



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

**Cofnod y Trafodion
The Record of Proceedings**

**Dydd Mawrth, 7 Rhagfyr 2010
Tuesday, 7 December 2010**

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Stage 4 Standing Order No. 23.58 Motion to Approve the Proposed Welsh Language (Wales) Measure

Yn y golofn chwith, cofnodwyd y trafodion yn yr iaith y llefarwyd hwy ynndi yn y Siambr.
Yn y golofn dde, cynhwyswyd cyfieithiad.

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

*Cyfarfu'r Cynulliad am 1.30 p.m. gyda'r Llywydd (Dafydd Elis-Thomas) yn y Gadair.
The Assembly met at 1.30 p.m. with the Presiding Officer (Dafydd Elis-Thomas) in the Chair.*

Y Llywydd: Trefn yn y Cynulliad. Cyn i mi alw ar y Prif Weinidog i ateb cwestiynau, mae angen atal Rheolau Sefydlog ac ethol Aelodau i bwyllgorau.

The Presiding Officer: Order at the Assembly. Before I call the First Minister to answer questions, we need to suspend Standing Orders and elect Members to committees.

Atal Rheolau Sefydlog Suspension of Standing Orders

Cynnig NDM4618 Dafydd Elis-Thomas

Motion NDM4618 Dafydd Elis-Thomas

Cynnig bod Cynulliad Cenedlaethol Cymru, yn unol â Rheolau Sefydlog 35.6 a 35.8:

That the National Assembly for Wales in accordance with Standing Orders 35.6 and 35.8:

Yn atal Rheol Sefydlog 7.18 (i) a'r rhan honno o Reol Sefydlog 6.10 sy'n ei gwneud yn ofynnol bod y cyhoeddiad wythnosol o dan Reol Sefydlog 6.3 yn darparu'r amserlen ar gyfer busnes yn y Cyfarfod Llawn yr wythnos ganlynol, er mwyn caniatáu i'r cynnig o dan eitem 1 gael ei ystyried yn y Cyfarfod Llawn ddydd Mawrth, 7 Rhagfyr 2010.

Suspends Standing Order 7.18 (i) and that part of Standing Order 6.10 that requires the weekly announcement under Standing Order 6.3 to constitute the timetable for business in Plenary for the following week, to allow the motion under Item 1 to be considered in Plenary on Tuesday, 7 December 2010.

Peter Black: I move the motion.

Peter Black: Cynigiau y cynnig.

The Presiding Officer: The proposal is to suspend Standing Orders.

Y Llywydd: Y cynnig yw ein bod yn atal y Rheolau Sefydlog.

A oes unrhyw Aelod yn gwrthwynebu? Gwelaf nad oes. Yn unol â Rheol Sefydlog Rhif 7.35, felly, yr wyf yn datgan bod y Rheolau Sefydlog wedi'u gohirio.

Do any Members object? I see that there are no objections. In accordance with Standing Order No. 7.35, therefore, I declare that Standing Orders are suspended.

*Derbyniwyd y cynnig.
Motion agreed.*

Cynigion i Ethol Aelodau i Bwyllgorau Motions to Elect Members to Committees

Cynnig NNDM4619 Dafydd Elis-Thomas

Motion NNDM4619 Dafydd Elis-Thomas

Cynnig bod Cynulliad Cenedlaethol Cymru, yn unol â Rheol Sefydlog 10.3, yn ethol David Melding (Ceidwadwyr) yn aelod o'r Pwyllgor Craffu ar Waith y Prif Weinidog yn lle Darren Millar (Ceidwadwyr).

To propose that the National Assembly for Wales, in accordance with Standing Order 10.3, elects David Melding (Conservative) as a member of the Committee for the Scrutiny of the First Minister in place of Darren Millar (Conservative).

Cynnig NNDM4620 Dafydd Elis-Thomas

Motion NNDM4620 Dafydd Elis-Thomas

Cynnig bod Cynulliad Cenedlaethol Cymru, yn unol â Rheol Sefydlog 10.3 yn ethol Darren Millar (Ceidwadwyr) yn aelod o'r Pwyllgor Menter a Dysgu yn lle David Melding (Ceidwadwyr).

To propose that the National Assembly for Wales, in accordance with Standing Order 10.3 elects Darren Millar (Conservative) as a member of the Enterprise and Learning Committee in place of David Melding (Conservative).

Peter Black: I move the motions.

Peter Black: Cynigiau y cynigion.

Y Llywydd: Y cynnig yw ein bod yn cytuno'r cynigion. A oes gwrthwynebiad? Gwelaf nad oes. Yn unol â Rheol Sefydlog Rhif 7.35, felly, datganaf fod y cynigion i ethol Aelodau i bwyllgorau wedi'u cytuno yn gyfan.

The Presiding Officer: The proposal is that we agree the motions. Do any Members object? I see that there are no objections. In accordance with Standing Order No. 7.35, therefore, I declare that the motions to elect Members to committees are all agreed.

*Derbyniwyd y cynigion.
Motions agreed.*

Cwestiynau i'r Prif Weinidog Questions to the First Minister

Cwpan Ryder 2010

2010 Ryder Cup

I. Mohammad Asghar: *A wnaiff y Prif Weinidog roi'r wybodaeth ddiweddaraf am y camau y mae Llywodraeth Cynulliad Cymru yn eu cymryd i sicrhau bod Cymru yn cael manteision hirhoedlog yn sgîl cynnal Cwpan Ryder 2010. OAQ(3)3292(FM)*

I. Mohammad Asghar: *Will the First Minister provide an update on steps the Welsh Assembly Government is taking to ensure Wales gains long-lasting benefits from hosting the 2010 Ryder Cup. OAQ(3)3292(FM)*

The First Minister (Carwyn Jones): An economic impact study will be completed shortly on the legacy of the Ryder Cup.

Y Prif Weinidog (Carwyn Jones): Bydd astudiaeth o'r effaith economaidd yn cael ei chwblhau yn fuan ar waddol Cwpan Ryder.

Mohammad Asghar: As you know, it was a fantastic event and a great achievement for the European team. We should learn some lessons from the last time this event happened in Ireland in 2006, as Ireland did not make many contacts. You have already made contacts to get Wales involved in future events, and I do not want you to break the confidentiality of the contacts that you have made with the various countries, but will you tell us how much you have achieved to bring overseas sports events directly to Wales, in light of the Olympic Games coming to the United Kingdom? What goals do you wish to achieve in bringing main events and visitors, especially from the United States and other countries, to Wales, thereby bringing prosperity to this part of the world?

Mohammad Asghar: Fel y gwyddoch, roedd yn ddigwyddiad gwych ac yn gamp aruthrol i dîm Ewrop. Dylem ddysgu rhai gwersi o'r tro diwethaf y cynhaliwyd y digwyddiad hwn yn Iwerddon yn 2006, gan na wnaeth Iwerddon lawer o gysylltiadau. Rydych chi eisoes wedi gwneud cysylltiadau er mwyn i Gymru gael ei chynnwys mewn digwyddiadau yn y dyfodol, ac nid oes arnaf eisiau ichi dorri cyfrinachedd y cysylltiadau yr ydych wedi'u gwneud gyda'r amrywiol wledydd, ond a wnewch ddweud wrthym i ba raddau yr ydych wedi llwyddo i ddod â digwyddiadau chwaraeon tramor yn uniongyrchol i Gymru, yn sgîl y ffaith fod y Gemau Olympaidd yn dod i'r Deyrnas Unedig? Pa amcanion yr hoffech eu cyflawni o safbwynt dod â digwyddiadau mawr ac ymwelwyr, yn enwedig o'r Unol Daleithiau a gwledydd

eraill, i Gymru, a thrwy hynny ddod â ffyniant i'r rhan hon o'r byd?

The First Minister: I have met with a number of Olympic committees persuading them to come to Wales. We are hosting teams from Australia, New Zealand, South Africa, and Trinidad and Tobago. I met with the Russian Olympic delegation last week with a view to persuading them to come to Wales as well, so we hope to get as many teams as possible using Wales as a training base.

Y Prif Weinidog: Rwyf wedi cwrdd â nifer o bwyllgorau Olympaidd i'w perswadio i ddod i Gymru. Byddwn yn croesawu timau o Awstralia, Seland Newydd, De Affrica, a Thrinidad a Thobago. Cwrddais â dirprwyaeth Olympaidd Rwsia yr wythnos diwethaf er mwyn eu perswadio hwythau i ddod i Gymru hefyd, felly gobeithiwn y bydd cynifer o dimau â phosibl yn defnyddio Cymru fel canolfan hyfforddi.

Peter Black: First Minister, while we are basking in the glory of the Ryder Cup, we now have the shame of your Government's failure on education. You will be aware of the disappointing Programme for International Student Assessment report on Welsh education standards. What are the reasons for that?

Peter Black: Brif Weinidog, tra rydym yn ymhyfrydu yng ngogoniant Cwpan Ryder, mae gennym yn awr warth methiant eich Llywodraeth ar addysg. Byddwch yn ymwybodol o adroddiad siomedig y Rhaglen Ryngwladol Asesu Myfyrwyr ar safonau addysgol Cymru. Beth yw'r rhesymau am hynny?

The First Minister: The reasons, we believe, are many. There are issues of leadership—there are some good examples of leadership in Welsh schools, but they need to spread out across the whole of Wales. We will also, in due course, be taking action to ensure that, when the next PISA figures are published, we are further up the list.

Y Prif Weinidog: Mae'r rhesymau, yn ein barn ni, yn niferus. Ceir materion yn ymwneud ag arweinyddiaeth—ceir rhai enghreifftiau da o arweinyddiaeth yn ysgolion Cymru, ond mae angen eu lledaenu ledled Cymru gyfan. Byddwn hefyd, gydag amser, yn gweithredu i sicrhau, pan fydd ffigurau nesaf PISA yn cael eu cyhoeddi, ein bod yn uwch i fyny'r rhestr.

Peter Black: Thank you for that assurance, First Minister. However, I will take it with some advisement given that, a month ago, when Kirsty Williams asked whether you were confident that Wales would be shown to be outperforming schools and pupils in England when the assessment was published, you replied

Peter Black: Diolch am y sicrwydd hwnnw, Brif Weinidog. Fodd bynnag, byddaf yn ei drin â rhywfaint o betruster ar y sail, fis yn ôl, pan ofynnodd Kirsty Williams a oeddech yn hyderus y byddid yn dangos bod Cymru yn perfformio'n well nag ysgolion a disgyblion yn Lloegr pan fyddai'r asesiad yn cael ei gyhoeddi, mai eich ateb oedd

'That is our intention, and we hope to see that performance in Wales continues to rise, as it has for a number of years.'

'Dyna yw ein bwriad, ac rydym yn gobeithio gweld bod perfformiad Cymru yn parhau i wella, fel y mae wedi gwneud ers blynyddoedd lawer.'

Is it not the case, First Minister, that the £533 per-pupil funding gap between England and Wales has had a direct impact on these results? It is not the case that that extra money could have been used to provide a funding premium to focus on underperforming pupils and the most deprived?

Onid yw'n wir, Brif Weinidog, fod y bwlch cyllido o £533 fesul disgybl rhwng Cymru a Lloegr wedi cael effaith uniongyrchol ar y canlyniadau hyn? Onid yw'n wir y gallai'r arian ychwanegol hwnnw fod wedi'i ddefnyddio i ddarparu premiwm cyllido er mwyn canolbwyntio ar ddisgyblion sy'n tanberfformio a'r rhai mwyaf difreintiedig?

The First Minister: The pupil premium in England is being paid for by skimming money off other schools, Peter, as well you know. It is not extra money at all. It is worth emphasising—and I make this point very clearly—that the PISA results are not connected with funding. There are many countries, such as Germany and New Zealand among others, that have done better than we have and their schools funding is lower than ours. Luxembourg, where funding is higher, has performed worse than we have. There is an issue here of consistency and of leadership in education in Wales, and that is what the action that we will be taking will be based on.

Peter Black: I understand the spin that this is not to do with funding, but even you must acknowledge that if these schools had that extra £533 per pupil, they could have used that money to invest in underperforming pupils, to target deprived pupils, and to target those subjects, such as mathematics, literacy and science, on which we have been shown to be failing so badly. Is it not the case, First Minister, that you are now passing the buck and blaming local education authorities and everyone else? You are happy to take the credit when things go right, but you blame others when things go wrong. What level of responsibility are you taking as a Government, and what can you now change in your educational priorities to get this right?

The First Minister: PISA has said that this has nothing to do with funding. Those are not my words; that is what PISA has said. There may be a problem with your interpretation or understanding of the evidence, but it is obvious from the evidence that funding is not an issue. That is not to say that this is not a serious situation—it is; the results are disappointing, and action will be announced in the near future outlining what we plan to do to deal with the situation. It would not be appropriate to announce that today, on the day that these figures were announced. As the teaching unions say, a knee-jerk reaction would not be the right reaction in these

Y Prif Weinidog: Mae'r premiwm disgyblion yn Lloegr yn cael ei ariannu drwy dynnu arian oddi ar ysgolion eraill, Peter, fel y gwyddoch yn iawn. Nid arian ychwanegol ydyw o gwbl. Mae'n werth pwysleisio—a gwnaf y pwynt hwn yn glir iawn—nad oes cysylltiad rhwng canlyniadau PISA ac ariannu. Ceir nifer o wledydd, megis yr Almaen a Seland Newydd ymhlith eraill, sydd wedi gwneud yn well na ni ac mae eu cyllid ysgolion hwy yn is na'n heiddo ni. Mae Luxembourg, lle mae'r lefel ariannu'n uwch, wedi perfformio'n waeth na ni. Ceir mater yma o gysondeb ac o arweinyddiaeth mewn addysg yng Nghymru, a dyna fydd sail y camau gweithredu y byddwn yn eu cymryd.

Peter Black: Rwyf yn deall y sbin nad yw hyn yn ymwneud ag ariannu, ond mae'n rhaid i chi, hyd yn oed, gydnabod, pe byddai gan yr ysgolion hyn y £533 ychwanegol hwnnw fesul disgybl, y byddent wedi gallu defnyddio'r arian hwnnw i fuddsoddi mewn disgyblion sy'n tanberfformio, i dargedu disgyblion difreintiedig, ac i dargedu'r pynciau hynny, megis mathemateg, llythrennedd a gwyddoniaeth, y dangoswyd ein bod yn methu mor wael ynddynt. Onid yw'n wir, Brif Weinidog, eich bod yn awr yn bwrw'r cyfrifoldeb ac yn beio awdurdodau addysg lleol a phawb arall? Rydych chi'n fodlon cymryd y clod pan fydd pethau'n mynd yn iawn, ond rydych chi'n beio eraill pan fydd pethau'n mynd o le. Pa lefel o gyfrifoldeb ydych chi'n ei chymryd fel Llywodraeth, a beth allwch chi ei newid yn awr yn eich blaenoriaethau addysgol er mwyn unioni hyn?

Y Prif Weinidog: Mae PISA wedi dweud nad oes a wnelo hyn ddim ag ariannu. Nid fy ngeiriau i yw'r rheini; dyna'r hyn mae PISA wedi'i ddweud. Efallai fod problem gyda'ch dehongliad neu'ch dealltwriaeth chi o'r dystiolaeth, ond mae'n amlwg o'r dystiolaeth nad yw ariannu yn broblem. Nid wyf yn dweud nad yw hon yn sefyllfa ddifrifol—mae hi; mae'r canlyniadau'n siomedig, a chyhoeddir camau gweithredu yn y dyfodol agos yn amlinellu'r hyn y bwriadwn ei wneud i ymdrin â'r sefyllfa. Ni fyddai'n addas cyhoeddi hynny heddiw, ar y diwrnod pan gafodd y ffigurau hyn eu cyhoeddi. Fel y dywed yr undebau athrawon, nid ymateb

circumstances. However, it is clear that there are examples of good practice across Wales, with Neath Port Talbot being a prime example, and it is essential that that good practice is rolled out across the rest of Wales.

difeddwl fyddai'r ymateb cywir yn yr amgylchiadau hyn. Fodd bynnag, mae'n glir bod enghreifftiau o arfer da i'w cael ar draws Cymru, gyda Chastell-nedd Port Talbot yn enghraifft amlwg, ac mae'n hanfodol fod yr arfer da hwnnw yn cael ei gyflwyno ledled gweddill Cymru.

Addysg

2. Darren Millar: *A wnaiff y Prif Weinidog roi'r wybodaeth ddiweddaraf am ddarpariaeth addysg yng Ngogledd Cymru. OAQ(3)3281(FM)*

The First Minister: Education in north Wales continues to develop in response to the 'One Wales' agenda and 'The Learning Country: Vision into Action'.

Darren Millar: Thank you for that response, First Minister. Last winter, schools across the country were closed due to cold weather: one in 10 primary and secondary schools in the nation were affected. We have already had cold weather snaps this year, much earlier than many had predicted, and it looks as though we are in for a cold winter. Schools have already been closed in parts of my constituency, with rural parts of Denbighshire and Conwy in particular being badly affected. With the cold weather coming upon us so soon this year, what proposals have you put to local authorities to ensure that access to schools is prevented only when it is absolutely necessary, given the impact of closures on the economy, on businesses, and on parents, with many unable to get to work because of their having no childcare arrangements?

The First Minister: You are right to say that schools should be closed only in exceptional circumstances. It is for local authorities to make that clear to the schools in their areas. Ultimately, it is for the heads of schools to take the decisions that they believe are proportionate in the circumstances.

Alun Davies: I am sure that you agree—and you said as much in your reply to Peter Black—that the PISA results are serious, and

Education

2. Darren Millar: *Will the First Minister provide an update on education provision in North Wales. OAQ(3)3281(FM)*

Y Prif Weinidog: Mae addysg yn y gogledd yn parhau i ddatblygu mewn ymateb i agenda 'Cymru'n Un' ac 'Y Wlad sy'n Dysgu: Gweledigaeth ar Waith'.

Darren Millar: Diolch am yr ymateb hwnnw, Brif Weinidog. Y gaeaf diwethaf, roedd ysgolion ledled y wlad ar gau oherwydd tywydd oer: effeithiwyd ar un ym mhob 10 ysgol gynradd ac uwchradd yn y wlad. Rydym eisoes wedi cael cyfnodau o dywydd oer eleni, yn llawer cynharach nag yr oedd llawer wedi darogan, ac mae'n ymddangos fel petai gaeaf oer o'n blaenau. Mae ysgolion eisoes wedi bod ar gau mewn rhannau o'm hetholaeth, â'r effaith yn wael ar rannau gwledig o siroedd Dinbych a Chonwy yn enwedig. Gyda'r tywydd oer yn dod ar ein gwarthaf mor fuan eleni, pa gynigion ydych chi wedi'u rhoi i awdurdodau lleol i sicrhau mai dim ond pan fo hynny'n gwbl angenrheidiol y mae mynediad i ysgolion yn cael ei rwystro, ac ystyried effaith cau ysgolion ar yr economi, ar fusnesau, ac ar rieni, â llawer ohonynt yn methu cyrraedd eu gwaith gan nad oes ganddynt drefniadau gofal plant?

Y Prif Weinidog: Rydych chi'n gywir wrth ddweud mai dim ond dan amgylchiadau eithriadol y dylid cau ysgolion. Cyfrifoldeb awdurdodau lleol yw datgan hynny'n glir wrth yr ysgolion yn eu hardaloedd. Yn y pen draw, penaethiaid ysgolion sy'n gyfrifol am wneud y penderfyniadau y credant hwy eu bod yn gymesur â'r amgylchiadau.

Alun Davies: Rwyf yn siŵr eich bod yn cytuno—ac fe ddywedasoeh hynny yn eich ateb i Peter Black—fod canlyniadau PISA yn

that this Government will address those issues. I accept what you say about a knee-jerk reaction, but there is a clear requirement for the Government to address these issues. In doing so, do you agree that the last thing that Welsh education needs is the cuts in spending that the Tories have proposed over the past few weeks? If we are to improve Welsh education and performance, the last thing that Wales needs is the biggest school closure programme in history, as proposed by the Conservatives.

The First Minister: A 20 per cent cut in schools funding—as the leader of the Welsh Conservatives so eloquently suggested on *Wales Today*, which I am sure we all saw—would not be helpful to schools. We are looking to continue the level of investment in our schools, while accepting that there is more to school performance than just money. There is more work to be done on leadership and in ensuring consistency across Wales. However, we know that a 20 per cent cut in schools budgets would be disastrous.

Janet Ryder: Wrexham is one area that has already carried out its assessment of future demand for Welsh-medium education, and that is starting to bear fruit in the form of new schools coming forward. Will you join me in urging all councils that have not yet carried out their assessments of the future demand for Welsh-medium education to do so, so that we can get the schools that we need to provide that education into the system?

The First Minister: The Welsh-medium education strategy notes clearly that local authorities are expected, in areas where a choice exists between Welsh-medium and English-medium provision, to undertake an assessment to discover parents' preference for the medium of their children's education. A significant proportion of local authorities is either doing so or has done so.

Y Llywydd: Trosglwyddwyd cwestiwn 3, OAQ(3)3279(FM), i'w ateb yn ysgrifenedig.

ddifrifol, ac y bydd y Llywodraeth hon yn mynd i'r afael â'r materion hynny. Rwyf yn derbyn yr hyn a ddywedwch ynghylch ymateb difeddwl, ond mae gofyn yn amlwg i'r Llywodraeth fynd i'r afael â'r materion hyn. Wrth wneud hynny, a ydych yn cytuno mai'r peth diwethaf y mae ar addysg yng Nghymru ei angen yw'r toriadau mewn gwariant y mae'r Torïaid wedi'u cynnig dros yr ychydig wythnosau diwethaf? Os ydym am wella addysg a pherfformiad yng Nghymru, y peth diwethaf y mae ar Gymru ei angen yw'r rhaglen fwyaf o gau ysgolion yn ei hanes, fel y mae'r Ceidwadwyr yn ei gynnig.

Y Prif Weinidog: Ni fyddai toriad o 20 y cant mewn cyllid ysgolion—fel yr awgrymodd arweinwyr Ceidwadwyr Cymru mor huawdl ar *Wales Today*, y gwnaethom oll ei weld, rwyf yn siŵr—yn ddefnyddiol i ysgolion. Mae arnom eisiau parhau â lefel y buddsoddiad yn ein hysgolion, er ein bod yn derbyn bod perfformiad ysgolion yn dibynnu ar fwy na dim ond arian. Mae rhagor o waith i'w wneud ar arweinyddiaeth ac ar sicrhau cysondeb ledled Cymru. Fodd bynnag, gwyddom y byddai toriad o 20 y cant yng nghyllidebau ysgolion yn drychinebus.

Janet Ryder: Mae Wrecsam yn un ardal sydd eisoes wedi cynnal ei hasesiad o'r galw yn y dyfodol am addysg Gymraeg, ac mae hynny'n dechrau dwyn ffrwyth ar ffurf ysgolion newydd ar y gorwel. A ymunwch â mi i annog pob cyngor nad ydynt eto wedi cynnal eu hasesiadau o'r galw yn y dyfodol am addysg Gymraeg i wneud hynny, fel y gallwn gael yr ysgolion y mae arnom eu hangen i ddarparu'r addysg honno i mewn i'r system?

Y Prif Weinidog: Mae'r strategaeth addysg cyfrwng Cymraeg yn nodi'n glir fod disgwyl i awdurdodau lleol, mewn ardaloedd lle ceir dewis rhwng darpariaeth Gymraeg a darpariaeth Saesneg, gynnal asesiad i ganfod beth sydd orau gan rieni o safbwynt cyfrwng addysg eu plant. Mae cyfran sylweddol o awdurdodau lleol naill ai'n gwneud hynny neu eisoes wedi gwneud.

The Presiding Officer: Question 3, OAQ(3)3279(FM), is transferred for written answer.

Ysbyty Fairwood

4. David Lloyd: *A wnaiff y Prif Weinidog ddatganiad am ddyfodol Ysbyty Fairwood yn Abertawe. OAQ(3)3284(FM)*

Y Prif Weinidog: Byrddau iechyd lleol sy'n gyfrifol am sicrhau bod gwasanaethau ar gael i drigolion eu hardal. Felly, mae hyn yn fater i'r bwrdd iechyd ar hyn o bryd.

1.40 p.m.

David Lloyd: Diolch am yr ateb hwnnw, Brif Weinidog. Yr wyf wedi derbyn sylwadau oddi wrth staff a theuluoedd yn Abertawe fod canfyddiad yn lleol fod y canllawiau sy'n rheoli mynediad claf i Ysbyty Fairwood yn cael eu gweithredu'n rhy lym efallai, ac yn torri i lawr ar nifer y cleifion sy'n gallu cael mynediad, gan greu'r argraff wedyn nad oes rhyw lawer o gleifion yn mynd i'r ysbyty. Deallaf fod ymgynghoriad arall ar waith ar hyn o bryd, fel yr ydych wedi nodi, ond pa drafodaethau yr ydych yn eu cynnal ar lefel y Llywodraeth i fynd i'r afael â'r sefyllfa hon?

Y Prif Weinidog: Os oes rhyw fath o gamreolaeth, dylid codi hynny gyda'r bwrdd iechyd. Pe bai'r bwrdd iechyd yn dymuno cau'r ysbyty a'r cyngor iechyd cymuned yn gwrthwynebu hynny, byddai gennyf rôl i benderfynu ar hynny, felly ni chredaf y dylwn sôn mwy am sefyllfa Fairwood.

Cyfiawnder Troseddol ac Ieuencid

5. Eleanor Burnham: *A wnaiff y Prif Weinidog ddatganiad am gyflawni ymrwymiad Cymru'n Un i sicrhau system cyfiawnder troseddol ac ieuencid effeithiol. OAQ(3)3285(FM)*

The First Minister: We are committed to tackling the root causes of crime as well as problematic behaviour in children and young people, and are working closely with a wide range of organisations within the youth and criminal justice system to deliver safer communities in Wales.

Fairwood Hospital

4. David Lloyd: *Will the First Minister make a statement on the future of Fairwood Hospital in Swansea. OAQ(3)3284(FM)*

The First Minister: It is local health boards that are responsible for ensuring that services are available for the residents in their area. Therefore, this is currently a matter for the health board.

David Lloyd: Thank you for that answer, First Minister. I have received comments from staff and families in Swansea that there is a perception locally that the guidelines that manage the admission of patients to Fairwood Hospital are perhaps too strictly enforced, as they cut down on the number of patients who can be admitted, thus creating the impression that not many patients attend the hospital. I understand that there is another consultation out at the moment, as you have noted, but what discussions are you having at Government level to get to grips with the situation?

The First Minister: If there is some kind of mismanagement going on, that should be raised with the health board. If the health board wanted to close the hospital and the community health council opposed that, I would have a role in deciding on the outcome, so I do not think that I should say much more about the situation at Fairwood.

Youth and Criminal Justice

5. Eleanor Burnham: *Will the First Minister make a statement on the delivery of the One Wales commitment to ensure an effective youth and criminal justice system. OAQ(3)3285(FM)*

Y Prif Weinidog: Rydym wedi ymrwymo i ymdrin ag achosion sylfaenol troseddu yn ogystal ag ymddygiad problematig mewn plant a phobl ifanc, ac rydym yn gweithio'n agos ag amrywiaeth eang o sefydliadau o fewn y system cyfiawnder troseddol ac ieuencid i sicrhau cymunedau mwy diogel yng Nghymru.

Eleanor Burnham: You are obviously aware that the Communities and Culture Committee produced a comprehensive report on the experiences of Welsh children in the secure estate, many of whom, as you know, are located in England. Many other reports have highlighted other issues; indeed, Professor Rod Morgan was asked to prepare a report on the risk and benefits of devolving youth justice to Wales. Therefore, what recent discussions have you had with your Welsh ministerial colleagues and others beyond Wales regarding the provision of more effective services to young offenders in Wales? Many of those issues are basic ones, regarding a lack of co-ordination and liaison on matters of a revolving-door nature, which I am sure you are aware of from your former professional career.

The First Minister: A review of progress on the implementation of the recommendations will be carried out early next year, and the Deputy Minister for Children has agreed to provide a progress update to the committee in March.

The Leader of the Opposition (Nick Bourne): Good afternoon, First Minister. In relation to commitments in the 'One Wales' agreement, would you like to comment on the fact that over 1,500 NHS patients were treated in private hospitals last year? I applaud that, as, pragmatically, it ensures that patients are dealt with in an effective, speedy way. Do you share my delight at that pragmatic approach by the NHS in Wales?

The First Minister: If 1,500 people have had treatment via that route, I am certainly not going to criticise them for that. It is good that they have had treatment. However, we remain committed, as in the 'One Wales' agreement, to the situation being changed in due course.

Nick Bourne: Your commitment is to eliminate the use of private sector hospitals by 2011. Do you still stand by that, and, if so, how is it that you seem content—as I

Eleanor Burnham: Rydych chi'n amlwg yn ymwybodol bod y Pwyllgor Cymunedau a Diwylliant wedi cynhyrchu adroddiad cynhwysfawr ar brofiadau plant Cymru mewn sefydliadau diogel, a llawer ohonynt, fel y gwyddoch, wedi'u lleoli yn Lloegr. Mae llawer o adroddiadau eraill wedi tynnu sylw at faterion eraill; yn wir, gofynnwyd i'r Athro Rod Morgan baratoi adroddiad ar risg a manteision datganoli cyfiawnder ieuencid i Gymru. Felly, pa drafodaethau ydych chi wedi'u cael yn ddiweddar gyda'ch cyd-Weinidogion yng Nghymru ac eraill y tu hwnt i Gymru ynghylch darparu gwasanaethau mwy effeithiol i droseddwr ifanc yng Nghymru? Mae llawer o'r materion hynny yn rhai sylfaenol, yn ymwneud â diffyg cydlynw a chyswllt ar faterion sy'n codi'n barhaus, yr wyf yn siŵr eich bod yn ymwybodol ohonynt yn sgil eich gyrfa broffesiynol flaenorol.

Y Prif Weinidog: Bydd adolygiad o'r cynnydd o ran rhoi'r argymhellion ar waith yn cael ei gynnal yn gynnar y flwyddyn nesaf, ac mae'r Dirprwy Weinidog dros Blant wedi cytuno i roi'r wybodaeth ddiweddaraf am gynnydd i'r pwyllgor ym mis Mawrth.

Arweinydd yr Wrthblaid (Nick Bourne): Prynawn da, Brif Weinidog. Yng nghyswllt ymrwymadau yng nghytundeb 'Cymru'n Un', a hoffech wneud sylw ar y ffaith fod dros 1,500 o gleifion y GIG wedi'u trin mewn ysbytai preifat y llynedd? Rwyf yn cymeradwyo hynny oherwydd, o safbwynt pragmatig, mae'n sicrhau bod cleifion yn cael eu trin mewn modd effeithiol a chyflym. A ydych chi'n rhannu fy llawenydd ynghylch y dull gweithredu pragmatig hwnnw gan y GIG yng Nghymru?

Y Prif Weinidog: Os oes 1,500 o bobl wedi cael triniaeth yn y dull hwnnw, nid wyf fi'n sicr am eu beirniadu am hynny. Mae'n dda o beth eu bod wedi cael triniaeth. Fodd bynnag, rydym yn parhau i fod yn ymrwymedig, yn unol â chytundeb 'Cymru'n Un', i newid y sefyllfa gydag amser.

Nick Bourne: Eich ymrwymiad yw i gael gwared ar y defnydd o ysbytai sector preifat erbyn 2011. A ydych chi'n dal i lynu wrth hynny, ac, os felly, pam eich bod yn

certainly am—to see patients treated privately with NHS money?

The First Minister: That is still our intention. We are looking to fulfil those commitments that have yet to be fulfilled by the end of this Government's term in May.

Nick Bourne: Are you on course to do that, given that at least one Welsh health board is using private companies to run clinics? Do you also stand by the commitment not to look at private finance initiatives in relation to the health service? You are looking at that in other areas, but you have ruled it out for the health service, seemingly for ideological reasons. Why is that, and why do you not rule it out in other areas?

The First Minister: Historically, PFI has not provided good value for money for the public purse. In a number of projects across Britain, the taxpayer is paying way above the odds for PFI schemes that were not thought through properly at the time.

Nick Bourne: According to the statistics—and this is not just comparing us with Conservative-Lib Dem England, as these figures would have been racked up under Labour—in Wales, we spend £205 per head of population on PFI compared with over £1,000 in Scotland, just under £1,000 in England, and £602 in Northern Ireland.

David Lloyd: Good. That is excellent.

Nick Bourne: Given the state of our public services, would it not be sensible to look at this strategically—[*Interruption.*]

Y Llywydd: Trefn. A gawn ni dipyn bach o ddistawrwydd gan Dr Lloyd?

Nick Bourne: Would it not be sensible to look strategically rather than ideologically at

ymddangos yn fodlon—fel yr wyf fi, yn sicr—i weld cleifion yn cael eu trin yn breifat gydag arian y GIG?

Y Prif Weinidog: Dyna ein bwriad o hyd. Rydym yn bwriadu gwireddu'r ymrwymadau hynny nad ydynt wedi'u gwireddu eto erbyn diwedd tymor y Llywodraeth hon ym mis Mai.

Nick Bourne: A ydych chi ar y trywydd iawn i wneud hynny, ac ystyried bod o leiaf un bwrdd iechyd yng Nghymru yn defnyddio cwmnïau preifat i redeg clinigau? A ydych chi hefyd yn glynu wrth yr ymrwymiad i beidio ag edrych ar fentrau cyllid preifat yng nghyswllt y gwasanaeth iechyd? Rydych chi'n edrych ar hynny mewn meysydd eraill, ond rydych chi wedi'i ddiystyru ar gyfer y gwasanaeth iechyd, am resymau ideolegol, fe ymddengys. Beth yw'r rheswm am hynny, a pham nad ydych yn ei ddiystyru mewn meysydd eraill?

Y Prif Weinidog: Yn hanesyddol, nid yw'r fenter cyllid preifat wedi darparu gwerth da am arian i'r pwrs cyhoeddus. Mewn nifer o brosiectau ledled Prydain, mae trethdalwyr yn talu llawer mwy na'r pris arferol am gynlluniau PFI na chawsant eu hystyried yn drwyadl ar y pryd.

Nick Bourne: Yn ôl yr ystadegau—ac nid dim ond ein cymharu ni â Lloegr dan y Ceidwadwyr a'r Democratiaid Rhyddfrydol yw hyn, gan y byddai'r ffigurau hyn wedi'u cronni dan Lafur—yng Nghymru, rydym yn gwario £205 y pen o'r boblogaeth ar PFI o'i gymharu â dros £1,000 yn yr Alban, ychydig dan £1,000 yn Lloegr, a £602 yng Ngogledd Iwerddon.

David Lloyd: Da iawn. Mae hynny'n ardderchog.

Nick Bourne: Ac ystyried cyflwr ein gwasanaethau cyhoeddus, oni fyddai'n synhwyrol edrych ar hyn yn strategol—[*Torri ar draws.*]

The Presiding Officer: Order. Could we have a little bit of quiet from Dr Lloyd?

Nick Bourne: Oni fyddai'n synhwyrol edrych yn strategol yn hytrach nag yn

what is in the best interests of the people of Wales? You are evidently not doing that now; hence the continued use of the private sector in the health service.

The First Minister: What I have just heard is evidence of the prudence of the Welsh Assembly Government. We are spending far less money here on private finance initiative projects compared with the amount spent in England. That shows that we have secured the best value for money for the health service and for all our public services.

William Graham: To return to the youth and criminal justice system, how is your Government working with the United Kingdom Government to tackle the variance that exists in the number of young people given custodial sentences in different regions of the United Kingdom? The courts in Merthyr Tydfil issued custodial sentences for just over 20 per cent of all sentences in 2008-09, which is the highest in England and Wales, despite having an average crime rate far lower than other areas, including many of the other areas that have high rates of custodial sentencing.

The First Minister: I think that you were referring to the disparity in sentencing practice across England and Wales. That is not a devolved matter, but it is a historic problem that has been studied many times. It is essential for magistrates' courts guidelines to be followed consistently across England and Wales.

Coetiroedd

6. Paul Davies: *A wnaiff y Prif Weinidog ddatganiad am yr hyn y mae Llywodraeth Cynulliad Cymru yn ei wneud i gefnogi coetiroedd yng Nghymru. OAQ(3)3291(FM)*

Y Prif Weinidog: Coetiroedd i Gymru yw strategaeth Llywodraeth Cynulliad Cymru ar gyfer coedwigaeth gynaliadwy. Mae cynllun gweithredu wedi'i ddatblygu i sicrhau bod y strategaeth yn cael ei datblygu gan Lywodraeth y Cynulliad ar y cyd â sawl partner.

ideolegol ar yr hyn sydd er y budd gorau i bobl Cymru? Mae'n amlwg nad ydych yn gwneud hynny'n awr, ac yn sgil hynny rydych yn parhau i ddefnyddio'r sector preifat yn y gwasanaeth iechyd.

Y Prif Weinidog: Mae'r hyn yr wyf newydd ei glywed yn dystiolaeth o ddarbodusrwydd Llywodraeth Cynulliad Cymru. Rydym yn gwario llai o arian o lawer yma ar brosiectau menter cyllid preifat o'i gymharu â'r hyn sy'n cael ei wario yn Lloegr. Mae hynny'n dangos ein bod wedi sicrhau'r gwerth gorau am arian i'r gwasanaeth iechyd ac i'n holl wasanaethau cyhoeddus.

William Graham: I ddychwelyd at y system cyfiawnder troseddol ac ieuencid, sut mae eich Llywodraeth yn gweithio gyda Llywodraeth y Deyrnas Unedig i fynd i'r afael â'r amrywiant yn nifer y bobl ifanc sy'n cael dedfrydau o garchar mewn gwahanol ranbarthau o'r Deyrnas Unedig? Bu i'r llysoedd ym Merthyr Tudful ddyfarnu dedfryd o garchar i ychydig dros 20 y cant o'r holl ddedfrydau yn 2008-09, sef y ganran uchaf yng Nghymru a Lloegr, er gwaethaf y ffaith fod y gyfradd droseddu gyfartalog yno yn llawer is nag mewn ardaloedd eraill, gan gynnwys llawer o'r ardaloedd eraill sydd â chyfraddau uchel o roi dedfrydau o garchar.

Y Prif Weinidog: Credaf eich bod yn cyfeirio at anghyfartalwch o safbwynt arferion dedfrydu ledled Cymru a Lloegr. Nid yw hwn yn fater sydd wedi'i ddatganoli, ond mae'n broblem hanesyddol sydd wedi'i hastudio lawer gwaith. Mae'n hanfodol fod canllawiau llysoedd ynadon yn cael eu dilyn yn gyson ledled Cymru a Lloegr.

Woodlands

6. Paul Davies: *Will the First Minister make a statement on what the Welsh Assembly Government is doing to support woodlands in Wales. OAQ(3)3291(FM)*

The First Minister: Woodlands for Wales is the Assembly Government's strategy for sustainable forestry. An action plan has been developed to ensure that the strategy is taken forward by the Assembly Government along with several partners.

Paul Davies: Yr wyf yn ddiolchgar i'r Prif Weinidog am yr ateb hwnnw. Yr wyf wedi derbyn sylwadau yn ddiweddar gan etholwr a gyflogir yn y sector rheoli coetiroedd, ac mae'n siomedig bod cynllun y Comisiwn Coedwigaeth, Coetiroedd Gwell i Gymru, wedi dod i ben. Deallaf gan yr etholwr nad oedd fawr o ymgynghori pan wnaed y penderfyniad hwnnw. Fel y gŵyr y Prif Weinidog, mae tua 9,500 o bobl yn cael eu cyflogi yn y sector hwnnw yng Nghymru, felly mae'r sector yn bwysig iawn. Oherwydd pryder fy etholwr, a wnaiff y Prif Weinidog ddweud wrthym a oedd ymgynghoriad cyn penderfynu, a beth y mae Llywodraeth Cynulliad Cymru yn ei wneud i ymateb i bryderon fel y rhain?

Y Prif Weinidog: Rhaid dweud bod Coetiroedd Gwell i Gymru yn gynllun da, ond rhaid cofio hefyd fod cynlluniau eraill wedi dod, gan gynnwys Glastir, i gyflawni'r pethau a oedd yn cael eu cyflawni gan Coetiroedd Gwell i Gymru. Felly, er bod y cynllun wedi bod yn un da dros ben, rhaid cofio bod cynlluniau newydd ar gael i sicrhau bod yr un amcanion yn cael eu cyflawni yn y dyfodol.

Brian Gibbons: The innovative development of our woodlands has seen mountain biking, for example, take off in a big way in Wales, not least in my constituency, and there are now proposals to develop the former railway tunnels located in our woodlands. In my constituency, Sustrans and the Communities First partnership are trying to work with Western Valleys Regeneration Area board to develop these tunnels. Would the Welsh Assembly Government be willing to support that in principle?

The First Minister: The words 'in principle' are, in principle, the key there, Brian, but, yes, we still have a large amount of former railway permanent way in Wales that could be made available for cycle tracks. There are at least two tunnels at the top of your constituency—the Rhondda tunnel is one, and the tunnel that formerly connected Cymmer and Maesteg until 1968 the other—which, in due course and with the securing of an appropriate level of funding, could be

Paul Davies: I am grateful to the First Minister for that response. I have received comments recently from a constituent who is employed in the forestry management sector, and he is disappointed that the Forestry Commission's Better Woodlands for Wales scheme has come to an end. I understand from the constituent that there was little consultation when this decision was taken. As the First Minister will be aware, some 9,500 people are employed in the woodlands sector in Wales, so it is a very important sector. Given my constituent's concerns, can the First Minister tell us whether there was consultation prior to the decision being made, and what is the Welsh Assembly Government doing to respond to these concerns?

The First Minister: It must be said that the Better Woodlands for Wales was a good scheme, but we must remember that other schemes have been introduced, such as Glastir, to do the things being done by Better Woodlands for Wales. Therefore, even though the scheme was a very good one, we must remember that new schemes are available to secure the same objectives in the future.

Brian Gibbons: Yn sgil gwaith datblygu arloesol ar ein coetiroedd, gwelwyd beicio mynydd, er enghraifft, yn dod yn boblogaidd iawn yng Nghymru, yn enwedig yn fy etholaeth i, a cheir cynlluniau yn awr i ddatblygu'r hen dwnelau rheilffordd a geir yn ein coetiroedd. Yn fy etholaeth i, mae Sustrans a'r bartneriaeth Cymunedau yn Gyntaf yn ceisio gweithio gyda bwrdd Ardal Adfywio Gorllewin y Cymoedd i ddatblygu'r twnelau hyn. A fyddai Llywodraeth Cynulliad Cymru yn fodlon cefnogi hynny mewn egwyddor?

Y Prif Weinidog: Mae'r geiriau 'mewn egwyddor', mewn egwyddor, yn allweddol yn y fan honno, Brian, ond, oes, mae gennym o hyd lawer iawn o hen gledrau rheilffordd yng Nghymru y gellid eu troi'n llwybrau beicio. Ceir o leiaf ddau dwnnel yn rhan uchaf eich etholaeth chi—twnnel y Rhondda yw un, a'r llall yw'r twunnel a arferai gysylltu Cymer a Maesteg tan 1968—y gellid, gydag amser ac os llwyddir i sicrhau lefel addas o gyllid, eu defnyddio ar gyfer beicio yn y

used for cycling in the future. I am aware of the former railway tunnels in Saundersfoot that are now used by walkers and cyclists alike.

Rhodri Glyn Thomas: Brif Weinidog, yr ydych wedi cyfeirio at gynllun Coetiroedd Gwell i Gymru, a rhaid imi gyfaddef fy mod innau hefyd wedi cael gohebiaeth gan etholwyr sy'n poeni bod y cynllun wedi dod i ben. Yn ogystal â chynllun Glastir, mae'r Gweinidog dros Faterion Gwledig wedi cyhoeddi ei gweledigaeth ar gyfer coedwigaeth sy'n uchelgeisiol o ran plannu coed. O edrych ar hynny, ynghyd â'r math o weithgareddau hamdden y soniodd Brian Gibbons amdanynt, a gytunwch fod dyfodol disglair yn wynebu'r bobl hynny sy'n gweithio yn y diwydiant?

1.50 p.m.

Y Prif Weinidog: Mae hynny'n hynod o wir. Soniodd Brian am y sefyllfa yng Nglyncorrwg yn ei etholaeth ef. Yr ydym yn gwybod am leoedd megis Coed-y-Brenin, sydd wedi bod yn llwyddiannus dros ben o ran beicio a cherdded ac ati. Mae dyfodol da i goedwigoedd Cymru o ran sicrhau bod pobl yn gallu treulio amser yn hamddena drwy feicio a cherdded. Mae'r hen ddyddiau o goedwigoedd yn ddim mwy nag adnodd coed wedi hen fynd.

Toriadau i Grantiau wedi'u Neilltuo

7. Peter Black: *A wnaiff y Prif Weinidog amlinellu sut y bydd toriadau i grantiau wedi'u neilltuo yn effeithio ar gynghorau lleol. OAQ(3)3287(FM)*

The First Minister: Overall, next year's local government settlement is better than local authorities expected. However, where a specific grant to local government is due to reduce as a result of the budget challenges, we will consider, with local government, how the reduction will be managed.

Peter Black: You will be aware that direct grants amount to roughly £700 million across Wales. One estimate is that about 5 per cent of that, or £35 million, is spent on administering and auditing those grants. If we

dyfodol. Rwyf yn ymwybodol o'r hen dwnelau rheilffordd yn Saundersfoot sydd bellach yn cael eu defnyddio gan gerddwyr a beicwyr fel ei gilydd.

Rhodri Glyn Thomas: First Minister, you have referred to the Better Woodlands for Wales scheme, and I must admit that I have also received correspondence from constituents concerned about the ending of that scheme. In addition to the Glastir scheme, the Minister for Rural Affairs has announced her vision for Wales's woodlands, which is very ambitious in the context of tree planting. When one looks at that, alongside what Brian Gibbons mentioned on leisure activities, do you agree that there is a bright future for the people working in this industry?

The First Minister: That is very true. Brian mentioned the situation in Glyncorrwg in his constituency. We also know of places such as Coed-y-Brenin, which has been extremely successful in terms of cycling, rambling and so on. There is a bright future for Wales's woodlands in terms of ensuring that people are able to spend their leisure time there on cycling and walking activities. The days of woodlands being no more than a timber resource are long gone.

Cuts to Ring-Fenced Grants

7. Peter Black: *Will the First Minister outline how cuts to ring-fenced grants will affect local councils. OAQ(3)3287(FM)*

Y Prif Weinidog: Yn gyffredinol, mae setliad llywodraeth leol y flwyddyn nesaf yn well nag yr oedd yr awdurdodau lleol yn ei ddisgwyl. Fodd bynnag, lle bydd grant penodol i lywodraeth leol yn gostwng o ganlyniad i heriau'r gyllideb, byddwn yn ystyried, gyda llywodraeth leol, sut y bydd y gostyngiad yn cael ei reoli.

Peter Black: Byddwch yn ymwybodol fod gwerth grantiau uniongyrchol yn cyfateb i tua £700 miliwn, yn fras, ledled Cymru. Yn ôl un amcangyfrif, mae tua 5 y cant o'r swm hwnnw, neu £35 miliwn, yn cael ei wario ar

could reduce these grants significantly, that money could go to front-line services. How quickly will you be able to act on a reduction of that type?

The First Minister: A significant amount of money has already been transferred into the settlement for 2011-12. There has been a transfer of £2.5 million from the health and social services main expenditure group, £0.447 million from the central services and administration MEG, £5.5 million from the children, lifelong learning and skills MEG with regard to the Cymorth grant, and £2.637 million in relation to children's court fees.

Jeff Cuthbert: The Conservative-Lib Dem coalition Government has imposed spending reductions of 2.3 per cent on English authorities, whereas we have been able to keep the reduction to an average of 1.4 per cent, thereby helping Welsh authorities to protect core front-line services. Do you agree with me and Tony Travers, a respected academic at the London School of Economics, that

'the Welsh Assembly Government has given councils in Wales an early Christmas present',

in that authorities in Wales are far better off and treated much more fairly by the Labour-led Welsh Assembly Government?

The First Minister: The figures bear that out. For example, one estimation has it that local authorities already receive proportionately about £500 million more in Wales than they would if they were in England. We need to ensure that the services that they deliver are made available and are of an acceptable standard to the local population.

William Graham: Having announced the local government settlement, in which education and social services spend is to be protected, local authorities currently await clarification from your Government on the impact of cuts to ring-fenced grants, which

weinyddu ac archwilio'r grantiau hynny. Pe gallem leihau'r grantiau hyn yn sylweddol, gallai'r arian hwnnw fynd i wasanaethau rheng flaen. Pa mor gyflym y byddwch yn gallu gweithredu ar ostyngiad o'r math hwnnw?

Y Prif Weinidog: Mae swm sylweddol o arian eisoes wedi'i drosglwyddo i mewn i'r setliad ar gyfer 2011-12. Cafwyd trosglwyddiad o £2.5 miliwn o'r prif grŵp gwariant iechyd a gwasanaethau cymdeithasol, £0.447 miliwn o'r PGG gwasanaethau canolog a gweinyddu, £5.5 miliwn o'r PGG plant, dysgu gydol oes a sgiliau yng nghyswllt grant Cymorth, a £2.637 miliwn yng nghyswllt ffioedd llys plant.

Jeff Cuthbert: Mae Llywodraeth glymblaid y Ceidwadwyr a'r Democratiaid Rhyddfrydol wedi gorfodi gostyngiadau gwario o 2.3 y cant ar awdurdodau yn Lloegr, tra ein bod ni wedi gallu cadw'r gostyngiad i 1.4 y cant, ar gyfartaledd, gan helpu awdurdodau yng Nghymru, felly, i warchod gwasanaethau rheng flaen craidd. A ydych yn cytuno â mi a Tony Travers, academydd uchel ei barch yn Ysgol Economeg Llundain, fod

'Llywodraeth Cynulliad Cymru wedi rhoi anrheg Nadolig gynnar i gynghorau yng Nghymru',

gan fod awdurdodau yng Nghymru yn llawer gwell eu byd ac yn cael eu trin yn llawer tecach gan Lywodraeth Cynulliad Cymru dan arweiniad Llafur?

Y Prif Weinidog: Mae'r ffigurau yn cadarnhau hynny. Er enghraifft, yn ôl un amcangyfrif mae awdurdodau lleol eisoes yn derbyn tua £500 miliwn yn fwy yng Nghymru na'r swm cyfatebol y byddent yn ei gael pe byddent yn Lloegr. Mae angen inni sicrhau bod y gwasanaethau y maent yn eu cynnig yn cael eu darparu a'u bod o safon dderbyniol i'r boblogaeth leol.

William Graham: A chithau wedi cyhoeddi'r setliad i lywodraeth leol, lle y bydd gwariant ar addysg a gwasanaethau cymdeithasol yn cael ei ddiogelu, mae awdurdodau lleol yn aros ar hyn o bryd am eglurhad gan eich Llywodraeth ynghylch

form an important part of revenue spend. You will know that ring-fenced grants are often expensive to maintain and audit. Are you suggesting any particular clarification of this situation at this time?

The First Minister: I refer William to the answer I gave some moments ago with regard to specific grants that are transferring to the settlement.

Alun Davies: First Minister, I have been reading the budget and the local government settlement, and I have to say that I think that tens of thousands of local authority workers and employees, and millions of people in Wales, will look to the Welsh Assembly Government to defend local services by placing a floor below which no local authority will fall. Several additional millions have been spent on local government services that would not otherwise have been spent. Do you agree that this is the way to defend front-line services, and that the Conservatives' cuts in London, along with the rather mixed messages from their front bench in Cardiff, would lead to significant job losses in local government and to a diminution of services for local people?

The First Minister: That is why we have ensured that there is an appropriate level of funding available to local authorities. It is also exceptionally important that we seek to ensure that people get value for money from the services that local authorities provide.

Hyrwyddo Entrepreneuriaeth

8. Jenny Randerson: *A wnaiff y Prif Weinidog ddatganiad am hyrwyddo entrepreneuriaeth. OAQ(3)3286(FM)*

The First Minister: We have a key role in encouraging entrepreneurship, which is vital for developing a strong economy and crucial for our future prosperity. On 15 November we launched Big Ideas Wales and the youth entrepreneurship strategy action plan 2010-15, to encourage and support more entrepreneurs to start up in business.

effaith toriadau i grantiau sydd wedi'u neilltuo, sy'n rhan bwysig o'r gwariant refeniw. Byddwch yn gwybod bod grantiau sydd wedi'u neilltuo yn aml yn ddrud i'w cynnal a'u harchwilio. A ydych chi'n awgrymu unrhyw eglurhad penodol o'r sefyllfa ar hyn o bryd?

