

HYSBYSIAD YNGHYLCH GWELLIANNAU NOTICE OF AMENDMENTS

Cyflwynwyd ar 29 Hydref 2020
Tabled on 29 October 2020

Bil Llywodraeth Leol ac Etholiadau (Cymru) Local Government and Elections (Wales) Bill

Julie James 1

Adran 3, tudalen 2, llinell 32, ar ôl '8(3)(b)', mewnosoder ', 15'.

Section 3, page 2, line 31, after '8(3)(b)', insert ', 15'.

Julie James 2

Page 15, line 38, leave out section 22.

Tudalen 15, llinell 38, hepgorer adran 22.

Julie James 3

Section 29, page 20, line 27, leave out 'particular descriptions of local authorities that are qualifying local authorities' and insert 'a particular description of local authority that is a qualifying local authority'.

Adran 29, tudalen 20, llinell 28, hepgorer 'awdurdodau lleol o ddisgrifiadau penodol sy'n awdurdodau' a mewnosoder 'awdurdod lleol o ddisgrifiad penodol sy'n awdurdod'.

Julie James 4

Section 39, page 24, line 7, leave out 'for principal councils to set the conditions to be met for remote attendance by members' and insert 'requiring local authorities to make arrangements enabling remote attendance at meetings'.

Adran 39, tudalen 24, llinell 7, hepgorer 'i brif gynghorau osod yr amodau sydd i'w bodloni er mwyn i aelodau fynychu' a mewnosoder 'sy'n ei gwneud yn ofynnol i awdurdodau lleol wneud trefniadau sy'n galluogi mynychu cyfarfodydd'.



Julie James 5

Section 39, page 24, after line 12, insert –

- ‘(v) for regulations to be made about local authority meetings, publication of information and community meetings;’.

Adran 39, tudalen 24, ar ôl llinell 12, mewnosoder –

- ‘(v) ar gyfer gwneud rheoliadau ynglŷn â chyfarfodydd awdurdodau lleol, cyhoeddi gwybodaeth a chyfarfodydd cymunedol;’.

Julie James 6

Section 47, page 27, line 7, after ‘make’, insert ‘and publish’.

Adran 47, tudalen 27, llinell 7, ar ôl ‘wneud’, mewnosoder ‘a chyhoeddi’.

Julie James 7

Section 47, page 27, line 10, leave out ‘as they take place’.

Adran 47, tudalen 27, llinell 10, hepgorer ‘wrth iddynt gael eu cynnal’.

Julie James 8

Section 47, page 27, after line 10, insert –

- ‘() the proceedings are broadcast as they take place, subject to any specified exceptions;’.

Adran 47, tudalen 27, ar ôl llinell 10, mewnosoder –

- ‘() y trafodion yn cael eu darlledu wrth iddynt gael eu cynnal, yn ddarostyngedig i unrhyw eithriadau penodedig;’.

Julie James 9

Section 47, page 27, line 11, leave out ‘reasonable’ and insert ‘specified’.

Adran 47, tudalen 27, llinell 11, hepgorer ‘rhesymol’ a mewnosoder ‘penodedig’.

Julie James 10

Section 47, page 27, line 12, leave out ‘of a principal council or of a committee or sub-committee of a principal council which is open to the public.’ and insert –

‘which is open to the public of –

- (a) a principal council;
- (b) any of the following specified bodies –
 - (i) the executive of a principal council;



- (ii) a committee or sub-committee of an executive of a principal council;
- (iii) a committee or sub-committee of a principal council;
- (iv) a joint committee, or a sub-committee of a joint committee, of two or more principal councils.’.

Adran 47, tudalen 27, llinell 12, hepgorer ‘prif gyngor neu bwyllgor neu is-bwyllgor i brif gyngor, sy’n agored i’r cyhoedd.’ a mewnosoder –

‘o’r canlynol sy’n agored i’r cyhoedd –

- (a) prif gyngor;
- (b) unrhyw un neu ragor o’r cyrff penodedig a ganlyn –
 - (i) gweithrediaeth prif gyngor;
 - (ii) pwyllgor neu is-bwyllgor i weithrediaeth prif gyngor;
 - (iii) pwyllgor neu is-bwyllgor i brif gyngor;
 - (iv) cyd-bwyllgor, neu is-bwyllgor i gyd-bwyllgor, o ddau brif gyngor neu ragor.’.

WITHDRAWN / TYNNWYD YN ÔL

*** Julie James**

11

Section 47, page 27, line 15, leave out subsections (3) to (4) and insert –

- ‘() The Welsh Ministers may by regulations make further provision in connection with the broadcast of proceedings at a meeting to which subsection (2) applies.
- () In subsections (1) and (2), “specified” means specified in regulations made by the Welsh Ministers.
- () If a local authority revises or replaces arrangements made under subsection (1), it must publish the revised or new arrangements.’.

