vote.

*Gwelliant 122: O blaid 5, Ymatal 0, Yn erbyn 0.  
Amendment 122: For 5, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Davies, Paul  
Jones, Gareth  
Morgan, Rhodri  
Williams, Kirsty

*Derbyniwyd gwelliant 122.  
Amendment 122 agreed.*

[427] **Val Lloyd:** That concludes today's proceedings. For the record, sections 1-32(1)(a) of the proposed Measure have been deemed agreed by the committee. The next meeting to consider amendments will be next Thursday, 21 October. As I mentioned at the start of the meeting, further amendments may be tabled to the remaining sections of the proposed Measure. Amendments must be tabled with the Legislation Office by 5 p.m. today. I thank everybody and I close the meeting.

*Daeth y cyfarfod i ben am 3.06 p.m.  
The meeting ended at 3.06 p.m.*