Y Prif Weinidog: Cyfeiriaf William at yr ateb a roddais rai munudau yn ôl ynghylch grantiau penodol sy'n cael eu trosglwyddo i'r setliad.

Alun Davies: Brif Weinidog, rwyf wedi bod yn darllen y gyllideb a'r setliad i lywodraeth leol, ac mae'n rhaid imi ddweud fy mod yn meddwl y bydd degau o filoedd o weithwyr awdurdodau lleol, a miliynau o bobl yng Nghymru, yn edrych tuag at Lywodraeth Cynulliad Cymru i amddiffyn gwasanaethau lleol drwy osod terfyn isaf na fydd unrhyw awdurdod lleol yn disgyn yn is nag ef. Mae sawl miliwn yn ychwanegol wedi'u gwario ar wasanaethau llywodraeth leol na fyddai wedi cael eu gwario fel arall. A ydych chi'n cytuno mai dyma'r ffordd o amddiffyn gwasanaethau rheng flaen, ac y byddai toriadau'r Ceidwadwyr yn Llundain, ynghyd â'r negeseuon eithaf cymysg gan eu mainc flaen yng Nghaerdydd, yn arwain at golledion swyddi sylweddol mewn llywodraeth leol a lleihad mewn gwasanaethau i bobl leol?

Y Prif Weinidog: Dyna pam yr ydym wedi sicrhau bod lefel addas o gyllid ar gael i awdurdodau lleol. Mae hefyd yn eithriadol o bwysig ein bod yn ceisio sicrhau bod pobl yn cael gwerth am arian o'r gwasanaethau y mae awdurdodau lleol yn eu darparu.

Promotion of Entrepreneurship

8. Jenny Randerson: *Will the First Minister make a statement on the promotion of entrepreneurship. OAQ(3)3286(FM)*

Y Prif Weinidog: Mae gennym swyddogaeth allweddol o safbwynt annog entrepreneuriaeth, sy'n hanfodol er mwyn datblygu economi gref ac yn hollbwysig ar gyfer ein ffyniant yn y dyfodol. Ar 15 Tachwedd gwnaethom lansio Syniadau Mawr Cymru a chynllun gweithredu strategaeth entrepreneuriaeth ieuenticid 2010-15, er mwyn annog a chefnogi rhagor o

entrepreneuriaid i gychwyn busnesau.

Jenny Randerson: Co-operatives and mutual organisations are one form of entrepreneurial activity. Despite warm words from your Government about support for co-operatives and mutualism, the co-operative movement feels that there has been little concrete action. Many new forms of co-operative activity are being developed in the UK and further afield in Europe. Have you looked at the possibility of encouraging mutual organisations to assist with care packages, retirement housing and other aspects of the Government's agenda that are under pressure at this time and which can very often be dealt with much more cheaply, efficiently and effectively by mutual organisations?

The First Minister: There are some good examples of help that has been given to mutual organisations. We support the Wales Co-operative Centre and some of the projects that it takes forward, we have ensured that there is credit union coverage across the whole of Wales and, of course, there are already mutual organisations delivering housing across Wales. What we will not do, however, is give mutual organisations responsibility for carrying out what was previously the responsibility of the public sector without giving them extra money to do it.

Chris Franks: First Minister, will you give an update on the recently launched Big Ideas Wales scheme to develop a new generation of entrepreneurs? Do you agree that we cannot allow the cuts by the Conservative-Lib Dem coalition in Westminster to hold Wales back? An ambitious Wales needs ambitious individuals, and ensuring protection for education and skills, as we have done with student fees, is an important step in that development. How does promoting entrepreneurship in schools, colleges and universities fit in with 'Economic Renewal: a new direction', which was launched earlier this year by Ieuan Wyn Jones?

Jenny Randerson: Mae mentrau cydweithredol a chymdeithasau cydfuddiannol yn un math ar weithgaredd entrepreneuraidd. Er gwaethaf geiriau gwresog gan eich Llywodraeth ynghylch cefnogaeth i fentrau cydweithredol a chydymddibyniaeth, mae'r mudiad cydweithredol yn teimlo mai prin fu'r gweithredu cadarn. Mae llawer o fathau newydd ar weithgaredd cydweithredol yn cael eu datblygu yn y DU ac yn ehangach yn Ewrop. A ydych wedi ystyried y posibilrwydd o annog cymdeithasau cydfuddiannol i gynorthwyo gyda pheccynnau gofal, tai ymddeol ac agweddau eraill ar agenda'r Llywodraeth sydd dan bwysau ar hyn o bryd ac y gall cymdeithasau cydfuddiannol yn aml iawn ymdrin â hwy yn llawer rhatach ac yn llawer mwy effeithlon ac effeithiol?

Y Prif Weinidog: Ceir rhai enghreifftiau da o gymorth sydd wedi'i roi i gymdeithasau cydfuddiannol. Rydym yn cefnogi Canolfan Gydweithredol Cymru a rhai o'r prosiectau y mae'n eu datblygu, rydym wedi sicrhau bod darpariaeth undebau credyd ar gael ledled Cymru gyfan ac, wrth gwrs, ceir eisoes gymdeithasau cydfuddiannol sy'n darparu tai ledled Cymru. Yr hyn na fyddwn yn ei wneud, fodd bynnag, yw rhoi cyfrifoldeb ar gymdeithasau cydfuddiannol i wneud yr hyn a arferai fod yn gyfrifoldeb y sector cyhoeddus heb roi arian ychwanegol iddynt ei wneud.

Chris Franks: Brif Weinidog, a roddwch y wybodaeth ddiweddaraf am y cynllun Syniadau Mawr Cymru a gafodd ei lansio'n ddiweddar er mwyn datblygu cenhedlaeth newydd o entrepreneuriaid? A ydych yn cytuno na allwn ganiatáu i'r toriadau gan glymblaid y Ceidwadwyr a'r Democratiaid Rhyddfrydol yn San Steffan ddal Cymru'n ôl? Mae ar Gymru uchelgeisiol angen unigolion uchelgeisiol, ac mae sicrhau bod addysg a sgiliau yn cael eu diogelu, fel yr ydym wedi gwneud gyda ffioedd myfyrwyr, yn gam pwysig yn y datblygiad hwnnw. Sut mae hyrwyddo entrepreneuriaeth mewn ysgolion, colegau a phrifysgolion yn cydfynd ag 'Adnewyddu'r Economi: cyfeiriad newydd', a lanswyd yn gynharach eleni gan

Ieuan Wyn Jones?

The First Minister: It is a little early to give an update on Big Ideas Wales as it was only launched three weeks ago. However, it is certainly right to say that entrepreneurship—particularly young entrepreneurship—is key to our future as a country. Indeed, the youth entrepreneurship strategy was recognised at EU level as a model of good practice at the conference on the European charter for small enterprises in 2008. It is essential in ensuring that we seek to promote entrepreneurship in future that every barrier to people attending university and developing their ideas while at university is removed. That is why we have taken steps in Wales to ensure that tuition fees are not astronomically high and not set at a level that will dissuade many thousands of students from going to university, unlike the action taken in England.

Mohammad Asghar: First Minister, recent figures from the global entrepreneurship monitor show that, in Wales, women are only 58.3 per cent as likely as men to be entrepreneurs. While I welcome the increase in female entrepreneurial activities in recent years, clearly a lot of work needs to be done, particularly as the Welsh economy could reap significant benefits if entrepreneurial activity among the female population were to increase. Given that the economic renewal programme says that the Assembly Government must create greater awareness of the opportunities and benefits of entrepreneurship, how confident are you that the Assembly Government is taking appropriate action that will result in a significant decrease in the entrepreneurial gender gap in future?

The First Minister: I have already mentioned the scheme that was launched on 15 November. If you look at the global entrepreneurship monitor report of 2009, Oscar, you will see that the rate of early-stage entrepreneurship in Wales for those aged 18 to 24 is 4.3 per cent; the UK average is 3.4 per cent, so we are higher. The average level

Y Prif Weinidog: Mae fymryn yn gynnar i roi'r wybodaeth ddiweddaraf am Syniadau Mawr Cymru gan mai dim ond dair wythnos yn ôl y cafodd ei lansio. Fodd bynnag, mae'n sicr yn gywir dweud bod entrepreneuriaeth—yn enwedig entrepreneuriaeth ifanc—yn allweddol i'n dyfodol fel gwlad. Yn wir, cafodd y strategaeth entrepreneuriaeth ieuencid ei chydnabod ar lefel yr UE fel model o arfer da yn y gynhadledd ar y siarter Ewropeaidd ar gyfer mentrau bach yn 2008. Mae'n hanfodol wrth inni sicrhau ein bod yn ceisio hyrwyddo entrepreneuriaeth yn y dyfodol ein bod yn cael gwared ar bopeth sy'n rhwystro pobl rhag mynd i'r brifysgol a datblygu eu syniadau yn ystod eu cyfnod yno. Dyna pam yr ydym wedi cymryd camau yng Nghymru i sicrhau nad yw ffioedd dysgu yn aruthrol o uchel ac nad ydynt wedi'u gosod ar lefel a fydd yn perswadio miloedd llawer o fyfyrwyr i beidio â mynd i'r brifysgol, yn wahanol i'r hyn a wnaed yn Lloegr.

Mohammad Asghar: Brif Weinidog, dengys ffigurau diweddar gan y monitor entrepreneuriaeth byd-eang fod menywod yng Nghymru ddim ond 58.3 y cant mor debygol â dynion o ddod yn entrepreneuriaid. Er fy mod yn croesawu'r cynnydd yng ngweithgareddau entrepreneuriaid menywod yn ystod y blynyddoedd diwethaf, mae'n amlwg bod angen gwneud llawer o waith, yn enwedig oherwydd y gallai economi Cymru elwa'n sylweddol pe ceid cynnydd yng ngweithgaredd entrepreneuriaid y boblogaeth fenywaidd. Ac ystyried bod rhaglen adnewyddu'r economi yn dweud bod yn rhaid i Lywodraeth y Cynulliad greu mwy o ymwybyddiaeth o gyfleoedd a manteision entrepreneuriaeth, pa mor hyderus ydych chi bod Llywodraeth y Cynulliad yn cymryd camau addas a fydd yn arwain at leihau'r bwlch entrepreneuriaeth rhwng y ddau ryw yn sylweddol yn y dyfodol?

Y Prif Weinidog: Rwyf eisoes wedi crybwyll y cynllun a lansiwyd ar 15 Tachwedd. Os edrychwch ar adroddiad y monitor entrepreneuriaeth byd-eang ar gyfer 2009, Oscar, fe welwch mai cyfradd yr entrepreneuriaeth cyfnod cynnar yng Nghymru i'r rhai rhwng 18 a 24 oed yw 4.3 y cant; cyfartaledd y DU yw 3.4 y cant, felly

of total early-stage entrepreneurial activity for graduates in the UK is 7.3 per cent; in Wales it is 8.5 per cent. Similarly, universities in Wales make up 5 per cent of the UK's higher education population, but generate 10 per cent of all graduate business start-ups and 9 per cent of active firms lasting three years or more. Clearly, the Assembly Government's policy is beginning to pay dividends.

2.00 p.m.

Mick Bates: First Minister, last month you addressed businesses in north Wales and praised the Welsh Government's economic renewal programme, which you said aims to provide the best environment for entrepreneurship and the private sector to flourish and grow in Wales. We would all sign up to that, but, sadly, that could not be further from the truth in Montgomeryshire and in Wales as a whole at the moment. For example, last month, as you know, Siemens, a large international company, announced that it will be closing its works in Newtown, with the loss of 40 highly skilled and well-paid jobs. To rub salt into the wound, we heard that it was establishing a new facility near Manchester, which will provide 170 new jobs.

First Minister, that facility in Newtown could have been at the heart of the onshore wind industry in Wales, bringing more support into Wales for entrepreneurship and business, yet it appears that there is a lack of support from your Government to meet what we heard you say in north Wales. What exactly are you doing to provide the best environment for business and entrepreneurship to flourish, for example in Montgomeryshire, so that companies stay and do not go elsewhere like Siemens?

The First Minister: Mick, your party is in coalition in London with a party that is strongly against onshore wind, and yet here we have a situation where you complain that a facility that is there to service offshore wind turbines is going. *[Interruption.]* I suggest that you have a chat with your

rydym yn uwch. Lefel gyfartalog cyfanswm y gweithgaredd entrepreneuriaidd cyfnod cynnar i raddedigion yn y DU yw 7.3 y cant; yng Nghymru mae'n 8.5 y cant. Yn yr un modd, mae prifysgolion yng Nghymru yn gyfrifol am 5 y cant o boblogaeth addysg uwch y DU, ond maent yn creu 10 y cant o'r holl fusnesau sy'n cael eu cychwyn gan raddedigion a 9 y cant o gwmnïau gweithredol sy'n para tair blynedd neu fwy. Yn amlwg, mae polisi Llywodraeth y Cynulliad yn dechrau dwyn ffrwyth.

Mick Bates: Brif Weinidog, y mis diwethaf fe wnaethoch annerch busnesau yn y gogledd a chanmol rhaglen adnewyddu'r economi Llywodraeth Cymru, sydd, meddech chi, yn anelu at ddarparu'r amgylchedd gorau i entrepreneuriaeth a'r sector preifat ffynnu a thyfu yng Nghymru. Byddem oll yn cyd-fynd â hynny, ond, yn anffodus, ni allai hynny fod ymhellach o'r gwir yn sir Fynwy ac yng Nghymru gyfan ar hyn o bryd. Er enghraifft, fis diwethaf, fel y gwyddoch, cyhoeddodd Siemens, sy'n gwmni rhyngwladol mawr, y bydd yn cau ei weithfeydd yn y Drenewydd, gan arwain at golli 40 o swyddi medrus â thâl da. I wneud pethau'n waeth, clywsom ei fod yn sefydlu cyfleuster newydd ger Manceinion, a fydd yn darparu 170 o swyddi newydd.

Brif Weinidog, gallai'r cyfleuster hwnnw yn y Drenewydd fod wedi bod wrth graidd y diwydiant gwynt ar y tir yng Nghymru, gan ddod â mwy o gefnogaeth i entrepreneuriaeth a busnes i Gymru, ond mae'n ymddangos bod diffyg cefnogaeth gan eich Llywodraeth chi i gyflawni'r hyn y clywsom chi'n ei ddweud yn y gogledd. Beth yn union ydych chi'n ei wneud i ddarparu'r amgylchedd gorau i fusnes ac entrepreneuriaeth ffynnu, er enghraifft yn sir Fynwy, fel bod cwmnïau'n aros yn hytrach na mynd i leoedd eraill fel Siemens?

Y Prif Weinidog: Mick, mae eich plaid chi mewn clymblaid yn Llundain gyda phlaid sy'n gryf yn erbyn gwynt ar y tir, ac eto dyma sefyllfa lle'r ydych yn cwyno bod cyfleuster sydd yno i wasanaethu tyrbinau gwynt ar y môr yn mynd. *[Torri ar draws.]* Awgrymaf eich bod yn cael sgwrs â'ch partneriaid yn y

coalition partners; I am sure that they will give you an answer.

The Presiding Officer: Order. If any opposition Members wish to ask a question of the First Minister, then I will see whether I can call them.

Banciau Bwyd

9. Helen Mary Jones: *A wnaiff y Prif Weinidog roi'r wybodaeth ddiweddaraf am gefnogaeth Llywodraeth Cynulliad Cymru i fanciau bwyd yng Nghymru. OAQ(3)3282(FM)*

The First Minister: We continue to support the principle of food banks. We know that helping people through short-term crises via food donation is certainly welcomed.

Helen Mary Jones: I am sure that you will join me, First Minister, in congratulating the relatively newly established food bank in Llanelli, which I will be visiting later this week, on its work. Do you share my concern that there may be more need for this kind of crisis help given the cuts to the benefit system that will be made by the coalition Government in London? What steps can the Assembly Government take to ensure that, through measures such as food banks and benefit uptake schemes, people are, as far as possible, kept out of a crisis situation?

The First Minister: The six food development workers who operate the community food co-operative programme in Wales have been asked to provide food banks with information on local food co-operatives, so that their customers can access the food co-operatives and vice versa. That is one example of something that can be done to alleviate the situation that many people will find themselves in.

Blaenoriaethau ar gyfer Sir Benfro

10. Nerys Evans: *A wnaiff y Prif Weinidog ddatganiad am flaenoriaethau Llywodraeth Cynulliad Cymru ar gyfer sir Benfro.*

glymblaid; rwyf yn siŵr y byddant hwy'n rhoi ateb ichi.

Y Llywydd: Trefn. Os oes ar unrhyw Aelodau o'r gwrthbleidiau eisiau gofyn cwestiwn i'r Prif Weinidog, rhaid imi weld a allaf eu galw.

Food Banks

9. Helen Mary Jones: *Will the First Minister provide an update on Welsh Assembly Government support for food banks in Wales. OAQ(3)3282(FM)*

Y Prif Weinidog: Rydym yn parhau i gefnogi egwyddor banciau bwyd. Gwyddom fod helpu pobl trwy argyfyngau tymor byr trwy gyfrannu bwyd yn sicr yn cael ei groesawu.

Helen Mary Jones: Rwyf yn siŵr yr ymunwch â mi, Brif Weinidog, i longyfarch y banc bwyd a sefydlwyd yn gymharol ddiweddar yn Llanelli, y byddaf yn ymweld ag ef yn nes ymlaen yr wythnos hon, ar ei waith. A ydych yn rhannu fy mhryder ei bod yn bosibl y bydd mwy o angen y math hwn o gymorth argyfwng ac ystyried y toriadau a fydd yn cael eu gwneud i'r system fudd-daliadau gan y Llywodraeth glymblaid yn Llundain? Pa gamau y gall Llywodraeth y Cynulliad eu cymryd i sicrhau, trwy gyfrwng mesurau fel banciau bwyd a chynlluniau hawlio budd-daliadau, fod pobl, cyhyd ag y bo modd, yn cael eu cadw allan o sefyllfa argyfwng?

Y Prif Weinidog: Gofynnwyd i'r chwe gweithiwr datblygu bwyd sy'n gweithredu rhaglen y cydweithfeydd bwyd cymunedol yng Nghymru ddarparu gwybodaeth i fanciau bwyd am gydweithfeydd bwyd lleol fel y gall eu cwsmeriaid fanteisio ar y cydweithfeydd bwyd ac fel arall. Mae hynny'n un enghraifft o rywbeth y gellir ei wneud i liniaru'r sefyllfa y bydd llawer o bobl yn canfod eu hunain ynddi.

Priorities for Pembrokeshire

10. Nerys Evans: *Will the First Minister make a statement regarding the Welsh Assembly Government's priorities for*

OAQ(3)3293(FM)

Y Prif Weinidog: Ein blaenoriaethau yw parhau i gyflawni ein hymrwymiaadau ‘Cymru’n Un’ a’n rhaglen ddeddfwriaethol. Bydd hyn o fudd i bobl sir Benfro, yn ogystal â phobl ledled Cymru.

Nerys Evans: Un peth sydd wedi cael llawer o sylw yn y Siambr dros yr wythnosau diwethaf ydyw trydaneiddio’r rheilffordd i Abertawe, a fydd yn dod â buddiannau nid yn unig i dde Cymru, ond hefyd i’r gorllewin, ac i sir Gaerfyrddin a sir Benfro yn benodol. Er nad oes cyhoeddiad wedi bod gan Lywodraeth Llundain eto, a allwch chi roi diweddariad inni ar y sefyllfa ynglŷn â thrydaneiddio? A allech chi hefyd ein diweddarau ar weithredoedd Llywodraeth Cymru i wella’r gwasanaeth trenau i sir Benfro?

Y Prif Weinidog: Yr wyf wedi codi mater trydaneiddio gyda’r Ysgrifennydd Gwladol— a bu imi wneud hynny eto ddoe—ac mae’r Dirprwy Brif Weinidog hefyd wedi bod yn siarad â’r Ysgrifennydd Gwladol dros Drafnidiaeth er mwyn gweithio ar y prosiect hwn ac i sicrhau bod penderfyniad yn cael ei wneud ddechrau’r flwyddyn nesaf, ym mis Ionawr neu Chwefror.

Mae’r gwasanaeth wedi gwella i sir Benfro. Ar un adeg, yr oedd cynllun a fyddai’n golygu na fyddai trenau fwy neu lai ond yn rhedeg o fewn y sir; o leiaf yn awr mae trenau yn mynd o sir Benfro i Abertawe ac i Fanceinion. Mae’n bwysig dros ben bod y cysylltiadau hynny’n parhau.

Joyce Watson: A recent report by the Prince’s Trust noted that long-term youth unemployment in Wales is at a 12-year high. I am sure that that is in no small part a result of the recession. The number of 16 to 24-year-olds on jobseeker’s allowance for 12 months or more has risen nearly fivefold since the recession. Evidence tells us that the key to getting employment is having the necessary skills. Could the Minister give an assurance that young people such as those in Pembrokeshire will get the support and training that they need to ensure that they are not caught in a long-term spiral of

Pembrokeshire. OAQ(3)3293(FM)

The First Minister: Our priorities are to continue to deliver ‘One Wales’ commitments and our legislative programme. This will benefit the people of Pembrokeshire, as well as people throughout Wales.

Nerys Evans: One thing that has been given a great deal of attention in the Chamber over past weeks is electrification of the railway to Swansea, which will bring benefits not only to south Wales, but also to the west, and to Carmarthenshire and Pembrokeshire in particular. Although no announcement has been made by the Government in London as yet, can you give us an update on the situation with regard to electrification? Can you also update us on the actions of the Welsh Government to improve the train service to Pembrokeshire?

The First Minister: I have raised the issue of electrification with the Secretary of State—I did so again yesterday—and the Deputy First Minister has also been speaking to the Secretary of State for Transport in order to work on this project and to ensure that a decision is made over the next few months, in January or February.

The service has improved to Pembrokeshire. At one point, there was a plan that would mean that trains would more or less just run within the county; at least there are now trains running from Pembrokeshire to Swansea and Manchester. It is very important that those connections continue.

Joyce Watson: Nododd adroddiad diweddar gan Ymddiriedolaeth y Tywysog fod diweithdra hirdymor ymhlith ieuencid yng Nghymru ar ei lefel uchaf ers 12 mlynedd. Rwyf yn siŵr fod hyn, i raddau helaeth, o ganlyniad i’r dirwasgiad. Mae nifer y bobl ifanc rhwng 16 a 24 mlwydd oed sydd wedi bod yn cael lwfans ceisio gwaith am 12 mis neu fwy wedi codi bron bum gwaith ers y dirwasgiad. Dywed y dystiolaeth wrthym mai’r allwedd i gael swydd yw cael y sgiliau angenrheidiol. A allai’r Gweinidog roi sicrwydd y bydd pobl ifanc megis rhai sir Benfro yn cael y gefnogaeth a’r hyfforddiant

joblessness and poverty?

y mae arnynt eu hangen i sicrhau nad ydynt yn cael eu dal mewn trobwlly tymor hir o ddiweithdra a thlodi?

The First Minister: I can give that assurance, Joyce. That is why we are keeping education maintenance allowances, and are planning not to price university education beyond the reach of many people, unlike elsewhere. The Cabinet also recently agreed the youth engagement and employment plan, which sets out our approach to supporting children and young people and preventing them from disengaging with learning.

Y Prif Weinidog: Gallaf roi'r sicrwydd hwnnw, Joyce. Dyna pam yr ydym yn cadw lwfansau cynhaliaeth addysg, ac yn bwriadu peidio â phrisio addysg brifysgol y tu hwnt i gyrraedd llawer o bobl, yn wahanol i fannau eraill. Mae'r Cabinet hefyd wedi cytuno'n ddiweddar ar y cynllun ymgysylltiad a chyflogaeth pobl ifanc, sy'n amlinellu ein dull o gefnogi plant a phobl ifanc a'u hatal rhag ymddieithrio oddi wrth ddysgu.

Hyrwyddo Entrepreneuriaeth

Promoting Entrepreneurship

11. David Melding: *A wnaiff y Prif Weinidog ddatganiad am hybu entrepreneuriaeth yng Nghymru. OAQ(3)3294(FM)*

11. David Melding: *Will the First Minister make a statement on promoting entrepreneurship in Wales. OAQ(3)3294(FM)*

The First Minister: I refer you to the answer that I gave some moments ago. One of the actions that we have taken is the launch of Big Ideas Wales and the youth entrepreneurship strategy action plan, which took place on 15 November.

Y Prif Weinidog: Cyfeiriaf chi at yr ateb a roddais rai munudau yn ôl. Un o'r camau yr ydym wedi'u cymryd yw lansio Syniadau Mawr Cymru a chynllun gweithredu y strategaeth entrepreneuriaeth ieuencid, a gynhaliwyd ar 15 Tachwedd.

David Melding: There is much interesting work being done by the Welsh Assembly Government, and I am certainly happy to endorse much of it. However, do we need a bit more ambition, especially in schools, where we can promote enterprise skills still further? One idea that the Welsh Conservatives have is that each secondary school in Wales should be encouraged, or even compelled, to form a social enterprise, which would be run and managed by the pupils themselves. That would be a great introduction to business skills and would strengthen their social conscience to boot.

David Melding: Mae llawer o waith diddorol yn cael ei wneud gan Lywodraeth Cynulliad Cymru, ac rwyf yn sicr yn falch o gymeradwyo llawer ohono. Fodd bynnag, a oes arnom angen ychydig mwy o uchelgais, yn enwedig mewn ysgolion, lle gallwn hyrwyddo hyd yn oed rhagor ar sgiliau menter? Un syniad sydd gan Geidwadwyr Cymru yw y dylid annog pob ysgol uwchradd yng Nghymru, neu hyd yn oed eu gorfodi, i ffurfio menter gymdeithasol, a fyddai'n cael ei rhedeg a'i rheoli gan y disgyblion eu hunain. Byddai hynny'n gyflwyniad gwyach i sgiliau busnes a byddai'n cryfhau eu cydwybod cymdeithasol hefyd.

The First Minister: That is certainly an idea worth looking at. If you look at youth entrepreneurship, we have promoted it over the last few years, and we will continue to promote it over the next five years at least. I have come across many examples of schools in my own area where competitions are held in which school students are given the opportunity to make what is, in effect, a *Dragons' Den*-style presentation, although

Y Prif Weinidog: Mae hwnnw'n sicr yn syniad gwerth ei ystyried. Os edrychwch ar entrepreneuriaeth ieuencid, rydym wedi'i hyrwyddo dros yr ychydig flynyddoedd diwethaf, a byddwn yn dal ati i'w hyrwyddo dros y pum mlynedd nesaf o leiaf. Rwyf wedi canfod llawer o enghreifftiau o ysgolion yn fy ardal i lle cynhelir cystadlaethau pan roddir cyfle i ddisgyblion ysgol wneud cyflwyniad tebyg i rai *Dragons' Den*, fwy na

this scheme was in place before *Dragons' Den* was conceived. All that can be done to encourage among Welsh school students the confidence to go into business is to be welcomed.

Cyllideb Ddrafft 2011-12

12. Nick Ramsay: *Pa drafodaethau y mae Llywodraeth Cynulliad Cymru wedi'u cael ynghylch cyllideb ddrafft 2011-12. OAQ(3)3289(FM)*

The First Minister: Many. [*Laughter.*]

Nick Ramsay: Sorry, I missed that.

The First Minister: Many.

Nick Ramsay: I am pleased to hear that. Thank you once again for a succinct answer. It appears to us on this side of the Chamber that you are getting quite fed up with this job of answering questions—Nick Bourne is more than willing to take over whenever you invite him to do so.

It is currently within your remit as First Minister to take the democratic decisions with regard to the budget that you believe are right and proper for the Welsh people. Could you therefore tell us why you have decided to take a stand for students in Wales, but are totally unwilling to defend the Welsh NHS from the savage cuts that Labour and Plaid Cymru are proposing?

The First Minister: Oh dear; I do tire of questions that are not sensible, you are quite right. All that we hear from the party opposite is nonsense, as has been the case for the past few weeks. Here we go again. They say that they would make more money available for tuition fees, while conjuring money out of thin air for the health service. Where is this alternative budget? I will tell you what will happen—it will be launched on Thursday. Why? It is because we will be in recess, and so they cannot be questioned on the fallacies and holes that it will contain. I have no doubt that we will see an alternative budget that plucks a figure of about £500

heb, er bod y cynllun hwn ar waith cyn i *Dragons' Den* gael ei ddyfeisio. Rhaid croesawu popeth y gellir ei wneud i annog yr hyder i fynd i fyd busnes ymhlith disgyblion ysgol Cymru.

2011-12 Draft Budget

12. Nick Ramsay: *What discussions has the Welsh Assembly Government had regarding the 2011-12 draft budget. OAQ(3)3289(FM)*

Y Prif Weinidog: Llawer ohonynt. [*Torri ar draws.*]

Nick Ramsay: Mae'n ddrwg gen i, chlywais i mo hynny.

Y Prif Weinidog: Llawer ohonynt.

Nick Ramsay: Mae'n dda gennyf glywed hynny. Diolch ichi eto am ateb cryno. Ymddengys i ni ar yr ochr hon o'r Siambr eich bod wedi cael llond bol ar y gwaith hwn o ateb cwestiynau—mae Nick Bourne yn fwy na pharod i gymryd eich lle pryd bynnag y gwahoddwch ef i wneud hynny.

Ar hyn o bryd mae gwneud penderfyniadau democrataidd ynghylch y gyllideb y credwch chi eu bod yn gywir ac yn addas i bobl Cymru o fewn eich cylch gwaith fel Prif Weinidog. A allech ddweud wrthym felly pam yr ydych wedi penderfynu cymryd safiad dros fyfyrwyr yng Nghymru, ond eich bod yn gwbl amharod i amddiffyn GIG Cymru rhag y toriadau milain y mae Llafur a Phlaid Cymru yn eu cynnig?

Y Prif Weinidog: O diar; rwyf yn laru ar gwestiynau nad ydynt yn rhai synhwyrol, rydych chi'n berffaith iawn. Y cyfan a glywn gan y blaid gyferbyn yw nonsens, ac felly y bu dros yr ychydig wythnosau diwethaf. Maent wrthi eto. Maent yn dweud y byddent yn sicrhau bod mwy o arian ar gael ar gyfer ffioedd dysgu, tra'u bod yn canfod arian o bwy a wŷr ble ar gyfer y gwasanaeth iechyd. Ble mae'r gyllideb amgen hon? Dywedaf wrthych beth fydd yn digwydd—bydd yn cael ei lansio ddydd Iau. Pam? Oherwydd y byddwn ar doriad, ac felly ni fydd modd eu cwestiynu ynghylch y camsyniadau a'r tyllau a fydd ynddi. Nid oes gennyf amheuaeth y

million out of thin air as efficiency savings, without justifying where those efficiencies would come from. You need to learn to prioritise, and you need to learn to be honest with the people of Wales about what you want to do in your alternative budget—but, of course, you will launch it at a time when no-one can question you on it.

byddwn yn gweld cyllideb amgen a fydd yn cyflwyno ffigwr o tua £500 miliwn o bwy a wŷr ble fel arbedion effeithlonrwydd, heb gyfiawnhau o ble y byddai'r arbedion hynny'n dod. Mae angen ichi ddysgu sut i flaenoriaethu, ac mae angen ichi ddysgu bod yn onest gyda phobl Cymru ynghylch yr hyn y mae arnoch eisiau ei wneud yn eich cyllideb amgen—ond, wrth gwrs, byddwch yn ei lansio ar adeg pan na fydd neb yn gallu eich cwestiynu arni.

Y Llywydd: Diolch i'r Prif Weinidog am ei atebion diddorol.

The Presiding Officer: I thank the First Minister for those interesting answers.

Datganiad a Chyhoeddiad Busnes Business Statement and Announcement

The Minister for Business and Budget (Jane Hutt): I have just one change to report to this week's planned Government business. This afternoon's legislative statement by the Minister for Children, Education and Lifelong Learning on the Proposed Education (Wales) Measure has been postponed until tomorrow afternoon. However, business for the next three weeks is as set out in the business statement and announcement, which can be found among the agenda papers that are available to Members electronically.

Y Gweinidog dros Fusnes a'r Gyllideb (Jane Hutt): Dim ond un newid sydd gennyf i'w gyhoeddi i fusnes y Llywodraeth ar gyfer yr wythnos hon. Mae'r datganiad deddfwriaethol y prynhawn yma gan y Gweinidog dros Blant, Addysg a Dysgu Gydol Oes ar y Mesur Addysg (Cymru) arfaethedig wedi'i ohirio tan brynhawn yfory. Fodd bynnag, mae'r busnes ar gyfer y tair wythnos nesaf fel y'i hamlinellir yn y datganiad a chyhoeddiad busnes, y gellir ei ganfod ymhlith y papurau agenda sydd ar gael i'r Aelodau yn electronig.

2.10 p.m.

Nick Bourne: Thank you for the statement. I have two items to raise. The first is whether you can confirm the dates of this term, as the First Minister seems to think that we are in recess on Thursday. I can assure the Minister for business that we will be working as normal on Thursday and Friday, even if the First Minister is not.

Nick Bourne: Diolch am y datganiad. Mae gennyf ddwy eitem i'w codi. Y gyntaf yw a allwch gadarnhau dyddiadau'r tymor hwn, gan fod y Prif Weinidog fel petai'n tybio ein bod ar doriad ddydd Iau. Gallaf sicrhau'r Gweinidog busnes y byddwn yn gweithio fel arfer ddydd Iau a dydd Gwener, hyd yn oed os na fydd y Prif Weinidog yn gwneud hynny.

Secondly, will the Minister arrange for a statement on the community asset transfer programme? I think that that is Carl Sargeant's area. I raise this in relation to Ceredigion County Council, in particular, which has been discussing for some time the situation with regard to the Aberystwyth Sea Cadets, who want to acquire premises in the town. Most recently, the county council has suggested that the cadets move to a

Yn ail, a wnaiff y Gweinidog drefnu datganiad ar y rhaglen trosglwyddo asedau cymunedol? Credaf mai maes Carl Sargeant yw hwnnw. Crybwyllaf hyn yng nghydestun Cyngor Sir Ceredigion, yn enwedig, sydd wedi bod yn trafod am beth amser y sefyllfa ynghylch Cadetiaid Môr Aberystwyth, y mae arnynt eisiau dod o hyd i adeilad yn y dref. Yn fwyaf diweddar, mae'r cyngor sir wedi awgrymu bod y cadetiaid yn

landlocked building in the middle of Aberystwyth, without access to the sea—obviously, access to the sea is rather essential in terms of what they do. A statement on the opportunities that the community asset transfer programme presents would be most welcome. A written statement would be sufficient.

Jane Hutt: A good try on your first question, Nick, but you failed abysmally. I look forward with anticipation to the so-called draft budget from the Welsh Conservatives. I am sure that you would welcome, as I did, the favourable comments in *The Western Mail* this morning, welcoming the fact that I have announced an extra £110 million to support the national health service this year as a result of the prudent management of our finances in 2010-11. On the second point, that is a serious issue for the group that you mentioned in relation to accessing funding appropriately. I am sure that if you were to write to the Minister for Social Justice and Local Government on the matter he would deal with the issue directly.

David Lloyd: I thank the Minister for business for her excellent statement. [*Laughter.*] Well, it is the season of goodwill. In addition, I ask for a statement on neurosurgery and neurology services, particularly with regard to Swansea, and for an update on the situation following the transfer of acute neurosurgery from Swansea to Cardiff. This request arises out of a meeting with constituents in Swansea who have neurological and neurosurgical issues. They are having greater difficulty now in accessing acute neurosurgery in Cardiff; previously, they could readily access acute neurosurgery in Swansea. It seems to be a function of distance, and there seems to have been a deterioration in the service that this family have traditionally had. These, and allied concerns, were raised in the last meeting of the all-party group on neurosciences, chaired by Mark Isherwood. Some neurology and head injury services in Swansea have traditionally relied on out-of-hours cross-cover by neurosurgical junior doctors, which is no longer available. There is a feeling that the head injuries services and neurological services are stretched as a result

symud i adeilad tirgaeedig yng nghanol Aberystwyth, heb fynediad i'r môr—yn amlwg, mae mynediad i'r môr yn eithaf hanfodol o ran yr hyn y maent yn ei wneud. Byddai datganiad ar y cyfleoedd y mae'r rhaglen trosglwyddo asedau cymunedol yn eu cynnig yn cael ei groesawu'n fawr. Byddai datganiad ysgrifenedig yn ddigonol.

Jane Hutt: Ymdrech dda ar eich cwestiwn cyntaf, Nick, ond fe wnaethoch fethu'n druenus. Edrychaf ymlaen yn eiddgar at gyllideb ddrafft Ceidwadwyr Cymru, fel y'i gelwir. Rwyf yn siŵr y byddech yn croesawu, fel y gwnes i, y sylwadau ffafriol yn y *Western Mail* y bore yma, yn croesawu'r ffaith fy mod wedi cyhoeddi £110 miliwn yn ychwanegol i gefnogi'r gwasanaeth iechyd gwladol eleni o ganlyniad i reolaeth ofalus ar ein cyllid yn 2010–11. Ar yr ail bwynt, mae hwnnw'n fater difrifol i'r grŵp y gwnaethoch ei grybwyll o safbwynt cael gafael ar gyllid mewn modd addas. Rwyf yn siŵr, pe byddech yn ysgrifennu at y Gweinidog dros Gyfiawnder Cymdeithasol a Llywodraeth Leol ynglŷn â'r mater, y byddai'n ymdrin ag ef yn ddiymdroi.

David Lloyd: Hoffwn ddiolch i'r Gweinidog busnes am ei datganiad rhagorol. [*Chwerthin.*] Wel, mae'n dymor ewyllys da. At hynny, gofynnaf am ddatganiad ar wasanaethau niwrolawdriniaeth a niwroleg, yn enwedig o safbwynt Abertawe, ac am y wybodaeth ddiweddaraf am y sefyllfa yn dilyn trosglwyddo niwrolawfeddygaeth aciwt o Abertawe i Gaerdydd. Daw'r cais hwn yn sgil cyfarfod ag etholwyr yn Abertawe y mae ganddynt bryderon niwrolegol a niwrolawfeddygol. Maent yn cael mwy o anhawster yn awr i gael gafael ar niwrolawfeddygaeth aciwt yng Nghaerdydd; o'r blaen, roeddent yn gallu cael gafael ar niwrolawfeddygaeth aciwt yn rhwydd yn Abertawe. Ymddengys mai mater o bellter ydyw, ac ymddengys fod dirywiad wedi bod yn y gwasanaeth y mae'r teulu hwn wedi'i gael yn draddodiadol. Codwyd y pryderon hyn, a rhai cysylltiedig, yng nghyfarfod diwethaf y grŵp hollbleidiol ar niwrowyddorau, dan gadeiryddiaeth Mark Isherwood. Mae rhai gwasanaethau niwroleg ac anafiadau pen yn Abertawe yn draddodiadol wedi dibynnu ar drawsgyflenwi y tu allan i oriau gan feddygon

of the lack of cross-cover from acute neurosurgical colleagues. In view of all that, it would be good to have an update on the situation following the transfer of neurosurgical services from Swansea to Cardiff.

Jane Hutt: Any evidence and feedback with regard to the transition is important and would be welcomed by the Minister, I am sure.

Jenny Randerson: Minister, this morning we had news of some disastrous figures on achievement in education in Wales via the Organisation for Economic Co-operation and Development's Programme for International Student Assessment report. The Minister for Children, Education and Lifelong Learning admirably put his hands up and said that everyone has to take responsibility for it, and that it cannot be ignored. I also welcome his written statement on it. I am aware that anything further at this time in the term is beyond a practical possibility, but I would be grateful—as, I am sure, would my colleagues—if a debate, or at least an oral statement, could be scheduled for the early part of next term, so that we can ask the Minister questions and explore how he intends to undertake a review that will try to identify the problems that have led to this situation. I am sure that we would all agree that it is not fair on our young people that we are falling down the international league tables in respect of educational attainment. It is clearly not what the Government hoped would come out of the PISA results because, at the beginning of November, the First Minister and the Minister for education said that we should look forward to them with some optimism.

Secondly, I welcomed the Minister's statement last week on his plans for student fees. However, when you have time to consider something and to look at the figures, you see that it raises more questions than it

niwrolawfeddygol iau, nad ydyw ar gael bellach. Ceir teimlad bod y gwasanaethau anafiadau pen a'r gwasanaethau niwrolegol dan bwysau o ganlyniad i'r diffyg trawsgyflenwi gan gydweithwyr niwrolawfeddygol aciwt. Yn sgil hynny oll, byddai'n dda cael y wybodaeth ddiweddaraf am y sefyllfa yn dilyn trosglwyddo gwasanaethau niwrolawfeddygol o Abertawe i Gaerdydd.

Jane Hutt: Mae unrhyw dystiolaeth ac adborth ynghylch y newid yn bwysig ac rwyf yn siŵr y byddai'n cael ei groesawu gan y Gweinidog.

Jenny Randerson: Weinidog, y bore yma cawsom newydd am ffigurau trychinebus ynghylch cyflawniad addysgol yng Nghymru trwy gyfrwng adroddiad Rhaglen Ryngwladol Asesu Myfyrwyr y Sefydliad ar gyfer Cydweithrediad a Datblygiad Economaidd. Fe wnaeth y Gweinidog dros Blant, Addysg a Dysgu Gydol Oes, chwarae teg iddo, gydnabod hyn a dweud bod yn rhaid i bawb dderbyn cyfrifoldeb amdano, ac na ellir ei anwybyddu. Rwyf hefyd yn croesawu ei ddatganiad ysgrifenedig ar y mater. Rwyf yn ymwybodol fod unrhyw beth pellach ar yr adeg hon o'r tymor y tu hwnt i unrhyw bosibilrwydd ymarferol, ond byddwn yn ddiolchgar—fel y byddai fy nghyd-Aelodau, rwyf yn siŵr—pe gellid amserlennu dadl, neu o leiaf ddatganiad llafar, yn gynnar y tymor nesaf, fel y gallwn ofyn cwestiynau i'r Gweinidog ac archwilio sut mae'n bwriadu cynnal adolygiad a fydd yn ceisio canfod y problemau sydd wedi arwain at y sefyllfa hon. Rwyf yn siŵr y byddem oll yn cytuno nad yw'n deg ar ein pobl ifanc ein bod yn cwmpo i lawr y tablau cynghrair rhyngwladol o safbwynt cyrhaeddiad addysgol. Yn amlwg nid dyma'r hyn yr oedd y Llywodraeth wedi gobeithio fyddai'n deillio o ganlyniadau PISA oherwydd, ddechrau Tachwedd, dywedodd y Prif Weinidog a'r Gweinidog addysg y dylem edrych ymlaen atynt gyda rhywfaint o optimistiaeth.

Yn ail, roeddwn yn croesawu datganiad y Gweinidog yr wythnos diwethaf ar ei gynlluniau ar gyfer ffioedd myfyrwyr. Fodd bynnag, pan fyddwch yn cael amser i ystyried rhywbeth ac edrych ar y ffigurau, rydych yn

answers. Will the Minister soon be in a position to provide us with further details and financial modelling to show the flow of money, so that we can examine whether the new arrangements for student fees will provide higher education institutions with the secure income that they need in order to remain at the forefront of higher education in the UK and the world?

Jane Hutt: I am glad that you welcome the Minister's considered statement that he issued this morning. As the Minister said clearly, the results are disappointing, but it is important that we all take a level of responsibility for the problem and for resolving it. We need to refocus on higher standards, set our ambitions and expectations high, and look for improvements in every aspect of our system. As you will have noted, in that statement he also says that much of what we need to do will take time, and it will be hard. It is important to make the point about timing and that the Minister, when he is ready to do so, will come to the Assembly to report on the actions that he will be taking following the publication of those figures today.

On your second point, Wales has hit the headlines for the right reasons because of the response of not only our students, but higher education institutions in Wales. That is the important point to make. You can imagine that I have two hats here, as the Minister for business and the Minister for finance, and I was absolutely clear about the fact that this was the direction that we should be taking with regard to policy and in making prudent and equitable use of our finances. I am sure that you will be able to see that from last week's announcement and the figures that followed.

Andrew R.T. Davies: Minister, I want to elicit a statement from the Minister for Rural Affairs, perhaps in conjunction with the Deputy Minister for Social Services, on the actions of the Food Standards Agency in relation to cost recovery in the meat industry in Wales. I have asked several questions of the Ministers, but the depth and broad scope

gweld ei fod yn codi mwy o gwestiynau nag y mae'n eu hateb. A fydd y Gweinidog mewn sefyllfa yn fuan i roi rhagor o fanylion a modelu ariannol i ni er mwyn dangos llif arian, fel y gallwn archwilio a fydd y trefniadau newydd ar gyfer ffioedd myfyrwyr yn rhoi i sefydliadau addysg uwch yr incwm pendant y mae arnynt ei angen er mwyn aros yn rheng flaen addysg uwch yn y DU a'r byd?

Jane Hutt: Rwyf yn falch eich bod yn croesawu datganiad ystyriol y Gweinidog a gyhoeddwyd ganddo y bore yma. Fel y dywedodd y Gweinidog yn glir, mae'r canlyniadau yn siomedig, ond mae'n bwysig bod pob un ohonom yn derbyn rhywfaint o gyfrifoldeb am y broblem ac am ei datrys. Mae angen inni ganolbwyntio o'r newydd ar safonau uwch, gosod ein huchelgeisiau a'n disgwyliadau yn uchel, ac edrych am welliannau ym mhob agwedd ar ein system. Fel y byddwch wedi nodi, yn y datganiad hwnnw mae'n dweud hefyd y bydd llawer o'r hyn y mae angen inni ei wneud yn cymryd amser, a bydd yn anodd. Mae'n bwysig gwneud y pwynt ynghylch amseru ac y bydd y Gweinidog, pan fydd yn barod i wneud hynny, yn dod i'r Cynulliad i roi gwybod am y camau y bydd yn eu cymryd yn sgil cyhoeddi'r ffigurau hynny heddiw.

Ar eich ail bwynt, mae Cymru wedi bod yn y penawdau am y rhesymau cywir yn sgil ymateb nid yn unig ein myfyrwyr, ond sefydliadau addysg uwch yng Nghymru hefyd. Dyna'r pwynt pwysig i'w wneud. Gallwch ddychmygu bod gennyf ddwy het yma, fel y Gweinidog busnes a'r Gweinidog cyllid, ac roeddwn yn berffaith glir ynghylch y ffaith mai dyma'r cyfeiriad y dylem fod yn ei ddilyn o safbwynt polisi ac o safbwynt defnyddio ein cyllid yn ofalus ac yn gyfiawn. Rwyf yn siŵr y byddwch yn gallu gweld hynny o ddatganiad yr wythnos diwethaf a'r ffigurau a'i dilynodd.

Andrew R.T. Davies: Weiniidog, mae arnaf eisiau mynnu datganiad gan y Gweinidog dros Faterion Gwledig, ar y cyd â'r Dirprwy Weiniidog dros Wasanaethau Cymdeithasol efallai, ar weithredodd yr Asiantaeth Safonau Bwyd yng nghyswllt adennill costau yn y diwydiant cig yng Nghymru. Rwyf wedi gofyn sawl cwestiwn i'r Gweinidogion, ond

of the review that the Food Standards Agency is undertaking on cost recovery poses a serious challenge to the meat sector in Wales. As the Welsh Assembly Government has invested so much money in the promotion of Welsh food, it is vital that we maintain a processing sector in Wales. Therefore, I ask for a statement by the Welsh Government on the actions that it is taking in conjunction with the Government in Westminster in this respect. The proposals came forward in November 2009, and the Government here has had considerable time to shape them. As of next year, full cost recovery will be in place, which could place a question mark over the viability of many small and medium-sized abattoirs.

Jane Hutt: The situation that has emerged is quite clear. At Hybu Cig Cymru's annual conference in Aberystwyth, the Minister said that the Assembly Government would do all that it could to protect the interests of small abattoirs, as the Food Standards Agency consults on proposals to move to full cost recovery of the cost of official controls in abattoirs.

Eleanor Burnham: I want to press you for a statement or a debate on the value for money in public transport spending. Some of us are concerned about the lack of value for money and the lack of transparency in relation to the nearly £5 million that has been found for the Cardiff-to-Anglesey air service, and what could be done by spending the equivalent amount of money on improving train services for the benefit of everyone across north Wales. There is huge concern abroad, Minister, so I wonder if we could press you for a debate or at least a statement as soon as possible after recess.

2.20 p.m.

Jane Hutt: You had the opportunity to ask questions on the draft budget and to ensure that there was scrutiny of all ministerial portfolios and the decisions that have been made regarding the reduction of budgets as a result of the UK coalition Government's spending cuts. Decisions are being made by

mae dyfnder a chwmpas eang yr adolygiad y mae'r Asiantaeth Safonau Bwyd yn ei gynnal ar adennill costau yn gosod her ddifrifol i'r sector cig yng Nghymru. Gan fod Llywodraeth Cynulliad Cymru wedi buddsoddi cymaint o arian i hyrwyddo bwyd Cymru, mae'n hanfodol ein bod yn cadw sector prosesu yng Nghymru. Felly, gofynnaf am ddatganiad gan Lywodraeth Cymru ar y camau y mae'n eu cymryd ar y cyd â'r Llywodraeth yn San Steffan yng nghyswllt hyn. Cyflwynwyd y cynigion ym mis Tachwedd 2009, ac mae'r Llywodraeth yma wedi cael cryn amser i'w llunio. O'r flwyddyn nesaf ymlaen, bydd adennill costau llawn mewn grym, a gallai hyn osod marc cwestiwn ynghylch hyfywedd llawer o ladd-dai bach a chanolig eu maint.

Jane Hutt: Mae'r sefyllfa sydd wedi ymddangos yn eithaf clir. Yng nghynhadledd flynyddol Hybu Cig Cymru yn Aberystwyth, dywedodd y Gweinidog y byddai Llywodraeth y Cynulliad yn gwneud popeth o fewn ei gallu i ddiogelu buddiannau lladd-dai bach, wrth i'r Asiantaeth Safonau Bwyd ymgynghori ar gynigion i symud tuag at adennill costau llawn o safbwynt cost rheolaethau swyddogol mewn lladd-dai.

Eleanor Burnham: Mae arnaf eisiau pwysu arnoch am ddatganiad neu ddadl ar werth am arian o safbwynt gwariant trafndiaeth gyhoeddus. Mae rhai ohonom yn bryderus ynghylch y diffyg gwerth am arian a'r diffyg tryloywder o safbwynt y swm o bron iawn i £5 miliwn sydd wedi'i ganfod ar gyfer y gwasanaeth awyr rhwng Caerdydd ac Ynys Môn, a'r hyn y gellid ei wneud trwy wario'r swm cyfatebol o arian ar wella gwasanaethau trên er budd pawb ledled y gogledd. Mae pryder aruthrol ar droed, Weinidog, felly tybed a allem roi pwysau arnoch i gael dadl neu o leiaf ddatganiad cyn gynted â phosibl wedi'r toriad.

Jane Hutt: Cawsoch gyfle i ofyn cwestiynau am y gyllideb ddrafft ac i sicrhau bod craffu ar yr holl bortffolios gweinidogol a'r penderfyniadau sydd wedi'u gwneud ynghylch gostwng cyllidebau o ganlyniad i doriadau gwario Llywodraeth glymblaid y DU. Mae penderfyniadau yn cael eu gwneud

the Deputy First Minister to support the important links between north and south Wales not only through the air service, but also the important investment that is being made in our rolling stock as a result of the extra £47 million of capital funding that I have announced in the last 10 days.

Nick Ramsay: The Minister for Business and Budget has been doing the rounds with me among the various committees to discuss the draft budget over the last couple of weeks. I spoke to you about this earlier, Minister; do you share my concerns about the lack of preparedness among some areas of the public sector in terms of making efficiency savings? On the basis of that concern, could we have a debate in the Chamber, or even a statement from the First Minister as part of his public services remit, to ensure that the necessary efficiency savings will be made in the NHS, for example, over the next three years? The evidence that we received in committee last week certainly did not reassure me or other members of the committee that, with the savage cuts coming down the line from the Assembly Government to the budget of the NHS, the pressures will be met and that front-line services can be protected.

Jane Hutt: We may have been doing the rounds, but not, I would have to say, together, but on opposite sides of the table.