Adran 47, tudalen 27, llinell 14, hepgorer is-adrannau (3) hyd at (4) a mewnosoder –

- ‘() Caiff Gweinidogion Cymru, drwy reoliadau, wneud darpariaeth bellach mewn cysylltiad â darlledu trafodion mewn cyfarfod y mae is-adran (2) yn gymwys iddo.
- () Yn is-adrannau (1) a (2), ystyr “penodedig” yw wedi ei bennu mewn rheoliadau a wnaed gan Weinidogion Cymru.
- () Os yw awdurdod lleol yn diwygio trefniadau a wnaed o dan is-adran (1) neu’n rhoi rhai newydd yn eu lle, rhaid iddo gyhoeddi’r trefniadau diwygiedig neu’r trefniadau newydd.’.

Julie James

12

Section 47, page 27, after line 30, insert –



- '(c) a joint committee of one or more principal councils and one or more authorities described in paragraph (a) or (b);
- (d) a joint board which—
 - (i) is constituted under any enactment as a body corporate, and
 - (ii) discharges functions of two or more principal councils.'

Adran 47, tudalen 27, ar ôl llinell 30, mewnosoder —

- '(c) cyd-bwyllgor o un prif gyngor neu ragor ac un neu ragor o'r awdurdodau a ddisgrifir ym mharagraff (a) neu (b);
- (d) cyd-fwrdd —
 - (i) a gyfansoddir yn gorff corfforedig o dan unrhyw ddeddfiad, a
 - (ii) sy'n cyflawni swyddogaethau dau brif gyngor neu ragor.'

*** Julie James**

13

Section 47, page 27, line 31, leave out —

- '(7) may amend the following (including by repealing any provision of the following) —
 - (a) the Public Bodies (Admission to Meetings) Act 1960 (c. 67);
 - (b) Part 5A of the 1972 Act (access to meetings and documents of local authorities)'

and insert —

'[(*first subsection to be inserted by Amendment 77*)] or (7) may include provision amending, modifying, repealing or revoking any enactment.'

Adran 47, tudalen 27, llinell 31, hepgorer —

- '(7) ddiwygio'r canlynol (gan gynnwys drwy ddiddymu unrhyw ddarpariaeth yn y canlynol) —
 - (a) Deddf Cyrff Cyhoeddus (Mynediad at Gyfarfodydd) 1960 (p. 67);
 - (b) Rhan 5A o Ddeddf 1972 (mynediad at gyfarfodydd a dogfennau awdurdodau lleol).'

a mewnosoder —

'[*yr is-adran gyntaf sy'n cael ei mewnosod gan Welliant 77*] neu (7) gynnwys darpariaeth sy'n diwygio, yn addasu, yn diddymu neu'n dirymu unrhyw ddeddfiad.'

Julie James

14

Section 47, page 27, line 35, leave out subsection (10).

Adran 47, tudalen 27, llinell 36, hepgorer is-adran (10).



Julie James

15

Page 28, line 1, leave out section 48 and insert –

[] Attendance at local authority meetings

- (1) A local authority must make and publish arrangements for the purpose of ensuring that local authority meetings are able to be held by means of any equipment or other facility which –
 - (a) enables persons who are not in the same place to attend the meetings, and
 - (b) satisfies the conditions in subsection (2).
- (2) The conditions are that the equipment or other facility enables persons –
 - (a) in the case of local authority meetings that do not fall within paragraph (b), to speak to and be heard by each other (whether or not the equipment or facility enables those persons to see and be seen by each other), and
 - (b) in the case of meetings of a principal council required to be broadcast under section 47 (electronic broadcasts), or any other local authority meetings required to be broadcast by regulations made under that section, to speak to and be heard by each other and to see and be seen by each other.
- (3) In the case of meetings of a joint committee of two or more local authorities, the authorities must make and publish arrangements under subsection (1) jointly.
- (4) If a local authority revises or replaces arrangements made under subsection (1), it must publish the revised or new arrangements.
- (5) A local authority making arrangements required by subsection (1) must have regard to any guidance about the exercise of that function issued by the Welsh Ministers.
- (6) In this section –

“local authority” (*“awdurdod lleol”*) means –

- (a) a principal council;
- (b) a community council;
- (c) a fire and rescue authority for an area in Wales;
- (d) a National Park authority for a National Park in Wales;
- (e) a port health authority for a port health district in Wales constituted under section 2 of the Public Health (Control of Disease) Act 1984 (c. 22);

“local authority meeting” (*“cyfarfod awdurdod lleol”*) means a meeting of –

- (a) a local authority;
- (b) where the local authority is a principal council, its executive;
- (c) a joint committee of two or more local authorities;
- (d) a committee or sub-committee of anything within paragraphs (a) to (c),



and, for the avoidance of doubt, includes a hearing held by a principal council's licensing committee established under section 6 of the Licensing Act 2003 (c. 17) or a sub-committee established by a licensing committee.