Savage cuts are coming down the line from your Government, the coalition Government in Westminster. That is where the savage cuts are coming from. I do not often comment on the editorial of the *Western Mail*, but I have already commented that, today, the *Western Mail* welcomed the fact that, as a result of the prudent management of the budget this year, we have allocated an extra £110 million to ease NHS pressures. That was welcomed, particularly because it enables more care to be delivered closer to people's homes, which eases demand on hospital treatment and helps the NHS as it comes under additional winter pressures. Indeed, the Minister for Health and Social Services said yesterday, when that announcement was made, that the NHS has

gan y Dirprwy Brif Weinidog i gefnogi'r cysylltiadau pwysig rhwng y gogledd a'r de nid dim ond drwy gyfrwng y gwasanaeth awyr, ond hefyd y buddsoddiad pwysig sy'n cael ei wneud yn ein cerbydau trên o ganlyniad i'r £47 miliwn o gyllid cyfalaf ychwanegol yr wyf wedi'i gyhoeddi yn ystod y 10 diwrnod diwethaf.

Nick Ramsay: Mae'r Gweinidog dros Fusnes a'r Gyllideb wedi bod yn dod gyda mi i'r amrywiol bwyllgorau i drafod y gyllideb ddrafft dros yr ychydig wythnosau diwethaf. Siaradais â chi am hyn yn gynharach, Weinidog; a ydych yn rhannu fy mhryderon ynghylch y diffyg parodrwydd ymhlith rhai rhannau o'r sector cyhoeddus o ran gwneud arbedion effeithlonrwydd? Ar sail y pryder hwnnw, a allem gael dadl yn y Siambr, neu hyd yn oed ddatganiad gan y Prif Weinidog yn rhan o'i gyfrifoldeb dros wasanaethau cyhoeddus, er mwyn sicrhau y bydd yr arbedion effeithlonrwydd angenrheidiol yn cael eu gwneud yn y GIG, er enghraifft, dros y tair blynedd nesaf? Yn sicr, ni wnaeth y dystiolaeth a gawsom yn y pwyllgor yr wythnos diwethaf dawelu fy meddwl i nac aelodau eraill o'r pwyllgor y bydd modd ymdopi â'r pwysau ac y gellir diogelu gwasanaethau rheng flaen. ac ystyried y toriadau llym sy'n dod gan Lywodraeth y Cynulliad i gyllideb y GIG.

Jane Hutt: Efallai ein bod wedi bod yn mynd o amgylch y pwyllgorau, ond nid, byddai'n rhaid imi ddweud, gyda'n gilydd, ond ar ochrau gwahanol i'r bwrdd.

Mae toriadau llym yn dod gan eich Llywodraeth chi, y Llywodraeth glymblaid yn San Steffan. O'r fan honno y mae'r toriadau llym yn dod. Nid wyf yn aml yn gwneud sylwadau ynghylch colofn olygyddol y *Western Mail*, ond rwyf eisoes wedi tynnu sylw at y ffaith fod y *Western Mail*, heddiw, wedi croesawu'r ffaith, o ganlyniad i reolaeth ofalus ar y gyllideb eleni, ein bod wedi dyrannu £110 miliwn yn ychwanegol i leddfau pwysau yn y GIG. Cafodd hynny ei groesawu, yn enwedig oherwydd ei fod yn galluogi darparu mwy o ofal yn agosach at gartrefi pobl, sy'n lleddfau'r galw am driniaeth ysbyty ac yn helpu'r GIG wrth iddo ddod dan bwysau ychwanegol yn y gaeaf. Yn wir, dywedodd y Gweinidog Iechyd a

saved £850 million over the past four years. That demonstrates that it can become more efficient while maintaining high standards of patient care, supported by the additional injection of funding that was announced yesterday.

Gwasanaethau Cymdeithasol ddoe, pan wnaed y datganiad hwnnw, fod y GIG wedi arbed £850 miliwn dros y pedair blynedd diwethaf. Mae hynny'n dangos y gall ddod yn fwy effeithlon ac, ar yr un pryd, gynnal safonau uchel o ofal i gleifion, gyda chefnogaeth y cyllid ychwanegol a gyhoeddwyd ddoe.

Pwynt o Drefn Point of Order

Leighton Andrews: I would not want Jenny Randerson to be accused of misleading the Assembly, even inadvertently, with regard to what I have previously said on the PISA results. I have been very careful over the last few months in everything that I have said about the PISA results, and I have made it clear that, over the years, we have responded to the demands that the education profession in Wales has made and that we would see in the PISA results whether that had been borne out. We know today that the results of PISA are disappointing. There is no running away from that. We will not hide from that. We will be discussing this with the entire education sector over the next couple of months as we work through the solutions that are necessary for the future. We have never been overoptimistic about PISA and I ask her to withdraw that remark.

Leighton Andrews: Ni fyddai arnaf eisiau i Jenny Randerson gael ei chyhuddo o gamarwain y Cynulliad, trwy amryfusedd hyd yn oed, ynghylch yr hyn yr wyf wedi'i ddweud cyn hyn am ganlyniadau PISA. Rwyf wedi bod yn ofalus iawn dros yr ychydig fisoedd diwethaf ym mhopeth yr wyf wedi'i ddweud am ganlyniadau PISA, ac rwyf wedi egluro ein bod, dros y blynnyddoedd, wedi ymateb i'r galwadau y mae'r proffesiwn addysg yng Nghymru wedi'u gwneud ac y byddem yn gweld yng nghanlyniadau PISA a oedd hynny wedi'i gadarnhau. Gwyddom heddiw fod canlyniadau PISA yn siomedig. Ni ellir dianc rhag hynny. Ni fyddwn yn gwrthod wynebu hynny. Byddwn yn trafod hyn gyda'r sector addysg gyfan dros yr ychydig fisoedd nesaf wrth inni ddatblygu'r atebion sy'n angenrheidiol ar gyfer y dyfodol. Ni fuom erioed yn orffyddiog ynghylch PISA a gofynnaf iddi dynnu'r sylw hwnnw yn ôl.

Jenny Randerson: I made the remark in relation both to the Minister for Children, Education and Lifelong Learning and the First Minister. I will quote the Record on 2 November, when the First Minister said, in answer to a question from Kirsty Williams

Jenny Randerson: Gwnes y sylw yng nghyswllt y Gweinidog dros Blant, Addysg a Dysgu Gydol Oes a'r Prif Weinidog fel ei gilydd. Dyfynnaf y Cofnod ar 2 Tachwedd, pan ddywedodd y Prif Weinidog, wrth ateb cwestiwn gan Kirsty Williams:

'The question you asked is whether we are confident that, in December, the PISA figures will show that our approach has paid off. That is our intention, and we hope to see that performance in Wales continues to rise, as it has for a number of years.'

'Y cwestiwn a ofynnodd yw a ydym yn hyderus y bydd y ffigurau PISA ym mis Rhagfyr yn dangos bod ein hymagwedd wedi talu ar ei chanfed. Dyna yw ein bwriad, ac rydym yn gobeithio gweld bod perfformiad Cymru yn parhau i wella, fel y mae wedi gwneud ers blynnyddoedd lawer.'

If I, by implication, included the education Minister in that optimism, then I am happy to set the record straight. In this particular case, I was referring specifically to the First

Os bu imi, drwy ensyniad, gynnwys y Gweinidog addysg yn yr optimistiaeth honno, yna rwyf yn fodlon cywiro hynny. Yn yr achos arbennig hwn, roeddwn yn cyfeirio'n

Minister's optimism.

benodol at optimistiaeth y Prif Weinidog.

The Presiding Officer: I have nothing to add. There was no matter for me there, but clearly this is a very important issue, which I am sure that you will return to soon in the National Assembly.

Y Llywydd: Nid oes gennyf ddim i'w ychwanegu. Nid oedd unrhyw fater i mi yn y fan honno, ond mae hwn, yn amlwg, yn fater pwysig iawn, ac rwyf yn siŵr y dychwelwch ato'n fuan yn y Cynulliad Cenedlaethol.

**Dadl Cyfnod 3 o dan Reol Sefydlog Rhif 23.57 ar Fesur Arfaethedig y Gymraeg
(Cymru)
Stage 3 Standing Order No. 23.57 Debate on the Proposed Welsh Language
(Wales) Measure**

**Grŵp 1: Statws Swyddogol y Gymraeg (Gwelliannau 51, 72 a 70)
Group 1: Official Status of the Welsh Language (Amendments 51, 72 and 70)**

Y Llywydd: Yr wyf wedi derbyn gwelliant hwyr a gyflwynwyd o dan amgylchiadau eithriadol yn ôl Rheol Sefydlog Rhif 23.48. Y grŵp cyntaf—*[Torri ar draws.]*

The Presiding Officer: I have accepted a late amendment, tabled in extraordinary circumstances, in accordance with Standing Order No. 23.48. The first group—*[Interruption.]*

Order. I was quoting from the Standing Order. People find it amusing that I rule as a Presiding Officer. The Standing Order refers to extraordinary circumstances, and it was under that Standing Order that this late amendment has been accepted.

Trefn. Roeddwn yn dyfynnu o'r Rheol Sefydlog. Mae pobl yn ei gweld hi'n ddoniol fy mod i'n dyfarnu fel Llywydd. Mae'r Rheol Sefydlog yn cyfeirio at amgylchiadau eithriadol, ac o dan y Rheol Sefydlog honno y mae'r gwelliant hwyr hwn wedi cael ei dderbyn.

Fel yr oeddwn yn dweud, y prif welliant yn y grŵp hwn yw gwelliant 51. Galwaf Jenny Randerson i gynnig gwelliant 51 a siarad am y gwelliannau eraill yn y grŵp.

As I was saying, the lead amendment in this group is amendment 51. I call on Jenny Randerson to move amendment 51 and to speak to the other amendments in the group.

Jenny Randerson: I move amendment 51 in my name and with the name of Paul Davies in support.

Jenny Randerson: Cynigiaf welliant 51 yn fy enw i a chydag enw Paul Davies yn ei gefnogi.

I am pleased to be dealing with this particular issue. So far, this proposed Measure has been a struggle and has set all records for the number of amendments and its complexity. I bear in mind that the Presiding Officer is quite within his rights to accept amendment 72 in the name of the Minister at the last minute today. However, it has been a case of getting last-minute legal advice in relation to it.

Rwyf yn falch fy mod yn ymdrin â'r mater penodol hwn. Hyd yn hyn, mae'r Mesur arfaethedig hwn wedi bod yn frwydr ac wedi gosod pob record ar gyfer nifer y gwelliannau a'i gymhlethdod. Rwyf yn cadw mewn cof y ffaith fod y Llywydd yn bendant o fewn ei hawliau yn derbyn gwelliant 72 yn enw'r Gweinidog ar y funud olaf heddiw. Fodd bynnag, bu'n fater o gael cyngor cyfreithiol munud olaf yn ei gylch.

The Presiding Officer: Order. It is not a matter of whether I am within my rights. It is my duty to exercise my discretion when I receive a late amendment. This is the first

Y Llywydd: Trefn. Nid cwestiwn ynghylch a wyf fi oddi mewn i'm hawliau ai peidio ydyw. Mae'n ddyletswydd arnaf i ddefnyddio fy nghrebwyll pan dderbyniaf welliant hwyr.

time that I have done it, and I considered it very carefully and took advice from officials. It is not a matter of me doing something within my rights; it is my responsibility to this Assembly.

Jenny Randerson: Thank you, Presiding Officer. It has been a matter of getting last-minute legal advice on the amendment that the Minister has put forward this morning.

This proposed Measure as a whole is, to me, a supreme disappointment. I believe that the Minister has laboured hard and worked diligently on this, but he has brought forth a mouse. The sheer number of Government amendments, both today and in the committee stage, is testimony to the fact that this is not the best thought through legislation. It is full of unknowns—on standards, for example—and the danger, I fear, is that progress on the language will falter in the transition period between the Welsh Language Board and the commissioner. However, we are making the best of the situation this afternoon.

One thing that the Minister needs to bear in mind is the complexity of the proposed Measure, as I am fairly confident that it will be passed this afternoon as the Liberal Democrats will certainly be supporting it. We are replacing the Welsh Language Board with a commissioner, a tribunal, a partnership council and an advisory panel. That is a very complex structure, which will need a great deal of explaining to the people of Wales if they are to make use of the tools that are available to them if they wish to exercise their rights to speak the Welsh language and to use it on a daily basis.

This first group of amendments relates to the official status of the Welsh language. The Minister's answer on this, which passed at the committee stage, is very complex. It sets out several areas where the official status of the language is guaranteed, for example, in the proceedings of the National Assembly and in setting standards for the use of Welsh. The danger in this approach is that, by setting out in such detail the circumstances when Welsh is equal, it inevitably implies that, in any circumstance that is not included in the list, the Welsh language does not have equal

Dyma'r tro cyntaf imi ei wneud, a bu imi ei ystyried yn ofalus iawn a chael cyngor gan swyddogion. Nid yw'n fater ohonof fi'n gwneud rhywbeth o fewn fy hawliau; dyma fy nghyfrifoldeb i'r Cynulliad hwn.

Jenny Randerson: Diolch, Lywydd. Bu'n fater o gael cyngor cyfreithiol munud olaf ar y gwelliant y mae'r Gweinidog wedi'i gyflwyno y bore yma.

Mae'r Mesur arfaethedig hwn yn ei gyfanwydd, i mi, yn siom eithriadol. Credaf fod y Gweinidog wedi llafurio'n galed ac wedi gweithio'n ddiwyd ar hyn, ond mae wedi cyflwyno llygoden. Mae nifer enfawr gwelliannau'r Llywodraeth, heddiw ac yn ystod cyfnod y pwyllgor, yn dyst i'r ffaith nad ystyriwyd y ddeddfwriaeth hon gystal ag y gellid bod wedi gwneud. Mae'n llawn pethau sy'n anhysbys—ar safonau, er enghraifft—a'r perygl, fe ofnaf, yw y bydd cynnydd ar yr iaith yn arafu yn y cyfnod pontio rhwng Bwrdd yr Iaith Gymraeg a'r comisiynydd. Fodd bynnag, rydym yn gwneud y gorau o'r sefyllfa y prynhawn yma.

Un peth y mae angen i'r Gweinidog ei gadw mewn cof yw cymhlethdod y Mesur arfaethedig, gan fy mod yn weddol hyderus y bydd yn cael ei basio'r prynhawn yma gan y bydd y Democratiaid Rhyddfrydol yn sicr yn ei gefnogi. Rydym yn cyflwyno, yn lle Bwrdd yr Iaith Gymraeg, gomisiynydd, tribiwnlys, cyngor partneriaeth a phanel cynghori. Mae hwnnw'n strwythur cymhleth iawn, a bydd angen llawer iawn o waith i'w egluro i bobl Cymru os ydynt am ddefnyddio'r arfau sydd ar gael iddynt os oes arnynt eisiau arfer eu hawliau i siarad Cymraeg a defnyddio'r iaith o ddydd i ddydd.

Mae'r grŵp cyntaf hwn o welliannau yn ymwneud â statws swyddogol y Gymraeg. Mae ateb y Gweinidog ar hyn, a gafodd ei basio yn ystod cyfnod y pwyllgor, yn gymhleth iawn. Mae'n nodi sawl maes lle mae statws swyddogol yr iaith yn cael ei warantu, er enghraifft, yn nhrafodion y Cynulliad Cenedlaethol ac wrth osod safonau ar gyfer y defnydd o'r Gymraeg. Y perygl sydd ynghlwm â'r dull hwn yw ei fod, drwy nodi yn y fath fanylder yr amgylchiadau lle mae'r Gymraeg yn gyfartal, yn anorfod yn awgrymu nad oes gan y Gymraeg statws

status.

cyfartal mewn unrhyw amgylchiadau nad ydynt wedi'u cynnwys ar y rhestr.

2.30 p.m.

Our amendment is simple and clear and is based directly, word for word, on the committee's report, which included this specific proposal. It was agreed with unanimous support in the committee. The inclusion of a clear, unambiguous statement of official status is an important symbolic action. Without that, the whole proposed Measure is undermined. There has been a phenomenal amount of debate on this issue, and there is strong public support for the principle of equality for the language and official status. Therefore, we are pleased that the debate has moved the Minister from his original position that such a statement was unnecessary to where he is today—or rather where he was yesterday and the day before, and now where he is this afternoon, after this morning's amendment, which moves things further on again. Bethan Jenkins's amendment 70 is preferable to what is in the current proposed Measure. As it stands, it goes beyond the list that the Minister produced. However, it is more restrictive than ours, and the Minister's last-minute amendment is more restrictive than Bethan's.

Rhodri Glyn Thomas *rose*—

Jenny Randerson: I am not taking an intervention. This is too complex. [*Interruption.*]

The Presiding Officer: Order. I do not think that Jenny Randerson is giving way.

Jenny Randerson: Although one would say that the Minister's amendment would lead to something better than we have now, Bethan's amendment would lead to something better again. One likes to accept the small inching forward that has been squeezed out of the Minister and the Government side on this, but it is not the clear, unambiguous statement that I would want, or those who have been contacting us all—and we are well aware of this issue being raised by a wide range of people.

Mae ein gwelliant ni yn syml a chlr ac wedi'i seilio'n uniongyrchol, air am air, ar adroddiad y pwyllgor, a oedd yn cynnwys y cynnig penodol hwn. Cytunwyd arno â chefnogaeth unfrydol yn y pwyllgor. Mae cynnwys datganiad clir, diamwys o statws swyddogol yn weithred symbolaidd bwysig. Heb hynny, mae'r Mesur arfaethedig cyfan yn cael ei danseilio. Bu trafod aruthrol ar y mater hwn, a cheir cefnogaeth gref ymhlith y cyhoedd i'r egwyddor o gydraddoldeb i'r iaith a statws swyddogol. Felly, rydym yn falch fod y drafodaeth wedi symud y Gweinidog o'i safiad gwreiddiol fod datganiad o'r fath yn ddiangen i'r man lle y mae heddiw—neu yn hytrach lle yr oedd ddoe ac echdoe, ac yn awr lle y mae y prynhawn yma, wedi gwelliant y bore yma, sy'n symud pethau yn eu blaen eto. Mae gwelliant 70 yn enw Bethan Jenkins yn well na'r hyn sydd yn y Mesur arfaethedig ar hyn o bryd. Fel y mae, mae'n mynd ymhellach na'r rhestr a luniwyd gan y Gweinidog. Fodd bynnag, mae'n fwy cyfyngol na'n un ni, ac mae gwelliant munud olaf y Gweinidog yn fwy cyfyngol nag un Bethan.

Rhodri Glyn Thomas *a gododd*—

Jenny Randerson: Nid wyf am dderbyn ymyriad. Mae hyn yn rhy gymhleth. [*Torri ar draws.*]

Y Llywydd: Trefn. Nid wyf yn meddwl bod Jenny Randerson am ildio.

Jenny Randerson: Er y gallai rhywun ddweud y byddai gwelliant y Gweinidog yn arwain at rywbeth gwell na'r hyn sydd gennym yn awr, byddai gwelliant Bethan yn arwain at rywbeth gwell eto. Mae rhywun yn hoffi derbyn y cynnydd fesul modfedd sydd wedi'i wasgu allan o'r Gweinidog ac ochr y Llywodraeth ar hyn, ond nid dyma'r datganiad clir, diamwys y byddai arnaf fi, na'r rhai sydd wedi bod yn cysylltu â phob un ohonom, ei eisiau—ac rydym yn ymwybodol iawn o'r ffaith fod y mater hwn wedi'i godi gan ystod eang o bobl.

The committee recommended a clear statement. These clear statements of equality and official status are common in other countries that have minority languages. The Minister's reasoning for not having that clear statement was that he felt that it would be subject to a test in the courts. Forgive me, but I thought that that was due process: you produce a law, and if people wish to challenge it, they can do so in the courts. I believe that the Minister's statement is likely to be challenged in the courts because it is so restrictive and people will want to push at the boundaries of the application of his interpretation of equality and official status.

The committee made this recommendation and believes that such a declaration is necessary. It said that it would strengthen the position of the language, encourage its use in official and public situations, and lay to rest a feeling among many people in Wales that Welsh has a status that is subordinate relative to English. I urge Members to go for the most radical of the options here today and to vote for a simple statement of equality as proposed and supported unanimously by the committee.

Rhodri Morgan: Yr oeddwn i yn yr un lle â Jenny Randerson yn ystod cyfnod y pwyllgorau, ac yr oeddwn felly o blaid cael y math o frawddeg glir, ddi-flewyn-ar-dafod a gefnogir ganddi yn ei gwelliant. Wedi hynny, euthum i weld y Gweinidog, a rhoddodd ef a John Howells, ei brif was sifil, resymau cryf i mi—i'r un pwrpas â gwelliant Jenny Randerson—am ddrafftio'r Mesur arfaethedig ar ei ffurf bresennol. Ar ôl hynny, daeth tystiolaeth gryfach na hynny hyd yn oed, yn yr ystyr ei bod wedi dod gan un o offeiriaid uwch Astecaidd y byd drafftio, sef Daniel Greenberg o gwmi Berwin Leighton Paisner. Pan ddaeth i roi tystiolaeth i'r Pwyllgor Materion Cyfansoddiadol, yr oedd yn delio â'r mater hwn a safon ddrafftio ein deddfwriaeth ni yn y Cynulliad. Dyfynnaf ei eiriau ar 3 Tachwedd, a oedd yn ysgubol o blaid y ffurf bresennol o gyrraedd yr un nod ag y mae Jenny'n ceisio ei gyrraedd drwy ei gwelliant hi:

Bu i'r pwyllgor argymhell datganiad clir. Mae'r datganiadau clir hyn o gydraddoldeb a statws swyddogol yn gyffredin mewn gwledydd eraill sydd ag ieithoedd lleiafrifol. Rhesyng y Gweinidog dros beidio â chael y datganiad clir hwnnw oedd ei fod yn teimlo y byddai'n cael ei brofi yn y llysoedd. Maddeuwch imi, ond roeddwn dan yr argraff mai dyna oedd y drefn briodol: rydych chi'n llunio deddf, ac os yw pobl am ei herio, gallant wneud hynny yn y llysoedd. Credaf fod datganiad y Gweinidog yn debygol o gael ei herio yn y llysoedd oherwydd ei fod mor gyfyngol a bydd pobl eisiau gwthio ffiniau'r modd y caiff ei ddehongliad o gydraddoldeb a statws swyddogol ei gymhwyso.

Gwnaeth y pwyllgor yr argymhelliad hwn ac mae'n credu bod datganiad o'r fath yn angenrheidiol. Dywedodd y byddai'n cryfhau sefyllfa'r iaith, yn annog y defnydd ohoni mewn sefyllfaoedd swyddogol a chyhoeddus, ac yn cael gwared ar y teimlad ymhlith llawer o bobl yng Nghymru fod gan y Gymraeg statws israddol o'i gymharu â Saesneg. Anogaf yr Aelodau i ddewis yr opsiwn mwyaf radical yma heddiw a phleidleisio o blaid datganiad syml o gydraddoldeb fel y'i cynigiwyd ac y'i cefnogwyd yn unfrydol gan y pwyllgor.

Rhodri Morgan: I was in the same place as Jenny Randerson during the committee stage, and I was therefore in favour of having the kind of clear, no-beating-around-the-bush sentence that she supports in her amendment. After that, I went to see the Minister, and he and his chief civil servant, John Howells, gave me strong reasons—along the same lines as Jenny Randerson's amendment—for drafting the proposed Measure in its current form. After that, even stronger evidence than that came to light, in the sense that it came from one of the Aztec high priests of the drafting world, namely Daniel Greenberg from the Berwin Leighton Paisner law firm. When he came to give evidence to the Constitutional Affairs Committee, he dealt with this issue and the standard of drafting of our legislation in the Assembly. I will quote his words on 3 November, which were overwhelmingly in favour of the current means of achieving what Jenny seeks to achieve in her amendment:

‘However, all the uncertainties that are inherent to the legislative process can be assisted by having a well-drafted, clear purpose clause’.

Dyna fwriad gwelliant Jenny Randerson. I barhau â dyfyniad Mr Greenberg,

‘and the clause last suggested in relation to the proposed Welsh language Measure is superb, because it states, “This is about making the Welsh language an official language. But we’re not sure what that means. We want to see that; it’s a political statement that we need or want to see, but it won’t be clear to everybody what that means, so here is a list of how we have given effect to that”. It is almost a definition of what it all means. That is a brilliant way to set out a proposed Measure.’

Pan fydd rhywun o allu Daniel Greenberg yn dod i lawr o Lundain, o gwmni profiadol—ac yntau’n brofiadol, ac yn uchel ei barch yng nghoridorau San Steffan ar sut i ddrafftio Mesur clir—yr wyf yn fodlon derbyn ei farn, er ei fod yn groes i’r barn wreiddiol. Yr wyf, felly, wedi newid fy meddwl, er fy mod yn cytuno â Jenny Randerson cyn hynny.

A ydym eisiau deddfwriaeth a gaiff ei gwneud gan farnwyr gerbron llysoedd barn yn y dyfodol, neu a ydym yn derbyn y cyfrifoldeb o wneud ein gorau i greu deddfwriaeth sydd mor glir â phosibl yma, ac nid deddfwriaeth a gaiff ei diffinio mewn mân achosion di-rif gerbron llysoedd barn Cymru ac mewn lleoedd eraill yn y dyfodol? Ein swyddogaeth a’n cyfrifoldeb ni yw deddfu mor glir ag y gallwn. Yr ydym wedi cael cyngor, ac mae’r Gweinidog wedi cael cyngor gan ei weision sifil, ei gyfreithwyr, a’r bobl sy’n drafftio dros Lywodraeth y Cynulliad. Yr ydym wedi clywed barn hollol wrthrychol—a oedd yn annisgwyl i mi—gan Daniel Greenberg.

Yr wyf yn derbyn, felly, mai’r ffordd o ddatrys y broblem hon—ac mae pawb yn derbyn beth yw’r broblem—yw’r ffordd y mae’r Llywodraeth wedi’i gosod ger ein bron, fel yr ydym wedi clywed gan rywun

‘Fodd bynnag, gellir cynorthwyo’r holl ansicrwydd sy’n rhan gynhenid o’r broses deddfwriaethol drwy gael cymal clir ei ddiben sydd wedi’i ddrafftio’n dda.’

That is the aim of Jenny Randerson’s amendment. To continue with the quotation,

‘ac mae’r cymal a awgrymwyd ddiwethaf mewn perthynas â Mesur arfaethedig y Gymraeg yn rhagorol, oherwydd mae’n datgan, “Diben hyn yw gwneud y Gymraeg yn iaith swyddogol. Ond nid ydym yn sicr beth y mae hynny’n ei olygu. Mae arnom eisiau gweld hynny; mae’n ddatganiad gwleidyddol y mae arnom angen neu eisiau ei weld, ond ni fydd yn eglur i bawb beth y mae hynny’n ei olygu, felly dyma restr o sut yr ydym wedi rhoi hynny ar waith”. Mae bron â bod yn ddiffiniad o’r hyn y mae’r cyfan yn ei olygu. Mae honno’n ffordd wych o eirio Mesur arfaethedig.’

When someone of Daniel Greenberg’s calibre comes down from London, from a respected firm—and he is experienced, and is highly respected in the corridors of Westminster on how to draft a clear Bill—I am willing to accept his opinion, even if it is differs from mine. I have, therefore, changed my mind, although I agreed with Jenny Randerson before that.

Do we want legislation that is made by judges in courts of law in the future, or do we want to accept the responsibility of doing our best to create legislation here that is as clear as possible, rather than legislation that will be defined in countless minor cases before the courts of Wales and in other places in future? Our function and our responsibility is to legislate as clearly as we can. We have received advice, and the Minister has received advice from his civil servants, his lawyers, and the people who draft legislation for the Assembly Government. We have heard a completely objective view—which took me by surprise—from Daniel Greenberg.

I accept, therefore, that the way of solving this problem—and everyone accepts what the problem is—is the way that the Government has put before us, as we have heard from someone who is well placed to give us

sydd mewn sefyllfa i roi cyngor gwrthrychol i ni. Dyna'r ffordd o osgoi cael ein deddfwriaeth wedi ei llunio gan farnwyr mewn llysoedd barn yn y dyfodol.

Paul Davies: Yr wyf yn cefnogi gwelliant 51 yn enw Jenny Randerson. Mae'n hanfodol bod datganiad clir yn y Mesur arfaethedig am statws y Gymraeg. Derbynïaf fod gwelliant y Llywodraeth yng Nghyfnod 2 wedi ceisio cryfhau'r Mesur arfaethedig, ond nid yw wedi mynd yn ddigon pell. Mae'r eirfa newydd yn y Mesur arfaethedig yn wannach, ond mae gwelliant Jenny Randerson yn llawer gwell o ran cydraddoldeb rhwng y Gymraeg a'r Saesneg. Os ydym eisiau creu Cymru wir ddwyieithog, mae'n hollbwysig bod y Gymraeg—a'r Saesneg—yn cael eu cydnabod fel ieithoedd swyddogol Cymru, a'u bod yn cael eu trin yn gyfartal. Dyna pam yr wyf i a'r grŵp Ceidwadol yn cefnogi'r gwelliant hwn yn enw Jenny Randerson, oherwydd y mae'n cynnwys yr union eirfa a gynigiwyd gan y pwyllgor deddfwriaeth yng Nghyfnod 1.

Er bod y Llywodraeth wedi ceisio gwella ar y Mesur arfaethedig gwreiddiol yng Nghyfnod 2 ac yn y gwelliant y mae wedi'i gyflwyno heddiw, mae'n amlwg bod statws y Saesneg yn aneglur. Mae Rhodri Morgan newydd sôn am Daniel Greenberg. Fodd bynnag, dywedodd Emyr Lewis, cyfreithiwr amlwg arall, mewn tystiolaeth i'r pwyllgor deddfwriaeth na allem roi statws swyddogol i'r Gymraeg heb roi statws swyddogol i'r Saesneg hefyd.

2.40 p.m.

'Peidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg'—yn fy marn i, mae'r datganiad hwnnw yn annigonol, ac felly mae'n bwysig ein bod yn gweld datganiad clir yn y Mesur arfaethedig, sy'n dweud bod y Gymraeg a'r Saesneg yn ieithoedd swyddogol Cymru ac mae eu dilysrwydd a'u statws yn gyfartal.

I gyfeirio at welliant 70 yn enw Bethan Jenkins a gwelliant 72 yn enw'r Gweinidog, deallaf y gall gwelliant Bethan fethu os bydd gwelliant y Gweinidog yn cael ei dderbyn. Fodd bynnag, deallaf yn iawn yr hyn y mae Bethan yn ceisio ei gyflawni gyda'i

objective advice. That is the way to avoid having our legislation framed by judges in courts of law in the future.

Paul Davies: I support amendment 51 in the name of Jenny Randerson. It is vital that there is a clear statement in the proposed Measure on the status of the Welsh language. I accept that the Government's amendment at Stage 2 sought to strengthen the proposed Measure, but it did not go far enough. The new wording in the proposed Measure is weaker, but Jenny Randerson's amendment is far better on the point about equality between the Welsh and English languages. If we want to create a truly bilingual Wales, it is vital that Welsh—and English—be given recognition as official languages in Wales, and that they be treated on a basis of equality. That is why the Conservative group and I support this amendment in the name of Jenny Randerson, because it contains precisely the right wording proposed by the legislation committee at Stage 1.

Although the Government has sought to improve on the original proposed Measure at Stage 2 and in the amendment that it has tabled for today, it is obvious that the status of the English language is unclear. Rhodri Morgan has just spoken about Daniel Greenberg. However, Emyr Lewis, another eminent lawyer, said in evidence to the legislation committee that we cannot give status to the Welsh language without also giving official status to the English language.

'We should not treat the Welsh language less favourably than the English language'—in my opinion, that statement is inadequate, and it is important that we see a clear statement in the proposed Measure that states that the Welsh and English languages are official languages in Wales and they should have equal validity and status.

Turning to amendment 70 in the name of Bethan Jenkins and amendment 72 in the Minister's name, I understand that Bethan's amendment may fall if the Minister's amendment is agreed. However, I understand what Bethan is trying to achieve with her

gwelliant, a chredaf ei fod yn gryfach na gwelliant y Gweinidog. Mae'n edrych yn debyg bod y Llywodraeth wedi cynnig y gwelliant hwyr er mwyn osgoi cynnig gwelliant Bethan Jenkins. Fodd bynnag, credaf fod gwelliant Jenny Randerson yn mynd lawer ymhellach drwy wneud datganiad clir bod y Gymraeg a'r Saesneg yn gyfartal. Os caiff gwelliant Jenny ei wrthod, byddai gwelliant Bethan yn sicr yn cryfhau'r Mesur arfaethedig yn fwy na gwelliant y Llywodraeth. Gobeithiaf yn fawr y bydd Aelodau yn cefnogi gwelliant 51 yn enw Jenny Randerson.

Gareth Jones: Hoffwn ddweud ar y cychwyn mai braint arbennig i mi oedd bod yn aelod o'r pwyllgor deddfwriaeth a chael gwranddo ar dystiolaeth eang gan drawstoriad o wahanol fudiadau a sefydliadau ar y Mesur arfaethedig. Yr hyn a oedd yn drawiadol oedd y ffordd yr oeddent yn ddiwahân yn galw am statws llawn i'r iaith, sef statws swyddogol, cydradd â'r Saesneg. Mae graddau'r unfrydedd wedi bod yn ysbrydoledig, ac mae'r angerdd hwnnw wedi ei ddatgan a'i gofnodi.

Yn unol â'r dystiolaeth honno, aeth y pwyllgor ati i ystyried y rhan hon o'r Mesur arfaethedig a dilyn trefn graffu gyda chymorth a chyngor cyfreithiol. I'n cynorthwyo ni, cawsom gymorth a chyngor ymgynghorydd arbenigol a oedd yn awdurdod ar statws ieithyddol gwahanol wledydd fel Canada, Catalwnia, yr Alban ac Iwerddon ymysg eraill. Hyfrydwch mawr oedd gweld, ar ôl cwestiynu a thrafodaethau manwl, y pwyllgor yn dod i gonsensws trawsbleidiol, sy'n hanesyddol yn fy nhyb i, parthed statws yr iaith. Cyfeiriwyd at hynny hefyd yng ngwelliant y gwrthbleidiau. Buan iawn y profwyd rhwystredigaethau sylweddol gennym yn gysylltiedig â'r Mesur arfaethedig. Yn arbennig, yr oedd y rhwystredigaeth o weld datganiad syml am statws yr oedd pawb yn cytuno arno—ac mae Rhodri Morgan newydd gyfeirio at hynny—yn cael ei weddnewid i fod yn rhywbeth a achosodd gymaint o gymhlethdod a dryswch.

Ar ôl cyhoeddi adroddiad y pwyllgor fis Gorffennaf diwethaf, datgelwyd nad oedd gan y Cynulliad drwy'r LCO iaith yr awdurdod i ddeddfu ar statws llawn.

amendment, and I believe that hers is stronger than the amendment proposed by the Minister. It appears that the Government has tabled its late amendment in order to avoid Bethan's amendment being moved. However, I believe that Jenny Randerson's amendment goes a lot further by making a clear statement that Welsh and English have equal validity and status. If Jenny's amendment were to be rejected, Bethan's amendment would certainly strengthen the proposed Measure more than the Government's. I very much hope that Members will support amendment 51 in the name of Jenny Randerson.

Gareth Jones: I want to say to begin with that it was a great privilege to be a member of Legislation Committee No. 2 and to listen to a wide range of evidence from a cross-section of organisations and institutions on this proposed Measure. What was particularly striking was that, without exception, they all called for full status for the Welsh language, namely equal status to that of the English language. The extent of the unanimity has been inspiring, and that passion has been stated and noted.

In accordance with that evidence, the committee considered this part of the proposed Measure and followed a scrutiny process with legal support and advice. To support us, we had advice from an expert adviser, who is an authority on the linguistic status of countries such as Canada, Catalonia, Scotland and Ireland among others. It was wonderful to see, after detailed questioning and discussions, the committee coming to a cross-party consensus, which, to my mind, is historic in relation to the status of the language. That has been referred to in the amendment tabled by the opposition parties. However, at the same time, we acknowledge the significant barriers that have arisen in relation to this proposed Measure. In particular, there is the barrier of seeing the simple statement on status that everybody agreed on, as Rhodri Morgan has just said, transformed into something that caused so much complexity and confusion.

After publishing the committee report last July, it was revealed that the Assembly, through the language LCO, does not have the authority to legislate on full status. Further to

Ymhellach, oherwydd y cyfyngiadau hynny a'n setliad cyfansoddiadol, datgelwyd mai'r llysoedd fydd yn barnu ac yn penderfynu ar faterion ieithyddol statws yr iaith. Felly, nid Llywodraeth y Cynulliad na'r Gweinidog sy'n gwrthod cyflawni statws llawn, ond amgylchiadau cyfansoddiadol. Gresyn a gofid na fyddai hynny wedi'i wneud yn glir i ni aelodau'r pwyllgor yn ystod ein trafodaethau. Oherwydd risg cyfreithiol, yr oeddem yn methu â bwrw ymlaen i gyflawni dyhead Aelodau'r Cynulliad hwn, a chreodd hynny dyndra a dadleuon a oedd yn cael eu gorgymhlethu, yn fy nhyb i, mewn perthynas â statws cyfyngedig yr iaith, a phob math o gymhlethdodau.

Felly, yr wyf yn hynod falch bod y Gweinidog wedi cynnig gwelliant hwyr sy'n mynd yn bell iawn tuag at bontio dwy ochr y ddadl. Oni bai am y gwelliant hwnnw, byddem wedi diweddu gyda Mesur arfaethedig a fyddai'n annhebygol o gael sêl bendith ein cenedl.

Paul Davies *a gododd—*

Gareth Jones: Nid wyf am ildio. Wedi derbyn y gwelliant hwn, codir cwestiynau amlwg. Mae gwersi i'w dysgu a chwestiynau i'w hateb. Cwestiynau rhethregol ydynt ar hyn o bryd, ond cyn i unrhyw Lywodraeth yn y dyfodol geisio mynd i'r afael â hyrwyddo'r iaith a diogelu ei dyfodol, mae angen ateb onest a thrylwyr gan bob un ohonom i'r cwestiynau hyn. Beth yn union yw, neu a olygir gan, statws llawn diamedd i'r iaith Gymraeg? Yr wyf newydd glywed sôn am Greenberg. Dyna'r cyntaf imi glywed amdano neu unrhyw gyfeiriad ato. Mae un arall wedi rhoi rhyw fath o ddatganiad ar yr holl beth. Beth yn union yw statws a beth y mae'n ei olygu? Pwy a all awdurdodi cyflawni'r fath statws, ac ymhle y gellir gwneud hynny? Ymddengys na all y Cynulliad wneud hynny o dan y drefn gyfansoddiadol bresennol. Yn olaf, sut y gall pobl Cymru ymgyrchu, ac at bwy neu beth y dylid anelu'r fath ymgyrch?

Efallai na fydd y Mesur arfaethedig hwn wedi llwyddo i gyflawni dyhead pawb, ond gadewch inni gydnabod a llongyfarch ein Gweinidog ar ei ymrwymiad, ei ddygnwch,

that, owing to the restrictions here and our constitutional settlement, it was revealed that it will be the courts that adjudge and decide on the linguistic status of the language. Therefore, to my mind, it is not the Assembly Government or the Minister who will refuse to fulfil the status, but constitutional circumstances. It is a shame and of regret that that was not made clear to the members of the committee during our discussions. Therefore, because of the legal risk, we could not move forward to fulfil this Assembly's aspirations, and that caused tensions and debate that were overcomplicated, to my mind, in relation to the limited status of the language, and all manner of complications.

Therefore, I am pleased that the Minister has proposed a late amendment that goes very far towards bridging the gap between both sides of the argument. Were it not for that amendment, we would have ended up with a proposed Measure that was unlikely to receive the blessing of our nation.

Paul Davies *rose—*

Gareth Jones: I will not give way. Agreeing to this amendment raises obvious questions. There are lessons to be learnt and questions to be answered. At the moment, they are rhetorical questions, but before any Government in future attempts to address language promotion and to safeguard the language's future, every one of us needs to give full and honest answers to these questions. What exactly is, or what is meant by, full and unequivocal status to the Welsh language? I have just heard Greenberg being mentioned. That is the first that I have heard about him or any reference to him. Someone else has made a statement on the whole issue. What exactly is status and what does it mean? Who can authorise the enactment of such status, and where can that be done? It appears that the Assembly cannot do so under the present constitutional arrangements. Finally, how can the people of Wales campaign, and to whom or what should such a campaign be directed?

Perhaps this proposed Measure will not fulfil everyone's aspirations, but let us recognise and congratulate our Minister for his commitment, his endurance and his

a'i barodrwydd i weithredu hyd eithaf gallu'r Cynulliad i gyflawni Mesur arfaethedig sydd â'r potensial i uwchraddio statws y Gymraeg a'n defnydd ohoni. Yn ogystal, gadewch i'r gefnogaeth a ddangoswyd i'r Gymraeg drwy dystiolaeth i'r pwyllgor deddfu, a drwy'r negeseuon e-bost di-rif gan gefnogwyr yr iaith, fod yn ysbrydoliaeth inni barhau i fynnu'r parch dyladwy iddi, a pharhau i weithio gyda'n gilydd i sicrhau dyfodol cadarn i'n hiaith, ein diwylliant a'n hunaniaeth. Cefnogwn welliant y Llywodraeth.

Bethan Jenkins: Yn gyntaf, hoffwn ddiolch i'r Gweinidog, Alun Ffred Jones, am ddod â'r gwelliant munud olaf gerbron y Cynulliad. Yr wyf yn parchu'r gwaith mae'r Cynulliad, y Llywodraeth ac Alun Ffred Jones wedi ei wneud er mwyn creu Mesur arfaethedig cryf a hanesyddol, am wrando ar etholwyr, ymgyrchwyr iaith ac aelodau etholedig yn rhan o'r broses honno, ac am weithredu mewn ysbryd pendant a chadarnhaol ar ein gofynion ni fel Aelodau Cynulliad.

Fel y dywedais, yr wyf yn falch bod y Llywodraeth bellach wedi cynnig y gwelliant newydd hwn ar statws swyddogol, sydd yn golygu bod statws swyddogol yn egwyddor nad yw wedi'i gyfyngu gan gymal 1(2). Er mwyn ceisio sicrhau hynny y cyflwynais fy ngwelliant yn y lle cyntaf. Mae'n dileu'r dryswch sydd ym meddyliau'r cyhoedd ynghylch statws cyfreithiol i'r iaith. Felly, yn wyneb y datblygiad hwn, ac ar ôl trafodaethau gyda'r Gweinidog, nid wyf yn bwriadu cynnig fy ngwelliannau ar y Mesur arfaethedig hwn.

Diolch yn fawr i'r ymgyrchwyr, megis Cymdeithas yr Iaith, yr Athro Richard Wyn Jones, a chyfreithwyr megis Emyr Lewis a Gwion Lewis am lobio'r Llywodraeth ac am weithio mor ddiwyd fel rhan o'r broses hon. Diolch, hefyd, am eu cyngor i Aelodau'r Cynulliad.

Bydd datganiad cryf o statws swyddogol yr iaith yn rhoi hwb i genedlaethau o Gymry yn y dyfodol i ddefnyddio'r iaith, ac yn gwneud safiad clir i'r byd fod yr iaith yn fyw, yn enwedig yn ein hymgyrch, ar lefel Ewropeaidd, i wthio am statws swyddogol i'r iaith.

willingness to apply the full extent of the Assembly's powers to introduce a proposed Measure that has the potential to elevate the status of Welsh and increase its use. Furthermore, let the support shown to the language through the evidence given to the legislation committee, and through countless e-mails by language supporters, be an inspiration to us to continue to insist that the language is given its due respect, and to continue to work together to ensure a secure future for our language, culture and identity. Support the Government's amendment.

Bethan Jenkins: First, I thank the Minister, Alun Ffred Jones, for bringing this last-minute amendment before the Assembly. I respect the work that the Assembly, the Government and Alun Ffred Jones have done to draw up a strong and historic proposed Measure, for listening to constituents, language campaigners and elected members as part of that process, and for dealing in such a positive and determined spirit with our requests as Assembly Members.

As I said, I am proud that the Government has now accepted this new amendment on the language's official status, which means that official status is a principle that is not limited by clause 1(2). That is why I tabled my original amendment. It removes the confusion that is in the minds of the public regarding the legal status of the language. Therefore, in light of this development, and following discussions with the Minister, I do not intend to move my amendments in respect of this proposed Measure.

I thank campaigners such as the Welsh Language Society, Professor Richard Wyn Jones, and lawyers such as Emyr Lewis and Gwion Lewis, for lobbying the Government and for their hard work as part of this process. I thank them also for the advice that they have given to Assembly Members.

A strong statement on the official status of the language will encourage future generations of Welsh men and women to use the language, and it sends a clear message to the world that the language is alive, especially as part of our campaign, on a European level, to push for official status to

the language.

Dyma rywbeth inni ei ddathlu heddiw, a dathlu mai Plaid Cymru mewn Llywodraeth sydd yn arwain ar hyn o beth. Wedi'r cyfan, ni ellir datgysylltu'r iaith a Phlaid Cymru. Yr wyf yn ffyddiog yn awr—gyda phŵer dros y Gymraeg, yma yn y Cynulliad ac yng Nghymru—y bydd statws swyddogol cryf yn rhoi hwb mawr i ddatblygiad a thwf yr iaith. Datganiad yw hwn nad yw'r iaith Gymraeg yn israddol, ac na ddylai pobl gael eu trin fel dinasyddion eilradd yn eu gwlad eu hunain.

This is something for us to celebrate today, and to celebrate that Plaid Cymru, in Government, has led on it. After all, you cannot detach the language from Plaid Cymru. I am now confident—with powers over the Welsh language, here in the Assembly and in Wales—that strong official status will boost the development and growth of the language. This is a statement that the language is not inferior, and that people should not be treated as second-class citizens in their own country.

Os oes gwendidau ac anawsterau yn deillio o'r system newydd, yr wyf yn falch bod y Gweinidog wedi cytuno i ailedrych ar hyn oll ac ailasesu cyfeiriad y Llywodraeth lle bo angen, fel y gwnaed yn y broses hon. Hoffwn pe bai'r Gweinidog neu'r Llywodraeth yn ailedrych ar hawliau, yn enwedig os ceir problemau sydd yn golygu nad yw gwasanaethau yn cael eu darparu i unigolion—os nad yw unigolion, er enghraifft, yn gallu derbyn gwasanaethau drwy gyfrwng y Gymraeg yn y dyfodol fel yr amlinellir yn y Mesur arfaethedig hwn.

If weaknesses and difficulties emerge from the new system, I am pleased that the Government has agreed to look again at all the issues and to reassess the Government's direction where necessary, as was done in this process. I would like the Minister or the Government to look again at rights, especially if there are problems that individuals are not provided with services—if individuals, for example, are not receiving Welsh-language services in the future, as outlined in this proposed Measure.

Mae hyblygrwydd yn y dyfodol, wrth gwrs, i edrych ar y mater hwn eto ac i wella'r Mesur arfaethedig. Yr wyf yn ffyddiog y gallwn edrych ar hawliau fel rhan o'r broses honno. Diolch eto, a diolch am y gwaith mae'r Gweinidog wedi ei wneud.

There is flexibility in future, of course, to look again at this issue and to improve the proposed Measure. I am confident that we can look at rights as part of that process. Thank you again, and to the Minister for his work.

2.50 p.m.

Rhodri Glyn Thomas: 'Dyma gam hanesyddol sy'n mynd i osod sail gadarn ar gyfer y dyfodol.'

Rhodri Glyn Thomas: 'This is a historic step forward that will lay a strong foundation for the future.'

Nid fy ngeiriau i, ond datganiad ar y cyd gan yr Athro Richard Wyn Jones ac Emyr Lewis wrth gyfeirio at welliant 72, a gyflwynwyd gan y Gweinidog. Maent yn mynd ymlaen i ddweud y

Not my words, but those of Professor Richard Wyn Jones and Emyr Lewis in reference to amendment 72 that the Minister has moved. They go on to say that

'bydd cenedlaethau'r dyfodol yn cydnabod yr hyn gyflawnwyd heddiw'

'future generations will acknowledge what has been achieved today'

ar y dybiaeth y bydd pawb yn y lle hwn yn cefnogi gwelliant 72. Maent yn cyfeirio at weledigaeth ac arweiniad y Gweinidog, ac yn croesawu'r ffaith bod y Llywodraeth wedi

on the assumption that everyone in this place will support amendment 72. They refer to the vision and leadership of the Minister, and welcome the fact that the Government has

dwyn y gwelliant hwn gerbron. Maent yn cyfeirio at y datblygiad cyffrous hwn ar y funud olaf, sydd yn dangos bod gennym yng Nghymru Lywodraeth sy'n gwrandao ar ei phobl ac yn ymateb yn gadarnhaol i'w hetholwyr. Felly, mae consensws ymysg y bobl sydd wedi cysylltu â ni; yr wyf yn derbyn nad yw'r neges wedi cyrraedd y gwrthbleidiau hyd yn hyn—wedi'r cwbl, nid yw eu cysylltiad hwy gyda rhai o'r bobl hyn wedi bod yn agos iawn yn y gorffennol, ac efallai y bydd yn cymryd ychydig o amser iddynt dderbyn y neges hon, ond mae'r neges yn sicr wedi'n cyrraedd ni. Mae consensws ymysg y bobl a fu'n ymgyrchu am statws diamheuol i'r iaith Gymraeg yng Nghymru y bydd gwelliant 72 a gynigir gan y Gweinidog yn ateb y gofyn hwnnw. Yr wyf yn herio'r gwrthbleidiau i gefnogi'r gwelliant hwnnw a chydabod bod y Gweinidog wedi gwrandao ar lais pobl Cymru.

Nid wyf yn gwybod beth sy'n digwydd gyda'r gwrthbleidiau—ar un funud maent yn dweud wrthym fod gennym Weinidog nad yw'n gwrandao, ac wedyn maent yn beirniadu'r Gweinidog am wrando ac am ymateb i'r hyn sydd wedi cael ei ddweud; hyd yn oed ar y funud olaf, mae wedi bod yn barod i wrando, ystyried ac ymateb.

Peter Black: Rhodri Glyn, maybe you can tell us what has happened to Plaid Cymru in this regard, because when amendments were moved in committee, members of your party refused to move those amendments, and voted against them in some cases. Where is Plaid Cymru on this issue?

Rhodri Glyn Thomas: Peter, as always, you are behind the times. Times have moved on, although I do not think that you quite realise that. I refer you again to the joint statement by Richard Wyn Jones and Emyr Lewis. If you are telling me that Richard Wyn Jones and Emyr Lewis do not understand the issue of status for the Welsh language, that is all well and good, but I think that they do understand it. They welcome the fact that the Minister has tabled this amendment, because they accept that this amendment clarifies this issue once and for all.

tabled this amendment. They refer to this exciting last-minute development, which shows that we have in Wales a Government that listens to its people and responds positively to its electorate. Therefore, there is a consensus among those who have contacted us; I accept that the message has not reached the opposition yet—after all, they have not had strong links with some of these people in the past, and perhaps it will take some time for them to accept this message, but the message has certainly reached us. There is a consensus among those who campaigned for unequivocal status for the Welsh language in Wales that amendment 72 proposed by the Minister will meet that requirement. I challenge the opposition parties to support that amendment and to recognise that the Minister has listened to the people of Wales.

I do not know what is happening with the opposition parties—one minute, they are telling us that we have a Minister who does not listen, the next minute they are criticising the Minister for listening and for responding to what has been said; even at the last minute, he has been willing to listen, consider and respond.

Peter Black: Rhodri Glyn, efallai y gallwch ddweud wrthym beth sydd wedi digwydd i Blaid Cymru yn hyn o beth, oherwydd pan gynigiwyd gwelliannau yn y pwyllgor, roedd aelodau o'ch plaid yn gwrthod cynnig y gwelliannau hynny, ac yn pleidleisio yn eu herbyn mewn rhai achosion. Ble mae Plaid Cymru'n sefyll ar y mater hwn?

Rhodri Glyn Thomas: Peter, fel bob amser, rydych chi ar ei hôl hi. Mae pethau wedi symud yn eu blaen, er nad wyf yn meddwl eich bod chi'n llwyr sylweddoli hynny. Cyfeiriaf chi unwaith eto at y datganiad ar y cyd gan Richard Wyn Jones ac Emyr Lewis. Os ydych yn dweud wrthyf nad yw Richard Wyn Jones ac Emyr Lewis yn deall pwnc statws i'r Gymraeg, digon teg, ond rwyf fi o'r farn eu bod yn ei ddeall. Maent yn croesawu'r ffaith fod y Gweinidog wedi cyflwyno'r gwelliant hwn, oherwydd eu bod yn derbyn bod y gwelliant hwn yn egluro'r mater hwn unwaith ac am byth.

Peter Black: We will be voting for that amendment; we just happen to think that Bethan Jenkins's amendment and our amendment are better, but if we cannot get our amendment through, we will support yours.

Rhodri Glyn Thomas: Again, you are behind the times, Peter—do catch up, please. Bethan has just withdrawn her amendment, so you cannot vote for it.

The Presiding Officer: Order. Bethan Jenkins has not withdrawn her amendment; she could not withdraw it. She has indicated that it is not going to be moved. It is important to get these things right.

Paul Davies: A ydych hefyd yn derbyn bod Emyr Lewis wedi dweud na allwn roi statws i'r Gymraeg heb roi statws swyddogol i'r Saesneg hefyd?

Rhodri Glyn Thomas: Mae'n rhaid ichi edrych ar y datganiad diweddaraf, Paul. Pan fydd y datganiad yn eich cyrraedd, yr wyf yn siŵr y byddwch yn sylweddoli bod Emyr—cyfreithiwr sy'n arbenigo yn y math hwn o gyfraith—yn derbyn bod gwelliant Alun Ffred yn ateb y gofyn yn hyn o beth, a'i fod yn ddatganiad hanesyddol. Yr hyn y dylem ei wneud yn awr yw croesawu Mesur arfaethedig cynhwysfawr ar yr iaith Gymraeg sydd wedi cael ei ddatblygu yn y fan hyn, lle mae'r Aelodau i gyd wedi cael y cyfle i fynegi barn a lle mae'r Gweinidog wedi ystyried popeth sydd wedi cael ei ddweud o fewn y Cynulliad a'r tu hwnt. Mae gennym bellach Fesur arfaethedig cynhwysfawr y dylem ei groesawu. Yr wyf yn gobeithio na welwn y mân gecru a welsom wrth drafod grŵp 1 y gwelliannau. Mae'r mater hwn wedi ei osod ger ein bron gan y Gweinidog, ac mae derbyniad cyffredinol i'r hyn mae'r Gweinidog yn ei ddweud. Gadewch inni groesawu'r Mesur arfaethedig yn ei gyfanrwydd, a gadewch inni ddynodi bod hwn yn ddiwrnod hanesyddol i'r iaith Gymraeg a llongyfarch y Gweinidog am y gwaith a wnaeth dros y blynyddoedd diwethaf.

Alun Ffred Jones: Ni allaf gefnogi gwelliant Jenny Randerson gan fod gennyf nifer o

Peter Black: Byddwn yn pleidleisio o blaid y gwelliant hwnnw; rydym yn digwydd credu bod gwelliant Bethan Jenkins a'n gwelliant ni yn rhai gwell, ond os na allwn sicrhau mwyafrif o blaid ein gwelliant ni, byddwn yn cefnogi eich gwelliant chi.

Rhodri Glyn Thomas: Unwaith eto, Peter, rydych chi ar ei hôl hi—ceisiwch ddal i fyny, os gwelwch yn dda. Mae Bethan newydd dynnu ei gwelliant yn ôl, felly ni allwch bleidleisio drosto.

Y Llywydd: Trefn. Nid yw Bethan Jenkins wedi tynnu ei gwelliant yn ôl; ni allai ei dynnu yn ôl. Mae hi wedi mynegi na fydd yn cael ei gynnig. Mae'n bwysig cael y pethau hyn yn gywir.

Paul Davies: Do you also accept that Emyr Lewis said that we cannot give status to the Welsh language without also giving official status to the English language?

Rhodri Glyn Thomas: You need to look at the latest statement, Paul. When you get the statement I am sure that you will realise that Emyr—a lawyer with expertise in this area of law—accepts that Alun Ffred's amendment does meet the requirement in this area and that it is a historic statement. What we should do now is welcome a comprehensive proposed Measure on the Welsh language that has been developed in this place, where all Members have had an opportunity to express their opinions and where the Minister has considered everything that has been said within the Assembly and beyond. We now have a comprehensive proposed Measure that we should welcome. I hope that we are not going to see the falling out that we saw on group 1 of the amendments. This issue has been brought before us by the Minister and there is general acceptance of what the Minister has proposed. Let us welcome this proposed Measure in its entirety and let us note that this is a historic day for the Welsh language and congratulate the Minister for the work that he has done over the past few years.

Alun Ffred Jones: I cannot support the amendment tabled by Jenny Randerson as I

bryderon yn ei gylch. Cyn symud ymlaen, dylwn ychwanegu y dylai'r sylwadau a ddyfynnwyd gan Rhodri Morgan fod yn gysur i bob un ohonom o safbwynt y ffordd mae'r Mesur arfaethedig wedi ei ddrafftio. Cyn belled ag y mae Saesneg yn y cwestiwn, mae'n rhaid i ni beidio ag anghofio mai pwrpas y Mesur arfaethedig yw hybu a hwyluso defnydd y Gymraeg. Mae'r Saesneg eisoes yn mwynhau'r statws o fod yn iaith ddiofyn Llywodraeth y Deyrnas Unedig. Mae ei defnydd ar gyfer pwrpasau swyddogol wedi ei dderbyn ers canrifoedd, gan gynnwys yn ymwneud pobl â Llywodraeth a'r sector cyhoeddus yn gyffredinol, mewn achosion cyfreithiol ac wrth baratoi a defnyddio ffurflenni wedi eu rhagnodi. Mae'r Mesur arfaethedig yn cadarnhau nad effeithir ar statws y Saesneg.

Fel yr wyf wedi dweud ar sawl achlysur, pwrpas y Mesur arfaethedig hwn yw hybu a hwyluso defnydd y Gymraeg. Mae'r Mesur arfaethedig yn cadarnhau statws swyddogol y Gymraeg yng Nghymru. Bydd yn golygu y bydd siaradwyr Cymraeg yng Nghymru yn derbyn gwasanaethau Cymraeg gwell gyda phencampwr cryf, sef y comisiynydd, i warchod eu hawliau i dderbyn gwasanaethau Cymraeg. Bydd yr hawliau hynny yn cael eu sefydlu gan safonau iaith a fydd yn disodli'r cynlluniau iaith presennol. Yr ydym am adeiladu ar lefel bresennol y gwasanaethau Cymraeg a gwella ar hynny. Ein bwriad yw osgoi unrhyw ostyngiad yn lefel y gwasanaethau Cymraeg; yn hytrach, yr ydym am weld cynnydd yn y gwasanaethau hynny.

Trof at y gwelliant arall yn y grŵp hwn, gwelliant 51. O ran y geiriau 'dilysrwydd' a 'statws yn gyfartal', byddai datganiad sydd yn cymharu dilysrwydd neu statws y Gymraeg â'r Saesneg naill ai ymhlyg neu yn ecblyg yn codi cwestiynau cymhleth o gyfraith a pholisi. Yn bennaf, ni fyddai effaith datganiad o'r fath yn eglur, yn groes i'r hyn sydd wedi ei ddweud. Er enghraifft, mae nifer o ddarpariaethau statudol sy'n effeithio ar hawl person i gyfathrebu yn y Gymraeg. Gallai llys ddod i'r casgliad nad oes gan y Cynulliad y cymhwysedd i ddeddfu mewn perthynas â darpariaeth o'r math hwnnw neu, hyd yn oed, os gellir dadlau bod cymhwysedd i ddeddfu, efallai na fyddai darpariaethau o'r fath yn cael eu trechu gan

have a number of misgivings about it. Before moving on, I should add that what Rhodri Morgan said should reassure us all with regard to the way in which the proposed Measure has been drafted. As far as the English language is concerned, let us not forget that the purpose of this proposed Measure is to promote and facilitate the use of the Welsh language. The English language already enjoys the status of being the language of default of the United Kingdom Government. Its use for official purposes has been accepted practice for centuries, including in a person's dealings with Government and the public sector in general, in legal proceedings and in the preparation and use of prescribed forms. The proposed Measure confirms that the status of the English language is unaffected.

As I have said on many previous occasions, the purpose of the proposed Measure is to promote and facilitate the use of the Welsh language. The proposed Measure confirms the official status of the Welsh language in Wales. It will provide Welsh speakers with better Welsh language services, with a strong language champion to defend their rights to a Welsh language service. Those rights will be established by the new language standards that will take the place of Welsh language schemes. We want to build on and improve upon the current levels of Welsh language services. It is our intention that there should be no diminution in the level of Welsh language services; we want to see an expansion in the level of services provided.

I turn to the other amendment in the group— amendment 51. As to the words 'equal validity and status', a statement that either implicitly or explicitly compares the validity or status of the Welsh to the English language would present some complex questions of law and policy. Crucially, the effect of such a statement would be unclear. For instance, there are many statutory provisions that affect the right of a person to communicate in Welsh. A court could find that the Assembly has no competence to legislate in relation to such provisions or, even if it could be argued that there was competence to legislate, such provisions might well not be overridden by the statement of no lesser validity. Such a finding would seriously undermine the

ddatganiad nad yw'r defnydd o'r Gymraeg yn llai dilys. Byddai casgliad felly yn tanseilio yn ddifrifol y datganiad a amlinellir yng ngwelliant 51 a hygredded y Mesur a'r Cynulliad fel deddfwrfa. Ein bwriad fel Llywodraeth yw sicrhau bod deddfwriaeth y Cynulliad yn eglur ei chwmpas a'i heffaith gyfreithiol.

I droi at welliant y Llywodraeth, gwelliant 72, mae nifer wedi mynegi pryder bod adran 1(2) nid yn unig yn egluro sut mae deddfwriaeth yn rhoi effaith gyfreithiol i'r statws hwnnw ond yn cyfyngu neu yn tanseilio'r egwyddor gyffredinol a ddatgenir yn adran 1(1). Nid ydym yn cytuno â'r safbwynt hwnnw. Er hynny, yr ydym wedi gwrandao a derbyn bod nifer yn pryderu am hyn. Drwy gyflwyno gwelliant 72, yr wyf am gynnig cysur i'r rheini sy'n pryderu am gyfyngu ar natur yr egwyddorion cyffredinol. Bydd adran 1(2), o'i diwygio yn unol â gwelliant 72, yn ei gwneud yn glir nad cyfyngu ar yr egwyddor gyffredinol bod i'r iaith Gymraeg statws swyddogol yng Nghymru yw'r bwriad, ac yn manylu ar sut y rhoddir effaith gyfreithiol i'r egwyddor bwysig honno. Gan hynny, yr wyf yn gofyn i'r Cynulliad bleidleisio yn erbyn gwelliant 51 a chefnogi gwelliant 72.

Jenny Randerson: I could not work out when Gareth was speaking whether or not he was in favour of the amendment, until the last line when he said that he would vote against it. It is not good enough to blame our powers. We have the power in relation to this. It has been hard won and difficult to get, but we have that power.

I would describe the situation in relation to the amendments on this issue as pushing the Minister like a boulder uphill. It has been hard work. We started out with a situation in which an amendment and a statement on official status for the language were unnecessary. We then had what I call the shopping-list approach, which is the proposed Measure as it is at the moment and which begs the question about what is not on the shopping list. We now have, at the last minute, the shopping list plus anything else that you might fancy in the shop.

3.00 p.m.

statement set out in amendment 51, the credibility of the Measure and the credibility of the proposed Measure and the Assembly as a legislature. Our aim as a Government is to ensure that the Assembly's legislation is clear in terms of its scope and legal effect.

Turning to the Government amendment— amendment 72—a number of people have expressed concern that section 1(2) not only explains how the legislation gives legal effect to that status but limits or undermines the general principle stated in section 1(1). We do not agree with that view, but we have listened and realised that a number of people are concerned about this. By tabling amendment 72, I am offering reassurance to those who are concerned about limiting the nature of the general principles. Section 1(2), as amended in line with amendment 72 makes it clear that it is not the intention to place limitations on the general principle that the Welsh language has official status in Wales, and details how legal effect is given to this important principle. As such, I urge the Assembly to resist amendment 51 and to support amendment 72.

Jenny Randerson: Ni allwn ddyfalu pan oedd Gareth yn siarad a oedd o blaid y gwelliant ai peidio, tan y llinell olaf pan ddywedodd y byddai'n pleidleisio yn ei erbyn. Nid yw'n ddigon da rhoi'r bai ar ein pwerau. Mae gennym y pŵer yng nghyswllt hyn. Bu'n frwydr anodd i'w ennill, ond mae gennym y pŵer hwnnw.

Byddwn yn disgrifio'r sefyllfa o safbwynt y gwelliannau ar y pwnc hwn fel gwthio'r Gweinidog fel carreg fawr i fyny bryn. Bu'n waith caled. Cychwynasom gyda sefyllfa lle roedd gwelliant a datganiad ar statws swyddogol i'r Gymraeg yn ddiangen. Yn cawsom yr hyn rwyf fi'n ei alw'n ddull rhestr siopa, sef y Mesur arfaethedig fel y mae ar hyn o bryd ac sy'n codi'r cwestiwn ynghylch yr hyn nad ydyw ar y rhestr siopa. Mae gennym yn awr, ar y funud olaf, y rhestr siopa ynghyd ag unrhyw beth arall y gallai fod arnoch ei awydd o'r siop.

Then we have Bethan's amendment, which she is not going to move, which is exactly what Leanne did in committee at Stage 2. Bethan's amendment would have been better than the Minister's, and would have been broader. Then we have the comments of the various supporters and experts who know more than anyone in this Chamber about the law relating to the language, and the potential internationally for law relating to minority languages—what they have been saying would be a clear, unambiguous, simple statement is what is in the Welsh Liberal Democrat amendment. My prediction is that what the Minister is proposing, which will undoubtedly be agreed this afternoon, will lead to challenge in the courts and will mire us in such challenges for a long time. I ask Plaid Cymru Members in particular to have the courage of their convictions. Bethan talked about the importance of the language to Plaid Cymru, and, as someone who developed 'Iaith Pawb' as a Minister—which is still Government policy on the language—at a time when we did not have the power to change the law, I am well aware of the need for a clear, unambiguous statement. I would say to Plaid Cymru this afternoon: do what you should do, and vote for the Welsh Liberal Democrat amendment. Ignore the confused ramblings of Rhodri Glyn Thomas and vote for the Welsh Liberal Democrat amendment, because there are plenty of people who are expecting you to have the courage to do that this afternoon.

Y Llywydd: Y cwestiwn yw a ddylid derbyn gwelliant 51. A oes gwrthwynebiad? Gwelaif fod, ac felly symudwn i bleidlais.

Yna mae gennym welliant Bethan, nad yw hi'n mynd i'w gynnig, sef yr union beth a wnaeth Leanne yn y pwyllgor ar Gyfnod 2. Byddai gwelliant Bethan wedi bod yn well nag un y Gweinidog, ac wedi bod yn fwy eang. Yna mae gennym sylwadau yr amrywiol gefnogwyr ac arbenigwyr sy'n gwybod mwy na neb yn y Siambr hon am y gyfraith o safbwynt yr iaith, a'r potensial yn rhyngwladol ar gyfer deddfau'n ymwneud ag ieithoedd lleiafrifol—yr hyn y buont hwy'n ei ddweud fyddai'n ddatganiad clir, diamwys, syml yw'r hyn a geir yng ngwelliant Democratiaid Rhyddfrydol Cymru. Rwyf fi'n darogan y bydd yr hyn y mae'r Gweinidog yn ei gynnig, a fydd yn ddi-os yn cael ei gytuno y prynhawn yma, yn arwain at her yn y llysoedd ac yn ein clymu mewn heriau o'r fath am amser hir. Gofynnaf i Aelodau Plaid Cymru, yn enwedig, fod yn barod i sefyll dros eu hegwyddorion. Siaradodd Bethan am bwysigrwydd yr iaith i Blaid Cymru, ac, fel un a ddatblygodd 'Iaith Pawb' fel Gweinidog—sef polisi'r Llywodraeth ar yr iaith hyd heddiw—ar adeg pan nad oedd gennym y pŵer i newid y ddeddf, rwyf yn ymwybodol iawn o'r angen am ddatganiad clir, diamwys. Byddwn yn dweud wrth Blaid Cymru y prynhawn yma: gwnewch yr hyn y dylech ei wneud, a phleidleisiwch o blaid gwelliant Democratiaid Rhyddfrydol Cymru. Anwybyddwch ffwandro dryslyd Rhodri Glyn Thomas a phleidleisiwch o blaid gwelliant Democratiaid Rhyddfrydol Cymru, oherwydd mae digonedd o bobl yn disgwyl ichi fod â'r dewrder i wneud hynny y prynhawn yma.

The Presiding Officer: The question is that amendment 51 be agreed to. Are there any objections? I see that there are, and so we move to a vote.

*Gwelliant 51: O blaid 14, Ymatal 0, Yn erbyn 34.
Amendment 51: For 14, Abstain 0, Against 34.*

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

Asghar, Mohammad
Bates, Mick
Black, Peter
Bourne, Nick
Burnham, Eleanor
Davies, Paul
German, Veronica
Graham, William

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

Andrews, Leighton
Barrett, Lorraine
Chapman, Christine
Cuthbert, Jeff
Davies, Alun
Davies, Andrew
Davies, Jocelyn
Evans, Nerys

Isherwood, Mark
Melding, David
Millar, Darren
Morgan, Jonathan
Ramsay, Nick
Randerson, Jenny

Franks, Chris
Gibbons, Brian
Gregory, Janice
Griffiths, John
Griffiths, Lesley
Hart, Edwina
Hutt, Jane
James, Irene
Jenkins, Bethan
Jones, Alun Ffred
Jones, Ann
Jones, Elin
Jones, Gareth
Jones, Helen Mary
Jones, Ieuan Wyn
Law, Trish
Lewis, Huw
Lloyd, David
Lloyd, Val
Morgan, Rhodri
Ryder, Janet
Sargeant, Carl
Thomas, Gwenda
Thomas, Rhodri Glyn
Watson, Joyce
Wood, Leanne

*Gwrthodwyd gwelliant 51.
Amendment 51 not agreed.*

Y Llywydd: Symudwn i waredu gwelliant 72. Yr wyf yn gwahodd y Gweinidog i gynnig y gwelliant.

The Presiding Officer: We move to dispose of amendment 72. I invite the Minister to move the amendment.

Alun Ffred Jones: Cynigaf welliant 72 yn fy enw i.

Alun Ffred Jones: I move amendment 72 in my name.

Y Llywydd: Y cwestiwn yw a ddylid derbyn gwelliant 72. A oes unrhyw wrthwynebiad? Gwelaf nad oes. Yn unol â Rheol Sefydlog Rhif 7.35, felly, caiff gwelliant 72 ei dderbyn.

The Presiding Officer: The question is that amendment 72 be agreed to. Are there any objections? I see that there are none. In accordance with Standing Order No. 7.35, amendment 72 is therefore agreed.

*Derbyniwyd gwelliant 72.
Amendment 72 agreed.*

*Ni chynigiwyd gwelliant 70.
Amendment 70 not moved.*

**Grŵp 2: Penodi (Gwelliannau 57, 67, 59, 68, 62, 69)
Group 2: Appointments (Amendments 57, 67, 59, 68, 62, 69)**

Y Llywydd: Y prif welliant yn y grŵp yw gwelliant 57.

The Presiding Officer: The lead amendment in the group is amendment 57.

Paul Davies: Cynigaf welliant 57 yn fy enw i a chydag enw Jenny Randerson yn ei gefnogi.

Paul Davies: I move amendment 57 in my name and with the name of Jenny Randerson in support.

Pwrpas y gwelliannau hyn yw sicrhau The purpose of these amendments is to

annibyniaeth y comisiynydd, annibyniaeth y panel ymgynghori, ac annibyniaeth y tribiwnlys. Mae'r annibyniaeth hon yn hollbwysig i'r broses. Mae ein gwelliannau yn sicrhau bod y broses yn un agored a thryloyw. Nid wyf yn credu y dylai'r Prif Weinidog neu Weinidogion benodi'r bobl hyn gan ei bod hi'n hollbwysig bod hyd braich rhwng Gweinidogion a'r comisiynydd a'r panel ymgynghori a'r tribiwnlys. Nid wyf yn awgrymu am un funud y byddai'r Gweinidogion presennol neu'r Prif Weinidog presennol yn ceisio dylanwadu ar y broses ac ar benderfyniadau'r comisiynydd, y panel ymgynghori, a'r tribiwnlys, ond nid yw hynny'n golygu na all Gweinidogion eraill wneud hynny yn y dyfodol.

Bydd y gwelliannau hyn yn diogelu Llywodraeth y Cynulliad hwn, a Llywodraethau'r dyfodol o unrhyw bosibilrwydd o gyhuddiadau eu bod wedi dylanwadu ar y broses benodi. Drwy dderbyn y gwelliannau hyn, byddem yn sicrhau y bydd gan bawb hyder yn y system, a bod y broses yn annibynnol, clir a thryloyw. Byddwn hefyd yn atgoffa Aelodau bod y pwyllgor deddfwriaeth yng Nghyfnod 1 o'r Mesur wedi argymhell y dylai'r broses benodi fod yn annibynnol a dylai apwyntio comisiynydd, y panel ymgynghori a'r tribiwnlys gael ei wneud gan y Cynulliad Cenedlaethol. Felly, anogaf yr Aelodau i gefnogi'r gwelliannau hyn.

Jenny Randerson: These amendments all seek to place the commissioner at arm's length from the Minister. There will be a time, with a future Minister and a future commissioner, where the commissioner might be seen as weak in the face of a very strong Minister, or where there could be a clash with regard to the promotion of the language and how the enforcement of this law should be carried out. Therefore, the position of the commissioner would be strengthened considerably by being at arm's length from the Minister. It will take the language out of politics, which is very important.

I am absolutely sure that the Minister will repeat what he said in committee, which was that, at the moment, the Welsh Language Board is in exactly the same position in terms

secure the independence of the commissioner, the advisory panel, and the tribunal. This independence is crucial to the process. Our amendments ensure that the process is open and transparent. I do not believe that these people should be appointed by the First Minister or Ministers, as it is crucial that there is an arm's length between Ministers and the commissioner and the advisory panel and the tribunal. I am not suggesting for one minute that current Ministers or the current First Minister would try to influence the process and the decisions of the commissioner, the advisory panel and the tribunal, but that does not mean that other Ministers could not do so in the future.

These amendments will safeguard this Government, and future Government, from any possibility of accusations that they have influenced the appointments process. By agreeing these amendments, we will ensure that everyone will have confidence in the system, and that the process is independent, clear and transparent. I would also remind Members that the legislation committee at Stage 1 recommended that the appointments process should be independent, and that the commissioner, the advisory panel and the tribunal should be appointed by the National Assembly. Therefore, I urge Members to support these amendments.

Jenny Randerson: Mae'r gwelliannau hyn i gyd yn ceisio gosod y comisiynydd hyd braich oddi wrth y Gweinidog. Daw adeg, gyda rhyw Weinidog a rhyw gomisiynydd yn y dyfodol, pan fydd y comisiynydd, o bosibl, yn cael ei ystyried yn un gwan yn wyneb Gweinidog neilltuol o gryf, neu lle y gallai fod gwrthdaro o safbwynt hyrwyddo'r iaith a sut y dylid mynd ati i orfodi'r ddeddf hon. Felly, byddai sefyllfa'r comisiynydd yn cael ei chryfhau'n sylweddol pe byddai hyd braich oddi wrth y Gweinidog. Bydd yn tynnu'r iaith allan o wleidyddiaeth, sy'n bwysig iawn.

Rwyf yn gwbl sicr y bydd y Gweinidog yn ailadrodd yr hyn a ddywedodd yn y pwyllgor, sef, ar hyn o bryd, fod Bwrdd yr Iaith Gymraeg yn yr un sefyllfa yn union o ran

of appointments as what is proposed with regard to the commissioner. However, that is a board, and, by definition, a Welsh language board is made up of a group of people with varying personalities, views and approaches towards the language. Even the chair of the board is a relatively low-profile position, in comparison with the commissioner. You only have to look at the Children's Commissioner for Wales to see that the powers of a commissioner are very much personified in one individual, although he or she will, of course, have staff. That one individual's personality will be their strength and the driving force for the success of the office of commissioner. Therefore, the personality is important in a way that has not been the case with the Welsh Language Board in the past.

The idea that this should all be at arm's length from the Government is what is behind these amendments, and the Welsh Liberal Democrats will be supporting all the amendments put forward by the Conservatives in this group.

Alun Ffred Jones: Fel y dywedais wrth y pwyllgor yn ystod Cyfnod 2, yr wyf wedi gwrando'n ofalus ar y dystiolaeth a gyflwynwyd ynghylch rhoi rôl i'r Cynulliad yn y broses o benodi'r comisiynydd, panel cyngori'r comisiynydd ac aelodau'r tribiwnlys. Fodd bynnag, yr wyf yn dal i gredu mai'r Llywodraeth ddylai wneud y penodiadau hyn.

O ran penodi'r comisiynydd a gwelliant 57, mae'r Mesur arfaethedig fel y'i drafftwyd yn galluogi'r Prif Weinidog i gymryd sylw o farn y Cynulliad, pwyllgorau'r Cynulliad, ac Aelodau'r Cynulliad, wrth benodi'r comisiynydd. Mae *checks and balances* wedi'u cynnwys yn y broses benodi er mwyn sicrhau bod y broses yn un agored, tryloyw a theg. Rhaid i Weinidogion Cymru wneud darpariaeth ynghylch penodi'r comisiynydd mewn rheoliadau penodi, a fydd yn gwneud darpariaeth ar gyfer sefydlu panel i gyfweld ymgeiswyr ac i wneud argymhellion i'r Prif Weinidog. Gall y rheoliadau penodi hefyd wneud darpariaeth ynghylch yr egwyddorion i'w dilyn wrth benodi'r comisiynydd. Gall cynnwys egwyddorion tebyg i egwyddorion Nolan ar benodiadau cyhoeddus. Hefyd, gall

penodiadau â'r hyn sy'n cael ei gynnig o safbwynt y comisiynydd. Fodd bynnag, bwrdd yw hwnnw a, thrwy ddiffiniad, mae bwrdd ar gyfer yr iaith Gymraeg yn cynnwys grŵp o bobl gyda gwahanol bersonoliaethau, safbwyntiau a dulliau gweithredu tuag at yr iaith. Mae cadeirydd y bwrdd, hyd yn oed, mewn sefyllfa sydd â'i phroffil yn gymharol isel o'i gymharu â'r comisiynydd. Nid oes ond angen ichi edrych ar Gomisiynydd Plant Cymru i weld bod pwerau comisiynydd, i raddau helaeth, yn cael eu hymgnawdoli mewn un unigolyn, er y bydd gan y person hwnnw staff, wrth gwrs. Personoliaeth yr unigolyn penodol hwnnw fydd eu cryfder, a'r grym fydd yn sbarduno llwyddiant swydd y comisiynydd. Felly, mae'r bersonoliaeth yn bwysig mewn modd na fu'n wir yn achos Bwrdd yr Iaith Gymraeg yn y gorffennol.

Yr hyn sydd y tu ôl i'r gwelliannau hyn yw'r syniad y dylai hyn oll fod hyd braich oddi wrth y Llywodraeth, a bydd Democratiaid Rhyddfrydol Cymru yn cefnogi'r holl welliannau a gyflwynwyd gan y Ceidwadwyr yn y grŵp hwn.

Alun Ffred Jones: As I said to the committee in Stage 2, I have listened carefully to the evidence presented regarding giving a role to the Assembly in the appointment process for the commissioner, the commissioner's advisory panel and the members of the tribunal. However, I remain of the view that these appointments should be made by the Government.

With regard to the appointment of the commissioner and amendment 57, the Measure, as drafted, allows the First Minister to take account of the views of the National Assembly, Assembly committees, and Assembly Members, in appointing the commissioner. There are checks and balances built into the appointment process to ensure that the process is open, transparent and fair. The Welsh Ministers must make provision for the appointment of the commissioner in appointment regulations, which will make provision for the establishment of a panel to interview candidates and make recommendations to the First Minister. The appointment regulations may also make provision about the principles to be followed in appointing the commissioner. Those may

rheoliadau penodi roi ar waith a diwygio unrhyw god ymarfer sy'n ymwneud â phenodi i gyrff cyhoeddus, a bydd hyn yn eu galluogi i ddefnyddio'r codau ymarfer addas sydd eisoes yn bodoli.

Yr wyf wedi gwrandao a derbyn yr argymhelliad a wnaed gan y Pwyllgor Materion Cyfansoddiadol y dylai'r rheoliadau penodi fod yn ddarostyngedig i'r weithdrefn gadarnhaol. Mae'r gwelliant a gyflwynais ac a gafodd ei dderbyn yng Nghyfnod 2 yn golygu y bydd y Cynulliad yn trafod cynnwys y rheoliadau penodi, a bydd rhaid i'r Cynulliad gymeradwyo'r rheoliadau yn dilyn cynnig ffurfiol.

Yn ei chyflwyniad, cyfeiriodd Jenny Randerson at safle'r comisiynwyr eraill. Mae'n eithriadol o bwysig inni ddeall bod penodiad gan y Prif Weinidog yn gyson gyda'r broses o benodi Comisiynydd Plant Cymru a Chomisiynydd Pobl Hŷn Cymru. Felly, pam y dylai'r comisiynydd hwn fod yn wahanol?

3.10 p.m.

David Melding: The reason why it should be different is very simple: we should follow international best practice, which places the appointment of commissioners with the legislature and not with the Executive. I agree that it should also apply to the Children's Commissioner for Wales and the Commissioner for Older People in Wales. We all know that, were we voting by secret ballot, this proposal would pass today.

Alun Ffred Jones: Wel, nid wyf fi wedi clywed neb yn y Siambr o'r blaen yn nodi nad oedd yn fodlon â'r broses o benodi Comisiynydd Plant Cymru na Chomisiynydd Pobl Hŷn Cymru. Yn wir, mae'r broses wedi cynnwys Aelodau Cynulliad wrth wneud y penodiadau hynny.

O ran gwelliant 59, sy'n ymwneud â phenodi aelodau panel cynghori'r comisiynydd, o ystyried mai pwrpas y panel cynghori yw

include principles similar to the Nolan principles on public appointments. Additionally, appointment regulations may apply and modify any code of practice that is concerned with appointment to public bodies, so enabling Welsh Ministers to make use of suitable existing codes.

I have listened and accepted the recommendation made by the Constitutional Affairs Committee that the appointment regulations for the commissioner should be subject to the affirmative procedure. The amendment that I tabled and which was agreed at Stage 2 means that the National Assembly will debate the content of the appointment regulations, and will have to approve the regulations by resolution.

In her presentation, Jenny Randerson referred to the position of other commissioners. It is exceptionally important that we understand that an appointment by the First Minister is consistent with the process of appointing the Children's Commissioner for Wales and the Commissioner for Older People in Wales. Therefore, why should this commissioner be different?

David Melding: Mae'r rheswm pam y dylai fod yn wahanol yn syml iawn: dylem ddilyn yr arfer gorau rhyngwladol, sy'n rhoi'r cyfrifoldeb am benodi comisiynwyr yn nwylo'r ddeddfwrfa ac nid y Weithrediaeth. Cytunaf y dylai'r un peth fod yn wir yn achos Comisiynydd Plant Cymru a Chomisiynydd Pobl Hŷn Cymru hefyd. Rydym oll yn gwybod, pe byddem yn cynnal pleidlais gyfrinachol, y byddai'r cynnig hwn yn cael ei basio heddiw.

Alun Ffred Jones: Well, I have not heard anyone in the Chamber note previously that they were not content with the process of appointing the Children's Commissioner for Wales or the Commissioner for Older People in Wales. Indeed, the process has included Assembly Members in making those appointments.

With regard to amendment 59, on the appointment of members of the commissioner's advisory panel, given that the

rhoi cyngor arbenigol i'r comisiynydd ac i gynorthwyo'r comisiynydd drwy drafod syniadau, mae'n hollol briodol i aelodau'r panel cynghori gael eu penodi gan Weinidogion Cymru. Bydd hyn hefyd yn gyson â'r ffaith mai'r Llywodraeth fydd yn penodi'r comisiynydd.

O ran gwelliant 62, sy'n ymwneud â phenodi aelodau'r tribiwnlys, nid yw rôl y Weinyddiaeth mewn penodi aelodau o dribiwnlysoedd yn ddatblygiad newydd ac nid yw'n atal y tribiwnlys rhag gweithredu'n annibynnol wrth gymryd penderfyniadau. Gan hynny, yr wyf yn annog y Cynulliad i bleidleisio yn erbyn gwelliannau 57, 59 a 62 yn enw Paul Davies.

Egwyddor bwysig y dylid ei chynnal yw y dylai'r ddyletswydd i benodi deiliaid swydd a'r pŵer i'w ddiswyddo fod gyda'r un person. Yr wyf wedi esbonio'r rhesymau pam fy mod yn gadarn fy marn mai'r Prif Weinidog ddylai benodi'r comisiynydd mewn modd agored a thryloyw. Yn yr un modd, dylai aelodau'r panel cynghori a'r tribiwnlys gael eu penodi gan Weinidogion Cymru. Gan hynny, mae'n dilyn mai'r Prif Weinidog ddylai fod yn gyfrifol am ddiswyddo'r comisiynydd, a Gweinidogion Cymru ddylai fod yn gyfrifol am ddiswyddo aelodau'r panel cynghori a'r tribiwnlys. Nid wyf yn meddwl y byddai'n briodol cael cytundeb y Cynulliad i ddiswyddo. Dylid cofio mai dim ond mewn amgylchiadau penodol y gall deiliaid swyddi gael eu diswyddo, fel y nodir yn yr Atodlenni perthansol. Yn achos y comisiynydd, er enghraifft, bydd angen i'r Prif Weinidog fod yn fodlon, cyn diswyddo'r comisiynydd, nad yw'r comisiynydd yn ffit i barhau fel comisiynydd neu nad yw'n gallu, neu nad yw'n fodlon, arfer swyddogaethau'r comisiynydd. Felly, yr wyf yn annog y Cynulliad i bleidleisio yn erbyn gwelliannau 67, 68 a 69 yn enw Paul Davies.

Paul Davies: Yr wyf yn siomedig bod y Gweinidog yn gwrthod y gwelliannau hyn. Unwaith eto, pwrpas y gwelliannau yw sicrhau annibyniaeth y comisiynydd, y panel

purpose of the advisory panel is to provide expert advice to the commissioner and to act as a sounding board to assist the commissioner, it is entirely appropriate that the members of the advisory panel are appointed by the Welsh Ministers. This will also be consistent with the fact that the commissioner will be appointed by the Government.

With regard to amendment 62, on the appointment of tribunal members, the involvement of the Executive in appointing tribunal members is not a novel development and does not prevent a tribunal from operating independently when making decisions. As such, I urge the Assembly to vote against amendments 57, 59 and 62 in the name of Paul Davies.

An important principle that should be maintained is that the duty to appoint an office holder, and the power to dismiss that office holder, 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. In the same way, members of the advisory panel and tribunal should be appointed by Welsh Ministers. As such, it follows that the First Minister should be the person responsible for the dismissal of the commissioner, and the Welsh Ministers should be responsible for the dismissal of the members of the advisory panel and the tribunal. I do not think it would be appropriate to obtain the Assembly's agreement to dismiss. It should be remembered that dismissal of the office holders may only be done on certain grounds, as specified in the relevant Schedules. In the case of the commissioner, for example, the First Minister would need to be satisfied, prior to dismissing the commissioner, that the commissioner was unfit to continue as commissioner or unable or unwilling to exercise the commissioner's functions. Therefore, I urge the Assembly to vote against amendments 67, 68 and 69 in the name of Paul Davies.

Paul Davies: I am disappointed that the Minister is rejecting these amendments. Once again, the purpose of the amendments is to ensure the independence of the

cyngori a'r tribiwnlys, a sicrhau bod y broses yn un hollol agored a thryloyw. Er mwyn i'r cyhoedd gael hyder yn y system, mae'n bwysig bod pobl yn gweld bod penodiadau fel hyn yn cael eu gwneud yn hollol annibynnol, a'r ffordd orau o wneud hynny yw sicrhau bod y penodiadau yn cael eu gwneud gan y Cynulliad Cenedlaethol. Yr wyf yn derbyn bod comisiynwyr eraill, fel y comisiynydd plant a'r comisiynydd pobl hŷn, yn cael eu penodi gan Weinidogion, ond mae gwahaniaeth fan hyn. Y gwahaniaeth mwyaf yw y bydd gan y comisiynydd iaith fwy o bwerau na'r comisiynywr eraill ac, felly, mae'n hollbwysig mai'r Cynulliad sy'n penodi'r person hwn. Nid yw'r ffaith bod comisiynwyr eraill yn cael eu penodi gan Weinidogion yn gwneud hyn yn iawn. Fel y dywedodd David Melding, er mwyn bodloni anghenion a safonau rhyngwladol, byddai'n hollol briodol i benodiadau fel hyn gael eu gwneud gan y corff democrataidd cyfan ac nid gan y Llywodraeth bwerau. Felly, yr wyf yn annog Aelodau i gefnogi'r gwelliannau hyn.

Y Llywydd: Y cwestiwn yw a ddylid derbyn gwelliant 57. A oes gwrthwynebiad? Gwelaf fod. Felly, symudwn i bleidlais.

commissioner, the advisory panel and the tribunal, and to ensure that the process is completely open and transparent. In order for the public to have confidence in the system, it is important that people see that such appointments are made entirely independently, and the best way of doing that is to ensure that the appointments are made by the National Assembly. I accept that other commissioners, such as the children's commissioner and the older people's commissioner, are appointed by Ministers, but there is a difference here. The major difference is that the language commissioner will have more powers than the other commissioners and, therefore, it is crucial that the Assembly should appoint this person. The fact that other commissioners are appointed by Ministers does not make this right. As David Melding said, in order to meet international standards and requirements, it would be appropriate that such appointments were made by the democratic body as a whole and not by the powerful Government. Therefore, I urge Members to support these amendments.

The Presiding Officer: The question is that amendment 57 be agreed to. Are there any objections? I see that there are. Therefore, we move to a vote.

*Gwelliant 57: O blaid 14, Ymatal 0, Yn erbyn 31.
Amendment 57: For 14, Abstain 0, Against 31.*

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

Asghar, Mohammad
Bates, Mick
Black, Peter
Bourne, Nick
Burnham, Eleanor
Davies, Paul
German, Veronica
Graham, William
Isherwood, Mark
Melding, David
Millar, Darren
Morgan, Jonathan
Ramsay, Nick
Randerson, Jenny

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

Andrews, Leighton
Barrett, Lorraine
Chapman, Christine
Cuthbert, Jeff
Davies, Alun
Davies, Andrew
Davies, Jocelyn
Franks, Chris
Gibbons, Brian
Gregory, Janice
Griffiths, John
Griffiths, Lesley
Hart, Edwina
Hutt, Jane
James, Irene
Jenkins, Bethan
Jones, Alun Ffred
Jones, Ann
Jones, Elin
Jones, Gareth
Jones, Helen Mary

Jones, Ieuan Wyn
 Lewis, Huw
 Lloyd, David
 Lloyd, Val
 Morgan, Rhodri
 Ryder, Janet
 Sargeant, Carl
 Thomas, Gwenda
 Thomas, Rhodri Glyn
 Watson, Joyce

*Gwrthodwyd gwelliant 57.
 Amendment 57 not agreed.*

Y Llywydd: Symudwn, yn ôl y drefn arferol, i waredu gwelliant 67. Galwaf ar Paul Davies i gynnig y gwelliant.

The Presiding Officer: We now move to dispose of amendment 67 in accordance with our usual practice. I call on Paul Davies to move the amendment.

Paul Davies: Cynigiaf welliant 67 yn fy enw i a chydag enw Jenny Randerson yn ei gefnogi.

Paul Davies: I move amendment 67 in my name and with the name of Jenny Randerson in support.

Y Llywydd: Y cwestiwn a ddylid derbyn gwelliant 67. A oes gwrthwynebiad? Gwelaf fod. Felly, galwaf am bleidlais.

The Presiding Officer: The question is that amendment 67 be agreed to. Are there any objections? I see that there are. Therefore, we will move to a vote.

*Gwelliant 67: O blaid 14, Ymatal 0, Yn erbyn 31.
 Amendment 67: For 14, Abstain 0, Against 31.*

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

Asghar, Mohammad
 Bates, Mick
 Black, Peter
 Bourne, Nick
 Burnham, Eleanor
 Davies, Paul
 German, Veronica
 Graham, William
 Isherwood, Mark
 Melding, David
 Millar, Darren
 Morgan, Jonathan
 Ramsay, Nick
 Randerson, Jenny

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

Andrews, Leighton
 Barrett, Lorraine
 Chapman, Christine
 Cuthbert, Jeff
 Davies, Alun
 Davies, Andrew
 Davies, Jocelyn
 Franks, Chris
 Gibbons, Brian
 Gregory, Janice
 Griffiths, John
 Griffiths, Lesley
 Hart, Edwina
 Hutt, Jane
 James, Irene
 Jenkins, Bethan
 Jones, Alun Ffred
 Jones, Ann
 Jones, Elin
 Jones, Gareth
 Jones, Helen Mary
 Jones, Ieuan Wyn
 Lewis, Huw
 Lloyd, David
 Lloyd, Val
 Morgan, Rhodri
 Ryder, Janet
 Sargeant, Carl
 Thomas, Gwenda

Thomas, Rhodri Glyn
Watson, Joyce

*Gwrthodwyd gwelliant 67.
Amendment 67 not agreed.*

Grŵp 3: Comisiynydd y Gymraeg—Cyllid (Gwelliant 50)
Group 3: Welsh Language Commissioner—Finance (Amendment 50)

Y Llywydd: Gwelliant 50 yw'r unig welliant yn y grŵp hwn. Galwaf ar Jenny Randerson i gynnig gwelliant 50.

Jenny Randerson: I move amendment 50 in my name and with the name of Paul Davies in support.

Amendment 50, if agreed to, will lead to greater transparency with regard to the finances of the Welsh language commissioner. It is crucial to the effectiveness of the commissioner that his or her budget is adequate. It is also crucial that the Assembly is able to scrutinise that budget with certainty, to ensure that it is adequate for the purpose and that it is being spent effectively. We are keen for the operations of the commissioner to be as transparent as possible. We have gone through the legislation with the fundamental view that the commissioner needs to be empowered in every way possible: empowered by a clear statement of the official status of the language; empowered in that the commissioner should not be overly beholden to the Minister for his or her appointment or daily operations; and empowered in terms of the budget with which he or she has to operate. The suggestion is that the Assembly should easily be able to scrutinise the resources that have been dedicated to the commissioner, and that the budget should be brought to the Assembly for that scrutiny.

We are bearing in mind the issue that we have encountered with other aspects of Government, in that taking things into Government too tightly makes it difficult to tie down exactly how much funding is available and what it is being spent on. Centralising things does not always increase the ability to scrutinise. The amount of money that is dedicated to the Welsh language is an issue that has been raised in the Assembly year after year, the adequacy of

The Presiding Officer: Amendment 50 is the only amendment in this group. I call Jenny Randerson to move amendment 50.

Jenny Randerson: Cynigïaf welliant 50 yn fy enw i a chydag enw Paul Davies yn ei gefnogi.

Bydd gwelliant 50, os caiff ei dderbyn, yn arwain at fwy o dryloywder o safbwynt cyllid comisiynydd y Gymraeg. Os yw'r comisiynydd am fod yn effeithiol, mae'n hanfodol fod ei gyllideb yn ddigonol. Mae'n hanfodol hefyd fod y Cynulliad yn gallu craffu ar y gyllideb honno â sicrwydd, er mwyn sicrhau ei bod yn ddigonol ar gyfer y diben a'i bod yn cael ei gwario'n effeithiol. Rydym yn awyddus i weithredoedd y comisiynydd fod mor dryloyw â phosibl. Rydym wedi mynd drwy'r ddeddfwriaeth â'r farn sylfaenol fod angen grymuso'r comisiynydd ym mhob ffordd bosibl: ei rymuso trwy gyfrwng datganiad clir o statws swyddogol yr iaith; ei rymuso yn yr ystyr na ddylai'r comisiynydd fod yn orddyledus i'r Gweinidog o safbwynt ei benodiad neu ei weithredoedd o ddydd i ddydd; a'i rymuso o safbwynt y gyllideb y mae'n rhaid iddo weithredu oddi mewn iddi. Yr awgrym yw y dylai'r Cynulliad allu craffu'n rhwydd ar yr adnoddau sydd wedi'u neilltuo i'r comisiynydd, ac y dylid dod â'r gyllideb gerbron y Cynulliad ar gyfer y craffu hwnnw.

Rydym yn cadw mewn cof yr ystyriaeth sydd wedi'i hamlygu inni mewn agweddau eraill ar y Llywodraeth, sef fod cadw pethau'n rhy agos at y Llywodraeth yn ei gwneud hi'n anodd canfod faint yn union o gyllid sydd ar gael a beth y mae'n cael ei wario arno. Nid yw canoli pethau, bob amser, yn cynyddu'r gallu i graffu. Mae faint o arian sy'n cael ei neilltuo i'r Gymraeg yn fater sydd wedi'i godi yn y Cynulliad flwyddyn ar ôl blwyddyn, mae digonolrwydd y gyllideb i

the budget to promote and to develop the language is an issue that has been raised in the Assembly year after year, and amendment 50 ensures that it will continue to be raised in the Assembly year after year. It is crucial to the success of the promotion and the development of the Welsh language that the Assembly can, to use a basic phrase, get a handle on it all. Therefore, I would urge Members to support amendment 50.

Alun Ffred Jones: I understand and support Jenny Randerson's wish for Members to be able to discern clearly the annual provision made for financing the work of the Welsh language commissioner. I take that to be a reflection of the concern that the commission be adequately funded. However, I would point out that the commissioner is not a centralised service. Were the Assembly to agree to amendment 50, it would then be acting outside its legislative competence. Section 125 of the Government of Wales Act 2006 provides Welsh Ministers with the discretion to include in the annual budget motion whatever they deem necessary to authorise the amounts to be used, accrued and paid out to the services and for the purposes specified in the motion. That is a wide discretion. By requiring Welsh Ministers to set out the amount of resources that may be used for a particular purpose, amendment 50 removes Welsh Ministers' discretion to decide what the budget motion should contain, and would therefore modify section 125 of the Government of Wales Act 2006. However, the Government of Wales Act 2006 does not allow us to modify section 125. As a result, I believe that what is proposed in amendment 50 is outside the legislative competence of the National Assembly, and I urge you not to support the amendment.

3.20 p.m.

Jenny Randerson: Quite clearly, we have received contrasting legal advice. I have been firmly assured that this is well within the Assembly's competence and, on that basis, I wish to proceed with the amendment.

hyrwyddo a datblygu'r iaith yn fater sydd wedi'i godi yn y Cynulliad flwyddyn ar ôl blwyddyn, ac mae gwelliant 50 yn sicrhau y bydd yn parhau i gael ei godi yn y Cynulliad flwyddyn ar ôl blwyddyn. Mae'n hanfodol i lwyddiant gwaith hyrwyddo a datblygu'r Gymraeg fod y Cynulliad yn gallu ymdrin â hyn oll. Felly, byddwn yn annog yr Aelodau i gefnogi gwelliant 50.

Alun Ffred Jones: Rwyf yn deall ac yn cefnogi dymuniad Jenny Randerson i'r Aelodau allu gweld yn glir beth yw'r ddarpariaeth flynyddol a wneir ar gyfer ariannu gwaith comisiynydd y Gymraeg. Cymeraf fod hynny'n adlewyrchiad o'r pryder fod y comisiwn yn cael ei ariannu'n ddigonol. Fodd bynnag, byddwn yn tynnu sylw at y ffaith nad yw'r comisiynydd yn wasanaeth sydd wedi'i ganoli. Pe byddai'r Cynulliad yn derbyn gwelliant 50, byddai'n gweithredu oddi allan i'w gymhwysedd deddfwriaethol. Mae adran 125 Deddf Llywodraeth Cymru 2006 yn rhoi'r disgrisiwn i Weinidogion Cymru gynnwys yn y cynnig cyllideb blynyddol beth bynnag yr ystyriant ei fod yn angenrheidiol i awdurdodi'r symiau a ddefnyddir, a gronnir ac a delir i'r gwasanaethau ac ar gyfer y dibenion a nodir yn y cynnig. Mae hwnnw'n ddisgrisiwn eang. Drwy ei gwneud hi'n ofynnol i Weinidogion Cymru bennu faint o adnoddau y caniateir eu defnyddio at ddiben penodol, mae gwelliant 50 yn cael gwared ar ddisgrisiwn Gweinidogion Cymru i benderfynu beth y dylai'r cynnig cyllideb ei gynnwys, a byddai felly'n addasu adran 125 Deddf Llywodraeth Cymru 2006. Fodd bynnag, nid yw Deddf Llywodraeth Cymru 2006 yn caniatáu inni addasu adran 125. O ganlyniad, credaf fod yr hyn sy'n cael ei gynnig yng ngwelliant 50 y tu hwnt i gymhwysedd deddfwriaethol y Cynulliad Cenedlaethol, ac anogaf chi i beidio â chefnogi'r gwelliant.

Jenny Randerson: Mae'n amlwg ein bod wedi cael cyngor cyfreithiol gwrthgyferbyniol. Cefais sicrhad pendant fod hyn oddi mewn i gymhwysedd y Cynulliad ac, ar y sail honno, hoffwn fwrw ymlaen â'r gwelliant.

Y Llywydd: Y cwestiwn yw a ddylid derbyn gwelliant 50. A oes unrhyw wrthwynebiad? Gwelaf fod. Felly, symudwn i bleidlais.

The Presiding Officer: The question is that amendment 50 be agreed to. Are there any objections? I see that there are. Therefore, we will move to a vote.

*Gwelliant 50: O blaid 14, Ymatal 0, Yn erbyn 31.
Amendment 50: For 14, Abstain 0, Against 31.*

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

Asghar, Mohammad
Bates, Mick
Black, Peter
Bourne, Nick
Burnham, Eleanor
Davies, Paul
German, Veronica
Graham, William
Isherwood, Mark
Melding, David
Millar, Darren
Morgan, Jonathan
Ramsay, Nick
Randerson, Jenny

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

Andrews, Leighton
Barrett, Lorraine
Chapman, Christine
Cuthbert, Jeff
Davies, Alun
Davies, Andrew
Davies, Jocelyn
Franks, Chris
Gibbons, Brian
Gregory, Janice
Griffiths, John
Griffiths, Lesley
Hart, Edwina
Hutt, Jane
James, Irene
Jenkins, Bethan
Jones, Alun Ffred
Jones, Ann
Jones, Elin
Jones, Gareth
Jones, Helen Mary
Jones, Ieuan Wyn
Lewis, Huw
Lloyd, David
Lloyd, Val
Morgan, Rhodri
Ryder, Janet
Sargeant, Carl
Thomas, Gwenda
Thomas, Rhodri Glyn
Watson, Joyce

*Gwrthodwyd gwelliant 50.
Amendment 50 not agreed.*

Grŵp 4: Comisiynydd y Gymraeg—Swyddogaethau (Gwelliant 58) Group 4: Welsh Language Commissioner—Functions (Amendment 58)

Y Llywydd: Gwelliant 58 yw'r unig welliant yn y grŵp. Galwaf ar Paul Davies i gynnig y gwelliant.

The Presiding Officer: Amendment 58 is the only amendment in this group. I call on Paul Davies to move the amendment.

Paul Davies: Cynigiaf welliant 58 yn fy enw i a chydag enw Jenny Randerson yn ei gefnogi.

Paul Davies: I propose amendment 58 in my name and with the name of Jenny Randerson in support.

Pwrpas gwelliant 58 yw ceisio gwahanu'r cyfrifoldebau dros hyrwyddo a rheoleiddio'r Gymraeg. Mae rhai yn pryderu y gall rhoi

The purpose of amendment 58 is to try to separate responsibilities for promoting and regulating the Welsh language. Some are

cyfrifoldeb plismona a hyrwyddo'r Gymraeg i un person greu problemau yn y dyfodol a chymhlethu'r ddwy rôl bwysig hyn. Byddai'n llawer mwy dymunol pe bai rheoleiddio a hyrwyddo'r iaith yn hollol annibynnol ar ei gilydd er mwyn osgoi anghysondeb.

Nid wyf am greu corff neu sefydliad arall i hyrwyddo'r Gymraeg oherwydd fy mod yn ymwybodol o'r gost o wneud hynny, yn enwedig yn y sefyllfa ariannol bresennol. Mae'r gwelliant hwn yn cynnig y dylai'r dirprwy gomisiynydd neu unigolyn o fewn swyddfa'r comisiynydd fod yn hollol gyfrifol am hyrwyddo'r Gymraeg tra bod y comisiynydd yn gyfrifol am blismona a rheoleiddio.