- (7) A reference in any enactment to –
- (a) the attendance, presence or appearance of a person at a local authority meeting includes, in relation to a meeting held by the means described in subsection (1), attendance, presence or appearance by use of those means;
 - (b) the place at which a local authority meeting is held is not to be read as limited to a single physical location.
- (8) The Welsh Ministers may by regulations amend this section so as to –
- (a) add to, amend or omit the conditions in subsection (2);
 - (b) add to the definition of “local authority” in subsection (6) a joint board which –
 - (i) is constituted under any enactment as a body corporate, and
 - (ii) discharges functions of two or more principal councils.
- (9) Part 2 of Schedule [*Schedule to be inserted by Amendment 70*] makes consequential amendments.’.

Tudalen 28, llinell 1, hepgorer adran 48 a mewnosoder –

[] Mynychu cyfarfodydd awdurdod lleol

- (1) Rhaid i awdurdod lleol wneud a chyhoeddi trefniadau at ddiben sicrhau y gellir cynnal cyfarfodydd awdurdod lleol drwy gyfrwng unrhyw gyfarpar neu gyfleuster arall –
- (a) sy'n galluogi personau nad ydynt yn yr un lle i fynychu'r cyfarfodydd, a
 - (b) sy'n bodloni'r amodau yn is-adran (2).
- (2) Yr amodau yw bod y cyfarpar neu'r cyfleuster arall yn galluogi personau –
- (a) yn achos cyfarfodydd awdurdod lleol nad ydynt yn dod o fewn paragraff (b), i siarad â'i gilydd ac i gael eu clywed gan ei gilydd (pa un a yw'r cyfarpar neu'r cyfleuster yn galluogi'r personau hynny i weld ei gilydd ac i gael eu gweld gan ei gilydd ai peidio), a
 - (b) yn achos cyfarfodydd prif gyngor y mae'n ofynnol eu darlledu o dan adran 47 (darllediadau electronig), neu unrhyw gyfarfodydd awdurdod lleol eraill y mae'n ofynnol iddynt gael eu darlledu gan reoliadau a wneir o dan yr adran honno, i siarad â'i gilydd ac i gael eu clywed gan ei gilydd ac i weld ei gilydd ac i gael eu gweld gan ei gilydd.
- (3) Yn achos cyfarfodydd cyd-bwyllgor o ddau awdurdod lleol neu ragor, rhaid i'r awdurdodau wneud a chyhoeddi trefniadau o dan is-adran (1) ar y cyd.
- (4) Os yw awdurdod lleol yn diwygio trefniadau a wnaed o dan is-adran (1) neu'n rhoi rhai newydd yn eu lle, rhaid iddo gyhoeddi'r trefniadau diwygiedig neu'r trefniadau newydd.



- (5) Rhaid i awdurdod lleol sy'n gwneud trefniadau sy'n ofynnol gan is-adran (1) roi sylw i unrhyw ganllawiau ynglŷn ag arfer y swyddogaeth honno a ddyroddir gan Weinidogion Cymru.
- (6) Yn yr adran hon—
- ystyr "awdurdod lleol" ("*local authority*") yw —
- (a) prif gyngor;
 - (b) cyngor cymuned;
 - (c) awdurdod tân ac achub ar gyfer ardal yng Nghymru;
 - (d) awdurdod Parc Cenedlaethol ar gyfer Parc Cenedlaethol yng Nghymru;
 - (e) awdurdod iechyd porthladd ar gyfer ardal iechyd porthladd yng Nghymru a gyfansoddwyd o dan adran 2 o Ddeddf Iechyd y Cyhoedd (Rheoli Clefydau) 1984 (p. 22);
- ystyr "cyfarfod awdurdod lleol" ("*local authority meeting*") yw cyfarfod —
- (a) awdurdod lleol;
 - (b) pan fo'r awdurdod lleol yn brif gyngor, ei weithrediaeth;
 - (c) cyd-bwyllgor o ddau awdurdod lleol neu ragor;
 - (d) pwyllgor neu is-bwyllgor i unrhyw beth sydd o fewn paragraffau (a) i (c), ac, er mwyn osgoi amheuaeth, mae'n cynnwys gwrandawriad a gynhelir gan bwyllgor trwyddedu prif gyngor a sefydlwyd o dan adran 6 o Ddeddf Trwyddedu 2003 (p. 17) neu is-bwyllgor a sefydlwyd gan bwyllgor trwyddedu.
- (7) Mewn perthynas â chyfeiriad mewn unrhyw ddeddfiad at—
- (a) y ffaith bod person yn mynychu cyfarfod awdurdod lleol, yn bresennol ynddo neu'n ymddangos ger ei fron, mae'r cyfeiriad hwnnw yn cynnwys, mewn perthynas â chyfarfod a gynhelir drwy'r cyfrwng a ddisgrifir yn is-adran (1), mynychu, bod yn bresennol neu ymddangos drwy ddefnyddio'r cyfrwng hwnnw;
 - (b) y lle y mae cyfarfod awdurdod lleol i'w gynnal, nid yw'r cyfeiriad hwnnw i'w ddarllen fel pe bai wedi ei gyfyngu i un lleoliad ffisegol.
- (8) Caiff Gweinidogion Cymru ddiwygio'r adran hon drwy reoliadau er mwyn—
- (a) ychwanegu at yr amodau yn is-adran (2), eu diwygio neu eu hepgor;
 - (b) ychwanegu at y diffiniad o "awdurdod lleol" yn is-adran (6) cyd-fwrdd—
 - (i) a gyfansoddir yn gorff corfforedig o dan unrhyw ddeddfiad, a
 - (ii) sy'n cyflawni swyddogaethau dau brif gyngor neu ragor.
- (9) Mae Rhan 2 o Atodlen [yr Atodlen sy'n cael ei mewnosod gan Welliant 70] yn gwneud diwygiadau canlyniadol.'

Julie James

16

Section 50, page 28, at the beginning of line 28, insert 'Part 1 of'.

Adran 50, tudalen 28, llinell 29, ar ôl 'Mae', mewnosoder 'Rhan 1 o'.



Julie James

17

Page 28, after line 29, insert a new section –

[] Regulations about conduct of local authority meetings, documents relating to meetings and publication of information

- (1) The Welsh Ministers may by regulations make provision for and in connection with requirements concerning notices and other documents relating to local authority meetings and concerning the conduct of such meetings.
- (2) Regulations under subsection (1) may, in particular, include provision about –
 - (a) the production of notices and other documents relating to local authority meetings;
 - (b) the publication and dissemination of such notices and documents;
 - (c) the content of such notices and documents;
 - (d) rights of access to such notices and documents;
 - (e) the keeping of documents relating to local authority meetings;
 - (f) arrangements relating to the holding of local authority meetings;
 - (g) the recording of decisions made at such meetings.
- (3) The Welsh Ministers may also by regulations make provision for and in connection with the publication by local authorities of, and rights of access to, information setting out details about –
 - (a) members of the authority and its committees and sub-committees;
 - (b) rights to attend local authority meetings and to access documents;
 - (c) the exercise of powers of a local authority by its officers.
- (4) Regulations under this section may amend, modify, repeal or revoke any enactment.
- (5) In this section –

“local authority” (*“awdurdod lleol”*) means –

 - (a) a principal council;
 - (b) a community council;
 - (c) a fire and rescue authority for an area in Wales;
 - (d) a National Park authority for a National Park in Wales;
 - (e) a joint board which –
 - (i) is constituted under any enactment as a body corporate, and
 - (ii) discharges functions of two or more principal councils;
 - (f) a port health authority for a port health district in Wales constituted under section 2 of the Public Health (Control of Disease) Act 1984 (c. 22);

“local authority meeting” (*“cyfarfod awdurdod lleol”*) means a meeting of –



- (a) a local authority;
- (b) where the local authority is a principal council, its executive;
- (c) a joint committee of two or more local authorities;
- (d) a committee or sub-committee of anything within paragraphs (a) to (c).'

Tudalen 28, ar ôl llinell 30, mewnosoder adran newydd –

[1] Rheoliadau ynglŷn â chynnal cyfarfodydd awdurdodau lleol, dogfennau sy'n ymwneud â chyfarfodydd a chyhoeddi gwybodaeth

- (1) Caiff Gweinidogion Cymru, drwy reoliadau, wneud darpariaeth ar gyfer ac mewn cysylltiad â gofynion sy'n ymwneud â hysbysiadau a dogfennau eraill mewn perthynas â chyfarfodydd awdurdodau lleol ac sy'n ymwneud â chynnal y cyfarfodydd hynny.
- (2) Caiff rheoliadau o dan is-adran (1) gynnwys, yn benodol, ddarpariaeth ynglŷn ag –
 - (a) llunio hysbysiadau a dogfennau eraill sy'n ymwneud â chyfarfodydd awdurdodau lleol;
 - (b) cyhoeddi a dosbarthu'r hysbysiadau a'r dogfennau hynny;
 - (c) cynnwys yr hysbysiadau a'r dogfennau hynny;
 - (d) hawliau i gael mynediad at yr hysbysiadau a'r dogfennau hynny;
 - (e) cadw dogfennau sy'n ymwneud â chynnal cyfarfodydd awdurdodau lleol;
 - (f) trefniadau sy'n ymwneud â chynnal cyfarfodydd awdurdodau lleol;
 - (g) cofnodi penderfyniadau a wneir yn y cyfarfodydd hynny.
- (3) Caiff Gweinidogion Cymru hefyd, drwy reoliadau, wneud darpariaeth ar gyfer cyhoeddi gan awdurdodau lleol, ac mewn cysylltiad â chyhoeddi gan awdurdodau lleol, wybodaeth sy'n nodi manylion ynglŷn ag –
 - (a) aelodau o'r awdurdod a'i bwyllgorau a'i is-bwyllgorau;
 - (b) hawliau i fynychu cyfarfodydd awdurdod lleol a chael mynediad at ddogfennau;
 - (c) arfer pwerau awdurdod lleol gan ei swyddogion,a gwneud darpariaeth ar gyfer hawliau i gael mynediad at yr wybodaeth honno, ac mewn cysylltiad â hynny.
- (4) Caiff rheoliadau o dan yr adran hon ddiwygio, addasu, ddiddymu neu ddirymu unrhyw ddeddfiad.
- (5) Yn yr adran hon –
 - ystyr "awdurdod lleol" ("*local authority*") yw –
 - (a) prif gyngor;
 - (b) cyngor cymuned;
 - (c) awdurdod tân ac achub ar gyfer ardal yng Nghymru;
 - (d) awdurdod Parc Cenedlaethol ar gyfer Parc Cenedlaethol yng Nghymru;
 - (e) cyd-fwrdd –