Mae'r gwelliant hwn yn rhoi hyblygrwydd i'r comisiynydd i strwythuro ei swyddfa fel y mae ef neu hi yn dymuno. Felly, y comisiynydd fyddai'n penderfynu sut y byddai plismona a hyrwyddo yn gweithio. Er enghraifft, os bydd sefydliad neu fudiad yn ei gweld yn anodd cwrdd â gofynion y safonau newydd, byddai adran hyrwyddo swyddfa'r comisiynydd yn gallu helpu a chynorthwyo'r mudiad neu sefydliad hwnnw. Mae'r gwelliant hwn yn bwysig ac yn hollol briodol oherwydd ei fod yn gwahanu'r rôl hyrwyddo a'r rôl rheoleiddio o fewn swyddfa'r comisiynydd. Felly, yr wyf yn annog Aelodau i gefnogi'r gwelliant hwn.

Jenny Randerson: I support Paul Davies's amendment. We are concerned that the Government should not be seen as the organisation that primarily promotes the Welsh language. The position of the Welsh Language Board has been immensely strengthened by the fact that it is an independent voice. People throughout the world look to it for its expertise in promoting the language. It has built and developed that expertise over the years. I have worked very closely with the board for a considerable number of years and I am in no doubt that a great deal of the strength of its position comes from the fact that it is at arm's length from the Government; that is, that it is not the Government promoting the language. Governments become unpopular and we do not want the language to become unpopular

concerned that giving the responsibility for policing and promoting the Welsh language to one person could create problems and confuse these two important roles. It would be much better if the regulation and promotion of the language were completely independent of each other in order to avoid inconsistency.

I do not want to create another body or organisation to promote the Welsh language because I am aware of the cost of doing so, especially in the current financial situation. This amendment proposes that the deputy commissioner or an individual in the commissioner's office should be fully responsible for the promotion of the Welsh language while the commissioner is responsible for policing and regulation.

This amendment gives the commissioner the flexibility to structure his or her office as he or she wishes. Therefore, the commissioner would decide how policing and promotion would work. For example, if an organisation or institution finds it difficult to meet the requirements of the new standards, the promotion department of the commissioner's office could help and support that organisation or institution. This amendment is important and entirely appropriate because it separates the promotion and regulation roles within the commissioner's office. Therefore, I urge Members to support this amendment.

Jenny Randerson: Rwyf yn cefnogi gwelliant Paul Davies. Rydym yn bryderus na ddylai'r Llywodraeth gael ei weld fel y corff sy'n bennaf cyfrifol am hyrwyddo'r Gymraeg. Mae'r ffaith ei fod yn llais annibynnol wedi cryfhau sefyllfa Bwrdd yr Iaith Gymraeg yn aruthrol. Mae pobl ledled y byd yn edmygu ei arbenigedd o safbwynt hyrwyddo'r iaith. Mae wedi adeiladu a datblygu'r arbenigedd hwnnw dros y blynyddoedd. Rwyf wedi gweithio'n agos iawn gyda'r bwrdd am nifer fawr o flynyddoedd ac nid oes gennyf amheuaeth fod llawer iawn o gryfder ei sefyllfa yn deillio o'r ffaith ei fod hyd braich oddi wrth y Llywodraeth; hynny yw, nad y Llywodraeth yn hyrwyddo'r iaith ydyw. Daw llywodraethau yn amhoblogaidd ac nid oes arnom eisiau i'r iaith ddod yn amhoblogaidd

because there happens to be an unpopular Government. We want the language to flourish at all times, however popular or unpopular a Government is at any particular time. Therefore, this amendment seeks to take the language away from the sharp edge of politics. It is on that basis that we support Paul Davies's amendment.

Alun Ffred Jones: Clywodd y pwyllgor deddfwriaeth lawer o dystiolaeth ynghylch yr angen i ddiogelu annibyniaeth y comisiynydd o ran ei weithredoedd. Yr wyf wedi gwrandao ar y pryderon hynny a bu imi gyflwyno nifer o welliannau yng Nghyfnod 2 er mwyn atgyfnerthu'r annibyniaeth honno.

Os derbynnir gwelliant 58, bydd y Mesur arfaethedig yn clymu dwylo'r comisiynydd ac yn pennu sut y dylai arfer ei swyddogaethau a rhedeg ei swyddfa. Yn ymarferol, os ydwyf wedi deall yn iawn, pwrpas ac effaith y gwelliant hwn yw ceisio cadw'r swyddogaethau rheoleiddio a hybu ar wahân, ond ni fyddai'n cyflawni'r amcan hwnnw gan y byddai'r dirprwy gomisiynydd yn dal i ymgymryd â'r swyddogaethau rheoleiddio a hybu yn ddyddiol. Fodd bynnag, byddai'n anarferol iawn deddfu er mwyn rhoi swyddogaethau i'r comisiynydd i hybu a hwyluso'r defnydd o'r Gymraeg, ond wedyn amddifadu'r comisiynydd o'r rhyddid i arfer y swyddogaethau hynny, gan ei gwneud yn ofynnol i'r cyfrifoldebau hynny gael eu dirprwyo i'r dirprwy gomisiynydd neu i aelod staff arall. Mae darpariaethau o ran dirprwyo swyddogaethau gan swyddog a sefydlir drwy statud fel arfer wedi'u llunio fel pwerau dewisol. Enghraifft o hynny yw adran 12 o'r Mesur arfaethedig, sy'n galluogi'r comisiynydd i ddirprwyo ei swyddogaethau, ond nid yw'n ei gwneud yn ofynnol i'r comisiynydd wneud hynny. Yr wyf, felly, yn annog y Cynulliad i bleidleisio yn erbyn gwelliant 58 yn enw Paul Davies.

Paul Davies: Unwaith eto, yr wyf yn siomedig fod y Gweinidog yn gwrthod cefnogi'r gwelliant hwn. Pwrpas y gwelliant yw gwahanu'r cyfrifoldebau dros hyrwyddo a rheoleiddio'r Gymraeg, a chredaf y byddai derbyn y gwelliant hwn yn ei gwneud yn hollol glir pwy fyddai'n gyfrifol am hyrwyddo a phlismaona'r iaith tu fewn i swyddfa'r comisiynydd. Gwelaf fod y

oherwydd bod y Llywodraeth yn digwydd bod yn amhoblogaidd. Mae arnom eisiau i'r iaith ffynnu trwy gydol yr amser, pa mor boblogaidd neu amhoblogaidd bynnag yw'r Llywodraeth ar unrhyw adeg benodol. Felly, mae'r gwelliant hwn yn ceisio mynd â'r iaith o ferw gwleidyddiaeth. Ar y sail honno yr ydym yn cefnogi gwelliant Paul Davies.

Alun Ffred Jones: The legislation committee heard much evidence about the need to preserve the operational independence of the commissioner. I have listened to those concerns and introduced a number of amendments at Stage 2 to reinforce that independence.

If amendment 58 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. In practice, if I have understood correctly, the purpose and effect of this amendment is to try to keep the regulation and promotion roles apart, but it would not achieve that aim as the deputy commissioner would still undertake the regulatory and promotion functions daily. However, it would, in any case, be extremely unusual to legislate to confer functions on the commissioner to promote and facilitate the use of the Welsh language, but then deprive the commissioner of the freedom to exercise those functions by requiring responsibility for them to be delegated to the deputy commissioner or another member of staff. Provisions in relation to the delegation of functions by an officer established by statute are usually discretionary powers. An example is section 12 of the proposed Measure that enables the commissioner to delegate his or her functions but does not oblige the commissioner to do so. I would, therefore, urge the Assembly to vote against amendment 58 in the name of Paul Davies.

Paul Davies: Once again, I am disappointed that the Minister is refusing to support this amendment. The intention of the amendment is to separate responsibility for promoting and regulating the Welsh language, and I think that accepting this amendment would make it totally clear who is responsible for promoting and policing the language inside the commissioner's office. I see that the

Gweinidog yn ysgwyd ei ben. Mae ganddo berffaith hawl i anghytuno, ond credaf fod y gwelliant hwn, yn syml, yn dweud ei fod yn bwysig bod y cyfrifoldebau dros hyrwyddo a phlisma ar wahân ac nad yw'r ddwy rôl yn cael eu cymhlethu mewn unrhyw fodd. Er mwyn gwahanu'r cyfrifoldebau hyn o fewn swyddfa'r comisiynydd, yr wyf yn annog yr Aelodau i gefnogi gwelliant 58.

Alun Ffred Jones: Nid wyf yn deall sut yn union yr wyt yn gwahaniaethu rhwng hyrwyddo a rheoleiddio, ac eto'n cynnwys y cyfan o fewn swyddfa'r comisiynydd. Nid wyf yn deall sut y gelli di ddweud ymlaen llawn y byddai hynny'n gwahanu'r swyddogaethau.

Paul Davies: Mae'n bosibl gwahanu'r rôl hyrwyddo a phlisma yn swyddfa'r comisiynydd. Dyna yr wyf yn ei annog yn y gwelliant hwn, a gobeithiaf y byddwch—fel Gweinidog ac fel Llywodraeth—yn cefnogi hynny. Yr wyf yn annog Aelodau eraill i dderbyn y gwelliant hwn.

Y Llywydd: Yr wyf yn deall eich bod am symud i bleidlais. Y cwestiwn yw a ddylid derbyn gwelliant 58. A oes gwrthwynebiad? Gwelaf fod. Felly, symudwn i bleidlais.

Minister is shaking his head. He has a right to disagree, but I think that this amendment says, simply, that it is important that the responsibilities for promoting and policing should be separated and should not be confused in any way. To separate these responsibilities in the commissioner's office, I urge Members to support amendment 58.

Alun Ffred Jones: I do not understand how exactly you are differentiating between promotion and regulation and yet including them both in the commissioner's office. I do not understand how you can say beforehand that that would separate the functions.

Paul Davies: It is possible to separate the promotion and policing roles in the commissioner's office. That is what I am urging in this amendment, and I hope that you—as a Minister and a Government—will support that. I urge other Members to accept this amendment.

The Presiding Officer: I understand that you wish to move to a vote. The question is that amendment 58 be agreed to. Are there any objections? I see that there are. Therefore, we will move to a vote.

*Gwelliant 58: O blaid 14, Ymatal 0, Yn erbyn 31.
Amendment 58: For 14, Abstain 0, Against 31.*

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

Asghar, Mohammad
Bates, Mick
Black, Peter
Bourne, Nick
Burnham, Eleanor
Davies, Paul
German, Veronica
Graham, William
Isherwood, Mark
Melding, David
Millar, Darren
Morgan, Jonathan
Ramsay, Nick
Randerson, Jenny

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

Andrews, Leighton
Barrett, Lorraine
Chapman, Christine
Cuthbert, Jeff
Davies, Alun
Davies, Andrew
Davies, Jocelyn
Franks, Chris
Gibbons, Brian
Gregory, Janice
Griffiths, John
Griffiths, Lesley
Hart, Edwina
Hutt, Jane
James, Irene
Jenkins, Bethan
Jones, Alun Ffred
Jones, Ann
Jones, Elin
Jones, Gareth
Jones, Helen Mary

Jones, Ieuan Wyn
 Lewis, Huw
 Lloyd, David
 Lloyd, Val
 Morgan, Rhodri
 Ryder, Janet
 Sargeant, Carl
 Thomas, Gwenda
 Thomas, Rhodri Glyn
 Watson, Joyce

*Gwrthodwyd gwelliant 58.
 Amendment 58 not agreed.*

Y Llywydd: Yn unol â'r rhestr o welliannau wedi'u didoli, symudwn i waredu gwelliant 59. Yr wyf yn gwahodd Paul Davies i gynnig y gwelliant.

Paul Davies: Cynigiau welliant 59 yn fy enw i a chydag enw Jenny Randerson yn ei gefnogi.

Y Llywydd: Y cwestiwn yw a ddylid derbyn gwelliant 59. A oes gwrthwynebiad? Gwelaf fod. Felly, symudwn i bleidlais.

The Presiding Officer: In accordance with the marshalled list, we move to dispose of amendment 59. I invite Paul Davies to move the amendment.

Paul Davies: I move amendment 59 in my name and with the name of Jenny Randerson in support.

The Presiding Officer: The question is that amendment 59 be agreed to. Are there any objections? I see that there are. Therefore, we will move to a vote.

*Gwelliant 59: O blaid 14, Ymatal 0, Yn erbyn 32.
 Amendment 59: For 14, Abstain 0, Against 32.*

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

Asghar, Mohammad
 Bates, Mick
 Black, Peter
 Bourne, Nick
 Burnham, Eleanor
 Davies, Paul
 German, Veronica
 Graham, William
 Isherwood, Mark
 Melding, David
 Millar, Darren
 Morgan, Jonathan
 Ramsay, Nick
 Randerson, Jenny

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

Andrews, Leighton
 Barrett, Lorraine
 Chapman, Christine
 Davies, Alun
 Davies, Andrew
 Davies, Jocelyn
 Evans, Nerys
 Franks, Chris
 Gibbons, Brian
 Gregory, Janice
 Griffiths, John
 Griffiths, Lesley
 Hart, Edwina
 Hutt, Jane
 James, Irene
 Jenkins, Bethan
 Jones, Alun Ffred
 Jones, Ann
 Jones, Elin
 Jones, Gareth
 Jones, Helen Mary
 Jones, Ieuan Wyn
 Lewis, Huw
 Lloyd, David
 Lloyd, Val
 Morgan, Rhodri
 Ryder, Janet
 Sargeant, Carl
 Thomas, Gwenda

Thomas, Rhodri Glyn
 Watson, Joyce
 Wood, Leanne

*Gwrthodwyd gwelliant 59.
 Amendment 59 not agreed.*

Grŵp 5: Panel Cynghori Comisiynydd y Gymraeg (Gwelliannau 49, 48 a 47)
Group 5: Advisory Panel to the Welsh Language Commissioner (Amendments 49, 48 and 47)

Jenny Randerson: I move amendment 49 in my name and with the name of Paul Davies in support.

The amendments are designed to increase the representative nature of the advisory panel to the Welsh language commissioner, because we believe that it is crucial that it is seen to be truly representative of Wales. The panel should include a variety of members: first-language Welsh speakers, people who have learned Welsh, and people who are possibly simply trying to start to learn Welsh.

3.30 p.m.

This is an advisory panel for the whole nation, effectively, and so it is important that the diversity of Wales is reflected in it. That is very important because, for this system to work, it has to have the public's confidence, whether you are a Welsh speaker or not, and the representative nature of the advisory panel is the key. We acknowledge that, to achieve real diversity, the size of the panel will need to be increased. The Minister has suggested a panel of three to five members, which is admirably small and neat, but you cannot have true diversity with three people. Therefore, there is an amendment to increase the number to between five and nine members to increase the opportunity for diversity.

It is important that we take this opportunity to get a little bit of clarification, and I would be grateful if the Minister could be clear with us on how the partnership council, which will be much more associated with the Minister, will operate in relation to the advisory panel. Where does the role of one of the bodies finish and the other start? There is considerable confusion in the minds of the public as to which of these bodies does what. We have all these different bodies—tribunals,

Jenny Randerson: Cynigaf welliant 49 yn fy enw i a chydag enw Paul Davies yn ei gefnogi.

Nod y gwelliannau yw cynyddu natur gynrychioliadol panel cynghori comisiynydd y Gymraeg, oherwydd credwn ei bod yn hanfodol ei fod yn cael ei weld fel un sy'n gwbl gynrychioliadol o Gymru. Dylai'r panel gynnwys amrywiaeth o aelodau: siaradwyr Cymraeg iaith gyntaf, pobl sydd wedi dysgu Cymraeg, a phobl sydd, o bosibl, ddim ond yn ceisio dechrau dysgu Cymraeg.

Mae hwn yn banel cynghori ar gyfer y genedl gyfan, mewn gwirionedd, ac felly mae'n bwysig ei fod yn adlewyrchu amrywiaeth Cymru. Mae hynny'n bwysig iawn oherwydd, er mwyn i'r system hon weithio, mae'n rhaid i'r cyhoedd fod â hyder ynddi, boed chi'n siarad Cymraeg ai peidio, a natur gynrychioliadol y panel cynghori yw'r allwedd i hynny. Rydym yn cydnabod, er mwyn sicrhau gwir amrywiaeth, y bydd angen cynyddu maint y panel. Mae'r Gweinidog wedi awgrymu panel o rhwng tri a phum aelod, sy'n rhyfeddol o fach a thaculus, ond ni allwch gael gwir amrywiaeth gyda thri pherson. Felly, ceir gwelliant i gynyddu'r nifer i rhwng pump a naw aelod er mwyn cynyddu'r cyfle am amrywiaeth.

Mae'n bwysig ein bod yn manteisio ar y cyfle hwn i gael rhywfaint o eglurhad, a byddwn yn ddiolchgar pe gallai'r Gweinidog fod yn glir gyda ni ynghylch sut y bydd y cyngor partneriaeth, a fydd yn gysylltiedig â'r Gweinidog i raddau llawer mwy, yn gweithredu mewn perthynas â'r panel cynghori. Ymhle y mae swyddogaeth un o'r cyrff yn gorffen a'r llall yn cychwyn? Ceir dryswch sylweddol ym meddyliau'r cyhoedd ynghylch pa un o'r cyrff hyn sy'n gwneud

commissioners, advisory panels, partnership groups, partnerships councils and so on—and there is considerable confusion over who exactly does what. I hope, therefore, Minister that you will be able to take the opportunity to clarify the different role of the two bodies as well as respond to this amendment.

Alun Ffred Jones: Mae'n ymddangos bod gwelliannau 47, 48 a 49 yn enw Jenny Randerson yn deillio o ddymuniad i greu bwrdd yr iaith arall, ac maent yn methu â gwerthfawrogi beth yw'r bwriad o ran rôl y panel, sef panel y gall y comisiynydd drafod ag ef, ac a fydd, yn ei dro, yn gallu cynghori'r comisiynydd. Nid yw'n fwriad iddo gynrychioli buddiannau penodol. Y cyngor partneriaeth yw'r lle i'r gynrychiolaeth honno, ond deuaif at hynny yn y man. Ni fydd y panel yn ymwneud â gwaith dyddiol y comisiynydd, ac ni fydd yn ymwneud â phenderfyniadau dyddiol na'r gwaith manwl y bydd y comisiynydd yn ei wneud. Bydd, fodd bynnag, yn ffynhonnell o gyngor ar gyfer y comisiynydd ac yn gyfle iddo ef neu hi drafod materion ar lefel strategol. Gall aelodau'r panel gael eu recriwtio oddi fewn i Gymru, neu o wledydd eraill, o bosibl, er mwyn i'r comisiynydd allu dwyn arbenigedd rhyngwladol mewn perthynas â chynllunio ieithyddol, er enghraifft, neu feysydd arbenigol eraill, megis technoleg gwybodaeth.

Y rheswm y mae'r Mesur arfaethedig yn darparu ar gyfer panel sy'n fach o ran nifer—rhwng tri a phum aelod—yw i adlewyrchu'r ffaith mai ei fwriad yw rhoi cyngor strategol i'r comisiynydd, ac nid i ymddwyn fel rhyw gorff cynrychioliadol cyhoeddus sy'n adlewyrchu amrywiaeth Cymru gyfan. Nid oes gennyf fwriad ail-greu bwrdd yr iaith. Tra wyf yn sicr yn awyddus i roi cyfle i ystod eang o fuddiannau gael cyfrannu at ddatblygu polisi ynghylch y Gymraeg, cyngor partneriaeth y Gymraeg fydd â'r ffocws ar gyfer hynny o fewn cyd-destun y strategaeth iaith Gymraeg, ac nid y panel cynghori.

Felly, i fod yn glir, bydd y panel cynghori yn cynghori'r comisiynydd a'r comisiynydd yn unig, a bydd y cyngor partneriaeth yn

beth. Mae gennym yr holl gyrff gwahanol hyn—tribiwnlysoedd, comisiynwyr, paneli cynghori, grwpiau partneriaeth, cynghorau partneriaeth ac ati—a cheir dryswch sylweddol ynghylch pwy'n union sy'n gwneud beth. Gobeithiaf, felly, Weinidog, y byddwch yn gallu manteisio ar y cyfle i egluro swyddogaeth wahanol y ddau gorff yn ogystal ag ymateb i'r gwelliant hwn.

Alun Ffred Jones: Amendments 47, 48 and 49 tabled by Jenny Randerson seem to stem from a desire to create another Welsh Language Board, and they fail to appreciate the intended role of the panel, which is to act as a sounding board for the commissioner, and that will, in turn, be able to advise the commissioner. The aim is not for it to represent particular interests. The partnership council is the place for such representations, but I will come to that now. The panel will not be involved in the day-to-day work of the commissioner, and will not be involved in any day-to-day decisions or the detail of the commissioner's work. It will, however, provide a source of advice for the commissioner and an opportunity for him or her to discuss issues of concern at a strategic level. Members of the Panel could be recruited from within Wales or, conceivably, from other countries, in order for the commissioner to draw upon international expertise in relation to language planning, for example, or other specialist fields such as information technology.

The reason the proposed Measure provides for a panel that is small in number—of between three and five members—is to reflect the fact that its purpose is to give strategic advice to the commissioner, and not to act as a public-facing representative body intended to reflect the diversity of the whole of Wales. I have no intention of creating a language board mark 2. While I am certainly keen for a wide range of interests to contribute to policy development regarding the language, the Welsh language partnership council will be the focus for that, within the context of the Welsh language strategy and not the advisory panel.

Therefore, to give some clarification, the advisory panel will advise the commissioner and only the commissioner, while the

cynghori'r Gweinidog ar y strategaeth iaith. Mae'r ddwy swydd yn gwbl ar wahân i'w gilydd ac yn eithaf syml i'w deall, dim ond i chi graffu'n ddigon manwl. Hyderaf, felly, y byddwch yn pleidleisio'n erbyn gwelliannau 47, 48 a 49.

The Presiding Officer: I invite Jenny Randerson to respond.

Jenny Randerson: I am sorry, Minister, but the reason you give for creating the advisory panel is that it should be a sounding board and should offer strategic advice. You then go on to refer to international expertise, which is a perfectly welcome proposal. However, that suggests even more strongly that the panel needs to be larger in size. I am confused by the difference between what you say in one sentence and what you say in the next. You mention a sounding board, which is a phrase that you have used before, but a sounding board needs to represent a variety of outlooks and views on life. Strategic advice, or expert advice, is different.

Therefore, your view of the advisory panel does not seem to have been particularly clarified over the months, and it is still difficult to appreciate where one thing finishes and the next begins. Just because one wants representation of different points of view on the language does not mean that one wants to recreate the Welsh Language Board. That is not the role of the board; it has a much wider role than that. With any body that we have created here, we have tried to take a representative approach. That is the case whether we are looking at business organisations or health organisations. When the Minister restructured the health service, the representative nature of the various boards that she created was strongly discussed here, as was the importance of that principle.

Alun Ffred Jones: Let me try to be as clear as I can. This will be a small panel of experts who can advise the commissioner. The representative members, who will come from all over Wales and may be involved in all

partnership council will advise the Minister on the language strategy. The two roles are totally separate and are quite easy to understand, provided you look carefully enough. I am confident therefore that you will vote against amendments 47, 48 and 49.

Y Llywydd: Gwahoddaf Jenny Randerson i ymateb.

Jenny Randerson: Mae'n ddrwg gennyf, Weinidog, ond y rheswm yr ydych yn ei roi dros greu'r panel cynghori yw y dylai fod yn gyfrwng i roi barn ar syniadau ac y dylai gynnig cyngor strategol. Rydych yn mynd ymlaen wedyn i gyfeirio at arbenigedd rhyngwladol, sy'n gynnig y byddem yn sicr yn ei groesawu. Fodd bynnag, mae hynny'n awgrymu hyd yn oed yn gryfach fod angen i'r panel fod yn fwy o ran maint. Rwyf wedi fy nrysu gan y gwahaniaeth rhwng yr hyn yr ydych yn ei ddweud yn un frawddeg a'r hyn yr ydych yn ei ddweud yn y nesaf. Rydych yn crybwyll panel y gall y comisiynydd drafod ag ef, sy'n syniad yr ydych wedi'i ddefnyddio o'r blaen, ond mae angen i banel o'r fath gynrychioli amrywiaeth o agweddau a safbwyntiau ar fywyd. Mae cyngor strategol, neu gyngor arbenigol, yn wahanol.

Felly, ymddengys nad yw eich barn ynghylch y panel cynghori wedi cael ei hegluro, mewn gwirionedd, dros y misoedd diwethaf, ac mae'n dal i fod yn anodd deall ble mae un peth yn gorffen a'r nesaf yn cychwyn. Nid yw'r ffaith fod rhywun eisiau cynrychiolaeth o wahanol safbwyntiau ar yr iaith yn golygu bod rhywun eisiau ail-greu Bwrdd yr Iaith Gymraeg. Nid dyna swyddogaeth y bwrdd; mae ganddo swyddogaeth ehangach na hynny o lawer. Gydag unrhyw gorff yr ydym wedi'i greu yma, rydym wedi ceisio mabwysiadu agwedd gynrychioliadol. Mae hynny'n wir boed ni'n edrych ar gyrff busnes neu gyrff iechyd. Pan aeth y Gweinidog ati i ailstrwythuro'r gwasanaeth iechyd, cafodd natur gynrychioliadol yr amrywiol fyrddau a grëwyd ganddi ei thrafod yn gryf yma, ac felly hefyd bwysigrwydd yr egwyddor honno.

Alun Ffred Jones: Gadewch imi geisio bod mor eglur ag y gallaf. Bydd hwn yn banel bychan o arbenigwyr a fydd yn gallu cynghori'r comisiynydd. Bydd yr aelodau cynrychioliadol, a fydd yn dod o bob rhan o

sorts of different aspects to do with the Welsh language and its culture, will be more likely to sit in the partnership council that we are setting up. Therefore, there are two distinct roles there, and that is how I have thought about it.

Jenny Randerson: This amendment comes straight from the committee's recommendations. It is clear that the Minister's view was not made clear to the committee when we came to this recommendation. On the basis that there is considerable confusion between these two bodies, I wish to move to a vote.

Y Llywydd: Y cwestiwn yw a ddylid derbyn gwelliant 49. Gwelaf fod gwrthwynebiad, felly galwaf am bleidlais.

Gymru ac a allai fod yn ymwneud â phob math o wahanol agweddau yn ymwneud â'r Gymraeg a'i diwylliant, yn fwy tebygol o eistedd ar y cyngor partneriaeth yr ydym yn ei sefydlu. Felly, ceir dwy swyddogaeth ar wahân yn y fan honno, a dyna sut yr wyf wedi meddwl amdano.

Jenny Randerson: Daw'r gwelliant hwn yn syth o argymhellion y pwyllgor. Mae'n amlwg na chafodd barn y Gweinidog ei hegluro wrth y pwyllgor pan fu inni lunio'r argymhelliad hwn. Ar y sail fod dryswch sylweddol rhwng y ddau gorff hyn, hoffwn symud ymlaen at bleidlais.

The Presiding Officer: The proposal is to accept amendment 49. I see that there are objections, and so I call for a vote.

*Gwelliant 49: O blaid 13, Ymatal 0, Yn erbyn 31.
Amendment 49: For 13, Abstain 0, Against 31.*

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

Asghar, Mohammad
Bates, Mick
Black, Peter
Bourne, Nick
Burnham, Eleanor
Davies, Paul
German, Veronica
Isherwood, Mark
Melding, David
Millar, Darren
Morgan, Jonathan
Ramsay, Nick
Randerson, Jenny

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

Andrews, Leighton
Barrett, Lorraine
Chapman, Christine
Cuthbert, Jeff
Davies, Alun
Davies, Jocelyn
Evans, Nerys
Franks, Chris
Gibbons, Brian
Gregory, Janice
Griffiths, John
Griffiths, Lesley
Hart, Edwina
Hutt, Jane
James, Irene
Jenkins, Bethan
Jones, Alun Ffred
Jones, Ann
Jones, Elin
Jones, Gareth
Jones, Helen Mary
Jones, Ieuan Wyn
Lewis, Huw
Lloyd, Val
Morgan, Rhodri
Ryder, Janet
Sargeant, Carl
Thomas, Gwenda
Thomas, Rhodri Glyn
Watson, Joyce
Wood, Leanne

*Gwrthodwyd gwelliant 49.
Amendment 49 not agreed.*

*Methodd gwelliant 48.
Amendment 48 fell.*

Y Llywydd: Awn ymlaen i waredu gwelliant 47.

The Presiding Officer: Let us move on to dispose of amendment 47.

Jenny Randerson: I move amendment 47 in my name and with the name of Paul Davies in support.

Jenny Randerson: Cynigiaf welliant 47 yn fy enw i a chydag enw Paul Davies yn ei gefnogi.

Y Llywydd: Y cwestiwn yw a ddylid derbyn gwelliant 47. Gwelaf fod gwrthwynebiad gan y Prif Chwip, felly galwaf am bleidlais.

The Presiding Officer: The proposal is that amendment 47 be agreed to. I see that there is an objection from the Chief Whip, so I call for a vote.

*Gwelliant 47: O blaid 13, Ymatal 0, Yn erbyn 31.
Amendment 47: For 13, Abstain 0, Against 31.*

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

Asghar, Mohammad
Bates, Mick
Black, Peter
Bourne, Nick
Burnham, Eleanor
Davies, Paul
German, Veronica
Isherwood, Mark
Melding, David
Millar, Darren
Morgan, Jonathan
Ramsay, Nick
Randerson, Jenny

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

Andrews, Leighton
Barrett, Lorraine
Chapman, Christine
Cuthbert, Jeff
Davies, Alun
Davies, Jocelyn
Evans, Nerys
Franks, Chris
Gibbons, Brian
Gregory, Janice
Griffiths, John
Griffiths, Lesley
Hart, Edwina
Hutt, Jane
James, Irene
Jenkins, Bethan
Jones, Alun Ffred
Jones, Ann
Jones, Elin
Jones, Gareth
Jones, Helen Mary
Jones, Ieuan Wyn
Lewis, Huw
Lloyd, Val
Morgan, Rhodri
Ryder, Janet
Sargeant, Carl
Thomas, Gwenda
Thomas, Rhodri Glyn
Watson, Joyce
Wood, Leanne

*Gwrthodwyd gwelliant 47.
Amendment 47 not agreed.*

Y Llywydd: Yn unol â'r rhestr o welliannau wedi'u didoli, yr ydym yn symud i waredu gwelliant 68.

The Presiding Officer: In accordance with the marshalled list, we now move to dispose of amendment 68.

Paul Davies: Cynigaf welliant 68 yn fy enw i gydag enw Jenny Randerson yn ei gefnogi.

Paul Davies: I move amendment 68 in my name and with the name of Jenny Randerson in support.

Y Llywydd: Y cwestiwn yw a ddylid derbyn gwelliant 68. Gwelaf fod gwrthwynebiad, felly galwaf am bleidlais.

The Presiding Officer: The proposal is that we accept amendment 68. I see that there are objections, and so I call for a vote.

*Gwelliant 68: O blaid 13, Ymatal 0, Yn erbyn 31.
Amendment 68: For 13, Abstain 0, Against 31.*

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

Asghar, Mohammad
Bates, Mick
Black, Peter
Bourne, Nick
Burnham, Eleanor
Davies, Paul
German, Veronica
Isherwood, Mark
Melding, David
Millar, Darren
Morgan, Jonathan
Ramsay, Nick
Randerson, Jenny

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

Andrews, Leighton
Barrett, Lorraine
Chapman, Christine
Cuthbert, Jeff
Davies, Alun
Davies, Jocelyn
Evans, Nerys
Franks, Chris
Gibbons, Brian
Gregory, Janice
Griffiths, John
Griffiths, Lesley
Hart, Edwina
Hutt, Jane
James, Irene
Jenkins, Bethan
Jones, Alun Ffred
Jones, Ann
Jones, Elin
Jones, Gareth
Jones, Helen Mary
Jones, Ieuan Wyn
Lewis, Huw
Lloyd, Val
Morgan, Rhodri
Ryder, Janet
Sargeant, Carl
Thomas, Gwenda
Thomas, Rhodri Glyn
Watson, Joyce
Wood, Leanne

*Gwrthodwyd gwelliant 68.
Amendment 68 not agreed.*

3.40 p.m.

**Grŵp 6: Y Safonau a'r Cyrff sy'n Ddarostyngedig i Safonau—Ymgynghori
(Gwelliannau 54, 53 a 52)**

Group 6: Standards and Bodies Subject to Standards—Consultation (Amendments 54, 53 and 52)

Y Llywydd: Y prif welliant yn y grŵp hwn yw gwelliant 54. Galwaf ar Jenny Randerson i gynnig y gwelliant ac i siarad am y gwelliannau eraill yn y grŵp.

The Presiding Officer: The lead amendment is amendment 54. I call Jenny Randerson to move that amendment and to speak to the other amendments in the group.

Jenny Randerson: I move amendment 54 in my name and with the name of Paul Davies in support.

I will speak to amendments 54, 53 and 52. These three amendments are relatively straightforward. Under section 25, Ministers have powers to set regulations in relation to standards. In particular, they can specify the different levels of performance, promotion and service delivery standards that the various organisations must meet. These regulations have the potential to alter substantially the demand from the various organisations covered by the proposed Measure. Therefore, we feel that it is reasonable for Ministers to consult the commissioner and other relevant people before making these regulations. In addition, the Ministers have the ability to add or remove organisations and public bodies from the list in Schedule 6, which details who is and is not covered by the proposed Measure. This amendment again says that, before using these powers, the Ministers must consult the commissioner and others.

Amendment 53 would introduce the requirement to consult the commissioner in relation to specific standards applied to particular people. All the amendments are intended to ensure that, before Ministers make regulations under section 25, which set the different standards that organisations must meet, they must consult, and consultation is, of course, the prelude to much better decision making and law making. It is axiomatic that that process should therefore be followed in relation to regulations and actions that arise from this proposed Measure.

Alun Ffred Jones: Perhaps I should leap to the conclusion before I go back. There is no need for these amendments. Sufficient consultation will take place at the time of the standards investigation and in the run-up to making regulations. Jenny referred to the purpose of amendments 54, 53 and 52. Let me make it clear: when it comes to making regulations, I have previously given an assurance that a regulatory impact assessment would be prepared with regard to regulations

Jenny Randerson: Cynigiaf welliant 54 yn fy enw i a chydag enw Paul Davies yn ei gefnogi.

Siaradaf am welliannau 54, 53 a 52. Mae'r tri gwelliant hyn yn gymharol syml. Dan adran 25, mae gan Weinidogion bwerau i osod rheoliadau mewn perthynas â safonau. Yn arbennig, gallant fanylu ynghylch y gwahanol lefelau o safonau perfformiad, hybu a chyflenwi gwasanaeth y mae'n rhaid i'r amrywiol gyrff gwrdd â hwy. Mae gan y rheoliadau hyn y potensial i achosi newid sylweddol yn yr hyn sy'n ofynnol gan yr amrywiol gyrff a gwmpasir gan y Mesur arfaethedig. Felly, teimlwn ei bod yn rhesymol i Weinidogion ymgynghori â'r comisiynydd a phobl berthnasol eraill cyn gwneud y rheoliadau hyn. Yn ogystal, mae gan Weinidogion y gallu i ychwanegu neu dynnu sefydliadau a chyrrff cyhoeddus o'r rhestr yn Atodlen 6, sy'n manylu ynghylch pwy sydd a phwy nad ydyw yn cael ei gwmpasu gan y Mesur arfaethedig. Dywed y gwelliant hwn, unwaith eto, fod yn rhaid i Weinidogion ymgynghori â'r comisiynydd ac eraill cyn defnyddio'r pwerau hyn.

Byddai gwelliant 53 yn cyflwyno'r gofyniad i ymgynghori â'r comisiynydd mewn perthynas â safonau penodol a gaiff eu cymhwyso i bobl benodol. Nod yr holl welliannau yw sicrhau, cyn i Weinidogion wneud rheoliadau o dan adran 25, sy'n gosod y gwahanol safonau y mae'n rhaid i gyrff eu cwrdd, fod yn rhaid iddynt ymgynghori, ac mae ymgynghori, wrth gwrs, yn rhagarweiniad ar gyfer gwneud penderfyniadau a gwneud deddfau gwell o lawer. Mae'n amlwg y dylid, felly, ddilyn y broses honno yng nghyswllt rheoliadau a gweithredoedd sy'n codi o'r Mesur arfaethedig hwn.

Alun Ffred Jones: Efallai y dylwn neidio ymlaen i'r casgliad cyn imi fynd yn ôl. Nid oes angen y gwelliannau hyn. Bydd digon o ymgynghori'n digwydd adeg yr ymchwiliad safonau ac yn y cyfnod cyn gwneud rheoliadau. Cyfeiriodd Jenny at bwprap gwelliannau 54, 53 a 52. Gadewch imi ddatgan yn glir: o ran gwneud rheoliadau, rwyf wedi rhoi sicrwydd yn flaenorol y byddai asesiad effaith rheoleiddiol yn cael ei baratoi ar gyfer rheoliadau sy'n ymwneud â

dealing with the imposition of duties on persons, which is to be laid alongside the regulations in each case. That assurance is spelt out in the explanatory memorandum accompanying the proposed Measure. 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 a consultation in connection with assessments for subordinate legislation made by Ministers.

As part of the regulatory process, and in compiling any regulatory impact assessments, the Welsh Ministers are expected to carry out appropriate consultation with those likely to be affected and those who have an interest in the overall impact of the legislation, such as the Welsh language commissioner. Furthermore, statutory instruments, under sections 35, 34 and 38, are all subject to the affirmative procedure, which will ensure scrutiny by the Assembly. In addition, in the case of amendment 53, where a standards investigation looks into whether a person should be liable to comply with standards, that is, where the person is in Schedules 5 or 7, but not 6 or 8, the person would already be consulted as a relevant person, as defined in section 60. As I said, there is no need for these amendments. Sufficient consultation will take place. Therefore, I urge Members to resist amendments 54, 53 and 52, tabled by Jenny Randerson.

Jenny Randerson: Ministers here always say that they never need to include anything about a requirement for consultation. I have never been able to work out whether it is naivety or complacency that leads Ministers time and again to say that we do not need anything in legislation on consultation because they always do it. I know that Ministers here always do it, but these Ministers are not necessarily going to be here 10 years from now. There could be a very different approach. Then, you might well be sitting on the other side of the Chamber asking, 'Why on earth did we not ensure proper consultation?'

gorfodi dyletswyddau ar bersonau, a fydd yn cael ei osod ochr yn ochr â'r rheoliadau ym mhob achos. Mae'r sicrwydd hwnnw'n cael ei egluro'n fanwl yn y memorandwm esboniadol sy'n cyd-fynd â'r Mesur arfaethedig. Bydd angen i Weinidogion Cymru weithredu yn unol â chod asesiad effaith rheoleiddiol Gweinidogion Cymru ar gyfer is-ddeddfwriaeth, a gynhyrchwyd o dan adran 76 Deddf Llywodraeth Cymru 2006. Mae'r cod hwnnw'n cynnwys adran ar gynnal ymgynghoriad yng nghyswllt asesiadau ar gyfer is-ddeddfwriaeth a wnaed gan Weinidogion.

Yn rhan o'r broses reoleiddiol, ac wrth lunio unrhyw asesiadau effaith rheoleiddiol, disgwylir i Weinidogion Cymru gynnal ymgynghoriad addas â'r sawl y mae'n debygol yr effeithir arnynt a'r sawl sydd â diddordeb yn effaith gyffredinol y ddeddfwriaeth, megis comisiynydd y Gymraeg. At hynny, mae offerynnau statudol, dan adrannau 35, 34 a 38, oll yn ddarostyngedig i'r weithdrefn gadarnhaol, a fydd yn sicrhau craffu gan y Cynulliad. Yn ogystal, yn achos gwelliant 53, pan fydd ymchwiliad safonau yn ystyried a ddylai person orfod cydymffurfio â safonau, hynny yw, pan fo'r person yn Atodlen 5 neu 7, ond nid yn 6 neu 8, byddid eisoes yn ymgynghori â'r person fel person perthnasol, fel y caiff hynny ei ddiffinio yn adran 60. Fel y dywedais, nid oes angen y gwelliannau hyn. Bydd digon o ymgynghori yn digwydd. Felly, anogaf Weinidog i wrthod gwelliannau 54, 53 a 52, a gyflwynwyd gan Jenny Randerson.

Jenny Randerson: Mae Gweinidogion yn y fan hon bob amser yn dweud nad oes fyth angen iddynt gynnwys unrhyw beth am ofyniad i ymgynghori. Nid wyf erioed wedi gallu gweithio allan ai naiffrwydd ynteu laesu dwylo sy'n achosi i Weinidogion, dro ar ôl tro, ddweud nad oes arnom angen dim mewn deddfwriaeth am ymgynghori oherwydd eu bod yn ei wneud bob amser. Gwn fod Gweinidogion yn y fan hon yn ei wneud bob amser, ond ni fydd y Gweinidogion hyn yma, o reidrwydd, ymhén 10 mlynedd. Gallai'r agwedd fod yn wahanol iawn. Yna, mae'n ddigon posibl y byddwch yn eistedd yr ochr arall i'r Siambr yn gofyn, 'Pam yn y byd na wnaethom sicrhau ymgynghori digonol?'

Public confidence is key to the development of the language and its safe and effective growth. If the public loses confidence in the processes, it will undermine the language as a whole. Public confidence is hurt whenever there is a feeling that there has not been proper consultation. The one person that you should be consulting, Minister, would be the commissioner, because the commissioner—I would hope—would be seen as the independent guardian of the language. It would strengthen the commissioner's position to have that right to be consulted, so that there is never any wrangle or complaint that the consultation was cursory, that the consultation took place but the results were ignored and so on. If you put it in the legislation, you are safe. Codes change and Ministers change, and it is important that we have legislation that stands the test of time.

Y Llywydd: Yr wyf yn deall eich bod am symud i bleidlais ar welliant 54. Y cwestiwn yw a ddylid derbyn gwelliant 54. A oes gwrthwynebiad? Gwelaf fod gwrthwynebiad. Felly, symduwn i bleidlais.

Mae hyder y cyhoedd yn allweddol i ddatblygiad yr iaith a'i thwf diogel ac effeithiol. Os bydd y cyhoedd yn colli hyder yn y prosesau, bydd yn tanseilio'r iaith gyfan. Mae hyder y cyhoedd yn cael ei niweidio pryd bynnag y ceir teimlad na chafwyd ymgynghori digonol. Yr un person y dylech fod yn ymgynghori ag ef, Weinidog, fyddai'r comisiynydd, oherwydd byddai'r comisiynydd—byddwn yn gobeithio—yn cael ei weld fel gwarchodwr annibynnol yr iaith. Byddai rhoi'r hawl i'r comisiynydd gael Gweinidogion yn ymgynghori ag ef yn cryfhau ei sefyllfa, fel na cheir fyth unrhyw ddadl na chwyn fod yr ymgynghori yn arwynebol, fod yr ymgynghori wedi digwydd ond bod y canlyniadau wedi'u hanwybyddu ac ati. Os rhowch ef yn y ddeddfwriaeth, rydych yn ddiogel. Mae codau'n newid ac mae Gweinidogion yn newid, ac mae'n bwysig bod gennym ddeddfwriaeth sy'n sefyll prawf amser.

The Presiding Officer: I understand that you wish to move to a vote on amendment 54. The question is that amendment 54 be agreed to. Are there any objections? I see that there are. Therefore, we will move to a vote.

*Gwelliant 54: O blaid 12, Ymatal 0, Yn erbyn 27.
Amendment 54: For 12, Abstain 0, Against 27.*

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

Asghar, Mohammad
Bates, Mick
Black, Peter
Bourne, Nick
Davies, Paul
German, Veronica
Isherwood, Mark
Melding, David
Millar, Darren
Morgan, Jonathan
Ramsay, Nick
Randerson, Jenny

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

Andrews, Leighton
Barrett, Lorraine
Chapman, Christine
Cuthbert, Jeff
Davies, Jocelyn
Evans, Nerys
Franks, Chris
Gibbons, Brian
Gregory, Janice
Griffiths, John
Hart, Edwina
Hutt, Jane
James, Irene
Jenkins, Bethan
Jones, Alun Ffred
Jones, Elin
Jones, Gareth
Jones, Ieuan Wyn
Lewis, Huw
Lloyd, Val
Morgan, Rhodri
Ryder, Janet
Sargeant, Carl
Thomas, Gwenda

Thomas, Rhodri Glyn
 Watson, Joyce
 Wood, Leanne

*Gwrthodwyd gwelliant 54.
 Amendment 54 not agreed.*

Grŵp 7: Darpariaeth Ynghylch Safonau (Gwelliannau 1 a 6)
Group 7: Provision about Standards (Amendments 1 a 6)

Alun Ffred Jones: Cynigiau welliant 1 yn fy enw i.

Alun Ffred Jones: I move amendment 1 in my name.

Yr wyf am siarad am welliannau 1 a 6 gyda'i gilydd. Mae gwelliant 1 yn sicrhau bod y pŵer i wneud safonau yn cynnwys y pŵer i wneud safonau parthed y materion a osodir yn adran 26(4). Er enghraifft, gall safon wneud darpariaeth ynglŷn â llunio strategaethau a chynlluniau, a gwybodaeth y mae'n rhaid trefnu iddi fod ar gael i'r comisiynydd. O ganlyniad i welliant 1, bydd modd gorfodi safon ynglŷn â darparu gwybodaeth i'r comisiynydd yn yr un modd â gorfodi unrhyw safon arall. Golyga hyn fod yr holl ystod o sancsiynau a ddarperir ar eu cyfer yn adran 76 y Mesur arfaethedig ar gael i'r comisiynydd, gan gynnwys rhoi cosb sifil.

I will speak to amendments 1 and 6 together. Amendment 1 ensures that the power to make standards includes the power to make standards about the matters set out in section 26(4). For example, standards may make provision about the preparation of strategies and plans, and the information to be supplied to the commissioner. As a result of amendment 1, breach of any standards about the provision of information to the commissioner can be enforced in the same way as any other breach of a standard. This means that the whole range of sanctions provided for in section 76 of the proposed Measure is available to the commissioner, including the imposition of a civil penalty.

O ganlyniad i welliant 1, pe cedwid adran 68, byddai dau bŵer yn yr un Mesur i Weinidogion Cymru wneud rheoliadau parthed casglu gwybodaeth a gwybodaeth y mae'n rhaid trefnu iddi fod ar gael i'r comisiynydd, a dau bŵer i roi cosb sifil. Ni fyddai hynny yn briodol.

As a result of amendment 1, if section 68 were retained, there would be two powers in the same Measure for Welsh Ministers to make regulations about the collection and supply of information to the commissioner, and two powers to impose a civil penalty. This would not be appropriate.

Mae gwelliant 6 yn tynnu adran 68, sydd yn ymwneud â rhoi gwybodaeth i'r comisiynydd. Nid oes angen yr adran hon bellach yn sgîl gwelliant 1 a'r ddarpariaeth yn adran 26(4)(d) parthed gwybodaeth y mae'n rhaid trefnu iddi fod ar gael i'r comisiynydd.

Amendment 6 removes section 68 on the supply of information to the commissioner. This section is no longer required as a consequence of amendment 1 and the provision in section 26(4)(d) about information to be made available to the commissioner.

Mae'r rhain yn welliannau technegol, i bob pwrpas, ond maent yn bwysig. Felly, gofynnaf i Aelodau gymeradwyo gwelliannau 1 a 6.

These are technical amendments to all extents and purposes, but they are important. Therefore, I urge Members to support amendments 1 and 6.

Y Llywydd: Nid oes siaradwyr pellach ar y grŵp hwn. Yr wyf yn deall eich bod am symud i bleidlais ar welliant 1. Y cwestiwn yw a ddylid derbyn gwelliant 1. A oes

The Presiding Officer: There are no speakers on this group. I understand that you wish to move to a vote on amendment 1. The question is that amendment 1 be agreed to.

gwrthwynebiad? Gwelaf nad oes. Yn unol â Rheol Sefydlog Rhif 7.35, felly, caiff gwelliant 1 ei dderbyn.

Are there any objections? I see that there are none. In accordance with Standing Order No. 7.35, amendment 1 is therefore agreed.

*Derbyniwyd gwelliant 1.
Amendment 1 agreed.*

**Grŵp 8: Y Modd y Caiff y Gymraeg a'r Saesneg eu Trin (Gwelliannau 2, 3, 4 a 43)
Group 8: Treatment of Welsh and English (Amendments 2, 3, 4 and 43)**

Alun Ffred Jones: Cynigiau welliant 2 yn fy enw i.

Alun Ffred Jones: I move amendment 2 in my name.

I bob pwrpas, gwelliannu drafftio yw'r rhain hefyd, sydd yn cryfhau'r Mesur arfaethedig. Gyda'i gilydd, mae gwelliannau 2, 3 a 4 yn adlewyrchu bwriad y Llywodraeth yn well, sef bod y person sy'n gwneud penderfyniadau polisi yn ystyried pa effeithiau, os o gwbl, boed yn gadarnhaol neu'n andwyol, y byddai'r penderfyniad polisi yn eu cael ar beidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg. Mae'r frawddeg honno yn un allweddol gan ei bod yn cymryd yn ganiataol y dylai'r Gymraeg gael ei thrin ar yr un lefel â'r Saesneg, ond byth yn llai ffafriol.

To all extents and purposes, these are also drafting amendments, which strengthen the proposed Measure. Together, amendments 2, 3 and 4 better reflect the Government's intention that the person making policy decisions considers what effects, if any, whether positive or adverse, the policy decision would have on the treatment of the Welsh language no less favourably than the English language. That sentence is key as it takes it as read that the Welsh language should be treated on the same level as English, and no less favourably.

Hefyd, bydd yn ystyried sut y gellid gwneud penderfyniad fel bod y penderfyniad yn cael effeithiau cadarnhaol, neu effeithiau mwy cadarnhaol ar beidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg, a sut y gellid gwneud y penderfyniad fel nad yw'r penderfyniad yn cael effeithiau andwyol, neu fel bod y penderfyniad yn cael effeithiau llai andwyol ar beidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg.

Also, that person will consider how the decision could be made so that the decision has positive effects, or increased positive effects on the treatment of the Welsh language no less favourably than the English language, and how the decision could be made so that the decision does not have adverse effects, or has decreased adverse effects on the treatment of the Welsh language no less favourably than the English language.

3.50 p.m.

Mae gwelliant 43 yn ofynnol er mwyn sicrhau bod teitl hir y Mesur arfaethedig yn adlewyrchu'r newidiadau sydd wedi eu cynnwys yng ngwelliannau 2, 3 a 4. Felly, gofynnaf i Aelodau gymeradwyo'r gwelliannau hynny.

Amendment 43 is proposed in order to ensure that the long title of the proposed Measure reflects the changes proposed within amendments 2, 3 and 4. Therefore, I urge Members to support those amendments.

Y Llywydd: Nid oes gennyf siaradwyr ar y gwelliannau hyn. Yr wyf yn deall eich bod am symud i bleidlais ar welliant 2. Y cwestiwn yw a ddylid derbyn gwelliant 2. A oes gwrthwynebiad? Gwelaf nad oes. Yn unol â Rheol Sefydlog Rhif 7.35, felly, caiff gwelliant 2 ei dderbyn.

*Derbyniwyd gwelliant 2.
Amendment 2 agreed.*

Y Llywydd: Symudwn i waredu gwelliant 3.

Alun Ffred Jones: Cynigiau welliant 3 yn fy enw i.

Y Llywydd: Y cwestiwn yw a ddylid derbyn gwelliant 3. A oes gwrthwynebiad? Gwelaf nad oes. Yn unol â Rheol Sefydlog Rhif 7.35, felly, caiff gwelliant 3 ei dderbyn.

*Derbyniwyd gwelliant 3.
Amendment 3 agreed.*

Y Llywydd: Symudwn i waredu gwelliant 4.

Alun Ffred Jones: Cynigiau welliant 4 yn fy enw i.

Y Llywydd: Y cwestiwn yw a ddylid derbyn gwelliant 4. A oes gwrthwynebiad? Gwelaf nad oes. Yn unol â Rheol Sefydlog Rhif 7.35, felly, caiff gwelliant 4 ei dderbyn.