- (i) a gyfansoddir yn gorff corfforedig o dan unrhyw ddeddfiad, a
 - (ii) sy'n cyflawni swyddogaethau dau brif gyngor neu ragor;
- (f) awdurdod iechyd porthladd ar gyfer ardal iechyd porthladd yng Nghymru a gyfansoddwyd o dan adran 2 o Ddeddf Iechyd y Cyhoedd (Rheoli Clefydau) 1984 (p. 22);
- ystyr "cyfarfod awdurdod lleol" ("*local authority meeting*") yw cyfarfod –
- (a) awdurdod lleol;
 - (b) pan fo'r awdurdod lleol yn brif gyngor, ei weithrediaeth;
 - (c) cyd-bwyllgor o ddau awdurdod lleol neu ragor;
 - (d) pwyllgor neu is-bwyllgor i unrhyw beth sydd o fewn paragraffau (a) i (c).'

Julie James

18

Page 28, after line 29, insert a new section –

[] Regulations about community meetings

In Part 5 of Schedule 12 to the 1972 Act (community meetings), after paragraph 36 insert –

- "36A(1) The Welsh Ministers may by regulations make provision for and in connection with requirements concerning notices and other documents relating to community meetings and concerning the holding of such meetings and their conduct.
- (2) Regulations under sub-paragraph (1) may, in particular, include provision about –
- (a) arrangements relating to the holding of community meetings attended by persons who are not in the same place;
 - (b) the convening of community meetings;
 - (c) the production, publication, dissemination and content of notices of community meetings;
 - (d) the recording of decisions made at community meetings;
 - (e) the functions of principal councils and community councils in relation to community meetings;
 - (f) eligibility to attend and to vote at community meetings.
- (3) Regulations under sub-paragraph (1) may include supplementary, incidental, consequential, transitional, transitory or saving provision (including provision amending, modifying, repealing or revoking any enactment (including this Act)).
- (4) A statutory instrument containing regulations under sub-paragraph (1) must not be made unless a draft of the instrument has been laid before and approved by resolution of Senedd Cymru.



36B A principal council and a community council exercising functions in relation to community meetings must have regard to any guidance about the exercise of those functions issued by the Welsh Ministers.”.

Tudalen 28, ar ôl llinell 30, mewnosoder adran newydd –

[] Rheoliadau ynglŷn â chyfarfodydd cymunedol

Yn Rhan 5 o Atodlen 12 i Ddeddf 1972 (cyfarfodydd cymunedol), ar ôl paragraff 36 mewnosoder –

“36A(1) The Welsh Ministers may by regulations make provision for and in connection with requirements concerning notices and other documents relating to community meetings and concerning the holding of such meetings and their conduct.

(2) Regulations under sub-paragraph (1) may, in particular, include provision about –

- (a) arrangements relating to the holding of community meetings attended by persons who are not in the same place;
- (b) the convening of community meetings;
- (c) the production, publication, dissemination and content of notices of community meetings;
- (d) the recording of decisions made at community meetings;
- (e) the functions of principal councils and community councils in relation to community meetings;
- (f) eligibility to attend and to vote at community meetings.

(3) Regulations under sub-paragraph (1) may include supplementary, incidental, consequential, transitional, transitory or saving provision (including provision amending, modifying, repealing or revoking any enactment (including this Act)).

(4) A statutory instrument containing regulations under sub-paragraph (1) must not be made unless a draft of the instrument has been laid before and approved by resolution of Senedd Cymru.

36B A principal council and a community council exercising functions in relation to community meetings must have regard to any guidance about the exercise of those functions issued by the Welsh Ministers.”.

Julie James

19

Section 67, page 37, after line 29, insert –

“documents” (“*dogfennau*”) includes information recorded in any form;’.

Adran 67, tudalen 38, ar ôl llinell 3, mewnosoder –



‘mae “dogfennau” (“documents”) yn cynnwys gwybodaeth a gofnodir ar unrhyw ffurf;’.

Julie James

20

Section 82, page 46, line 37, leave out –

‘in relation to joint committee regulations or regulations under section 79 –

- (a) for the purposes of or in consequence of those regulations, or
- (b) for giving full effect to those regulations.’

and insert –

‘applying in relation to –

- (a) all corporate joint committees;
- (b) a particular corporate joint committee;
- (c) a particular description of corporate joint committee.’