*Derbyniwyd gwelliant 4.
Amendment 4 agreed.*

Grŵp 9: Y Gofyniad i Gomisiwn Cynulliad Cenedlaethol Cymru Gydydffurfio â Safonau (Gwelliannau 38 a 39)

Group 9: Requirement for National Assembly for Wales Commission to Comply with Standards (Amendments 38 a 39)

Alun Ffred Jones: Yr wyf yn deall bod Comisiwn y Cynulliad yn bwriadu cyflwyno ei Fesur arfaethedig ei hun ar yr iaith gerbron y Cynulliad yn y dyfodol agos parthed ei weithgareddau a gweithgareddau'r Cynulliad Cenedlaethol. O'r herwydd, ni fyddaf yn cynnig gwelliannau 38 a 39 yn grŵp 9. Bydd y Mesur arfaethedig hwnnw yn destun craffu

The Presiding Officer: There are no speakers on these amendments. I understand that you wish to proceed to a vote on amendment 2. The question is that amendment 2 be agreed to. Are there any objections? I see that there are none. In accordance with Standing Order No. 7.35, amendment 2 is therefore agreed.

The Presiding Officer: We now move to dispose of amendment 3.

Alun Ffred Jones: I move amendment 3 in my name.

The Presiding Officer: The question is that amendment 3 be agreed to. Are there any objections? I see that there are none. In accordance with Standing Order No. 7.35, amendment 3 is therefore agreed.

The Presiding Officer: We now move to dispose of amendment 4.

Alun Ffred Jones: I move amendment 4 in my name.

The Presiding Officer: The question is that amendment 4 be agreed to. Are there any objections? I see that there are none. In accordance with Standing Order No. 7.35, amendment 4 is therefore agreed.

Alun Ffred Jones: I understand that the Assembly Commission will shortly be bringing forward its own proposed Welsh language Measure in relation to its own activities and the proceedings of the National Assembly. Therefore, I will not be moving amendments 38 and 39 in group 9. That proposed Measure will, of course, be subject

gan Aelodau Cynulliad, a bydd angen inni sicrhau bod ei ddarpariaethau yn adlewyrchu'n ddigonol yr hyn a fyddai'n addas yng nghyswllt defnydd y Gymraeg yng ngweithgareddau'r comisiwn a gweithgareddau'r Cynulliad Cenedlaethol. Bydd cyfle felly i Aelodau Cynulliad graffu ar Fesur arfaethedig y Comisiwn yn yr un modd ag y byddent wedi gallu craffu ar safonau drafft ar gyfer y Comisiwn.

to scrutiny by all Assembly Members and we will need to be satisfied that its provisions adequately reflect what would be appropriate with regard to the use of Welsh in relation to the activities of the Commission and the proceedings of the National Assembly. An opportunity will exist, therefore, for Assembly Members to scrutinise the Commission's proposed Measure in the same way that they would have scrutinised draft standards for the Commission.

*Ni chynigiwyd gwelliannau 38 a 39.
Amendments 38 and 39 not moved.*

Y Llywydd: Diolch yn fawr i'r Gweinidog. Gan nad yw'r gwelliannau wedi cael eu cynnig, gan ddilyn y drefn, awn ymlaen i waredu gwelliant 53.

The Presiding Officer: Thank you very much, Minister. As the amendments have not been moved, following procedure, we will now move on to dispose of amendment 53.

Jenny Randerson: I move amendment 53 in my name and with the name of Paul Davies in support.

Jenny Randerson: Cynigiaf welliant 53 yn fy enw i a chydag enw Paul Davies yn ei gefnogi.

Y Llywydd: Y cwestiwn yw a ddylid derbyn gwelliant 53. A oes gwrthwynebiad? Gwelaf fod, felly symudwn i bleidlais.

The Presiding Officer: The question is that amendment 53 be agreed to. Are there any objections? I see that there are. Therefore, we will move to a vote.

*Gwelliant 53: O blaid 14, Ymatal 0, Yn erbyn 30.
Amendment 53: For 14, Abstain 0, Against 30.*

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

Asghar, Mohammad
Bates, Mick
Black, Peter
Bourne, Nick
Burnham, Eleanor
Davies, Andrew R.T.
Davies, Paul
German, Veronica
Isherwood, Mark
Melding, David
Millar, Darren
Morgan, Jonathan
Ramsay, Nick
Randerson, Jenny

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

Andrews, Leighton
Barrett, Lorraine
Chapman, Christine
Cuthbert, Jeff
Davies, Jocelyn
Evans, Nerys
Franks, Chris
Gibbons, Brian
Gregory, Janice
Griffiths, John
Hart, Edwina
Hutt, Jane
James, Irene
Jenkins, Bethan
Jones, Alun Ffred
Jones, Ann
Jones, Elin
Jones, Gareth
Jones, Helen Mary
Jones, Ieuan Wyn
Law, Trish
Lewis, Huw
Lloyd, Val

Morgan, Rhodri
Ryder, Janet
Sargeant, Carl
Thomas, Gwenda
Thomas, Rhodri Glyn
Watson, Joyce
Wood, Leanne

*Gwrthodwyd gwelliant 53.
Amendment 53 not agreed.*

Y Llywydd: Awn ymlaen i waredu gwelliant 52.

The Presiding Officer: We move to dispose of amendment 52.

Jenny Randerson: I move amendment 52 in my name and with the name of Paul Davies in support.

Jenny Randerson: Cynigiaf welliant 52 yn fy enw i a chydag enw Paul Davies yn ei gefnogi.

Y Llywydd: Y cwestiwn yw a ddylid derbyn gwelliant 52. A oes gwrthwynebiad? Gwelaf fod, felly symudwn i bleidlais.

The Presiding Officer: The question is that amendment 52 be agreed to. Are there any objections? I see that there are. Therefore, we will move to a vote.

*Gwelliant 52: O blaid 14, Ymatal 0, Yn erbyn 29.
Amendment 52: For 14, Abstain 0, Against 29.*

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

Asghar, Mohammad
Bates, Mick
Black, Peter
Bourne, Nick
Burnham, Eleanor
Davies, Andrew R.T.
Davies, Paul
German, Veronica
Isherwood, Mark
Melding, David
Millar, Darren
Morgan, Jonathan
Ramsay, Nick
Randerson, Jenny

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

Andrews, Leighton
Barrett, Lorraine
Chapman, Christine
Cuthbert, Jeff
Davies, Jocelyn
Evans, Nerys
Franks, Chris
Gibbons, Brian
Gregory, Janice
Griffiths, John
Hart, Edwina
Hutt, Jane
James, Irene
Jones, Alun Ffred
Jones, Ann
Jones, Elin
Jones, Gareth
Jones, Helen Mary
Jones, Ieuan Wyn
Law, Trish
Lewis, Huw
Lloyd, Val
Morgan, Rhodri
Ryder, Janet
Sargeant, Carl
Thomas, Gwenda
Thomas, Rhodri Glyn
Watson, Joyce
Wood, Leanne

*Gwrthodwyd gwelliant 52.
Amendment 52 not agreed.*

Grŵp 10: Gwelliannau Technegol a Gwelliannau Amrywiol (Gwelliannau 5, 12, 13, 34, 36 a 37)

Group 10: Technical and Miscellaneous Amendments (Amendments 5, 12, 13, 34, 36 and 37)

Alun Ffred Jones: Cynigiaf welliant 5 yn fy enw i.

Alun Ffred Jones: I move amendment 5 in my name.

Mae'r holl welliannau technegol ac amrywiol sydd yn y grŵp hwn yn gwella'r drafftio er mwyn cywiro, egluro neu gadarnhau materion ac i sicrhau cysondeb yn nhestun y Mesur arfaethedig drwyddo draw. Byddwn, wrth gwrs, yn hapus i egluro unrhyw un o'r gwelliannau unigol pe bai Aelodau yn dymuno imi wneud hynny, ond o gofio natur y gwelliannau hyn, byddwn yn annog Aelodau i gefnogi'r holl welliannau sydd wedi eu rhestru yn y grŵp hwn.

All the technical and miscellaneous amendments in this group are drafting improvements to correct, clarify or confirm matters and ensure consistency throughout the text of the proposed Measure. I am, of course, happy to explain any of these amendments individually should Members wish me to do so. However, given their nature, I would urge Members to support all the amendments listed in this group.

Y Llywydd: Y cwestiwn yw a ddylid derbyn gwelliant 5. A oes gwrthwynebiad? Gwelaf nad oes. Yn unol â Rheol Sefydlog Rhif 7.35, felly, caiff gwelliant 5 ei dderbyn.

The Presiding Officer: The question is that amendment 5 be agreed to. Are there any objections? I see that there are none. In accordance with Standing Order No. 7.35, amendment 5 is therefore agreed.

*Derbyniwyd gwelliant 5.
Amendment 5 agreed.*

**Grŵp 11: Ymchwiliadau Safonau (Gwelliant 60)
Group 11: Standards Investigations (Amendment 60)**

Paul Davies: Cynigiaf welliant 60 yn fy enw i a chydag enw Jenny Randerson yn ei gefnogi.

Paul Davies: I move amendment 60 in my name and with the name of Jenny Randerson in support.

Pwrpas y gwelliant hwn yw sicrhau bod y comisiynydd yn ymgynghori gydag unrhyw gorff proffesiynol a chorff statudol sydd â diddordeb mewn ymchwiliad gan y comisiynydd. Mae'n hanfodol bod ymchwiliadau'r comisiynydd yn agored ac yn dryloyw, felly mae'n hollbwysig bod sefydliadau statudol a chyrrff proffesiynol yn cael yr hawl i ddweud eu dweud mewn unrhyw ymchwiliad a'u bod yn gallu ymgynghori ynglŷn ag ymchwiliad i safonau. Er na fydd gan rai sefydliadau a chyrrff diddordeb penodol neu uniongyrchol mewn ymchwiliad, mae'n bwysig bod y comisiynydd yn ymgynghori mor eang â phosibl. Drwy hynny, bydd y comisiynydd yn sicrhau bod yr ymchwiliad yn drwyadl a bydd hynny hefyd yn rhoi hyder i bobl yn y system drwy sicrhau bod chyrrff yn cael yr

The aim of this amendment is to ensure that the commissioner consults with any professional and statutory bodies that have an interest in an inquiry by the commissioner. It is essential that the commissioner's inquiries are open and transparent, and so it is crucial that statutory organisations and professional bodies have the right to have their say in any inquiry and that they can consult about an inquiry into standards. Although some organisations and bodies will not have a specific or direct interest in an inquiry, it is important that the commissioner consults as widely as possible. In that way, the commissioner will ensure that the inquiry is thorough and that will also give people confidence in the system by ensuring that bodies have the right to consult.

hawl i ymgynghori.

Er bod y Gweinidog yn dadlau bod y Mesur arfaethedig yn cynnwys pawb drwy gynnwys y gair 'cyhoedd', bydd fy ngwelliant yn sicrhau bod y comisiynydd yn gorfod ymgynghori â chyrrff proffesiynol a statudol sy'n berthnasol i'r ymchwiliad. Mae'n bwysig bod gan y comisiynydd yr hyblygrwydd i ymgynghori ag unrhyw un sydd yn berthnasol i ymchwiliad i safonau. Dyna mae'r gwelliant yn ei roi, felly yr wyf yn erfyn ar Aelodau i gefnogi gwelliant 60 yn fy enw i.

Jenny Randerson: We are back again to the importance of consultation, but in a different context. It is the case that the various statutory and professional bodies are wildly different from one to the other. We are yet to see standards or how they will work. We all know how the current schemes have responded to the different positions, circumstances and stages of development of organisations throughout Wales, but we do not know how the standards will work. This is a way of ensuring that there is consultation and that the standards produced are relevant to the organisations concerned and, importantly, achievable. We need these standards to be ambitious, but achievable. If they are not, organisations will leave Wales and the whole proposed Measure will fall into disrepute. It is important that consultation is the bedrock on which this new process is based, in order to give it the credibility that it needs.

Alun Ffred Jones: Cytunaf gyda Jenny Randerson bod ymgynghori yn hollbwysig, ond nid yw'n fwriad gennyf neilltuo categorïau penodol ac ychwanegol eraill o bersonau sydd yn rhaid i'r comisiynydd ymgynghori â hwy tu hwnt i bob 'person perthnasol', y panel cynghori a'r cyhoedd. Mae perygl y byddem, drwy osod gwelliant 60 yn ddyletswydd ar y comisiynydd, yn creu baich gweinyddol trwm iddo. Pe baem am ddewis categorïau penodol o bersonau, pam cyfyngu ein hunain i gyrff rheoleiddio neu broffesiynol? Unwaith inni ddechrau ar y trywydd hwn, gallem ddod i'r casgliad bod angen ychwanegu categorïau penodol eraill yn hytrach na dibynnu ar y comisiynydd i farnu pwy fyddai'n berson perthnasol dan yr

Although the Minister argues that the proposed Measure includes everyone by including the word 'public', my amendment will ensure that the commissioner has to consult with professional and statutory bodies that are relevant to the inquiry. It is important that the commissioner has the flexibility to consult with anyone who is relevant to an inquiry into standards. That is what the amendment provides, therefore I urge Members to support amendment 60 in my name.

Jenny Randerson: Rydym yn dychwelyd eto at bwysigrwydd ymgynghori, ond mewn cyddestun gwahanol. Mae'n wir dweud bod yr amrywiol gyrff statudol a phroffesiynol yn wahanol iawn i'w gilydd. Nid ydym wedi gweld safonau na sut y byddant yn gweithio eto. Gwyddom oll sut mae'r cynlluniau presennol wedi ymateb i wahanol sefyllfaoedd, amgylchiadau a chamau datblygiad sefydliadau ledled Cymru, ond ni wyddom sut y bydd y safonau'n gweithio. Dyma ffordd o sicrhau y ceir ymgynghori ac y bydd y safonau a gaiff eu creu yn berthnasol i'r sefydliadau dan sylw ac, yn bwysig, yn gyraeddadwy. Mae arnom angen i'r safonau hyn fod yn uchelgeisiol, ond yn gyraeddadwy. Os nad ydynt, bydd sefydliadau yn gadael Cymru a bydd yr holl Fesur arfaethedig yn colli'i enw da. Mae'n bwysig mai ymgynghori yw'r sylfaen y mae'r broses newydd hon wedi'i seilio arni, er mwyn rhoi'r hygredd angenrheidiol iddi.

Alun Ffred Jones: I agree with Jenny Randerson that consultation is vital, but I am not minded to single out specific, additional categories of persons with whom the commissioner must consult beyond 'each relevant person', the advisory panel and the public. There is a risk that, by imposing amendment 60 as a duty, we would create an onerous administrative burden for the commissioner. If we were to single out specific categories of persons, why stop at regulatory or professional bodies? Once we started down this road, we could conclude that we should add further specific categories rather than relying on the commissioner to judge who would be a relevant person in the circumstances. If this amendment were

amgylchiadau. Pe bai'r gwelliant hwn yn cael ei dderbyn, byddai'r comisiynydd dan ddyletswydd i allu adnabod a chysylltu'n unigol â phawb yr oedd yn rhaid ymgynghori â hwy er mwyn cyflawni ei ddyletswydd, hyd yn oed os nad oedd y safonau yn ymwneud â gweithgareddau y byddai gan y corff rheoleiddio neu broffesiynol ddi-ddordeb ynddynt. Gallai'r fath ddyletswydd fod yn faich ar y comisiynydd a'r cyrff rheoleiddio yr oedd yn ymgynghori â hwy. Nid oes dim yn y Mesur arfaethedig a fyddai'n atal corff proffesiynol neu reoleiddio rhag cymryd rhan mewn ymgynghoriad cyhoeddus.

O ganlyniad i'r gwelliant a wnaed yn ystod Cyfnod 2 i adran 62 y Mesur arfaethedig, yn dilyn ymchwiliad safonau, bydd yn rhaid i'r comisiynydd anfon copi o'r adroddiad safonau at bawb a gymerodd ran mewn ymgynghoriad. Yr wyf yn fodlon y bydd digonedd o gyfleoedd i gyrrff proffesiynol neu reoleiddio gymryd rhan yn natblygiad safonau heb orfod cynnwys darpariaeth benodol yn y Mesur arfaethedig a fyddai'n gosod dyletswyddau beichus ar y comisiynydd. Yr wyf felly yn eich annog i bleidleisio yn erbyn gwelliant 60 a gynigiwyd gan Paul Davies.

Paul Davies: Yr wyf yn siomedig bod y Gweinidog yn gwrthwynebu'r gwelliant hwn. Nid wyf yn derbyn y byddai'n rhoi baich ar y comisiynydd o gwbl. Yr unig beth mae'r gwelliant hwn yn ei wneud yw sicrhau bod y comisiynydd yn ymgynghori ag unrhyw gorff proffesiynol a statudol sydd â diddordeb mewn ymchwiliad gan y comisiynydd.

4.00 p.m.

Yn syml iawn, mae'r gwelliant yn dweud y dylai'r comisiynydd ymgynghori ag unrhyw gorff rheoleiddio neu gorff proffesiynol, ac nid wyf yn gweld beth yw'r broblem gyda'r amcan hwnnw, a bod yn hollol onest. Yr unig beth yr wyf yn ceisio ei wneud yw gwneud yn siŵr bod y comisiynydd yn ymgynghori'n eang pan mae'n edrych ar safonau. Mae'r gwelliant yn rhoi'r hyblygrwydd i'r comisiynydd i gynghori ag unrhyw un sy'n berthnasol i'r ymchwiliad, felly yr wyf yn annog y Gweinidog a'r Llywodraeth i ailystyried, ac yn annog Aelodau i gefnogi'r gwelliant hwn.

agreed, the commissioner would be placed under a duty to contact all compulsory consultees individually in order to discharge his or her duty even if the standards were unrelated to the particular areas of activity in which the regulatory or professional body was interested. Such consultation could be onerous for both the commissioner and the regulatory bodies consulted. There is nothing in the proposed Measure to prevent a professional or regulatory body from participating in a public consultation.

As a result of the Stage 2 amendment to section 62 of the proposed Measure, following a standards investigation, the commissioner will have to send a copy of the standards report to everyone who participated in a consultation. I am content that there will be sufficient opportunities for professional or regulatory bodies to participate in the development of standards without having to include specific provision in the proposed Measure that would place onerous duties on the commissioner. I therefore urge you to resist amendment 60 tabled by Paul Davies.

Paul Davies: I am disappointed that the Minister has resisted this amendment. I do not accept that it would place a burden on the commissioner at all. All that this amendment does is ensure that the commissioner consults with any professional and statutory body interested in an inquiry by the commissioner.

Very simply, the amendment states that the commissioner should consult with any regulatory body or professional body, and I cannot see what the problem is with that aim, to be honest. All that I am trying to do is to ensure that the commissioner consults widely when looking at standards. The amendment gives the commissioner the flexibility to consult with any party relevant to the inquiry, and therefore I urge the Minister and the Government to reconsider, and I urge Members to support this amendment.

Y Llywydd: Y cwestiwn yw bod cytuno ar welliant 60. A oes gwrthwynebiad? Gwelaf fod. Felly, galwaf am bleidlais.

The Presiding Officer: The question is that amendment 60 be agreed to. Are there any objections? I see that there are. Therefore, I call for a vote.

Gwelliant 60: O blaid 16, Ymatal 0, Yn erbyn 28.

Amendment 60: For 16, Abstain 0, Against 28.

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

Asghar, Mohammad
Bates, Mick
Black, Peter
Bourne, Nick
Burnham, Eleanor
Chapman, Christine
Davies, Andrew R.T.
Davies, Paul
German, Veronica
Isherwood, Mark
Melding, David
Millar, Darren
Morgan, Jonathan
Ramsay, Nick
Randerson, Jenny
Williams, Kirsty

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

Andrews, Leighton
Barrett, Lorraine
Davies, Alun
Davies, Andrew
Davies, Jocelyn
Evans, Nerys
Franks, Chris
Gibbons, Brian
Gregory, Janice
Griffiths, John
Griffiths, Lesley
Hart, Edwina
Hutt, Jane
James, Irene
Jenkins, Bethan
Jones, Alun Ffred
Jones, Elin
Jones, Helen Mary
Jones, Ieuan Wyn
Law, Trish
Lewis, Huw
Lloyd, Val
Morgan, Rhodri
Ryder, Janet
Sargeant, Carl
Thomas, Gwenda
Thomas, Rhodri Glyn
Wood, Leanne

*Gwrthodwyd gwelliant 60.
Amendment 60 not agreed.*

Y Llywydd: Symudwn ymlaen i waredu gwelliant 6. Yr wyf yn gwahodd y Gweinidog i gynnig gwelliant 6.

The Presiding Officer: We move to dispose of amendment 6. I invite the Minister to move amendment 6.

Alun Ffred Jones: Cynigiau welliant 6 yn fy enw i.

Alun Ffred Jones: I move amendment 6 in my name.

Y Llywydd: Y cwestiwn yw bod cytuno ar welliant 6. Gan nad oes gwrthwynebiad, yr wyf yn datgan, yn unol â Rheol Sefydlog Rhif 7.35, fod gwelliant 6 wedi cael ei gytuno.

The Presiding Officer: The question is that amendment 6 be agreed to. As there is no objection, I declare, in accordance with Standing Order No. 7.35, that amendment 6 is agreed.

*Derbyniwyd gwelliant 6.
Amendment 6 agreed.*

Grŵp 12: Apelau gan Achwynydd (Gwelliannau 7, 8, 10, 11, 14, 15, 16, 17, 27, 26, 29, 30, 31, 32, 33, 28, 9, 18, 19, 20, 21, 22, 23, 24 a 25)

Group 12: Appeals by a Complainant (Amendments 7, 8, 10, 11, 14, 15, 16, 17, 27, 26, 29, 30, 31, 32, 33, 28, 9, 18, 19, 20, 21, 22, 23, 24 and 25)

Y Llywydd: Dechreuwn gyda'r prif welliant, gwelliant 7.

The Presiding Officer: We begin with the lead amendment, amendment 7.

Alun Ffred Jones: Cynigiau welliant 7 yn fy enw i.

Alun Ffred Jones: I move amendment 7 in my name.

Ers cyhoeddi'r Mesur arfaethedig, mae llawer o drafodaeth yn ei gylch wedi canolbwyntio ar sefyllfa'r unigolyn o fewn y gyfundrefn orfodi a sefydlir ganddo. Yr wyf wedi datgan ar sawl achlysur mai bwriad y Mesur arfaethedig yw sefydlu hawliau grŵp i siaradwyr y Gymraeg, a sefydlu'r comisiynydd yn bencampwr i hybu ac amddiffyn yr hawliau hynny: pencampwr â'r prif nod, wrth ymarfer ei swyddogaethau, o hybu a hyrwyddo'r defnydd o'r Gymraeg. Dyna yw hanfod y Mesur arfaethedig hwn.

Since the proposed Measure was introduced, a large part of the debate has focused on the position of the individual within the enforcement regime established by it. I have stated on a number of occasions that the aim of the proposed Measure is to establish group rights for Welsh speakers and to establish a commissioner as a champion to promote and defend those rights: a champion whose principal aim, in exercising his or her functions, will be the promotion and facilitation of the use of the Welsh language. That is the essence of this Measure.

Yn unol â'r trafodaethau yn y pwyllgor deddfwriaeth yn ystod Cyfnod 2, yr wyf wedi gwrandao ar y dadleuon ac wedi edrych eto ar y mater o roi hawl i unigolyn apelio yn erbyn penderfyniadau'r comisiynydd, ac wedi cael fy argyhoeddi bod angen rhoi cyfle i unigolyn apelio. Yr wyf yn diolch i Paul am y ffordd y cyflwynodd ei ddadleuon yn y pwyllgor hwnnw; yr wyf yn gwrandao ar adegau, Paul, ac mae hwn yn un o'r achlysuron hynny. Os hoffai unrhyw un imi fynd i fwy o fanylder ynglŷn â'r darpariaethau sydd yn y gwelliannau, yr wyf yn hapus i wneud hynny. Os bydd cwestiynau, byddaf yn ceisio eu hateb.

In line with the discussions in the legislation committee during Stage 2, I have listened to the arguments and have looked again at the matter of providing an individual with a right to appeal the commissioner's decisions, and I have come to the conclusion that there is a need to provide an opportunity for the individual to appeal. I thank Paul for the way in which he presented his arguments in that committee; I listen on occasion, Paul, and this is one of those occasions. If anyone wishes me to go into more detail about the provisions contained in the amendments, then I am happy to do so. If there are questions, I will endeavour to answer them.

Y Llywydd: Galwaf ar Paul Davies yn gyntaf, a chawn weld.

The Presiding Officer: I will call Paul Davies first, and we will see.

Paul Davies: Yr wyf yn hynod o falch bod y Llywodraeth wedi penderfynu cyflwyno'r gwelliannau hyn. Fel dywedodd y Gweinidog, cynigiais welliannau tebyg yn ystod Cyfnod 2, a hoffwn gymeradwyo'r Gweinidog am gyflwyno'r gwelliannau hyn, oherwydd credaf ei bod yn hollbwysig bod rôl yr unigolyn yn ganolog i Fesur arfaethedig o'r fath. Mae rôl y dinesydd yn y Mesur arfaethedig fel y mae yn gorffen ar ôl cwyno i'r comisiynydd. Yn amlwg, mae

Paul Davies: I am very pleased that the Government has decided to bring forward these amendments. As the Minister said, I proposed similar amendments during Stage 2, and I would like to applaud the Minister for bringing forward these amendments, because I believe that it is crucial that the role of the individual is central to such a proposed Measure. The role of the citizen in the proposed Measure as it stands ends after a complaint to the commissioner. Clearly, the

gwelliannau'r Llywodraeth yn newid hyn, a bydd gan unigolion sydd â chwyn, yn ogystal â sefydliadau, yr hawl i apelio. Credaf fod y Llywodraeth wedi sicrhau yn awr fod rôl yr unigolyn yn cael ei chryfhau, felly yr wyf yn cymeradwyo'r Gweinidog am gyflwyno'r gwelliannau yn y grŵp hwn, a gobeithiaf y bydd Aelodau eraill yn eu cefnogi.

Alun Ffred Jones: Yr wyf yn cadarnhau ein bod wedi gwrandao ar y dadleuon a wnaethpwyd. Yr oedd Paul wedi cynnig gwelliannau, ond, fel yr ydych yn gweld o'r rhestr faith hon, mae wedi bod yn fater digon cymhleth i sicrhau cydbwysedd o fewn y broses. Cynigiodd Paul welliannau da, ond mae'r rhai yma'n well, wrth gwrs. Gobeithiaf y bydd pawb yn eu cefnogi.

Y Llywydd: Y cwestiwn yw bod cytuno ar welliant 7. A oes gwrthwynebiad? Gwelaf nad oes, felly yr wyf yn datgan, yn unol â Rheol Sefydlog Rhif 7.35, fod gwelliant 7 wedi cael ei gytuno.

*Derbyniwyd gwelliant 7.
Amendment 7 agreed.*

Y Llywydd: Symudwn i waredu gwelliant 8. Yr wyf yn gwahodd y Gweinidog i gynnig gwelliant 8.

Alun Ffred Jones: Cynigiaf welliant 8 yn fy enw i.

Y Llywydd: Y cwestiwn yw bod cytuno ar welliant 8. A oes gwrthwynebiad? Gwelaf nad oes, felly yr wyf yn datgan, yn unol â Rheol Sefydlog Rhif 7.35, fod gwelliant 8 wedi cael ei gytuno.

*Derbyniwyd gwelliant 8.
Amendment 8 agreed.*

Y Llywydd: Symudwn i waredu gwelliant 10. Yr wyf yn gwahodd y Gweinidog i gynnig gwelliant 10.

Alun Ffred Jones: Cynigiaf welliant 10 yn fy enw i.

Y Llywydd: Y cwestiwn yw bod cytuno ar welliant 10. A oes gwrthwynebiad? Gwelaf

Government amendments change this, and individuals with a complaint, in addition to organisations, will have the right to appeal. I believe that the Government has now ensured that the individual's role is strengthened, and therefore I applaud the Minister for bringing forward the amendments in this group, and I hope that other Members will support them.

Alun Ffred Jones: I confirm that we have listened to the arguments made. Paul had proposed amendments, but, as you can see from this lengthy list, it has been quite a complex matter to ensure balance within the process. Paul proposed good amendments, but, of course, these ones are better. I hope that everyone will support them.

The Presiding Officer: The question is that amendment 7 be agreed to. Are there any objections? I see that there are none, therefore I declare, in accordance with Standing Order No. 7.35, that amendment 7 is agreed.

The Presiding Officer: We move to dispose of amendment 8. I invite the Minister to move amendment 8.

Alun Ffred Jones: I move amendment 8 in my name.

The Presiding Officer: The question is that amendment 8 be agreed to. Are there any objections? I see that there are none, therefore I declare, in accordance with Standing Order No. 7.35, that amendment 8 is agreed.

The Presiding Officer: We move to dispose of amendment 10. I invite the Minister to move amendment 10.

Alun Ffred Jones: I move amendment 10 in my name.

The Presiding Officer: The question is that amendment 10 be agreed to. Are there any

nad oes, felly yr wyf yn datgan, yn unol â Rheol Sefydlog Rhif 7.35, fod gwelliant 10 wedi cael ei gytuno.

*Derbyniwyd gwelliant 10.
Amendment 10 agreed.*

Y Llywydd: Symudwn i waredu gwelliant 11. Yr wyf yn gwahodd y Gweinidog i gynnig gwelliant 11.

Alun Ffred Jones: Cynigiau welliant 11 yn fy enw i.

Y Llywydd: Y cwestiwn yw bod cytuno ar welliant 11. A oes gwrthwynebiad? Gwelaf nad oes, felly yr wyf yn datgan, yn unol â Rheol Sefydlog Rhif 7.35, fod gwelliant 11 wedi cael ei gytuno.

*Derbyniwyd gwelliant 11.
Amendment 11 agreed.*

Y Llywydd: Symudwn i waredu gwelliant 12. Yr wyf yn gwahodd y Gweinidog i gynnig y gwelliant.

Alun Ffred Jones: Cynigiau welliant 12 yn fy enw i.

Y Llywydd: Y cwestiwn yw bod cytuno ar welliant 12. A oes gwrthwynebiad? Gwelaf nad oes, felly yr wyf yn datgan, yn unol â Rheol Sefydlog Rhif 7.35, fod y gwelliant wedi ei gytuno.

*Derbyniwyd gwelliant 12.
Amendment 12 agreed.*

Y Llywydd: Symudwn i waredu gwelliant 13. Yr wyf yn gwahodd y Gweinidog i gynnig y gwelliant.

Alun Ffred Jones: Cynigiau welliant 13 yn fy enw i.

Y Llywydd: Y cwestiwn yw bod cytuno ar welliant 13. A oes gwrthwynebiad? Gwelaf nad oes, felly yr wyf yn datgan, yn unol â Rheol Sefydlog Rhif 7.35, fod y gwelliant wedi ei gytuno.

objections? I see that there are none, therefore I declare, in accordance with Standing Order No. 7.35, that amendment 10 is agreed.

The Presiding Officer: We move to dispose of amendment 11. I invite the Minister to move amendment 11.

Alun Ffred Jones: I move amendment 11 in my name.

The Presiding Officer: The question is that amendment 11 be agreed to. Are there any objections? I see that there are none, therefore I declare, in accordance with Standing Order No. 7.35, that amendment 11 is agreed.

The Presiding Officer: We move to dispose of amendment 12. I invite the Minister to move the amendment.

Alun Ffred Jones: I move amendment 12 in my name.

The Presiding Officer: The question is that amendment 12 be agreed to. Are there any objections? I see that there are none, therefore I declare, in accordance with Standing Order No. 7.35, that the amendment is agreed.

The Presiding Officer: We move to dispose of amendment 13. I invite the Minister to move the amendment.

Alun Ffred Jones: I move amendment 13 in my name.

The Presiding Officer: The question is that amendment 13 be agreed to. Are there any objections? I see that there are none, therefore I declare, in accordance with Standing Order No. 7.35, that the amendment is agreed.

*Derbyniwyd gwelliant 13.
Amendment 13 agreed.*

Y Llywydd: Symudwn i waredu gwelliant 14. Yr wyf yn gwahodd y Gweinidog i gynnig y gwelliant.

Alun Ffred Jones: Cynigiau welliant 14 yn fy enw i.

Y Llywydd: Y cwestiwn yw bod cytuno ar welliant 14. A oes gwrthwynebiad? Gwelaf nad oes, felly yr wyf yn datgan, yn unol â Rheol Sefydlog Rhif 7.35, fod y gwelliant wedi ei gytuno.

The Presiding Officer: We move to dispose of amendment 14. I invite the Minister to move the amendment.

Alun Ffred Jones: I move amendment 14 in my name.

The Presiding Officer: The question is that amendment 14 be agreed to. Are there any objections? I see that there are none, therefore I declare, in accordance with Standing Order No. 7.35, that the amendment is agreed.

*Derbyniwyd gwelliant 14.
Amendment 14 agreed.*

Y Llywydd: Symudwn i waredu gwelliant 15. Yr wyf yn gwahodd y Gweinidog i gynnig y gwelliant.

Alun Ffred Jones: Cynigiau welliant 15 yn fy enw i.

Y Llywydd: Y cwestiwn yw bod cytuno ar welliant 15. A oes gwrthwynebiad? Gwelaf nad oes, felly yr wyf yn datgan, yn unol â Rheol Sefydlog Rhif 7.35, fod y gwelliant wedi ei gytuno.

The Presiding Officer: We move to dispose of amendment 15. I invite the Minister to move the amendment.

Alun Ffred Jones: I move amendment 15 in my name.

The Presiding Officer: The question is that amendment 15 be agreed to. Are there any objections? I see that there are none, therefore I declare, in accordance with Standing Order No. 7.35, that the amendment is agreed.

*Derbyniwyd gwelliant 15.
Amendment 15 agreed.*

Y Llywydd: Symudwn i waredu gwelliant 16. Yr wyf yn gwahodd y Gweinidog i gynnig y gwelliant.

Alun Ffred Jones: Cynigiau welliant 16 yn fy enw i.

Y Llywydd: Y cwestiwn yw bod cytuno ar welliant 16. A oes gwrthwynebiad? Gwelaf nad oes, felly yr wyf yn datgan, yn unol â Rheol Sefydlog Rhif 7.35, fod y gwelliant wedi ei gytuno.

The Presiding Officer: We move to dispose of amendment 16. I invite the Minister to move the amendment.

Alun Ffred Jones: I move amendment 16 in my name.

The Presiding Officer: The question is that amendment 16 be agreed to. Are there any objections? I see that there are none, therefore I declare, in accordance with Standing Order No. 7.35, that the amendment is agreed.

*Derbyniwyd gwelliant 16.
Amendment 16 agreed.*

Y Llywydd: Symudwn i waredu gwelliant 17. Yr wyf yn gwahodd y Gweinidog i gynnig y gwelliant.

Alun Ffred Jones: Cynigiaf welliant 17 yn fy enw i.

Y Llywydd: Y cwestiwn yw bod cytuno ar welliant 17. A oes gwrthwynebiad? Gwelaf nad oes, felly yr wyf yn datgan, yn unol â Rheol Sefydlog Rhif 7.35, fod y gwelliant wedi ei gytuno.

*Derbyniwyd gwelliant 17.
Amendment 17 agreed.*

Y Llywydd: Symudwn i waredu gwelliant 27. Yr wyf yn gwahodd y Gweinidog i gynnig y gwelliant.

Alun Ffred Jones: Cynigiaf welliant 27 yn fy enw i.

Y Llywydd: Y cwestiwn yw bod cytuno ar welliant 27. A oes gwrthwynebiad? Gwelaf nad oes, felly yr wyf yn datgan, yn unol â Rheol Sefydlog Rhif 7.35, fod y gwelliant wedi ei gytuno.

*Derbyniwyd gwelliant 27.
Amendment 27 agreed.*

Y Llywydd: Symudwn i waredu gwelliant 26. Yr wyf yn gwahodd y Gweinidog i gynnig y gwelliant.

Alun Ffred Jones: Cynigiaf welliant 26 yn fy enw i.

Y Llywydd: Y cwestiwn yw bod cytuno ar welliant 26. A oes gwrthwynebiad? Gwelaf nad oes, felly yr wyf yn datgan, yn unol â Rheol Sefydlog Rhif 7.35, fod y gwelliant wedi ei gytuno.

*Derbyniwyd gwelliant 26.
Amendment 26 agreed.*

Y Llywydd: Symudwn i waredu gwelliant 29. Yr wyf yn gwahodd y Gweinidog i gynnig y gwelliant.

The Presiding Officer: We move to dispose of amendment 17. I invite the Minister to move the amendment.

Alun Ffred Jones: I move amendment 17 in my name.

The Presiding Officer: The question is that amendment 17 be agreed to. Are there any objections? I see that there are none, therefore I declare, in accordance with Standing Order No. 7.35, that the amendment is agreed.

The Presiding Officer: We move to dispose of amendment 27. I invite the Minister to move the amendment.

Alun Ffred Jones: I move amendment 27 in my name.

The Presiding Officer: The question is that amendment 27 be agreed to. Are there any objections? I see that there are none, therefore I declare, in accordance with Standing Order No. 7.35, that the amendment is agreed.

The Presiding Officer: We move to dispose of amendment 26. I invite the Minister to move the amendment.

Alun Ffred Jones: I move amendment 26 in my name.

The Presiding Officer: The question is that amendment 26 be agreed to. Are there any objections? I see that there are none, therefore I declare, in accordance with Standing Order No. 7.35, that the amendment is agreed.

The Presiding Officer: We move to dispose of amendment 29. I invite the Minister to move the amendment.

Alun Ffred Jones: Cynigiau welliant 29 yn fy enw i.

Alun Ffred Jones: I move amendment 29 in my name.

Y Llywydd: Y cwestiwn yw bod cytuno ar welliant 29. A oes gwrthwynebiad? Gwelaf nad oes, felly yr wyf yn datgan, yn unol â Rheol Sefydlog Rhif 7.35, fod y gwelliant wedi ei gytuno.

The Presiding Officer: The question is that amendment 29 be agreed to. Are there any objections? I see that there are none, therefore I declare, in accordance with Standing Order No. 7.35, that the amendment is agreed.

*Derbyniwyd gwelliant 29.
Amendment 29 agreed.*

Y Llywydd: Symudwn i waredu gwelliant 30. Yr wyf yn gwahodd y Gweinidog i gynnig y gwelliant.

The Presiding Officer: We move to dispose of amendment 30. I invite the Minister to move the amendment.

Alun Ffred Jones: Cynigiau welliant 30 yn fy enw i.

Alun Ffred Jones: I move amendment 30 in my name.

Y Llywydd: Y cwestiwn yw bod cytuno ar welliant 30. A oes gwrthwynebiad? Gwelaf nad oes, felly yr wyf yn datgan, yn unol â Rheol Sefydlog Rhif 7.35, fod y gwelliant wedi ei gytuno.

The Presiding Officer: The question is that amendment 30 be agreed to. Are there any objections? I see that there are none, therefore I declare, in accordance with Standing Order No. 7.35, that the amendment is agreed.

*Derbyniwyd gwelliant 30.
Amendment 30 agreed.*

Y Llywydd: Symudwn i waredu gwelliant 31. Yr wyf yn gwahodd y Gweinidog i gynnig y gwelliant.

The Presiding Officer: We move to dispose of amendment 31. I invite the Minister to move the amendment.

Alun Ffred Jones: Cynigiau welliant 31 yn fy enw i.

Alun Ffred Jones: I move amendment 31 in my name.

Y Llywydd: Y cwestiwn yw bod cytuno ar welliant 31. A oes gwrthwynebiad? Gwelaf nad oes, felly yr wyf yn datgan, yn unol â Rheol Sefydlog Rhif 7.35, fod y gwelliant wedi ei gytuno.

The Presiding Officer: The question is that amendment 31 be agreed to. Are there any objections? I see that there are none, therefore I declare, in accordance with Standing Order No. 7.35, that the amendment is agreed.

*Derbyniwyd gwelliant 31.
Amendment 31 agreed.*

Y Llywydd: Symudwn i waredu gwelliant 32. Yr wyf yn gwahodd y Gweinidog i gynnig y gwelliant.

The Presiding Officer: We move to dispose of amendment 32. I invite the Minister to move the amendment.

Alun Ffred Jones: Cynigiau welliant 32 yn fy enw i.

Alun Ffred Jones: I move amendment 32 in my name.

Y Llywydd: Y cwestiwn yw bod cytuno ar

The Presiding Officer: The question is that

welliant 32. A oes gwrthwynebiad? Gwelaf nad oes, felly yr wyf yn datgan, yn unol â Rheol Sefydlog Rhif 7.35, fod y gwelliant wedi ei gytuno.

amendment 32 be agreed to. Are there any objections? I see that there are none, therefore I declare, in accordance with Standing Order No. 7.35, that the amendment is agreed.

*Derbyniwyd gwelliant 32.
Amendment 32 agreed.*

Y Llywydd: Symudwn i waredu gwelliant 33. Yr wyf yn gwahodd y Gweinidog i gynnig y gwelliant.

The Presiding Officer: We move to dispose of amendment 33. I invite the Minister to move the amendment.

Alun Ffred Jones: Cynigaf welliant 33 yn fy enw i.

Alun Ffred Jones: I move amendment 33 in my name.

Y Llywydd: Y cwestiwn yw bod cytuno ar welliant 33. A oes gwrthwynebiad? Gwelaf nad oes, felly yr wyf yn datgan, yn unol â Rheol Sefydlog Rhif 7.35, fod y gwelliant wedi ei gytuno.

The Presiding Officer: The question is that amendment 33 be agreed to. Are there any objections? I see that there are none, therefore I declare, in accordance with Standing Order No. 7.35, that the amendment is agreed.

*Derbyniwyd gwelliant 33.
Amendment 33 agreed.*

Y Llywydd: Symudwn i waredu gwelliant 28. Yr wyf yn gwahodd y Gweinidog i gynnig y gwelliant.

The Presiding Officer: We move to dispose of amendment 28. I invite the Minister to move the amendment.

Alun Ffred Jones: Cynigaf welliant 28 yn fy enw i.

Alun Ffred Jones: I move amendment 28 in my name.

Y Llywydd: Y cwestiwn yw bod cytuno ar welliant 28. A oes gwrthwynebiad? Gwelaf nad oes, felly yr wyf yn datgan, yn unol â Rheol Sefydlog Rhif 7.35, fod y gwelliant wedi ei gytuno.

The Presiding Officer: The question is that amendment 28 be agreed to. Are there any objections? I see that there are none, therefore I declare, in accordance with Standing Order No. 7.35, that the amendment is agreed.

*Derbyniwyd gwelliant 28.
Amendment 28 agreed.*

**Grŵp 13: Rhyddid i Ddefnyddio'r Gymraeg—Apelau i Dribiwnlys y Gymraeg
(Gwelliannau 44, 45, 46)**

**Group 13: Freedom to Use Welsh—Appeals to the Welsh Language Tribunal
(Amendments 44, 45, 46)**

Y Llywydd: Y prif welliant yn y grŵp yw gwelliant 44.

The Presiding Officer: The lead amendment in the group is amendment 44.

Jenny Randerson: I move amendment 44 in my name and with the name of Paul Davies in support.

Jenny Randerson: Cynigaf welliant 44 yn fy enw i a chydag enw Paul Davies yn cefnogi.

This set of amendments—principally amendment 46 and associated amendments—relate to appeals to the Welsh language tribunal on the freedom to use Welsh. I think that they sit very comfortably, in terms of principle, beside the Minister's amendments from the previous group. These all strengthen the position of the individual, which is a key part of the credibility of the proposed Measure and the way in which it is viewed by the public.

There will be times when the commissioner decides not to pursue an investigation that people might wish him or her to pursue, or to abandon the pursuit of an investigation, and not carry it through to the end. The committee report, which this set of amendments follows closely, recommended that provision could also be made for the complainant to appeal to the tribunal against decisions of this nature by the commissioner. If the commissioner decided either not to pursue an investigation or not to take one to its conclusion, then it would empower ordinary people to appeal against the decision. It gives the tribunal the power to direct the commissioner to investigate or to continue to investigate and hence strengthens the position of ordinary people as complainants. We should bear in mind that there will be times when the commissioner will be investigating issues that relate to Government-run services, and there will be a natural public scepticism if the commissioner abandons an investigation or refuses to pursue an investigation. Therefore, this is a way of ensuring that the public has a second opinion and the assurance that it can take its complaint somewhere else. Therefore, I hope that the Minister looks kindly on this amendment, because it is all part of the same approach that he pursued in his previous set of amendments.

4.10 p.m.

Alun Ffred Jones: Trafodaf y gwelliannau hyn gyda'i gilydd. Credaf fod gwahaniaeth mawr rhwng y ffordd yr ydym yn ymdrin ag achosion o dorri safon a'r hyn sy'n digwydd gydag ymchwiliadau lle mae ymyrraeth honedig ynglŷn â'r rhyddid i siarad Cymraeg.

Mae'r set hwn o welliannau—sef gwelliant 46 yn bennaf, a gwelliannau cysylltiedig—yn ymwneud ag apelau i dribiwnlys y Gymraeg ar y rhyddid i ddefnyddio'r Gymraeg. Credaf eu bod yn cyd-fynd yn gyfforddus, o ran egwyddor, â gwelliannau'r Gweinidog o'r grŵp blaenorol. Mae'r rhain oll yn cryfhau sefyllfa'r unigolyn, sy'n rhan allweddol o hygyrdded y Mesur arfaethedig a'r modd y caiff ei weld gan y cyhoedd.

Ceir adegau pan fydd y comisiynydd yn penderfynu peidio â chynnal ymchwiliad y bydd ar bobl eisiau iddo ei gynnal o bosibl, neu roi'r gorau i gynnal ymchwiliad, a pheidio â pharhau ag ef i'w ddiwedd. Roedd adroddiad y pwyllgor, y mae'r set hwn o welliannau yn ei ddilyn yn agos, yn argymhell y gellid gwneud darpariaeth hefyd i'r achwynnydd apelio i'r tribiwnlys yn erbyn penderfyniadau o'r math hwn gan y comisiynydd. Pe byddai'r comisiynydd yn penderfynu naill ai i beidio cynnal ymchwiliad neu i beidio â dilyn ymchwiliad i'w derfyn, yna byddai'n grymuso pobl gyffredin i apelio yn erbyn y penderfyniad. Mae'n rhoi'r pŵer i'r tribiwnlys roi cyfarwyddyd i'r comisiynydd ymchwilio neu barhau i ymchwilio ac felly mae'n cryfhau sefyllfa pobl gyffredin fel achwynwyr. Dylem gadw mewn cof y ffaith y bydd yna adegau pan fydd y comisiynydd yn ymchwilio i faterion sy'n ymwneud â gwasanaethau sy'n cael eu rhedeg gan y Llywodraeth, a bydd y cyhoedd yn naturiol amheus os yw'r comisiynydd yn rhoi'r gorau i ymchwiliad neu'n gwrthod â chynnal ymchwiliad. Felly, dyma ffordd o sicrhau bod y cyhoedd yn cael ail farn a'r sicrwydd y gall leisio ei gŵyn yn rhywle arall. Gobeithiaf, felly, y bydd y Gweinidog yn ystyried y gwelliant yn ffafriol, oherwydd mae'r cyfan yn rhan o'r agwedd y mabwysiadodd ef yn ei set flaenorol o welliannau.

Alun Ffred Jones: I will discuss these amendments together. I believe that there is a great difference between the way in which we deal with cases of alleged breaches of standards and of that which occurs where there is alleged interference with the freedom to speak Welsh.

Mae gwelliant 46 yn cyfeirio at wneud apêl i'r tribiwnlys mewn achosion lle mae'r comisiynydd wedi penderfynu peidio ag ymchwilio i ymyrraeth honedig, neu beidio â pharhau ag ymchwiliad o'r fath. Diben Rhan 6 y Mesur arfaethedig yw darparu ffordd i'r unigolyn sy'n credu bod rhywun wedi ymyrryd â'r hawl i ddefnyddi'r Gymraeg i gwyno wrth y comisiynydd, a bydd ef neu hi'n gallu ymchwilio i'r mater.

Y dull a fabwysiedir yn y Mesur arfaethedig yw bod gan y comisiynydd y grym i ymchwilio i ymyrraeth honedig â'r rhyddid i siarad Cymraeg ac wedyn i adrodd ar yr ymchwiliad hwnnw. Yn ogystal, mae'r Mesur arfaethedig yn ei gwneud yn ofynnol i'r comisiynydd gynnwys ym mhob adroddiad blynyddol a gyflwynir i Weinidogion Cymru ei farn ef neu hi ynglŷn â digonolrwydd ac effeithiolrwydd y gyfraith wrth ddiogelu rhyddid pobl i siarad Cymraeg â'i gilydd. Bydd adroddiadau'r comisiynydd yn caniatáu i Weinidogion Cymru ystyried hyd a lled yr ymyrraeth â'r rhyddid i siarad Cymraeg, yn ogystal ag ystyried a oes angen gwneud newidiadau i'r gyfraith ynglŷn â hynny.

Felly, mae'r Mesur arfaethedig yn sicrhau bod gan y comisiynydd ddisgresiwn i benderfynu a ddylid mynd ar ôl yr achos ai peidio. Mae'n fater o ddod o hyd i ddull cymesur o ddelio â rhywbeth a all fod yn fater sensitif iawn, er enghraifft, pe bai cwyn yn dod gerbron y comisiynydd fod aelod o deulu wedi ceisio ymyrryd â hawl aelodau eraill o'r teulu i siarad Cymraeg. Fodd bynnag, ni chredaf y byddai ar y comisiynydd angen nac eisiau ymchwilio i'r math hwnnw o sefyllfa.

Felly, gofynnaf ichi ymwrthod â'r gwelliant hwn oherwydd credaf fod y dull sydd wedi cael ei fabwysiadu yn y Mesur arfaethedig yn ddigonol i ddelio â'r sefyllfa hon ac y gallwn edrych a chraffu ar adroddiadau'r comisiynydd dros gyfnod o flynyddoedd i weld a yw'r pwerau yn y Mesur arfaethedig yn ddigonol i ymateb i'r cwynion os byddant yn dod i'r fei.

Jenny Randerson: I think that the Minister

Amendment 46 refers to making an appeal to the tribunal in cases where the commissioner decides not to investigate an alleged interference with the freedom to speak Welsh, or a discontinuance of such an investigation. The intention of Part 6 of the proposed Measure is to provide an individual who feels that his or her freedom to use Welsh has been subject to interference with a route to complain to the commissioner, who may investigate the matter.

The approach proposed in the Measure is for the commissioner to be given the power to investigate and report on alleged interferences with the freedom to speak Welsh. In addition, the proposed Measure imposes a requirement upon the commissioner to include within each annual report to Welsh Ministers the commissioner's view of the adequacy and effectiveness of the law in protecting the freedom of persons to speak Welsh with one another. The commissioner's reports will enable the Welsh Ministers to consider the extent of interferences with the freedom to speak Welsh as well as to consider whether changes to the law are needed in that regard.

Therefore, the proposed Measure ensures that the commissioner has the discretion to decide whether or not to pursue the matter. It is a case of finding a proportionate approach to what could be a very sensitive matter, for example, if a complaint was brought to the commissioner that a family member had tried to interfere with other family members' freedom to speak Welsh. However, I do not believe that the commissioner would need to or would want to investigate that kind of situation.

Therefore, I ask you to reject this amendment, because I believe that the method adopted in the proposed Measure is adequate to deal with this situation and that we can look at and scrutinise the commissioner's reports over a period of years to see whether the powers in the proposed Measure are adequate to deal with the complaints if they appear.

Jenny Randerson: Credaf fod y Gweinidog

has missed the point. I am not saying in this amendment that the commissioner has to investigate internal family issues. Clearly, that would, in most cases, not be appropriate, although I can imagine that there might be occasions when it would. I am asking you to envisage a situation where someone makes a complaint about the services provided by a health board, for example. If the commissioner, quite probably for very good reason, decides that there is nothing substantive there, or that it falls without his or her remit, and therefore decides that he or she cannot pursue an investigation, then the immediate feeling among the aggrieved party, if I can call them that, will be, 'Of course, the Minister for health will have told the commissioner that he or she can't investigate this because it is a Government service.' That feeling would be set aside, to a large extent, if there were an appeal process. All we are suggesting in this amendment is that you give the public that reassurance. The committee felt absolutely united on this issue that there should be some kind of reassurance for the public that went through an appeal process system to the tribunal. I urge Members to support the amendment.

Y Llywydd: Y cwestiwn yw a ddylid derbyn gwelliant 44. A oes gwrthwynebiad? Gwelaf fod. Felly, symudwn i bleidlais.

wedi methu'r pwynt. Nid dweud yr wyf yn y gwelliant hwn fod yn rhaid i'r comisiynydd ymchwilio i faterion o fewn teuluoedd. Yn amlwg, ni fyddai hynny, yn y rhan fwyaf o achosion, yn addas, er y gallaf ddychmygu bod yna achosion pan fyddai. Rwyf yn gofyn ichi ragweld sefyllfa lle mae rhywun yn cwyno ynghylch y gwasanaethau a ddarperir gan fwrdd iechyd, er enghraifft. Os bydd y comisiynydd, am reswm da iawn, mae'n debyg, yn penderfynu nad oes unrhyw beth o sylwedd yma, neu ei fod oddi allan i'w gylch gwaith, ac felly'n penderfynu na all gynnal ymchwiliad, yna'r teimlad uniongyrchol ymhlith y sawl y tramgwyddwyd yn eu herbyn, os caf eu disgrifio felly, fydd, 'Wrth gwrs, bydd y Gweinidog iechyd wedi dweud wrth y comisiynydd nad yw'n cael ymchwilio i hyn oherwydd mai gwasanaeth gan y Llywodraeth ydyw.' Byddai'r teimlad hwnnw'n cael ei roi i'r naill ochr, i raddau helaeth, pe byddai proses apelio ar gael. Yr oll yr ydym yn ei awgrymu yn y gwelliant hwn yw eich bod yn rhoi'r sicrwydd hwnnw i'r cyhoedd. Roedd y pwyllgor yn teimlo'n gwbl unedig ar y mater hwn y dylai fod rhyw fath o sicrwydd i'r cyhoedd a fyddai'n mynd drwy broses apelio i'r tribiwnlys. Anogaf yr Aelodau i gefnogi'r gwelliant.

The Presiding Officer: The question is that amendment 44 be agreed to. Are there any objections? I see that there are. Therefore, we will move to a vote.

*Gwelliant 44: O blaid 16, Ymatal 0, Yn erbyn 29.
Amendment 44: For 16, Abstain 0, Against 29.*

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

Asghar, Mohammad
Bates, Mick
Black, Peter
Bourne, Nick
Burnham, Eleanor
Davies, Andrew R.T.
Davies, Paul
German, Veronica
Isherwood, Mark
Law, Trish
Melding, David
Millar, Darren
Morgan, Jonathan
Ramsay, Nick
Randerson, Jenny
Williams, Kirsty

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

Andrews, Leighton
Chapman, Christine
Cuthbert, Jeff
Davies, Alun
Davies, Andrew
Davies, Jocelyn
Evans, Nerys
Franks, Chris
Gibbons, Brian
Gregory, Janice
Griffiths, John
Griffiths, Lesley
Hart, Edwina
Hutt, Jane
Jenkins, Bethan
Jones, Alun Ffred
Jones, Ann

Jones, Elin
 Jones, Helen Mary
 Jones, Ieuan Wyn
 Lewis, Huw
 Lloyd, David
 Morgan, Rhodri
 Ryder, Janet
 Sargeant, Carl
 Thomas, Gwenda
 Thomas, Rhodri Glyn
 Watson, Joyce
 Wood, Leanne

*Gwrthodwyd gwelliant 44.
 Amendment 44 not agreed.*

Y Llywydd: Symudwn ymlaen i waredu gwelliant 45. Yr wyf yn gwahodd Jenny Randerson i gynnig gwelliant 45.

Jenny Randerson: I move amendment 45 in my name and with the name of Paul Davies in support.

Y Llywydd: Y cwestiwn yw a ddylid derbyn gwelliant 45. A oes gwrthwynebiad? Gwelaf fod. Felly, symudwn i bleidlais.

The Presiding Officer: We move to dispose of amendment 45. I invite Jenny Randerson to move amendment 45.

Jenny Randerson: Cynigiau welliant 45 yn fy enw i a chydag enw Paul Davies yn ei gefnogi.

The Presiding Officer: The question is that amendment 45 be agreed to. Are there any objections? I see that there are. Therefore, we will move to a vote.

*Gwelliant 45: O blaid 16, Ymatal 0, Yn erbyn 29.
 Amendment 45: For 16, Abstain 0, Against 29.*

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

Asghar, Mohammad
 Bates, Mick
 Black, Peter
 Bourne, Nick
 Burnham, Eleanor
 Davies, Andrew R.T.
 Davies, Paul
 German, Veronica
 Isherwood, Mark
 Law, Trish
 Melding, David
 Millar, Darren
 Morgan, Jonathan
 Ramsay, Nick
 Randerson, Jenny
 Williams, Kirsty

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

Andrews, Leighton
 Chapman, Christine
 Cuthbert, Jeff
 Davies, Alun
 Davies, Andrew
 Davies, Jocelyn
 Evans, Nerys
 Franks, Chris
 Gibbons, Brian
 Gregory, Janice
 Griffiths, John
 Griffiths, Lesley
 Hart, Edwina
 Hutt, Jane
 Jenkins, Bethan
 Jones, Alun Ffred
 Jones, Ann
 Jones, Elin
 Jones, Helen Mary
 Jones, Ieuan Wyn
 Lewis, Huw
 Lloyd, David
 Morgan, Rhodri
 Ryder, Janet
 Sargeant, Carl
 Thomas, Gwenda
 Thomas, Rhodri Glyn
 Watson, Joyce

Wood, Leanne

*Gwrthodwyd gwelliant 45.
Amendment 45 not agreed.*

Y Llywydd: Yn unol â'r rhestr o welliannau wedi'u didoli, symudwn i waredu gwelliant 62. Yr wyf yn gwahodd Paul Davies i gynnig gwelliant 62.

Paul Davies: Cynigiau welliant 62 yn fy enw i a chydag enw Jenny Randerson yn ei gefnogi.

Y Llywydd: Y cwestiwn yw a ddylid derbyn gwelliant 62. A oes gwrthwynebiad? Gwelaf fod. Felly, symudwn i bleidlais.

The Presiding Officer: In accordance with the marshalled list, we move to dispose of amendment 62. I invite Paul Davies to move amendment 62.

Paul Davies: I move amendment 62 in my name and with the name of Jenny Randerson in support.

The Presiding Officer: The question is that amendment 62 be agreed to. Are there any objections? I see that there are. Therefore, we will move to a vote.

*Gwelliant 62: O blaid 15, Ymatal 0, Yn erbyn 27.
Amendment 62: For 15, Abstain 0, Against 27.*

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

Asghar, Mohammad
Bates, Mick
Black, Peter
Bourne, Nick
Burnham, Eleanor
Davies, Andrew R.T.
Davies, Paul
German, Veronica
Isherwood, Mark
Melding, David
Millar, Darren
Morgan, Jonathan
Ramsay, Nick
Randerson, Jenny
Williams, Kirsty

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

Andrews, Leighton
Chapman, Christine
Cuthbert, Jeff
Davies, Alun
Davies, Andrew
Evans, Nerys
Franks, Chris
Gibbons, Brian
Gregory, Janice
Griffiths, John
Griffiths, Lesley
Hart, Edwina
Hutt, Jane
Jenkins, Bethan
Jones, Alun Ffred
Jones, Ann
Jones, Helen Mary
Law, Trish
Lewis, Huw
Lloyd, David
Morgan, Rhodri
Ryder, Janet
Sargeant, Carl
Thomas, Gwenda
Thomas, Rhodri Glyn
Watson, Joyce
Wood, Leanne

*Gwrthodwyd gwelliant 62.
Amendment 62 not agreed.*

**Grŵp 14: Tribiwnlys y Gymraeg—Rheoliadau Penodi (Gwelliant 40)
Group 14: Welsh Language Tribunal Appointment Regulations (Amendment 40)**

Y Llywydd: Galwaf ar y Gweinidog i gynnig gwelliant 40.

The Presiding Officer: I call on the Minister to move amendment 40.

Alun Ffred Jones: Cynigiaf welliant 40 yn fy enw i.

Mae gwelliant 40 yn tynnu allan y gofyniad ar Weinidogion Cymru i ymgynghori â llywydd y tribiwnlys cyn gwneud rheoliadau penodi parthed apwyntio aelodau'r tribiwnlys. Bydd hyn yn galluogi gwneud un set o reoliadau yn ymwneud â phenodi'r llywydd a holl aelodau eraill y tribiwnlys mewn un. Felly, yr wyf yn gofyn i Aelodau gymeradwyo'r gwelliant hwn.

Y Llywydd: Diolch yn fawr, Weinidog; cryno iawn.

Paul Davies: Gwrthod y gwelliant hwn fydd y Ceidwadwyr Cymreig a minnau. Fel y dywedodd y Gweinidog, mae'r gwelliant hwn yn galluogi Gweinidogion i osgoi gorfod ymgynghori â llywydd y tribiwnlys cyn gwneud rheoliadau penodi aelodau'r tribiwnlys. I raddau, yr wyf yn deall y rheswm dros hyn, sef y bydd y gwelliant yn sicrhau un set o reoliadau i'r tribiwnlys yn gyfan gwbl, ac felly'n creu cysondeb. Fodd bynnag, er mwyn sicrhau rhyw fath o annibyniaeth, byddai'n ddymunol i Weinidogion orfod ymgynghori â llywydd y tribiwnlys ynghylch y rheoliadau penodi. Byddai hyn o gymorth i Weinidogion gan y byddai rhywun arall yn edrych ar y rheoliadau yn ogystal â Gweinidogion. Mae'r safbwynt hwn hefyd yn gyson â rhai o'r gwelliannau blaenorol yr wyf wedi eu cynnig, er enghraifft, ynghylch penodi'r comisiynydd, lle byddai'n ddymunol i'r penodiadau gael eu gwneud yn annibynnol. Byddai gadael i llywydd y tribiwnlys ymwneud â rheoliadau penodi aelodau'r tribiwnlys yn creu rhyw fath o annibyniaeth oddi ar Weinidogion. Felly, yr wyf yn annog Aelodau i wrthod gwelliant 40.

Jenny Randerson: I am sceptical about the purpose behind this amendment. I have taken the view that the Minister's amendments at this stage are largely part of the massive tidying up exercise that has happened with this legislation. However, this amendment moves the tribunal's position and does not allow the independence that one would have hoped for. I had hoped that the Minister

Alun Ffred Jones: I move amendment 40 in my name.

Amendment 40 removes the requirement for Welsh Ministers to consult the president of the tribunal before making appointment regulations as regards the appointment of members of the tribunal. This will allow for one set of regulations to be made covering the appointment of the president and all other members of the tribunal at once. Therefore, I urge Members to support this amendment.

The Presiding Officer: Thank you very much, Minister; very succinct.

Paul Davies: The Welsh Conservatives and I will not support this amendment. As the Minister said, this amendment enables Ministers to avoid having to consult the president of the tribunal before making appointment regulations for tribunal members. I understand the reason for this to an extent, that is, that the amendment will ensure that there is one set of regulations for the whole tribunal, which will therefore create consistency. However, in order to secure some independence, it would be desirable for Ministers to have to consult the president of the tribunal about the appointment regulations. This would assist Ministers as someone else would have sight of the regulations as well as Ministers. This position is also consistent with that taken in some of the amendments that I have already moved, for example, those on the appointment of the commissioner, where it would be desirable if appointments were made independently. Permitting the president of the tribunal some involvement in the appointment regulations for tribunal members would create some sort of independence from Ministers. Therefore, I urge Members not to support amendment 40.

Jenny Randerson: Rwyf yn amheus ynghylch diben y gwelliant hwn. Rwyf o'r farn fod gwelliannau'r Gweinidog ar y cam hwn, i raddau helaeth, yn rhan o'r gwaith tacluso anferth sydd wedi digwydd gyda'r ddeddfwriaeth hon. Fodd bynnag, mae'r gwelliant hwn yn symud sefyllfa'r tribiwnlys ac nid yw'n caniatáu'r annibyniaeth y byddai rhywun wedi gobeithio amdano. Roeddwn

would have given us an explanation that said that the situation remained exactly as it was, but that this was merely a different way of expressing it or that it is under a different section. However, that does not seem to be the case. Therefore, we will not be supporting the amendment.

4.20 p.m.

Y Llywydd: Galwaf ar y Gweinidog i ymateb.

Alun Ffred Jones: Mae hwn yn fater syml sy'n ymwneud â symleiddio'r broses. Yr wyf yn gwerthfawrogi pryder y gwrthbleidiau ynglŷn ag ymgynghori, ond credaf fod digon o *checks and balances* yn y drefn bresennol i sicrhau bod y broses yn dryloyw.

Y Llywydd: Y cwestiwn yw a ddylid cytuno ar welliant 40. A oes gwrthwynebiad? Gwelaf fod. Felly, galwaf am bleidlais.

wedi gobeithio y byddai'r Gweinidog wedi rhoi esboniad inni yn dweud bod y sefyllfa'n aros yn union fel yr oedd, ac mai dim ond ffordd wahanol o'i fynegi oedd hyn, neu ei fod o dan adran wahanol. Fodd bynnag, ymddengys nad felly y mae, felly ni fyddwn yn cefnogi'r gwelliant.

The Presiding Officer: I call on the Minister to respond.

Alun Ffred Jones: This is a simple matter of simplifying the process. I appreciate the opposition parties' concern about consultation, but I believe that there are enough checks and balances in the current system to ensure that the process is transparent.

The Presiding Officer: The question is that amendment 40 be agreed to. Are there any objections? I see that there are. Therefore, we will move to a vote.

*Gwelliant 40: O blaid 28, Ymatal 0, Yn erbyn 17.
Amendment 40: For 28, Abstain 0, Against 17.*

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

Andrews, Leighton
Chapman, Christine
Cuthbert, Jeff
Davies, Alun
Davies, Andrew
Davies, Jocelyn
Evans, Nerys
Franks, Chris
Gibbons, Brian
Gregory, Janice
Griffiths, John
Griffiths, Lesley
Hart, Edwina
Hutt, Jane
Jenkins, Bethan
Jones, Ann
Jones, Elin
Jones, Helen Mary
Jones, Ieuan Wyn
Lewis, Huw
Lloyd, David
Morgan, Rhodri
Ryder, Janet
Sargeant, Carl
Thomas, Gwenda
Thomas, Rhodri Glyn
Watson, Joyce
Wood, Leanne

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

Asghar, Mohammad
Bates, Mick
Black, Peter
Bourne, Nick
Burnham, Eleanor
Davies, Andrew R.T.
Davies, Paul
German, Veronica
Isherwood, Mark
Jones, Alun Ffred
Law, Trish
Melding, David
Millar, Darren
Morgan, Jonathan
Ramsay, Nick
Randerson, Jenny
Williams, Kirsty

*Derbyniwyd gwelliant 40.
Amendment 40 agreed.*

Y Llywydd: Symudwn i waredu gwelliant 69. Galwaf ar Paul Davies i gynnig y gwelliant.

The Presiding Officer: We move to dispose of amendment 69. I invite Paul Davies to move the amendment.

Paul Davies: Cynigaf welliant 69 yn fy enw i a chydag enw Jenny Randerson yn ei gefnogi.

Paul Davies: I move amendment 69 in my name and with the name of Jenny Randerson in support.

Y Llywydd: Y cwestiwn yw a ddylid cytuno ar welliant 69. A oes gwrthwynebiad? Gwelaf fod. Felly, galwaf am bleidlais.

The Presiding Officer: The question is that amendment 69 be agreed to. Are there any objections? I see that there are. Therefore, we will move to a vote.

*Gwelliant 69: O blaid 16, Ymatal 0, Yn erbyn 28.
Amendment 69: For 16, Abstain 0, Against 28.*

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

Asghar, Mohammad
Bates, Mick
Black, Peter
Bourne, Nick
Burnham, Eleanor
Davies, Andrew R.T.
Davies, Paul
German, Veronica
Isherwood, Mark
Law, Trish
Melding, David
Millar, Darren
Morgan, Jonathan
Ramsay, Nick
Randerson, Jenny
Williams, Kirsty

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

Andrews, Leighton
Chapman, Christine
Cuthbert, Jeff
Davies, Alun
Davies, Jocelyn
Evans, Nerys
Franks, Chris
Gibbons, Brian
Gregory, Janice
Griffiths, John
Griffiths, Lesley
Hart, Edwina
Hutt, Jane
Jenkins, Bethan
Jones, Alun Ffred
Jones, Ann
Jones, Elin
Jones, Helen Mary
Jones, Ieuan Wyn
Lewis, Huw
Lloyd, David
Morgan, Rhodri
Ryder, Janet
Sargeant, Carl
Thomas, Gwenda
Thomas, Rhodri Glyn
Watson, Joyce
Wood, Leanne

*Gwrthodwyd gwelliant 69.
Amendment 69 not agreed.*

Y Llywydd: Symudwn i waredu gwelliant 34. Galwaf ar y Gweinidog i gynnig gwelliant 34.

The Presiding Officer: We move to dispose of amendment 34. I invite the Minister to move the amendment.

Alun Ffred Jones: Cynigaf welliant 34 yn fy enw i.

Alun Ffred Jones: I move amendment 34 in my name.

Y Llywydd: Y cwestiwn yw a ddylid cytuno ar welliant 34. A oes gwrthwynebiad? Gwelaf nad oes. Yn unol â Rheol Sefydlog Rhif 7.35, felly, caiff gwelliant 34 ei dderbyn.

The Presiding Officer: The question is that amendment 34 be agreed to. Are there any objections? I see that there are none. In accordance with Standing Order No. 7.35, amendment 34 is therefore agreed.

*Derbyniwyd gwelliant 34.
Amendment 34 agreed.*

**Grŵp 15: Diddymu Bwrdd yr Iaith Gymraeg a Throsglwyddo Swyddogaethau
(Gwelliannau 63, 35, 64, 41, a 42)**

**Group 15: Abolition of the Welsh Language Board and Transfer of Functions
(Amendments 63, 35, 64, 41 and 42)**

Y Llywydd: Y prif welliant yn y grŵp hwn yw gwelliant 63. Galwaf ar Paul Davies i gynnig y gwelliant a siarad am y gwelliannau eraill yn y grŵp.

The Presiding Officer: The lead amendment in this group is amendment 63. I call on Paul Davies to move the amendment and to speak to the other amendments in the group.

Paul Davies: Cynigaf welliant 63 yn fy enw i a chydag enw Jenny Randerson yn ei gefnogi.

Paul Davies: I move amendment 63 in my name and with the name of Jenny Randerson in support.

Pwrpas y gwelliannau hyn yw sicrhau trosiad effeithiol o'r bwrdd iaith i'r gyfundrefn newydd. Mae nifer wedi mynegi pryder ynglŷn â sut y bydd y trosiad o'r system bresennol i'r system newydd yn gweithio. Yn ôl tystiolaeth a dderbyniwyd gan y pwyllgor deddfwriaeth yn ystod Cyfnod 1 y Mesur arfaethedig, yr oedd cefnogaeth fawr i waith y bwrdd iaith, ac, yn wir, canmolwyd y bwrdd iaith yn fawr gan y sefydliadau a fu'n delio ag ef. Mae'n amlwg bod y berthynas waith rhwng mudiadau a'r bwrdd iaith wedi bod yn arbennig o dda, sydd wedi cael effaith bositif ar y Gymraeg. Mae'n hanfodol nad ydym yn colli profiad ac arbenigedd y bwrdd iaith yn yr ad-drefnu a'r trosiad hwn. Hoffwn dalu teyrnged i'r bwrdd am y gwaith da y mae wedi ei wneud dros y blynyddoedd, a diolchaf i'r holl staff am eu gwaith caled. Mae'n bwysig nad ydym yn colli'r ewyllys da sydd wedi cael ei greu drwy ddatblygu'r cynlluniau gwirfoddol presennol. Dyna'n union yr hyn a ddywedodd y pwyllgor deddfwriaeth yn ei adroddiad yn dilyn Cyfnod 1.

The purpose of these amendments is to secure an effective transition from the language board to the new system. Several people have expressed concern about how the transition from the current to the new system would work. According to the evidence taken by the legislation committee during Stage 1 considerations of the proposed Measure, there was great support for the work of the language board and, indeed, great praise from the organisations that had been dealing with it. It is obvious that there is an especially good working relationship between organisations and the language board, which has had a positive impact on the Welsh language. It is vital that we do not lose the experience and the expertise of the language board in this reorganisation and transition. I would like to pay tribute to the board for the good work that it has done over the years, and thank all the staff for their hard work. It is important that we do not lose the good will that has been built up during the development of the current voluntary schemes. This is exactly what the legislation committee said in its Stage 1 report.

Nid yw'n glir yn y Mesur arfaethedig sut y bydd y system newydd yn cael ei chyflwyno, a sut y bydd yr hen system o gynlluniau yn cael ei diddymu. Mae angen eglurder yn y Mesur arfaethedig er mwyn rhoi hyder i bobl

It is not clear in the proposed Measure how the new system will be introduced, and how the old system of schemes will be abolished. There is a need for clarity in the proposed Measure in order to give people confidence

y bydd y trosiad yn effeithiol. Felly, pwrpas gwelliannau 63 a 64 yw sicrhau bod y system bresennol yn parhau nes bod y safonau newydd yn barod i gael eu rhoi ar waith. Bydd y gwelliannau hyn yn sicrhau trosiad effeithiol a chlir, yn union fel yr awgrymwyd gan y pwyllgor deddfwriaeth yn ei adroddiad Cyfnod 1 ar y Mesur arfaethedig. Felly, anogaf Aelodau i gefnogi gwelliannau 63 a 64.

Alun Ffred Jones: Bydd gwelliant 63 yn atal trosglwyddo swyddogaethau'r bwrdd i hybu a hwyluso'r defnydd o'r Gymraeg i Weinidogion Cymru. Mae angen i'r Mesur arfaethedig gadw'r hyblygrwydd i alluogi swyddogaethau'r bwrdd, neu rai ohonynt, o ran hybu a hwyluso'r defnydd o'r Gymraeg, i gael eu rhoi i Weinidogion Cymru ar ôl i'r bwrdd gael ei ddiddymu. Hoffwn ei gwneud yn glir fy mod yn credu bod manteision clir o gadw corff cryf ac annibynnol y tu allan i Lywodraeth sydd â'r gallu i ddelio ag ystod eang o faterion ac i gynghori'r Llywodraeth ac eraill ynghylch polisi iaith. Fodd bynnag, mae'r ffaith y bydd gan y comisiynydd bwerau gorfodi cryfach, o'i gymharu â'r bwrdd, wedi arwain at drafodaeth ynghylch pa agweddau ar weithgareddau hybu'r bwrdd y dylid eu trosglwyddo i'r comisiynydd. Yn wir, nododd adroddiad y pwyllgor deddfwriaeth fod y rhan fwyaf o'r dystiolaeth â dderbyniodd, gan gynnwys tystiolaeth gan y bwrdd, yn cefnogi gwahanu'r swyddogaethau rheoleiddiol a'r swyddogaethau hybu.

Wedi dweud hynny, mae gwaith y comisiynydd yn siŵr o gynnwys elfen o hybu. Er enghraifft, bydd modd iddo gynghori Gweinidogion Cymru ar ystod eang o feysydd polisi a allai gynnwys cyfleoedd i hybu'r defnydd o'r Gymraeg. Fodd bynnag, mae'r cyfrifoldeb am fathau eraill o waith hybu, megis dyrannu grantiau ac ariannu prosiectau er mwyn cynyddu'r defnydd o'r Gymraeg, yn haeddu ystyriaeth bellach. Mae'r rhain yn weithgareddau lle byddai budd mewn gweithio mewn partneriaeth gyda chyrrff eraill, ond lle y gallai rôl reoleiddiol y comisiynydd dorri ar draws y gallu i weithio mewn partneriaeth.

Felly, mae angen hyblygrwydd yn y Mesur

that the transition will be effective. Therefore, the purpose of amendments 63 and 64 is to ensure that the current system continues until the new standards are ready to be implemented. These amendments will ensure a clear and effective transition, exactly as was suggested by the legislation committee in its Stage 1 report on the proposed Measure. Therefore, I urge Members to support amendments 63 and 64.

Alun Ffred Jones: Amendment 63 would prevent the transfer of the board's functions of promoting and facilitating the use of the Welsh language to Welsh Ministers. The proposed Measure needs to retain the flexibility to enable the conferral of the board's functions, or some of them, in relation to promoting and facilitating the use of the Welsh language upon Welsh Ministers once the board has been abolished. Let me be quite clear that I believe that there are clear advantages in retaining a strong and independent body, outside of Government, with the ability to deal with a wide range of issues and to advise the Government and others on language policy. However, the fact that the commissioner will have stronger enforcement powers, compared to the board, has led to some debate with regard to which aspects of the board's language promotion activities should be transferred to the commissioner. Indeed, the legislation committee's report noted that the majority of evidence submitted to it, including evidence from the board, supported the separation of regulatory and promotional functions.

Having said this, the commissioner's work is bound to include a promotional element. For example, he or she will be able to advise Welsh Ministers on a wide range of policy areas that could involve opportunities to promote the use of Welsh. However, the responsibility for other types of promotional work, such as awarding grants and funding projects aimed at increasing the use of Welsh, deserve further consideration. These are activities where working in partnership with other organisations is of value, but where the commissioner's regulatory role could cut across partnership working.

There is, therefore, a need for flexibility

arfaethedig i roi disgrisiwn i Weinidogion Cymru i rannu'r cyfrifoldeb ar gyfer hybu'r defnydd o'r Gymraeg rhwng y comisiynydd a Gweinidogion Cymru, fel y bo'n briodol. Gan hynny, mae angen inni gadw'r ddarpariaeth yn adran 134(3). Yn y cyfamser, byddaf yn parhau i drafod y mater gyda'r bwrdd, gyda golwg ar ei gwneud yn glir yn y strategaeth iaith sut y dylid delio gyda'r cyfrifoldeb o hybu'r defnydd o'r Gymraeg. Yr wythnos nesaf, caiff y strategaeth ddrafft ei chyhoeddi ar gyfer ymgynghori.

Effaith gwelliant 64 yw ychwanegu isadran newydd i adran 136 y Mesur arfaethedig a fyddai'n atal diddymu Rhan 2 o Ddeddf 1993 yn ei chyfanrwydd hyd nes bydd cynllun iaith pob corff cyhoeddus wedi'i ddisodli gan safonau. Nid wyf yn credu bod angen y gwelliant hwn. Mae'r Mesur arfaethedig yn darparu ar gyfer proses drosiannol dri cham, sydd wedi'i hamlinellu yn adrannau 134 i 136.

Mae adran 135 yn dynodi dechrau'r ail gyfnod trosiannol. Mae'n darparu ar gyfer symud yn raddol o gynlluniau iaith i safonau. Bydd y cyfnod trosiannol cyntaf yn gweld y comisiynydd yn gweithredu swyddogaethau'r bwrdd yng nghyswllt cynlluniau iaith—i bob perwyl, bydd y comisiynydd yn camu i mewn i esgidiau'r bwrdd. Bydd yr ail gyfnod trosiannol yn gweld sefydlu rhaglen ar gyfer symud yn raddol o gynlluniau i safonau.

Mae adran 135(2) y Mesur arfaethedig o berthnasedd arbennig yng nghyd-destun y gwelliant hwn. Mae'r adran honno'n darparu na fydd Rhan 2 Deddf 1993 yn gymwys bellach lle y bydd corff cyhoeddus o dan Ran 2 o Ddeddf 1993 yn dod o dan ddyletswydd i gydymffurfio â safonau am y tro cyntaf. Ni fydd Rhan 2 Deddf 1993 yn cael ei diddymu'n llwyr nes bydd y trydydd cyfnod, y cyfnod olaf wrth symud o'r cynlluniau i'r safonau, wedi'i gwblhau. Daw'r cyfnod trosiannol i ben pan fydd pob person sy'n gweithredu cynlluniau o dan Ran 2 Deddf 1993 o dan ddyletswydd i gydymffurfio â safonau. Mae'r polisi yn glir: ni fydd Rhan 2 Deddf 1993 yn cael ei throï i ffwrdd cyhyd â bod ei hangen. O ganlyniad, mae'r gwelliant hwn yn ddiangen. Gofynnaf felly i chi

within the proposed Measure to give Welsh Ministers the discretion to divide the responsibility for promoting the use of Welsh between the commissioner and Welsh Ministers as appropriate. As such, we need to retain the provision in section 134(3). In the meantime, I will continue to discuss this matter with the board, with a view to making it clear in the Welsh language strategy how the responsibility for promoting the use of Welsh should be dealt with. The draft strategy will be published for consultation next week.

The effect of amendment 64 is to insert a new subsection into section 136 of the proposed Measure that would prevent the repeal of Part 2 of the 1993 Act in its entirety until the language schemes of all public bodies had been replaced with standards. I do not believe that this amendment is necessary. The proposed Measure provides for a three-stage transitional process, which is set out in sections 134 to 136.

Section 135 marks the beginning of the second transitional period. It provides for the gradual move from Welsh language schemes to standards. The first transitional stage will see the commissioner exercising the board's functions in relation to language schemes—effectively, it will be a case of the commissioner stepping into the board's shoes. The second transitional period will see the establishment of a programme for moving gradually from schemes to standards.

Section 135(2) of the proposed Measure is of particular relevance in the context of this amendment. That section provides that where a public body under Part 2 of the 1993 Act first becomes subject to the duty to comply with a standard, Part 2 of the 1993 Act will no longer apply to that public body. Part 2 of the 1993 Act will not be repealed in full until the third and final stage of the transition from schemes to standards has been completed. The transition period will come to an end when those persons currently operating schemes under Part 2 of the 1993 Act are all subject to standards. The policy is clear: Part 2 of the 1993 Act will not be switched off until it is no longer needed. As a result, this amendment is unnecessary. I therefore ask you to vote against amendments 63 and 64

bleidleisio yn erbyn gwelliannau 63 a 64 a gyflwynwyd gan Paul Davies.

Trof at welliant rhif 35 y Llywodraeth, sy'n gywiriad drafftio. Mae'n sicrhau, yn achos pob person sydd â chynllun iaith Gymraeg sydd yn gymwys i fod yn destun ymchwiliad gan Fwrdd yr Iaith Gymraeg o dan adran 17 Deddf yr Iaith Gymraeg 1993, nad yw rhan 2 o'r Ddeddf honno yn gymwys i'r person hwnnw pan ddaw'r person hwnnw yn ddarostyngedig i safonau'r Gymraeg, o dan adran 24(1) y Mesur arfaethedig.

Nid yw'r cyfeiriad at 'gorff cyhoeddus' yn dal y personau hynny sy'n gweithredu ar ran y Goron ac sydd â chynllun iaith oherwydd ni allwn bennu cyrff y Goron fel 'cyrff cyhoeddus' o fewn ystyr Deddf 1993. Mae defnyddio'r gair 'person' yn hytrach na 'chorff cyhoeddus' yn golygu y gall adran 135 ddirymu Rhan 2 o Ddeddf 1993 yn achos y personau hynny sy'n gweithredu ar ran y Goron ac sydd â chynllun iaith, unwaith y bydd y personau hynny yn dod yn gymwys i gydymffurfio â safonau am y tro cyntaf. Hyderaf, felly, y byddwch yn cefnogi gwelliant 35.

Ein bwriad, wrth gyflwyno gwelliant 41, yw sicrhau y bydd contractau cyflogaeth aelodau staff y bwrdd sy'n trosglwyddo o'r bwrdd i swyddfa'r comisiynydd neu o'r bwrdd i'r Llywodraeth yn parhau yn ddi-dor. Diben y gwelliant hwn yw sicrhau na fydd staff y bwrdd sy'n trosglwyddo ar eu colled o ganlyniad i'r trosglwyddo.

4.30 p.m.

Mae'r Llywodraeth yn awyddus i sicrhau trosglwyddiad esmwyth o'r bwrdd i'r system newydd sy'n cael ei sefydlu o dan y Mesur arfaethedig. Wrth gynnig y gwelliant, yr ydym yn ymateb i gais gan y bwrdd am fwy o eglurder ar wyneb y Mesur arfaethedig ynglŷn â'r effaith a gaiff trosglwyddo staff o'r bwrdd—drwy Orchymyn o dan y Mesur—ar gontractau cyflogaeth yr aelodau staff sy'n trosglwyddo. Yr wyf wedi bod yn falch o'r cyfle i wneud y mwyaf o arbenigedd a phrofiad staff y bwrdd dros y blynyddoedd diwethaf, ac yr wyf am osgoi codi unrhyw bryderon iddynt dros y cyfnod trosiannol.

tabled by Paul Davies.

I now turn to the Government's amendment 35, which corrects a drafting error. It ensures that, in the case of all persons who have a Welsh language scheme that may be the subject of an investigation by the Welsh Language Board under section 17 of the Welsh Language Act 1993, Part 2 of that Act no longer applies to that person when that person becomes subject to Welsh language standards, under section 24(1) of the proposed Measure.

The reference to 'public body' does not capture those persons acting on behalf of the Crown who currently operate a language scheme, since Crown bodies cannot be specified as 'public bodies' within the meaning of the 1993 Act. The use of the word 'person' as opposed to 'public body' will ensure that section 135 can disapply Part 2 of the 1993 Act in relation to persons acting on behalf of the Crown operating language schemes once those persons first become subject to standards. I trust, therefore, that you will support amendment 35.

Our intention, in proposing amendment 41, is to ensure the continuation of the employment contracts of those members of the board's staff who transfer from the board to the office of the commissioner or from the board to the Government. The purpose of this amendment is to ensure that the staff who transfer are not disadvantaged as a result of the transfer.

The Government is keen to ensure that the transition from the board to the system established under the proposed Measure occurs as smoothly as possible. In proposing the amendment, we are responding to a request from the board for the proposed Measure to provide greater clarity on its face regarding the effect that the transfer of staff from the board—by Order made under the Measure—will have on the employment contracts of transferring staff. I have appreciated the opportunity to make the most of the expertise and experience offered by the board's staff in recent years, and I am keen to

Mae'r gwelliant hwn yn adlewyrchu ein sensitifrwydd i bryderon y bwrdd ynghylch sefyllfaoedd y staff sy'n trosglwyddo, a'r ffaith bod gan y bwrdd rôl allweddol i'w chwarae yn y broses o drosglwyddo. Yr ydym eisoes wedi sefydlu prosiect ar y cyd i ddechrau cynllunio'r gwaith. Mae gwelliant 42 yn ganlyniadol ar welliant 41. Yr wyf yn eich annog, felly, i gefnogi'r ddau welliant hyn.

Paul Davies: Yr wyf yn derbyn sylwadau'r Gweinidog am y gwelliannau sydd yn ei enw ef, a byddaf yn eu cefnogi. Fodd bynnag, yr wyf yn siomedig ei fod yn gwrthod y gwelliannau sydd yn fy enw i. Fel y dywedais yn gynharach, pwrpas y gwelliannau hyn yw sicrhau trosiad effeithiol o'r bwrdd iaith i'r gyfundrefn newydd, ac nid oes dim yr wyf wedi'i glywed gan y Gweinidog wedi newid fy meddwl. Er mwyn peidio â cholli'r gwaith da y mae'r bwrdd iaith wedi'i wneud dros y blynyddoedd, mae'n hanfodol bod y gwelliannau hyn yn cael eu derbyn. Wrth dderbyn gwelliannau 63 a 64, byddwn yn sicrhau y bydd y system bresennol yn parhau nes bod y safonau newydd yn barod. Felly, yr wyf yn erfyn ar Aelodau i gefnogi gwelliannau 63 a 64 yn fy enw i.

Y Llywydd: Yr wyf yn deall eich bod am symud i bleidlais ar welliant 63. Y cwestiwn yw a ddylid derbyn gwelliant 63. A oes gwrthwynebiad? Gwelaf fod. Felly, symudwn i bleidlais.

avoid causing them any concern during the transitional phase. This amendment reflects our sensitivity to the board's concerns regarding the position of transferring staff and the fact that the board has a key role to play in the transfer process. We have already established a joint project to start planning the work. Amendment 42 is consequential upon amendment 41. I therefore urge you to support both these amendments.

Paul Davies: I accept the Minister's comments about the amendments in his name, and I will be supporting them. However, I am disappointed that he will be rejecting the amendments in my name. As I said earlier, the aim of these amendments is to ensure an effective transition from the language board to the new system, and nothing that I have heard from the Minister has changed my mind. If we are not to lose the good work carried out by the language board over the years, it is vital that these amendments are agreed. By agreeing amendments 63 and 64, we will be ensuring that the current system continues until the new standards are ready. Therefore, I ask Members to support amendments 63 and 64 in my name.

The Presiding Officer: I understand that you wish to move to a vote on amendment 63. The question is that amendment 63 is agreed. Are there any objections? I see that there are. Therefore, I call for a vote.

*Gwelliant 63: O blaid 16, Ymatal 0, Yn erbyn 31.
Amendment 63: For 16, Abstain 0, Against 31.*

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

Asghar, Mohammad
Bates, Mick
Black, Peter
Bourne, Nick
Burnham, Eleanor
Davies, Andrew R.T.
Davies, Paul
German, Veronica
Isherwood, Mark
Law, Trish
Melding, David
Millar, Darren
Morgan, Jonathan
Ramsay, Nick
Randerson, Jenny
Williams, Kirsty

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

Andrews, Leighton
Barrett, Lorraine
Chapman, Christine
Cuthbert, Jeff
Davies, Alun
Davies, Andrew
Davies, Jocelyn
Evans, Nerys
Franks, Chris
Gibbons, Brian
Gregory, Janice
Griffiths, John
Griffiths, Lesley
Hart, Edwina
Hutt, Jane
Jenkins, Bethan

Jones, Alun Ffred
Jones, Ann
Jones, Elin
Jones, Gareth
Jones, Helen Mary
Jones, Ieuan Wyn
Lewis, Huw
Lloyd, David
Morgan, Rhodri
Ryder, Janet
Sargeant, Carl
Thomas, Gwenda
Thomas, Rhodri Glyn
Watson, Joyce
Wood, Leanne

*Gwrthodwyd gwelliant 63.
Amendment 63 not agreed.*

Y Llywydd: Symudwn i waredu gwelliant 35. Yr wyf yn gwahodd y Gweinidog i gynnig y gwelliant.

The Presiding Officer: We now come to dispose of amendment 35. I invite the Minister to move the amendment.

Alun Ffred Jones: Cynigaf welliant 35 yn fy enw i.

Alun Ffred Jones: I move amendment 35 in my name.

Y Llywydd: Y cwestiwn yw a ddylid derbyn gwelliant 35. A oes gwrthwynebiad? Gwelaf nad oes. Yn unol â Rheol Sefydlog Rhif 7.35, felly, datganaf fod gwelliant 35 wedi'i dderbyn.

The Presiding Officer: The question is that amendment 35 be agreed to. Are there any objections? I see that there are not. Therefore, in accordance with Standing Order No. 7.35, I declare that amendment 35 is agreed.

*Derbyniwyd gwelliant 35.
Amendment 35 agreed.*

Y Llywydd: Symudwn i waredu gwelliant 64. Yr wyf yn gwahodd Paul Davies i gynnig y gwelliant.

The Presiding Officer: We now come to dispose of amendment 64. I invite Paul Davies to move the amendment.

Paul Davies: Cynigaf welliant 64 yn fy enw i a chydag enw Jenny Randerson yn ei gefnogi.

Paul Davies: I move amendment 64 in my name and with the name of Jenny Randerson in support.

Y Llywydd: Y cwestiwn yw a ddylid derbyn gwelliant 64. A oes gwrthwynebiad? Gwelaf fod. Felly, symudwn i bleidlais.

The Presiding Officer: The question is that amendment 64 be agreed to. Are there any objections? I see that there are. Therefore, I call for a vote.

*Gwelliant 64: O blaid 17, Ymatal 0, Yn erbyn 30.
Amendment 64: For 17, Abstain 0, Against 30.*

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

Asghar, Mohammad
Bates, Mick
Black, Peter
Bourne, Nick
Burnham, Eleanor

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

Andrews, Leighton
Barrett, Lorraine
Chapman, Christine
Cuthbert, Jeff
Davies, Alun

Davies, Andrew R.T.
Davies, Paul
German, Veronica
Isherwood, Mark
Law, Trish
Melding, David
Millar, Darren
Morgan, Jonathan
Morgan, Rhodri
Ramsay, Nick
Randerson, Jenny
Williams, Kirsty

Davies, Andrew
Davies, Jocelyn
Evans, Nerys
Franks, Chris
Gibbons, Brian
Gregory, Janice
Griffiths, John
Griffiths, Lesley
Hart, Edwina
Hutt, Jane
Jenkins, Bethan
Jones, Alun Ffred
Jones, Ann
Jones, Elin
Jones, Gareth
Jones, Helen Mary
Jones, Ieuan Wyn
Lewis, Huw
Lloyd, David
Ryder, Janet
Sargeant, Carl
Thomas, Gwenda
Thomas, Rhodri Glyn
Watson, Joyce
Wood, Leanne

*Gwrthodwyd gwelliant 64.
Amendment 64 not agreed.*

Y Llywydd: Symudwn i waredu gwelliant 41. Yr wyf yn gwahodd y Gweinidog i gynnig y gwelliant.

Alun Ffred Jones: Cynigaf welliant 41 yn fy enw i.

Y Llywydd: Y cwestiwn yw a ddylid derbyn gwelliant 41. A oes gwrthwynebiad? Gwelaf nad oes. Yn unol â Rheol Sefydlog Rhif 7.35, felly, datganaf fod gwelliant 41 wedi'i dderbyn.

*Derbyniwyd gwelliant 41.
Amendment 41 agreed.*

Y Llywydd: Symudwn i waredu gwelliant 42. Yr wyf yn gwahodd y Gweinidog i gynnig y gwelliant.

Alun Ffred Jones: Cynigaf welliant 42 yn fy enw i.

Y Llywydd: Y cwestiwn yw a ddylid derbyn gwelliant 42. A oes gwrthwynebiad? Gwelaf nad oes. Yn unol â Rheol Sefydlog Rhif 7.35, felly, datganaf fod gwelliant 42 wedi'i dderbyn.

*Derbyniwyd gwelliant 42.
Amendment 42 agreed.*

The Presiding Officer: We now come to dispose of amendment 41. I invite the Minister to move the amendment.

Alun Ffred Jones: I move amendment 41 in my name.

The Presiding Officer: The question is that amendment 41 be agreed to. Are there any objections? I see that there are not. Therefore, in accordance with Standing Order No. 7.35, I declare that amendment 41 is agreed.

The Presiding Officer: We now come to dispose of amendment 42. I invite the Minister to move the amendment.

Alun Ffred Jones: I move amendment 42 in my name.

The Presiding Officer: The question is that amendment 42 be agreed to. Are there any objections? I see that there are not. Therefore, in accordance with Standing Order No. 7.35, I declare that amendment 42 is agreed.

Grŵp 16: Cadeirio'r Cyngor Partneriaeth (Gwelliannau 65 a 66)
Group 16: Chairing the Partnership Council (Amendments 65 and 66)

Paul Davies: Cynigiau welliant 65 yn fy enw i a chydag enw Jenny Randerson yn ei gefnogi.

Paul Davies: I move amendment 65 in my name and with the name of Jenny Randerson in support.

Siaradaf am welliant 65 a 66. Yr wyf yn croesawu'r ffaith bod y Llywodraeth wedi creu cyngor partneriaeth yn y Mesur arfaethedig hwn. Pwrpas y gwelliannau hyn yw sicrhau y bydd un aelod arall o'r cyngor, yn ogystal â'r Gweinidog, yn cadeirio cyfarfodydd y cyngor. Byddai creu cyd-gadeirydd sy'n aelod o'r cyngor yn sicrhau cydbwysedd. Mae hyn yn gyson â'n nodau ni fel plaid, ac yn gyson â gwelliannau eraill yr wyf wedi'u cyflwyno i'r Mesur arfaethedig hwn. Rhaid gofyn pam mae'n rhaid i'r Gweinidog gadeirio'r cyngor yn y lle cyntaf. Pam na all y cyngor gael ei gadeirio gan un o'r aelodau, gyda'r Gweinidog yn mynychu'r cyfarfodydd pan fydd hynny'n briodol? Byddai creu cyd-gadeirydd yn sicrhau na fydd dylanwad rhy wleidyddol ar yr iaith, a bod cymdeithas sifil a'r byd busnes yn cael cyfle i fynegi eu barn. Credaf fod hyn yn gwneud synnwyr cyffredin, a gobeithiaf y bydd y Gweinidog yn credu bod hyn yn beth da hefyd. Felly, yr wyf yn annog Aelodau'r Cynulliad i gefnogi'r gwelliannau hyn.

I will speak to amendments 65 and 66. I welcome the fact that the Government has created a partnership council in this proposed Measure. The aim of these amendments is to ensure that one other member of the council, in addition to the Minister, can chair its meetings. Creating a co-chair who is a member of the council would ensure a balance. That is consistent with our aims as a party, and with the other amendments that I have tabled to this proposed Measure. One must ask why the Minister must chair the council in the first place. Why can it not be chaired by one of its members, with the Minister attending meetings whenever that is appropriate? Creating a co-chair would ensure that the language is not influenced too politically, and that civil society and the business world would have an opportunity to voice their opinions. I believe that this is plain common sense, and I hope that the Minister believes that it is a good thing, too. Therefore, I urge Assembly Members to support these amendments.

Alun Ffred Jones: Mae gwelliant 65 yn enw Paul Davies yn gwneud darpariaeth i gyngor partneriaeth y Gymraeg gael cyd-gadeiryddion, a dylid ei ddarllen ochr yn ochr â gwelliant 66. Mae gwelliant 66 yn darparu bod yn rhaid i reolau sefydlog y cyngor partneriaeth ddarparu bod un o'r cyd-gadeiryddion yn aelod nad yw'n un o Weinidogion neu Ddirprwy Weinidogion Cymru.

Alun Ffred Jones: Amendment 65 tabled in the name of Paul Davies makes provision for the Welsh Language Partnership Council to have joint chairs, and it should be read alongside amendment 66. Amendment 66 provides that the partnership council's standing orders must provide that one of the joint chairs of the council must be a member other than a Welsh Minister or Deputy Minister.

Yn fy marn i, mae gwelliannau 65 a 66 yn ddiangen. Ymddengys imi ei fod yn anymarferol cael cyd-gadeiryddion i'r cyngor partneriaeth, ac yr wyf o'r farn ei bod hi'n well cael un person i gadeirio'r cyngor neu gyfarfod o'r cyngor ar unrhyw adeg, er mwyn sicrhau arweiniad effeithiol, cadarn a chlir.

In my view, amendments 65 and 66 are unnecessary. It appears to me that it would be impractical to have joint chairs of a partnership council. In order to ensure effective, firm and clear leadership, I think that it would be best that only one person chair the council or a council meeting at any one time.

Fel y'i drafftwyd, mae adran 138B(2)(a) yn darparu mai pa un bynnag o Weinidogion

As drafted, section 138B(2)(a) provides that the Minister with responsibility for the Welsh

Cymru sydd â chyfrifoldeb dros y Gymraeg sydd i gadeirio'r cyngor partneriaeth. Yn fy marn i, mae hyn yn hollol briodol gan mai swyddogaeth y cyngor partneriaeth fydd rhoi cyngor a chyflwyno sylwadau i Weinidogion Cymru ynghylch strategaeth iaith Gymraeg y Llywodraeth a hefyd rhoi cyngor neu gyflwyno syniadau ynghylch cynllun gweithredu Gweinidogion Cymru i gyflawni'r cynigion a nodwyd yn y strategaeth. Mae adran 138B(5) fel y'i drafftwyd eisoes yn gwneud darpariaeth ar gyfer sefyllfa anghyffredin pan na all y Gweinidog fynychu'r cyfarfod. Mae'n galluogi rheolau sefydlog y cyngor partneriaeth i wneud darpariaeth ynghylch pwy ddylai gadeirio'r cyngor yn absenoldeb y Gweinidog. Felly, fe'ch anogaf i bleidleisio yn erbyn gwelliannau 65 a 66.

Paul Davies: Yr wyf yn hynod siomedig bod y Gweinidog yn gwrthod y gwelliannau hyn, oherwydd credaf y byddai creu cyd-gadeirydd yn arwain at system lle y byddai gan y cyhoedd hyder bod y cyngor yn gweithredu heb fod yn rhy wleidyddol. Byddai cyd-gadeirydd hefyd yn sicrhau nad oes gan y Gweinidog ormod o ddylanwad ar y cyngor partneriaeth. Nid wyf am funud yn awgrymu y byddai'r Gweinidog hwn yn ceisio dylwanwadu yn wleidyddol ar faterion, ond nid yw hynny'n golygu na fydd Gweinidogion yn y dyfodol yn barod i wneud. Byddai'r gwelliant felly yn diogelu Gweinidogion yn y dyfodol rhag cael eu cyhuddo o fod yn or-wleidyddol ar y cyngor. Felly, yr wyf yn erfyn ar y Gweinidog a'r Llywodraeth i ailystyried, ac yr wyf yn erfyn ar Aelodau i gefnogi gwelliannau 65 a 66.

Y Llywydd: Y cwestiwn yw bod cytuno ar welliant 65. A oes gwrthwynebiad? Gwelaf fod, felly galwaf am bleidlais.

language must chair the partnership council. This is entirely appropriate as the function of the council would be to give advice and make representations to the Welsh Ministers in relation to the Government's Welsh language strategy and to give advice or make representations to the Welsh Ministers in relation to the action plan to implement the proposals set out in the strategy. Section 138B(5) as drafted already makes provision for those rare circumstances when the Welsh Minister responsible for the Welsh language cannot attend a meeting. It enables the partnership council's standing orders to make provision about who should chair the partnership council in the absence of the Minister. Therefore, I urge you to resist amendments 65 and 66.

Paul Davies: I am very disappointed that the Minister is resisting these amendments, because I think that having joint chairs would lead to a system where the public has confidence that the council is working in not too political a fashion. Having joint chairs would also ensure that the Minister would not have too much influence on the partnership council. I am not for one minute suggesting that this Minister would try to bring political influence to bear on issues relevant here, but that does not mean to say that future Ministers would not endeavour to do so, and I think that this would safeguard Ministers in future from an accusation of being overly political on the council. Therefore, I urge the Minister and the Government to reconsider, and I urge Members to support amendments 65 and 66.

The Presiding Officer: The question is that amendment 65 be agreed to. Are there any objections? I see that there are, and therefore I call for a vote.

Gwelliant 65: O blaid 16, Ymatal 0, Yn erbyn 30.

Amendment 65: For 16, Abstain 0, Against 30.

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

Asghar, Mohammad
Bates, Mick
Black, Peter
Bourne, Nick
Burnham, Eleanor

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

Andrews, Leighton
Barrett, Lorraine
Chapman, Christine
Davies, Alun
Davies, Jocelyn

Davies, Andrew R.T.
 Davies, Paul
 German, Veronica
 Isherwood, Mark
 Law, Trish
 Melding, David
 Millar, Darren
 Morgan, Jonathan
 Ramsay, Nick
 Randerson, Jenny
 Williams, Kirsty

Evans, Nerys
 Franks, Chris
 Gibbons, Brian
 Gregory, Janice
 Griffiths, John
 Griffiths, Lesley
 Hart, Edwina
 Hutt, Jane
 James, Irene
 Jenkins, Bethan
 Jones, Alun Ffred
 Jones, Ann
 Jones, Elin
 Jones, Gareth
 Jones, Helen Mary
 Jones, Ieuan Wyn
 Lloyd, David
 Lloyd, Val
 Morgan, Rhodri
 Ryder, Janet
 Sargeant, Carl
 Thomas, Gwenda
 Thomas, Rhodri Glyn
 Watson, Joyce
 Wood, Leanne

*Gwrthodwyd gwelliant 65.
 Amendment 65 not agreed.*

*Methodd gwelliant 66.
 Amendment 66 fell.*

**Grŵp 17: Yr Iawndal sy'n Deillio o Fethiant i Gydydffurfio â Safon
 (Gwelliannau 56 a 55)**

**Group 17: Compensation Arising from Failure to Comply with a Standard
 (Amendments 56 and 55)**

Y Llywydd: Galwaf ar Jenny Randerson i gynnig gwelliant 56 ac i siarad amdano ac am y gwelliant arall yn y grŵp.

The Presiding Officer: I call Jenny Randerson to move amendment 56 and to speak to it and the other amendment in the group.

Jenny Randerson: I move amendment 56 in my name and with the name of Paul Davies in support.

Jenny Randerson: Cynigiaf welliant 56 yn fy enw i a chydag enw Paul Davies yn ei gefnogi.