Adran 82, tudalen 46, llinell 38, hepgorer –

‘mewn perthynas â rheoliadau cyd-bwyllgor neu reoliadau o dan adran 79 –

- (a) at ddibenion y rheoliadau hynny, neu o ganlyniad iddynt, neu
- (b) er mwyn rhoi effaith lawn i’r rheoliadau hynny.’

a mewnosoder –

‘sy’n gymwys mewn perthynas ag –

- (a) pob cyd-bwyllgor corfforedig;
- (b) cyd-bwyllgor corfforedig penodol;
- (c) cyd-bwyllgor corfforedig o ddisgrifiad penodol.’

Julie James

21

Section 82, page 47, line 3, leave out subsection (3).

Adran 82, tudalen 47, llinell 3, hepgorer is-adran (3).

Julie James

22

Section 82, page 47, line 21, leave out ‘a principal council or any other person on whom functions are conferred under or by virtue of joint committee regulations or regulations under section 79, or a National Park authority’ and insert ‘one or more principal councils, persons by whom a function is exercisable by virtue of section 79(6) or National Park authorities’.

Adran 82, tudalen 47, llinell 21, hepgorer ‘brif gyngor neu unrhyw berson arall y rhoddir swyddogaethau iddo o dan reoliadau cyd-bwyllgor neu reoliadau o dan adran 79, neu yn rhinwedd y rheoliadau hynny, neu i awdurdod Parc Cenedlaethol’ a mewnosoder ‘un prif gyngor neu ragor, i un person neu ragor y mae swyddogaeth yn arferadwy ganddo neu ganddynt yn rhinwedd adran 79(6) neu i un awdurdod Parc Cenedlaethol neu ragor’.

Julie James

23

Section 82, page 47, after line 23, insert—

- ‘(v) from a person by whom a function is exercisable by virtue of section 79(6) to one or more principal councils or corporate joint committees;’.

Adran 82, tudalen 47, ar ôl llinell 24, mewnosoder—

- ‘(v) o berson y mae swyddogaeth yn arferadwy ganddo yn rhinwedd adran 79(6) i un prif gyngor neu ragor neu i un cyd-bwyllgor corfforedig neu ragor;’.

Julie James

24

Section 82, page 47, line 32, leave out ‘or any other person on whom functions are conferred under or by virtue of joint committee regulations or regulations under section 79, or one or more’ and insert ‘, persons by whom a function is exercisable by virtue of section 79(6) or’.

Adran 82, tudalen 47, llinell 33, hepgorer ‘neu unrhyw berson arall y rhoddir swyddogaethau iddo o dan reoliadau cyd-bwyllgor neu reoliadau o dan adran 79, neu yn rhinwedd y rheoliadau hynny,’ a mewnosoder ‘, un person neu ragor y mae swyddogaeth yn arferadwy ganddo neu ganddynt yn rhinwedd adran 79(6)’.

Julie James

25

Section 82, page 47, after line 34, insert—

- ‘(iv) commenced by or against a person by whom a function is exercisable by virtue of section 79(6) to be continued by or against one or more principal councils or corporate joint committees;’.

Adran 82, tudalen 47, ar ôl llinell 36, mewnosoder—

- ‘(iv) a gychwynwyd gan neu yn erbyn person y mae swyddogaeth yn arferadwy ganddo yn rhinwedd adran 79(6) gael ei barhau gan neu yn erbyn un prif gyngor neu ragor neu un cyd-bwyllgor corfforedig neu ragor;’.

Julie James

26

Section 82, page 48, line 1, leave out ‘a principal council or any other person on whom functions are conferred under or by virtue of joint committee regulations or regulations under section 79, or a National Park authority’ and insert ‘one or more principal councils, persons by whom a function is exercisable by virtue of section 79(6) or National Park authorities’.



Adran 82, tudalen 48, llinell 1, hepgorer 'brif gyngor neu unrhyw berson arall y rhoddir swyddogaethau iddo o dan reoliadau cyd-bwyllgor neu reoliadau o dan adran 79, neu yn rhinwedd y rheoliadau hynny, neu i awdurdod Parc Cenedlaethol' a mewnosoder 'un prif gyngor neu ragor, i un person neu ragor y mae swyddogaeth yn arferadwy ganddo neu ganddynt yn rhinwedd adran 79(6) neu i un awdurdod Parc Cenedlaethol neu ragor'.

Julie James

27

Section 82, page 48, after line 3, insert—

- '(v) from a person by whom a function is exercisable by virtue of section 79(6) to one or more principal councils or corporate joint committees;'

Adran 82, tudalen 48, ar ôl llinell 4, mewnosoder—

- '(v) o berson y mae swyddogaeth yn arferadwy ganddo yn rhinwedd adran 79(6) i un prif gyngor neu ragor neu i un cyd-bwyllgor corfforedig neu ragor;'

Julie James

28

Section 82, page 48, after line 12, insert—

- '() a corporate joint committee as the same person in law as a person by whom a function is exercisable by virtue of section 79(6);'

Adran 82, tudalen 48, ar ôl llinell 12, mewnosoder—

- '() cyd-bwyllgor corfforedig fel yr un person mewn cyfraith â pherson y mae swyddogaeth yn arferadwy ganddo yn rhinwedd adran 79(6);'

Julie James

29

Section 82, page 48, line 13, leave out 'or any other person on whom functions are conferred under or by virtue of joint committee regulations or regulations under section 79,' and insert ', a person by whom a function is exercisable by virtue of section 79(6)'.