This is an issue that I did not raise in committee, so it is a fresh issue. It is a problem that was brought to me after we had completed Stage 2; indeed, it is arising from that stage. It relates to compensation arising from the failure to comply with a standard. Most of the time when an organisation fails to comply with a standard, it will have no financial impact on anyone. However, you can imagine situations in which the failure to comply with the standard could lead to financial detriment to individuals or families. Take for example the situation of a health board—and I am sorry to keep referring to

Mae hwn yn fater na chodwyd gennyf yn y pwyllgor, felly mae'n fater newydd. Mae'n broblem y tynnwyd fy sylw ati wedi inni gwblhau Cyfnod 2; yn wir, mae'n codi yn sgil y cyfnod hwnnw. Mae'n ymwneud ag iawndal yn deillio o'r methiant i gydymffurfio â safon. Y rhan fwyaf o'r amser, pan fydd sefydliad yn methu â chydymffurfio â safon, ni fydd effaith ariannol ar neb. Fodd bynnag, gallwch ddychmygu sefyllfaoedd lle gallai'r methiant i gydymffurfio â'r safon arwain at golled ariannol i unigolion neu deuluoedd. Ystyriwch, er enghraifft, sefyllfa bwrdd

health boards this afternoon, but they are a useful example—which has an obligation to provide a service such as speech therapy through the medium of Welsh. A family might travel a considerable distance to get speech therapy through the medium of Welsh, as many families do undertake considerable journeys to access services through the medium of Welsh. They might find, at the end of a considerable journey, that the therapist is not available on that day, that there have been crossed wires, and that they have undertaken an expensive journey and have spent money but not received the service through the medium of Welsh.

4.40 p.m.

I am not envisaging, through these amendments, a vast compensation culture, but I am envisaging that there might be times when it would be right to provide a small amount of compensation to people who have found that Welsh services were not available and they needed those services. It could also happen at the stage of life when elderly people are no longer able to cope with using the English language if they are first-language Welsh speakers. They may want to have care services provided through the medium of Welsh, but those care services may not be able to be provided without some considerable difficulty. That difficulty might lead to the family having to spend money on accessing services that they should not have to spend because those services should be provided to them.

Therefore, I suggest, Minister, that it would be a good idea for the Government to support this amendment, because it is proportionate, reasonable, and it deals with the practicalities of the problems that families face when they cannot get services through the medium of Welsh.

Alun Ffred Jones: I have carefully weighed up the arguments for making provision for compensation in this proposed Measure, and I understand that people face difficult and unacceptable situations when trying to access services in Welsh. I have had that experience myself. I emphasise, however, that the aim of

iechyd—ac mae'n ddrwg gennyf fy mod yn cyfeirio at fyrddau iechyd o hyd y prynhawn yma, ond maent yn enghraifft ddefnyddiol—y mae gorfodaeth arno i ddarparu gwasanaeth megis therapi lleferydd trwy gyfrwng y Gymraeg. Gallai teulu deithio pellter sylweddol i gael therapi lleferydd trwy gyfrwng y Gymraeg, gan fod llawer o deuluoedd yn mynd ar deithiau hir i gael gwasanaethau drwy gyfrwng y Gymraeg. Gallent ganfod, ar ddiwedd taith hir, nad yw'r therapydd ar gael y diwrnod hwnnw, fod rhyw ddryswch wedi bod, a'u bod wedi mynd ar daith ddrud ac wedi gwario arian ond heb gael y gwasanaeth drwy gyfrwng y Gymraeg.

Nid wyf yn rhagweld, yn sgil y gwelliannau hyn, ddiwylliant iawndal aruthrol, ond rwyf yn rhagweld y gallai yna fod adegau pan fyddai'n briodol i roi iawndal bach i bobl sydd wedi canfod nad oedd gwasanaethau Cymraeg ar gael a bod angen y gwasanaethau hynny arnynt. Gallai hefyd ddigwydd ar y cyfnod hwnnw o fywyd pan nad yw pobl hŷn yn gallu ymdopi mwyach â defnyddio Saesneg os ydynt yn siaradwyr Cymraeg iaith gyntaf. Efallai y bydd arnynt eisiau i wasanaethau gofal gael eu darparu drwy gyfrwng y Gymraeg, ond efallai na fydd modd darparu'r gwasanaethau gofal hynny heb anhawster sylweddol. Gallai'r anhawster hwnnw olygu bod y teulu'n gorfod gwario arian yn cael gafael ar wasanaethau na ddylent orfod ei wario oherwydd y dylai'r gwasanaethau hynny gael eu darparu ar eu cyfer.

Felly, rwyf yn awgrymu, Weinidog, y byddai'n syniad da i'r Llywodraeth gefnogi'r gwelliant hwn, oherwydd mae'n gymesur, yn rhesymol, ac yn ymdrin ag agweddau ymarferol y problemau y mae teuluoedd yn eu hwynebu pan na allant gael gwasanaethau drwy gyfrwng y Gymraeg.

Alun Ffred Jones: Rwyf wedi pwyso a mesur yn ofalus y dadleuon o blaid gwneud darpariaeth ar gyfer iawndal yn y Mesur arfaethedig hwn, ac rwyf yn deall bod pobl yn wynebu sefyllfaoedd anodd ac annerbyniol wrth geisio cael gafael ar wasanaethau drwy gyfrwng y Gymraeg.

this proposed Measure is to ensure that improvement is obtained, that is, to establish a new framework to improve services for Welsh speakers to ensure that people do receive the services that they need in their chosen language. The commissioner is there to represent the interests of Welsh speakers and to correct any failures by service providers.

Amendment 56 suggests that any Welsh speaker, and not only the complainant, could claim compensation as a result of a failure to comply with the standard. Such a policy risks leading to ill feeling, and it could be divisive. Many people would see this as money made available to Welsh speakers only, which could lead to accusations of discrimination in favour of Welsh speakers. Such a policy could jeopardise the goodwill that exists towards the language. It is also important to remember that many of the bodies that will be subject to standards will be public bodies, and some may be third sector organisations. Requiring those bodies to pay compensation will take funds away from other services, and may also divert the very funds that bodies could use to provide Welsh-language service.

I do not think that awarding compensation is appropriate, certainly not in the terms outlined in amendments 55 and 56 tabled by Jenny Randerson. I therefore urge Members to resist amendments 55 and 56.

Jenny Randerson: I understand your concerns, Minister, but I would imagine that they could be addressed through the detailed regulations that will flow from this. It is possible. Take for example the ombudsman process for local government. That has not created a vast compensation culture, but it has insisted that small amounts of money are, from time to time, provided to those complainants who have suffered financially as a result of the failure of local authorities to discharge their obligations. I cannot see how this would be different in its nature from that kind of compensation arrangement that you get as a result of the work of the local government ombudsman. In that spirit, I will

Rwyf wedi cael y profiad hwnnw fy hun. Rwyf yn pwysleisio, fodd bynnag, mai nod y Mesur arfaethedig hwn yw sicrhau ein bod yn gweld gwelliant, hynny yw, sefydlu fframwaith newydd i wella gwasanaethau ar gyfer siaradwyr Cymraeg i sicrhau bod pobl yn cael y gwasanaethau y mae arnynt eu hangen yn eu dewis iaith. Mae'r comisiynydd yno i gynrychioli buddiannau siaradwyr Cymraeg ac i gywiro unrhyw fethiannau gan ddarparwyr gwasanaethau.

Mae gwelliant 56 yn awgrymu y gallai unrhyw siaradwr Cymraeg, nid dim ond yr achwynydd, hawlio iawndal o ganlyniad i fethiant i gydymffurfio â'r safon. Mae perygl i bolisi o'r fath arwain at ddrwgdeimlad, a gallai fod yn gynhennus. Byddai llawer o bobl yn gweld hyn fel arian a ddarperid i siaradwyr Cymraeg yn unig, a allai arwain at gyhuddiadau o wahaniaethu o blaid siaradwyr Cymraeg. Gallai polisi o'r fath beryglu'r ewyllys da sy'n bodoli tuag at yr iaith. Mae'n bwysig cofio hefyd y bydd llawer o'r cyrff a fydd yn ddarostyngedig i'r safonau yn gyrff cyhoeddus, a gallai rhai fod yn sefydliadau trydydd sector. Bydd ei gwneud hi'n ofynnol i'r cyrff hynny dalu iawndal yn tynnu arian oddi wrth wasanaethau eraill, a gallai hefyd ddargyfeirio yr union arian y gallai cyrff ei ddefnyddio i ddarparu gwasanaeth Cymraeg.

Ni chredaf fod rhoi iawndal yn addas, yn sicr nid o dan y telerau a amlinellwyd yng ngwelliannau 55 a 56 a gyflwynwyd gan Jenny Randerson. Rwyf felly'n annog yr Aelodau i wrthod gwelliannau 55 a 56.

Jenny Randerson: Deallaf eich pryderon, Weinidog, ond byddwn yn dychmygu y gellid ymdrin â hwy drwy gyfrwng y rheoliadau manwl a fydd yn deillio yn sgil hyn. Mae'n bosibl. Ystyriwch, er enghraifft, broses yr ombwdsmon ar gyfer llywodraeth leol. Nid yw hynny wedi creu diwylliant iawndal anferth, ond mae wedi mynnu bod symiau bychain o arian, o bryd i'w gilydd, yn cael eu darparu i'r achwynwyr hynny sydd wedi dioddef yn ariannol o ganlyniad i fethiant awdurdodau lleol i gyflawni eu hymrwymiaadau. Ni allaf weld sut y byddai hyn yn wahanol o ran ei natur i'r math hwnnw o drefniant iawndal yr ydych yn ei gael o ganlyniad i waith yr ombwdsmon

press the amendment to a vote.

llywodraeth leol. Yn yr ysbryd hwnnw, mynnaf ein bod yn pleidleisio ar y gwelliant.

Y Llywydd: Yr wyf yn deall eich bod am symud i bleidlais ar welliant 56. Y cwestiwn yw a ddylid derbyn gwelliant 56. A oes gwrthwynebiad? Gwelaf fod. Felly, symudwn i bleidlais.

The Presiding Officer: I understand that you wish to move to a vote on amendment 56. The question is that amendment 56 be agreed to. Are there any objections? I see that there are. Therefore, we will move to a vote.

*Gwelliant 56: O blaid 16, Ymatal 0, Yn erbyn 31.
Amendment 56: For 16, Abstain 0, Against 31.*

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

Asghar, Mohammad
Bates, Mick
Black, Peter
Bourne, Nick
Burnham, Eleanor
Davies, Andrew R.T.
Davies, Paul
German, Veronica
Isherwood, Mark
Law, Trish
Melding, David
Millar, Darren
Morgan, Jonathan
Ramsay, Nick
Randerson, Jenny
Williams, Kirsty

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

Andrews, Leighton
Barrett, Lorraine
Chapman, Christine
Cuthbert, Jeff
Davies, Alun
Davies, Andrew
Davies, Jocelyn
Evans, Nerys
Franks, Chris
Gibbons, Brian
Gregory, Janice
Griffiths, John
Griffiths, Lesley
Hart, Edwina
Hutt, Jane
James, Irene
Jones, Alun Ffred
Jones, Ann
Jones, Elin
Jones, Gareth
Jones, Helen Mary
Jones, Ieuan Wyn
Lewis, Huw
Lloyd, David
Lloyd, Val
Morgan, Rhodri
Ryder, Janet
Sargeant, Carl
Thomas, Gwenda
Thomas, Rhodri Glyn
Watson, Joyce

*Gwrthodwyd gwelliant 56.
Amendment 56 not agreed.*

Y Llywydd: Gan ein bod wedi gwaredu gwelliant 56, yn dilyn y rhestr o welliannau wedi'u didoli symudwn i waredu gwelliant 36.

The Presiding Officer: Given that we have disposed of amendment 56, in accordance with the marshalled list we move to dispose of amendment 36.

Alun Ffred Jones: Cynigaf welliant 36 yn fy enw i.

Alun Ffred Jones: I move amendment 36 in my name.

Y Llywydd: Y cwestiwn yw a ddylid cytuno ar welliant 36. A oes gwrthwynebiad? Gwelaf nad oes. Yn unol â Rheol Sefydlog

The Presiding Officer: The question is that amendment 36 be agreed to. Are there any objections? I see that there are none. In

Rhif 7.35, felly, caiff gwelliant 36 ei dderbyn. accordance with Standing Order No. 7.35, therefore, amendment 36 is agreed.

*Derbyniwyd gwelliant 36.
Amendment 36 agreed.*

Y Llywydd: Symudwn i waredu gwelliant 37. **The Presiding Officer:** We now move to dispose of amendment 37.

Alun Ffred Jones: Cynigiaf welliant 37 yn fy enw i. **Alun Ffred Jones:** I move amendment 37 in my name.

Y Llywydd: Y cwestiwn yw a ddylid cytuno ar welliant 37. A oes gwrthwynebiad? Gwelaf nad oes. Yn unol â Rheol Sefydlog Rhif 7.35, felly, caiff gwelliant 37 ei dderbyn. **The Presiding Officer:** The question is that amendment 37 be agreed to. Are there any objections? I see that there are none. In accordance with Standing Order No. 7.35, therefore, amendment 37 is agreed.

*Derbyniwyd gwelliant 37.
Amendment 37 agreed.*

Y Llywydd: Symudwn i waredu gwelliant 9. **The Presiding Officer:** We now move to dispose of amendment 9.

Alun Ffred Jones: Cynigiaf welliant 9 yn fy enw i. **Alun Ffred Jones:** I move amendment 9 in my name.

Y Llywydd: Y cwestiwn yw a ddylid cytuno ar welliant 9. A oes gwrthwynebiad? Gwelaf nad oes. Yn unol â Rheol Sefydlog Rhif 7.35, felly, caiff gwelliant 9 ei dderbyn. **The Presiding Officer:** The question is that amendment 9 be agreed to. Are there any objections? I see that there are none. In accordance with Standing Order No. 7.35, therefore, amendment 9 is agreed.

*Derbyniwyd gwelliant 9.
Amendment 9 agreed.*

Y Llywydd: Symudwn i waredu gwelliant 18. **The Presiding Officer:** We now move to dispose of amendment 18.

Alun Ffred Jones: Cynigiaf welliant 18 yn fy enw i. **Alun Ffred Jones:** I move amendment 18 in my name.

Y Llywydd: Y cwestiwn yw a ddylid cytuno ar welliant 18. A oes gwrthwynebiad? Gwelaf nad oes. Yn unol â Rheol Sefydlog Rhif 7.35, felly, caiff gwelliant 18 ei dderbyn. **The Presiding Officer:** The question is that amendment 18 be agreed to. Are there any objections? I see that there are none. In accordance with Standing Order No. 7.35, therefore, amendment 18 is agreed.

*Derbyniwyd gwelliant 18.
Amendment 18 agreed.*

Y Llywydd: Symudwn i waredu gwelliant 19. **The Presiding Officer:** We now move to dispose of amendment 19.

Alun Ffred Jones: Cynigiaf welliant 19 yn **Alun Ffred Jones:** I move amendment 19 in

fy enw i.

my name.

Y Llywydd: Y cwestiwn yw a ddylid cytuno ar welliant 19. A oes gwrthwynebiad? Gwelaf nad oes. Yn unol â Rheol Sefydlog Rhif 7.35, felly, caiff gwelliant 19 ei dderbyn.

The Presiding Officer: The question is that amendment 19 be agreed to. Are there any objections? I see that there are none. In accordance with Standing Order No. 7.35, therefore, amendment 19 is agreed.

*Derbyniwyd gwelliant 19.
Amendment 19 agreed.*

Y Llywydd: Symudwn i waredu gwelliant 20.

The Presiding Officer: We now move to dispose of amendment 20.

Alun Ffred Jones: Cynigaf welliant 20 yn fy enw i.

Alun Ffred Jones: I move amendment 20 in my name.

Y Llywydd: Y cwestiwn yw a ddylid cytuno ar welliant 20. A oes gwrthwynebiad? Gwelaf nad oes. Yn unol â Rheol Sefydlog Rhif 7.35, felly, caiff gwelliant 20 ei dderbyn.

The Presiding Officer: The question is that amendment 20 be agreed to. Are there any objections? I see that there are none. In accordance with Standing Order No. 7.35, therefore, amendment 20 is agreed.

*Derbyniwyd gwelliant 20.
Amendment 20 agreed.*

Y Llywydd: Symudwn i waredu gwelliant 21.

The Presiding Officer: We now move to dispose of amendment 21.

Alun Ffred Jones: Cynigaf welliant 21 yn fy enw i.

Alun Ffred Jones: I move amendment 21 in my name.

Y Llywydd: Y cwestiwn yw a ddylid cytuno ar welliant 21. A oes gwrthwynebiad? Gwelaf nad oes. Yn unol â Rheol Sefydlog Rhif 7.35, felly, caiff gwelliant 21 ei dderbyn.

The Presiding Officer: The question is that amendment 21 be agreed to. Are there any objections? I see that there are none. In accordance with Standing Order No. 7.35, therefore, amendment 21 is agreed.

*Derbyniwyd gwelliant 21.
Amendment 21 agreed.*

Y Llywydd: Symudwn i waredu gwelliant 22.

The Presiding Officer: We now move to dispose of amendment 22.

Alun Ffred Jones: Cynigaf welliant 22 yn fy enw i.

Alun Ffred Jones: I move amendment 22 in my name.

Y Llywydd: Y cwestiwn yw a ddylid cytuno ar welliant 22. A oes gwrthwynebiad? Gwelaf nad oes. Yn unol â Rheol Sefydlog Rhif 7.35, felly, caiff gwelliant 22 ei dderbyn.

The Presiding Officer: The question is that amendment 22 be agreed to. Are there any objections? I see that there are none. In accordance with Standing Order No. 7.35, therefore, amendment 22 is agreed.

*Derbyniwyd gwelliant 22.
Amendment 22 agreed.*

Y Llywydd: Symudwn i waredu gwelliant 23.

The Presiding Officer: We now move to dispose of amendment 23.

Alun Ffred Jones: Cynigiaf welliant 23 yn fy enw i.

Alun Ffred Jones: I move amendment 23 in my name.

Y Llywydd: Y cwestiwn yw a ddylid cytuno ar welliant 23. A oes gwrthwynebiad? Gwelaf nad oes. Yn unol â Rheol Sefydlog Rhif 7.35, felly, caiff gwelliant 23 ei dderbyn.

The Presiding Officer: The question is that amendment 23 be agreed to. Are there any objections? I see that there are none. In accordance with Standing Order No. 7.35, therefore, amendment 23 is agreed.

*Derbyniwyd gwelliant 23.
Amendment 23 agreed.*

Y Llywydd: Symudwn i waredu gwelliant 24.

The Presiding Officer: We now move to dispose of amendment 24.

Alun Ffred Jones: Cynigiaf welliant 24 yn fy enw i.

Alun Ffred Jones: I move amendment 24 in my name.

Y Llywydd: Y cwestiwn yw a ddylid cytuno ar welliant 24. A oes gwrthwynebiad? Gwelaf nad oes. Yn unol â Rheol Sefydlog Rhif 7.35, felly, caiff gwelliant 24 ei dderbyn.

The Presiding Officer: The question is that amendment 24 be agreed to. Are there any objections? I see that there are none. In accordance with Standing Order No. 7.35, therefore, amendment 24 is agreed.

*Derbyniwyd gwelliant 24.
Amendment 24 agreed.*

Y Llywydd: Symudwn i waredu gwelliant 25.

The Presiding Officer: We now move to dispose of amendment 25.

Alun Ffred Jones: Cynigiaf welliant 25 yn fy enw i.

Alun Ffred Jones: I move amendment 25 in my name.

Y Llywydd: Y cwestiwn yw a ddylid cytuno ar welliant 25. A oes gwrthwynebiad? Gwelaf nad oes. Yn unol â Rheol Sefydlog Rhif 7.35, felly, caiff gwelliant 25 ei dderbyn.

The Presiding Officer: The question is that amendment 25 be agreed to. Are there any objections? I see that there are none. In accordance with Standing Order No. 7.35, therefore, amendment 25 is agreed.

*Derbyniwyd gwelliant 25.
Amendment 25 agreed.*

Y Llywydd: Symudwn i waredu gwelliant 46.

The Presiding Officer: We now come to dispose of amendment 46.

Jenny Randerson: I move amendment 46 in my name and with the name of Paul Davies in support.

Jenny Randerson: Cynigiaf welliant 46 yn fy enw i a chydag enw Paul Davies yn ei gefnogi.

Y Llywydd: Y cwestiwn yw a ddylid cytuno ar welliant 46. A oes gwrthwynebiad?

The Presiding Officer: The question is that amendment 46 be agreed to. Are there any

Gwelaf fod. Felly, symudwn i bleidlais.

objections? I see that there are. We will, therefore, move to a vote.

*Gwelliant 46: O blaid 16, Ymatal 0, Yn erbyn 32.
Amendment 46: For 16, Abstain 0, Against 32.*

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

Asghar, Mohammad
Bates, Mick
Black, Peter
Bourne, Nick
Burnham, Eleanor
Davies, Andrew R.T.
Davies, Paul
German, Veronica
Isherwood, Mark
Law, Trish
Melding, David
Millar, Darren
Morgan, Jonathan
Ramsay, Nick
Randerson, Jenny
Williams, Kirsty

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

Andrews, Leighton
Barrett, Lorraine
Chapman, Christine
Cuthbert, Jeff
Davies, Alun
Davies, Andrew
Davies, Jocelyn
Evans, Nerys
Franks, Chris
Gibbons, Brian
Gregory, Janice
Griffiths, John
Griffiths, Lesley
Hart, Edwina
Hutt, Jane
James, Irene
Jenkins, Bethan
Jones, Alun Ffred
Jones, Ann
Jones, Elin
Jones, Helen Mary
Jones, Ieuan Wyn
Lewis, Huw
Lloyd, David
Lloyd, Val
Morgan, Rhodri
Ryder, Janet
Sargeant, Carl
Thomas, Gwenda
Thomas, Rhodri Glyn
Watson, Joyce
Wood, Leanne

*Gwrthodwyd gwelliant 46.
Amendment 46 not agreed.*

Y Llywydd: Symudwn i waredu gwelliant 55.

The Presiding Officer: We now come to dispose of amendment 55.

Jenny Randerson: I move amendment 55 in my name and with the name of Paul Davies in support.

Jenny Randerson: Cynigiau welliant 55 yn fy enw i a chydag enw Paul Davies yn ei gefnogi.

Y Llywydd: Y cwestiwn yw a ddylid cytuno ar welliant 55. A oes gwrthwynebiad? Gwelaf fod. Felly, symudwn i bleidlais.

The Presiding Officer: The question is that amendment 55 be agreed to. Are there any objections? I see that there are. We will, therefore, move to a vote.

*Gwelliant 55: O blaid 16, Ymatal 0, Yn erbyn 33.
Amendment 55: For 16, Abstain 0, Against 33.*

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

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

Asghar, Mohammad
 Bates, Mick
 Black, Peter
 Bourne, Nick
 Burnham, Eleanor
 Davies, Andrew R.T.
 Davies, Paul
 German, Veronica
 Isherwood, Mark
 Law, Trish
 Melding, David
 Millar, Darren
 Morgan, Jonathan
 Ramsay, Nick
 Randerson, Jenny
 Williams, Kirsty

Andrews, Leighton
 Barrett, Lorraine
 Chapman, Christine
 Cuthbert, Jeff
 Davies, Alun
 Davies, Andrew
 Davies, Jocelyn
 Evans, Nerys
 Franks, Chris
 Gibbons, Brian
 Gregory, Janice
 Griffiths, John
 Griffiths, Lesley
 Hart, Edwina
 Hutt, Jane
 James, Irene
 Jenkins, Bethan
 Jones, Alun Ffred
 Jones, Ann
 Jones, Elin
 Jones, Gareth
 Jones, Helen Mary
 Jones, Ieuan Wyn
 Lewis, Huw
 Lloyd, David
 Lloyd, Val
 Morgan, Rhodri
 Ryder, Janet
 Sargeant, Carl
 Thomas, Gwenda
 Thomas, Rhodri Glyn
 Watson, Joyce
 Wood, Leanne

*Gwrthodwyd gwelliant 55.
 Amendment 55 not agreed.*

Grŵp 18: Hawliau mewn Perthynas â Safonau (Gwelliant 71)
Group 18: Rights in relation to Standards (Amendment 71)

Y Llywydd: Mae Bethan Jenkins wedi nodi nad yw am gynnig y gwelliant hwn.

The Presiding Officer: Bethan Jenkins has said that she does not wish to move this amendment.

Paul Davies: O dan yr amgylchiadau, hoffwn gynnig gwelliant 71 yn enw Bethan Jenkins o dan Reol Sefydlog Rhif 23.76.

Paul Davies: Under the circumstances, I would like to move amendment 71 in the name of Bethan Jenkins in accordance with Standing Order No. 23.76.

Mae'r gwelliant hwn yn synhwyrol gan ei fod yn ceisio sefydlu hawliau cyffredinol i siaradwyr Cymraeg sydd yn rhesymol a chymesur. Yr hyn sy'n bwysig yn hyn o beth yw bod y gwelliant yn dweud yn glir fod gan bawb yr hawl i ddefnyddio'r Gymraeg yng Nghymru cyn belled ag y bo hynny'n rhesymol a chymesur. Os bydd amgylchiadau lle nad yw'n rhesymol a chymesur, bydd y comisiynydd yn gallu delio gyda hynny. Felly, yr wyf yn erfyn ar Aelodau i gefnogi'r

This amendment is sensible as it endeavours to establish general rights for Welsh speakers that are reasonable and proportionate. What is important here is that this amendment is clear in saying that everyone has the right to use the Welsh language in Wales insofar as that is reasonable and proportionate. If there are circumstances under which it would not be reasonable and proportionate, the commissioner would be able to deal with that. Therefore, I urge Members to support

gwelliant hwn.

Jenny Randerson: I am pleased to support this amendment. The various amendments that we have put forward have been designed to strengthen individual rights in detailed ways. They have been voted down by the Government parties, and, as a result, one is left with a void. This amendment is useful as a general statement to fill that void with that basic principle. For that reason, I am keen to support this amendment.

4.50 p.m.

Alun Ffred Jones: O'i ddarllen ar ei ben ei hun, ni fyddai isadran (1) yn rhoi unrhyw eglurder i'r cyhoedd ynghylch yr hyn y gallant ddisgwyl ei dderbyn lle mae gwasanaethau Cymraeg yn y cwestiwn. Nid yw'n eglur i mi beth fyddai effaith isadran (2) y gwelliant. Ar y naill law, gellid ei ddehongli i olygu mai'r unig ddyletswyddau a roddir ar bersonau gan isadran (1) y gwelliant fyddai'r rheini a fyddai'n llifo o Ran 4 y Mesur arfaethedig. Ar y llaw arall, gellid ei ddehongli i olygu mai ar y personau hynny o dan Ran 4 y Mesur arfaethedig yn unig y byddai unrhyw ddyletswyddau sy'n codi yn sgîl isadran (1) yn disgyn, sef, yn ôl pob tebyg, yr holl bersonau yn Atodlenni 5, 6, 7 ac 8. Mae'r amwysedd hwn yn rheswm dros bleidleisio yn erbyn y gwelliant.

Yn ychwanegol, byddai unrhyw anghydfod ynghylch effaith gyfreithiol gwelliant 71 ac unrhyw ddyletswyddau ar unrhyw berson a allai lifo o'r gwelliant hwnnw yn fater i'r llysoedd i'w setlo. Fel y dywedais yn gynharach y prynhawn yma ac ar nifer o achlysuron ers cyflwyno'r Mesur arfaethedig, nod y Llywodraeth gyda'r Mesur arfaethedig yw darparu fframwaith ar gyfer gosod dyletswyddau clir a chreu hawliau torfol sy'n deillio o allu gorfodi'r dyletswyddau clir hynny, gyda chomisiynydd y Gymraeg yn cael ei sefydlu i warchod yr hawliau hynny. Nid wyf yn credu bod mwyafrif siaradwyr Cymraeg yn awyddus i fynd i'r llys i ddatrys unrhyw anghydfod rhyngddynt a chorff cyhoeddus ynghylch darpariaeth gwasanaethau Cymraeg. Llawer gwell yw paratoi a chyhoeddi safonau ar gyfer y Gymraeg fel y bydd y cyhoedd yn gwybod yn

this amendment.

Jenny Randerson: Mae'n bleser gennyf gefnogi'r gwelliant hwn. Nod yr amrywiol welliannau a gyflwynwyd gennym oedd cryfhau hawliau unigol mewn ffyrdd manwl. Mae pleidiau'r Llywodraeth wedi pleidleisio yn eu herbyn, ac, o ganlyniad, gadawyd ni â lle gwag. Mae'r gwelliant hwn yn ddefnyddiol fel datganiad cyffredinol i lenwi'r lle gwag hwnnw gyda'r egwyddor sylfaenol honno. Am y rheswm hwnnw, rwyf yn awyddus i gefnogi'r gwelliant hwn.

Alun Ffred Jones: Read on its own, subsection (1) would not provide the public with any clarity with regard to what they could expect to receive as far as Welsh language services are concerned. It is not clear to me what the effect of subsection (2) of the amendment would be. On one hand, it could be interpreted to mean that the only duties places upon persons by subsection (1) of the amendment would be those that flowed from Part 4 of the proposed Measure. On the other hand, subsection (2) of the amendment could be read to mean that any duties arising out of subsection (1) will only fall upon those persons under Part 4 of the Measure, presumably meaning all persons within Schedules 5, 6, 7 and 8. This lack of clarity is reason to resist this amendment.

In addition, any dispute as to the legal effect of amendment 71 and any duties on any persons that could flow from this amendment would be a matter for the courts to resolve. As I said earlier this afternoon, and many times since publishing the proposed Measure, the Government's aim in the proposed Measure is to provide a framework for the imposition of clear duties and the creation of group rights arising out of the enforceability of those clear duties, with a Welsh language commissioner established to protect those rights. I do not believe that the majority of Welsh speakers will want to go to court to resolve any disputes between themselves and a public body, with regard to the provision of Welsh language services. It is much better to prepare and publish standards for the Welsh language so that the public know exactly which services they have the right to expect.

union pa wasanaethau Cymraeg y mae ganddynt yr hawl i'w disgwyl.

Beth bynnag a fyddai effaith isadran (2), ni fyddai ond yn gwanhau, os nad yn niwtraleiddio yn llwyr, unrhyw effaith a gynigir gan isadran (1). Mae hynny'n codi cwestiynau ynghylch gwerth yr 'hawliau' a ddisgrifir yn isadran (1). Gan hynny, ni allaf gefnogi gwelliant 71 ac yr wyf yn annog y Cynulliad i bleidleisio yn ei erbyn.

Paul Davies: Yr wyf yn hynod siomedig bod y Gweinidog a'r Llywodraeth yn gwrthwynebu'r gwelliant hwn. Fel y dywedais yn gynharach, mae'r gwelliant hwn yn synhwyrol yn ceisio sefydlu hawliau cyffredinol i siaradwyr Cymraeg, sydd yn rhesymol ac yn gymesur. Felly, yr wyf yn annog y Gweinidog a'r Llywodraeth i ailystyried ac yr wyf yn erfyn ar yr Aelodau i gyd i gefnogi'r gwelliant hwn.

Y Llywydd: Y cwestiwn yw bod gwelliant 71 yn cael ei dderbyn. A oes gwrthwynebiad? Gwelaf fod. Felly, yr wyf yn galw am bleidlais.

Whatever the effect of subsection (2), it serves only to water down, if not completely neutralise, any impact proposed by subsection (1). This calls into question the value of the 'rights' described in subsection (1). As such, I cannot support this amendment, and I urge the Assembly to resist amendment 71.

Paul Davies: I am very disappointed that the Minister and the Government are resisting this amendment. As I said earlier, this amendment is sensible in trying to provide general rights to Welsh speakers that are reasonable and proportionate. Therefore, I would encourage the Minister and the Government to reconsider their position and urge Members to support this amendment.

The Presiding Officer: The question is that amendment 71 be agreed to. Are there any objections? I see that there are. Therefore, I call a vote.

*Gwelliant 71: O blaid 16, Ymatal 0, Yn erbyn 32.
Amendment 71: For 16, Abstain 0, Against 32.*

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

Ashgar, Mohammad
Bates, Mick
Black, Peter
Bourne, Nick
Burnham, Eleanor
Davies, Andrew R.T.
Davies, Paul
German, Veronica
Isherwood, Mark
Law, Trish
Melding, David
Millar, Darren
Morgan, Jonathan
Ramsay, Nick
Randerson, Jenny
Williams, Kirsty

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

Andrews, Leighton
Barrett, Lorraine
Chapman, Christine
Cuthbert, Jeff
Davies, Alun
Davies, Andrew
Davies, Jocelyn
Evans, Nerys
Franks, Chris
Gibbons, Brian
Gregory, Janice
Griffiths, John
Griffiths, Lesley
Hart, Edwina
Hutt, Jane
James, Irene
Jenkins, Bethan
Jones, Alun Ffred
Jones, Ann
Jones, Elin
Jones, Gareth
Jones, Helen Mary
Jones, Ieuan Wyn
Lewis, Huw
Lloyd, David
Morgan, Rhodri

Ryder, Janet
Sargeant, Carl
Thomas, Gwenda
Thomas, Rhodri Glyn
Watson, Joyce
Wood, Leanne

*Gwrthodwyd gwelliant 71.
Amendment 71 not agreed.*

Y Llywydd: Awn ymlaen gan ddilyn y rhestr o welliannau wedi'u didoli i waredu gwelliant 43. Yr wyf yn gwahodd y Gweinidog i gynnig gwelliant 43.

The Presiding Officer: In line with the marshalled list of amendments, we move to dispose of amendment 43. I invite the Minister to move amendment 43.

Alun Ffred Jones: Cynigiau welliant 43 yn fy enw i.

Alun Ffred Jones: I move amendment 43 in my name.

Y Llywydd: Y cwestiwn yw bod gwelliant 43 yn cael ei dderbyn. A oes gwrthwynebiad? Gwelaf nad oes. Yn unol â Rheol Sefydlog Rhif 7.35, felly, yr wyf yn datgan bod gwelliant 43 wedi ei dderbyn.

The Presiding Officer: The question is that amendment 43 be agreed to. Are there any objections? I see that there are none. In accordance with Standing Order No. 7.35, therefore, amendment 43 is agreed.

*Derbyniwyd gwelliant 43.
Amendment 43 agreed.*

Y Llywydd: Yr ydym wedi dod yn gynt na'r disgwyl at ddiwedd ein hystyriaeth o Gyfnod 3 o Fesur Arfaethedig y Gymraeg (Cymru). Yr wyf yn datgan y bernir bod pob adran ac Atodlen o'r Mesur arfaethedig wedi eu derbyn. Dyna ddiwedd trafodion Cyfnod 3.

The Presiding Officer: Earlier than expected we have come to the end of our Stage 3 consideration of the Proposed Welsh Language (Wales) Measure. I declare that all sections and schedules of the proposed Measure are deemed agreed. That concludes Stage 3 proceedings.

**Cynnig Cyfnod 4 o dan Reol Sefydlog Rhif 23.58 i Gymeradwyo Mesur
Arfaethedig y Gymraeg (Cymru)
Stage 4 Standing Order No. 23.58 Motion to Approve the Proposed Welsh
Language (Wales) Measure**

Cynnig

Motion

Mae Cynulliad Cenedlaethol Cymru, yn unol â Rheol Sefydlog Rhif 23.58, yn cymeradwyo Mesur Arfaethedig y Gymraeg (Cymru).

The National Assembly for Wales, in accordance with Standing Order No. 23.58, approves the Proposed Welsh Language (Wales) Measure.

Y Gweinidog dros Dreftadaeth (Alun Ffred Jones): Cynigiau y cynnig.

The Minister for Heritage (Alun Ffred Jones): I move the motion.

Mae heddiw'n ddiwrnod gwirioneddol hanesyddol i'r Gymraeg. Yr wyf yn falch bod Llywodraeth Cymru'n Un wedi gallu gosod y Mesur arfaethedig cynhwysfawr hwn gerbron y Cynulliad ac yn falch o'r craffu cadarn ar y Mesur arfaethedig gan y Cynulliad a'i

This is a truly historic day for the Welsh language, and I am pleased that the One Wales Government has been able to lay this comprehensive proposed Measure before the Assembly and I am very proud of the thorough scrutiny of the proposed Measure

bwyllgorau fel deddfwrfa Gymreig. Diolchaf i aelodau Pwyllgor Deddfwriaeth Rhif 2, y Pwyllgor Materion Cyfansoddiadol a'r Pwyllgor Cyllid ac i glercod y pwyllgorau hynny. Yr wyf yn talu teyrnged iddynt am eu cyfraniad proffesiynol a thrylwyr wrth gyflawni'r dasg ac am eu sylwadau a'u syniadau gwerthfawr yng nghyswllt y Mesur arfaethedig. Yr wyf yn ddiolchgar i bob Aelod Cynulliad am y craffu yn ystod Cyfnod 3 heddiw. Hoffwn gofnodi fy niolchiadau i'r swyddogion sydd wedi gweithio gyda fi a'm cynghori mewn modd adeiladol yn ystod y broses. Mae'n werth nodi hefyd fod y drafodaeth frwd y tu allan wedi bod yn gyfraniad pwysig i'r broses ddemocrataidd.

Bydd y Mesur arfaethedig yn chwarae rhan bwysig yn yr ymdrechion i warchod dyfodol y Gymraeg. Fodd bynnag, ni allwn orffwys ar ein rhwyfau. Mae'n rhaid i ni warchod rhag unrhyw gred bod digon yn cael ei wneud ar hyn o bryd i ddiogelu dyfodol yr iaith. Bydd y Mesur arfaethedig yn cadarnhau statws yr iaith fel iaith swyddogol yng Nghymru. Yn bwysicaf oll bydd yn sefydlu swydd comisiynydd y Gymraeg fel pencampwr cadarn dros yr iaith, gyda'r gallu i hybu a hwyluso defnyddio'r Gymraeg wrth warchod hawliau siaradwyr Cymraeg i dderbyn gwasanaethau drwy gyfrwng y Gymraeg. Drwy waith y comisiynydd a drwy system o safonau iaith, bydd y Mesur arfaethedig yn helpu i sicrhau bod ystod eang o gyrff yn gallu cymryd cyfrifoldeb am yr iaith.

O ran y Llywodraeth, yr awdurdodau lleol a nifer helaeth o gyrff eraill, mae gan bawb ran i'w chwarae, a bydd sefydlu cyngor partneriaeth y Gymraeg yn gam pwysig iawn er mwyn cynghori Gweinidogion Cymru ynglŷn â strategaeth ar gyfer y Gymraeg ac i baratoi cynllun gweithredu blynyddol ar ei chyfer. Bydd y Gweinidogion, y rhai sy'n gweithio'n uniongyrchol er lles yr iaith—fel y mentrau iaith a Mudiad Ysgolion Meithrin—awdurdodau lleol a chynrychiolwyr y sector preifat a'r trydydd sector yn dod ynghyd i drafod y gwaith sydd angen ei wneud.

undertaken by the Assembly and its committees. I thank the members of Legislation Committee No. 2, the Constitutional Affairs Committee and the Finance Committee and their clerks. I pay tribute to them for their professional and thorough contribution in completing this task and for their valuable comments and contributions in the context of the proposed Measure. I am grateful to all Assembly Members for their Stage 3 scrutiny today. I would also like to record my thanks to the officials who have worked with me and have advised me constructively during the process. It is also worth noting that the enthusiastic debate outwith the Assembly has been an important contribution to the democratic process.

This proposed Measure will play an important part in the efforts to protect the Welsh language for the future. We cannot rest on our laurels. We must protect against any belief that enough is being done at present to safeguard the future of the language. The proposed Measure will confirm the status of the Welsh language as an official language in Wales. Most importantly, it will establish the office of the Welsh language commissioner as a firm champion for the language, able to promote and facilitate the use of the language in defending and protecting the rights of Welsh speakers in receiving services through the medium of Welsh. Through the work of the commissioner and through the system of language standards, the proposed Measure will ensure that a wide range of bodies will be able to take responsibility for the language.

The Government, local authorities and a large number of other bodies will all have a role to play, and the establishment of the Welsh language partnership council will be an important step in advising Welsh Ministers on a strategy for the language and to prepare an annual action plan for the language. Ministers, those working directly for the benefit of the language—such as the *mentrau iaith* and *Mudiad Ysgolion Meithrin*—local authorities and representatives of the private and third sectors will all come together to discuss the work to be done.

Yr wyf am dalu teyrnged a chydabod cyfraniad enfawr mudiadau fel y mentrau iaith, yr Urdd, Merched y Wawr, yr Eisteddfod Genedlaethol, Sefydliad y Merched—byddai'n well imi gynnwys pawb yn y rhestr hon—Cyngor Llyfrau Cymru a Clybiau Ffermwyr Ifanc. Dyma'r bobl sydd, o ddydd i ddydd, yn trefnu ac yn hybu cyfleoedd i bobl o bob oedran a chefnidir i fwynhau defnyddio'r Gymraeg.

Mae'r Mesur arfaethedig wedi ennyn cryn dipyn o drafodaeth—mae hynny'n beth da, ac yr wyf yn croesawu hynny. Mae'n dangos bod diddordeb a chefnogaeth frwd i'r iaith. Yr wyf yn argyhoeddedig y bydd y Mesur arfaethedig hwn yn gwneud cyfraniad pwysig i'r dasg o hybu, hyrwyddo a gwarchod yr iaith i'r dyfodol. Y dasg a'r flaenoriaeth sy'n ein hwynebu, bellach, yw rhoi'r Mesur arfaethedig ar waith i wneud y gorau o'r ddarpariaeth a'r pwerau sydd wedi cael eu rhoi i Weinidogion Cymru ac i'r comisiynydd. Bydd cyfraniad Bwrdd yr Iaith Gymraeg yn allweddol yn hynny o beth. Nid yw'n amser hawdd i'r bwrdd a'i staff, ond mae'n amser yn awr i bawb ysgwyddo'r baich a gweithio gyda'n gilydd er lles y Gymraeg. Hoffwn ddiolch i aelodau a staff Bwrdd yr Iaith Gymraeg am eu cefnogaeth, eu hawgrymiadau a'u cymorth yn ystod y broses o baratoi'r strategaeth iaith. Yr wyf yn ddiolchgar iddynt oll am eu cyfraniad a'u cefnogaeth.

Yr wyf yn hynod o falch o'r Mesur arfaethedig hwn. Yr wyf yn llwyr ymrwymedig i'r weledigaeth y mae'r Mesur arfaethedig yn ei chynrychioli, ac mae wedi bod yn ffrainc gallu datblygu'r Mesur arfaethedig a'i gyflwyno gerbron y Cynulliad. Fel un sydd wedi cael ei eni i siarad Cymraeg, i ganol diwylliant Cymraeg, ac sydd wedi gweithio yn y diwylliant hwnnw drwy gydol fy oes, mae cyflwyno'r Mesur arfaethedig hwn, gyda'ch cefnogaeth chi yn y Cynulliad, wedi bod yn anrhydedd o'r mwyaf. Diolchaf ichi eto am eich cyfraniad i'w ddatblygiad, a chymeradwyaf Fesur Arfaethedig y Gymraeg (Cymru) i'r Cynulliad. [*Cymeradwyaeth.*]

Paul Davies: Yr wyf yn siomedig bod pleidiau'r Llywodraeth wedi gwrthod fy

I pay tribute to and acknowledge the massive contribution of the *Urdd*, *Merched y Wawr*, the National Eisteddfod, the Women's Institute—I had better include everybody in this list—the Welsh Books Council and the Young Farmers' Clubs. These are the organisations that, from day to day, organise and promote opportunities for people of all ages and backgrounds to enjoy using the Welsh language.

The proposed Measure has engendered a great deal of discussion—that is a good thing, which I welcome. It demonstrates that there is enthusiastic support and interest for the language. I am convinced that the proposed Measure will make an important contribution to the task of promoting, facilitating and protecting the language for the future. The task and the priority facing us now is to implement the proposed Measure and to use the provisions and powers given to Welsh Ministers and the commissioner. The contribution of the Welsh Language Board will be key in this. It is not an easy time for the board and its staff, but it is now time for everybody to shoulder the burden and to work collaboratively for the benefit of the language. I would like to thank the staff and members of the Welsh Language Board for their support, suggestions and assistance during the process of preparing language strategies. I am grateful to them for their contribution and support.

I am extremely proud of this proposed Measure. I am completely committed to the vision represented by the proposed Measure, and it has been a privilege to be able to develop the proposed Measure and present it to the Assembly. As one who was born into a Welsh speaking family and the Welsh culture, and having worked in that culture all my life, being able to present this proposed Measure, with your support in the Assembly, has been the greatest honour. I thank you once again for your contribution to its development and I commend the Proposed Welsh Language (Wales) Measure to the Assembly. [*Applause.*]

Paul Davies: I am disappointed that the Government parties resisted my amendments

ngwelliannau yn ystod trafodion Cyfnod 3. Byddai'r Mesur arfaethedig lawer yn gryfach pe bai'r Llywodraeth wedi derbyn rhai o'r gwelliannau yr oedd y gwrthbleidiau wedi eu cynnig. Er nad yw'n mynd yn ddigon pell, yr ydym ni, fel yr wrthblaid swyddogol, yn cefnogi'r Mesur arfaethedig fel ag y mae, gan ein bod yn derbyn y bydd yn cryfhau'r iaith yn y pen draw.

Eleanor Burnham: Yn yr un modd, yr wyf innau'n siomedig, ond mae cymryd rhan yn y drafodaeth hanesyddol hon yn fraint. Yr wyf yn gresynu'r ffaith ei fod wedi cymryd cyhyd inni gyflwyno Mesur o'r fath, a bod ein gwelliannau ni heb gael eu derbyn. Hoffwn dalu teyrnged i Jenny, sydd wedi llywio llawer o bolisiâu'r Democratiaid Rhyddfrydol ac wedi datblygu 'Iaith Pawb' o'r cychwyn yn dilyn un o'n cynadleddau ni—mae hynny'n rhoi pleser i mi yn bersonol. Nid oes gennyf amser i restru'r bobl a'r mudiadau a enwyd gan ein Gweinidog, ond hoffwn dalu teyrnged iddynt; mae mudiadau gwych o'n cwmpas, ac mae'r mentrau iaith, Mudiad Ysgolion Meithrin a mudiadau ffermwyr ifanc Cymru yn allweddol i ddatblygu'r iaith. Yr wyf yn edrych ymlaen ac yn gobeithio cael y siawns i gydweithio â'r comisiynydd. Gobeithiaf mai rhan o'r siwrnai yw hyn, yn hytrach na phen y daith.

5.00 p.m.

Y Llywydd: Yr wyf yn cymryd nad yw'r Gweinidog am wneud araith bellach.

Y cwestiwn yw a ddylid pasio Mesur Arfaethedig y Gymraeg (Cymru). A oes gwrthwynebiad? Gwelaf nad oes. Yn unol â Rheol Sefydlog Rhif 7.35, felly, yr wyf yn datgan bod y Mesur arfaethedig wedi ei dderbyn. Yr wyf yn diolch i chi i gyd.

*Derbyniwyd y cynnig.
Motion agreed.*

Y Llywydd: Dyna ddiwedd ein trafodion am heddiw.

at Stage 3. The proposed Measure could have been much more robust had the Government accepted some of the amendments that the opposition parties proposed. Even though it does not go far enough, we, as the official opposition, will support the proposed Measure as it stands, as we accept that it will strengthen the position of the language at the end of the day.

Eleanor Burnham: In the same way, I am also disappointed, but taking part in this historic debate is an honour. I regret that it has taken so long to bring forward such a Measure and that our amendments were resisted. I pay tribute to Jenny, who has steered many of our Liberal Democrat policies and who developed 'Iaith Pawb' from the very outset following one of our conferences—that gives me, personally, some pleasure. I do not have time to list the people and organisations named by our Minister, but I pay tribute to them; there are some excellent organisations working around us, and the *mentrau iaith*, *Mudiad Ysgolion Meithrin* and the young farmers' clubs are key to developing the language. I look forward and hope to have the opportunity to work with the commissioner. I hope that this is only part of the journey, and not the end.

The Presiding Officer: I take it that the Minister does not want to make another speech.

The question is that the Proposed Welsh Language (Wales) Measure be agreed to. Are there any objections? I see that there are none. In accordance with Standing Order No. 7.35 I therefore declare that the proposed Measure has been agreed. Thank you all.

The Presiding Officer: That brings today's proceedings to a close.

*Daeth y cyfarfod i ben am 5 p.m.
The meeting ended at 5 p.m.*

Aelodau a'u Pleidiau
Members and their Parties

Andrews, Leighton (Llafur – Labour)
 Asghar, Mohammad (Ceidwadwyr Cymreig – Welsh Conservatives)
 Barrett, Lorraine (Llafur – Labour)
 Bates, Mick (Democrat Rhyddfrydol Annibynnol – Independent Liberal Democrat)
 Black, Peter (Democratiaid Rhyddfrydol Cymru – Welsh Liberal Democrats)
 Bourne, Nick (Ceidwadwyr Cymreig – Welsh Conservatives)
 Burnham, Eleanor (Democratiaid Rhyddfrydol Cymru – Welsh Liberal Democrats)
 Burns, Angela (Ceidwadwyr Cymreig – Welsh Conservatives)
 Butler, Rosemary (Llafur – Labour)
 Cairns, Alun (Ceidwadwyr Cymreig – Welsh Conservatives)
 Chapman, Christine (Llafur – Labour)
 Cuthbert, Jeff (Llafur – Labour)
 Davidson, Jane (Llafur – Labour)
 Davies, Alun (Llafur – Labour)
 Davies, Andrew (Llafur – Labour)
 Davies, Andrew R.T. (Ceidwadwyr Cymreig – Welsh Conservatives)
 Davies, Jocelyn (Plaid Cymru – The Party of Wales)
 Davies, Paul (Ceidwadwyr Cymreig – Welsh Conservatives)
 Elis-Thomas, Dafydd (Plaid Cymru – The Party of Wales)
 Evans, Nerys (Plaid Cymru – The Party of Wales)
 Franks, Chris (Plaid Cymru – The Party of Wales)
 German, Veronica (Democratiaid Rhyddfrydol Cymru – Welsh Liberal Democrats)
 Graham, William (Ceidwadwyr Cymreig – Welsh Conservatives)
 Gregory, Janice (Llafur – Labour)
 Griffiths, John (Llafur – Labour)
 Griffiths, Lesley (Llafur – Labour)
 Gibbons, Brian (Llafur – Labour)
 Hart, Edwina (Llafur – Labour)
 Hutt, Jane (Llafur – Labour)
 Isherwood, Mark (Ceidwadwyr Cymreig – Welsh Conservatives)
 James, Irene (Llafur – Labour)
 Jenkins, Bethan (Plaid Cymru – The Party of Wales)
 Jones, Alun Ffred (Plaid Cymru – The Party of Wales)
 Jones, Ann (Llafur – Labour)
 Jones, Carwyn (Llafur – Labour)
 Jones, Elin (Plaid Cymru – The Party of Wales)
 Jones, Gareth (Plaid Cymru – The Party of Wales)
 Jones, Helen Mary (Plaid Cymru – The Party of Wales)
 Jones, Ieuan Wyn (Plaid Cymru – The Party of Wales)
 Law, Trish (Annibynnol – Independent)
 Lewis, Huw (Llafur – Labour)
 Lloyd, David (Plaid Cymru – The Party of Wales)
 Lloyd, Val (Llafur – Labour)
 Melding, David (Ceidwadwyr Cymreig – Welsh Conservatives)
 Mewies, Sandy (Llafur – Labour)
 Millar, Darren (Ceidwadwyr Cymreig – Welsh Conservatives)
 Morgan, Jonathan (Ceidwadwyr Cymreig – Welsh Conservatives)
 Morgan, Rhodri (Llafur – Labour)
 Neagle, Lynne (Llafur – Labour)
 Ramsay, Nick (Ceidwadwyr Cymreig – Welsh Conservatives)
 Randerson, Jenny (Democratiaid Rhyddfrydol Cymru – Welsh Liberal Democrats)
 Ryder, Janet (Plaid Cymru – The Party of Wales)
 Sargeant, Carl (Llafur – Labour)
 Sinclair, Karen (Llafur – Labour)
 Thomas, Gwenda (Llafur – Labour)
 Thomas, Rhodri Glyn (Plaid Cymru – The Party of Wales)
 Watson, Joyce (Llafur – Labour)
 Williams, Brynle (Ceidwadwyr Cymreig – Welsh Conservatives)
 Williams, Kirsty (Democratiaid Rhyddfrydol Cymru – Welsh Liberal Democrats)
 Wood, Leanne (Plaid Cymru – The Party of Wales)