Adran 82, tudalen 48, llinell 13, hepgorer 'neu unrhyw berson arall y rhoddir swyddogaethau iddo o dan reoliadau cyd-bwyllgor neu reoliadau o dan adran 79, neu yn rhinwedd y rheoliadau hynny,' a mewnosoder ', person y mae swyddogaeth yn arferadwy ganddo yn rhinwedd adran 79(6)'.

Julie James

30

Section 82, page 48, after line 16, insert—

- '(v) a principal council as the same person in law as a person by whom a function is exercisable by virtue of section 79(6);'

Adran 82, tudalen 48, ar ôl llinell 16, mewnosoder—



'(v) prif gyngor fel yr un person mewn cyfraith â pherson y mae swyddogaeth yn arferadwy ganddo yn rhinwedd adran 79(6)';

Julie James 31

Section 82, page 48, line 20, after 'information', insert 'or documents'.

Adran 82, tudalen 48, llinell 21, ar ôl 'gwybodaeth', mewnosoder 'neu ddogfennau'.

Julie James 32

Section 84, page 49, line 8, after 'information', insert 'or documents'.

Adran 84, tudalen 49, llinell 10, ar ôl 'briodol', mewnosoder 'neu unrhyw ddogfennau y mae Gweinidogion Cymru yn ystyried eu bod yn briodol'.

Julie James 33

Page 56, line 5, leave out section 97 and insert –

[] Auditor General's powers of entry and inspection etc.

- (1) An inspector may at any reasonable time enter any premises of a principal council and do anything that the inspector considers necessary for the purposes of a special inspection of that council, including inspecting a document held by the council.
- (2) An inspector may require a principal council to provide the inspector with any of the following that the inspector considers necessary for the purposes of a special inspection of that council –
 - (a) a document held by the council;
 - (b) facilities and assistance.
- (3) If an inspector considers a person may be able to provide information, an explanation or a document that the inspector considers necessary for the purposes of a special inspection, the inspector may require that person to attend before the inspector at any reasonable time to provide the information, explanation or document.
- (4) An inspector may –
 - (a) copy a document inspected under subsection (1) or provided under subsection (2)(a) or (3);
 - (b) require a principal council to provide the inspector with a legible copy, including a legible electronic copy, of a document inspected under subsection (1) or provided under subsection (2)(a);
 - (c) retain a document inspected under subsection (1) or provided under subsection (2)(a) or (3), but only for as long as is necessary for the purposes of the special inspection.



- (5) In this section and sections 98 and 99, “inspector” means the Auditor General for Wales or a person exercising a function of the Auditor General for Wales under this Chapter by virtue of a delegation made under section 18 of the Public Audit (Wales) Act 2013 (anaw 3).’.

Tudalen 56, llinell 7, hepgorer adran 97 a mewnosoder –

[] Pwerau mynediad ac arolygu etc. Yr Archwilydd Cyffredinol

- (1) Caiff arolygydd, ar unrhyw adeg resymol, fynd i unrhyw fangre prif gyngor a gwneud unrhyw beth y mae’r arolygydd yn ystyried ei fod yn angenrheidiol at ddibenion arolygiad arbennig o’r cyngor hwnnw, gan gynnwys arolygu dogfen y mae’r cyngor yn ei dal.
- (2) Caiff arolygydd ei gwneud yn ofynnol i brif gyngor ddarparu i’r arolygydd unrhyw un neu ragor o’r canlynol y mae’r arolygydd yn ystyried eu bod yn angenrheidiol at ddibenion arolygiad arbennig o’r cyngor hwnnw –
- (a) dogfen y mae’r cyngor yn ei dal;
- (b) cyfleusterau a chymorth.
- (3) Os yw arolygydd yn ystyried y gallai person ddarparu gwybodaeth, eglurhad neu ddogfen y mae’r arolygydd yn ystyried ei bod neu ei fod yn angenrheidiol at ddibenion arolygiad arbennig, caiff yr arolygydd ei gwneud yn ofynnol i’r person hwnnw ddod gerbron yr arolygydd ar unrhyw adeg resymol i ddarparu’r wybodaeth, yr eglurhad neu’r ddogfen.
- (4) Caiff arolygydd –
- (a) gwneud copïau o ddogfen a arolygir o dan is-adran (1) neu a ddarparwyd o dan is-adran (2)(a) neu (3);
- (b) ei gwneud yn ofynnol i brif gyngor ddarparu i’r arolygydd gopi darllenadwy, gan gynnwys copi electronig darllenadwy, o ddogfen a arolygir o dan is-adran (1) neu a ddarparwyd o dan is-adran (2)(a);
- (c) cadw dogfen a arolygir o dan is-adran (1) neu a ddarparwyd o dan is-adran (2)(a) neu (3), ond dim ond am ba hyd bynnag y bo’n angenrheidiol at ddibenion yr arolygiad arbennig.
- (5) Yn yr adran hon ac yn adrannau 98 a 99, ystyr “arolygydd” yw Archwilydd Cyffredinol Cymru neu berson sy’n arfer swyddogaeth Archwilydd Cyffredinol Cymru o dan y Bennod hon yn rhinwedd dirprwyad a wneir o dan adran 18 o Ddeddf Archwilio Cyhoeddus (Cymru) 2013 (dccc 3).’.

Julie James

34

Page 56, line 29, leave out section 98 and insert –

[] Auditor General’s powers of entry and inspection etc.: notice and evidence of identity



- (1) An inspector may enter the premises of a principal council in exercise of the powers under section [section to be inserted by Amendment 33](1) (powers to enter council premises and do things for the purposes of a special inspection) only if –
 - (a) an inspector has given notice in writing to the council, and
 - (b) there are at least three working days between the day on which the inspector gives the notice and the day on which the inspector enters the premises.
- (2) An inspector may exercise the powers under section [section to be inserted by Amendment 33](2) (powers to require documents, facilities and assistance) only if –
 - (a) an inspector has given notice in writing to the council, and
 - (b) there are at least three working days between the day on which the inspector gives the notice and the day on which the council is required to provide the document, facilities or assistance.
- (3) The requirements in subsections (1) and (2) do not apply if an inspector considers that giving notice to a principal council would, or would be likely to, prejudice a special inspection of that council.
- (4) An inspector may exercise the power under section [section to be inserted by Amendment 33](3) (power to require persons to attend before an inspector) only if –
 - (a) an inspector has given notice in writing to the person, and
 - (b) between the day on which the inspector gives the notice and the day on which the person is required to attend before the inspector there are at least –
 - (i) three working days if the person is a member of a principal council or a member of the staff of a principal council, or
 - (ii) seven working days in any other case.
- (5) Notice under subsection (1) or (2) to a principal council may be given by –
 - (a) leaving the notice at the principal office of the council;
 - (b) sending the notice by first class post, or by an alternative service which provides for delivery no later than the next working day, to the principal office of the council;
 - (c) sending the notice to any e-mail address which the council has specified to the Auditor General for Wales for the purposes of receiving notices under this section.
- (6) Notice under subsection (4) to a member of a principal council or a member of the staff of a principal council may be given by –
 - (a) leaving the notice at the principal office of the council;
 - (b) sending the notice by first class post, or by an alternative service which provides for delivery no later than the next working day, to the principal office of the council;
 - (c) handing the notice to the person;
 - (d) leaving the notice at the last known residence of the person;



- (e) sending the notice by first class post, or by an alternative service which provides for delivery no later than the next working day, to the last known residence of the person.
- (7) Notice under subsection (4) to a person other than a member of a principal council or a member of the staff of a principal council may be given by –
 - (a) handing the notice to the person;
 - (b) leaving the notice at the last known residence or place of business of the person;
 - (c) sending the notice by first class post, or by an alternative service which provides for delivery no later than the next working day, to the last known residence or place of business of the person.
- (8) An inspector must produce evidence that they are an inspector if requested to do so by a person in respect of whom the inspector attempts to exercise a power under section [section to be inserted by Amendment 33] (and if the inspector does not produce that evidence the power is not exercisable).’.

Tudalen 56, llinell 33, hepgorer adran 98 a mewnosoder –

[] Pwerau mynediad ac arolygu etc. yr Archwilydd Cyffredinol: rhybudd a thystiolaeth adnabod

- (1) Ni chaiff arolygydd fynd i fangre prif gyngor wrth arfer y pwerau o dan adran [yr adran sy'n cael ei mewnosod gan Welliant 33](1) (pwerau i fynd i fangre cyngor a gwneud pethau at ddibenion arolygiad arbennig) –
 - (a) oni fo arolygydd wedi rhoi rhybudd ysgrifenedig i'r cyngor, a
 - (b) oni cheir o leiaf dri diwrnod gwaith rhwng y diwrnod y mae'r arolygydd yn rhoi'r rhybudd a'r diwrnod y mae'r arolygydd yn mynd i'r fangre.
- (2) Ni chaiff arolygydd arfer y pwerau o dan adran [yr adran sy'n cael ei mewnosod gan Welliant 33](2) (pwerau i'w gwneud yn ofynnol darparu dogfennau, cyfleusterau a chymorth) –
 - (a) oni fo arolygydd wedi rhoi rhybudd ysgrifenedig i'r cyngor, a
 - (b) oni cheir o leiaf dri diwrnod gwaith rhwng y diwrnod y mae'r arolygydd yn rhoi'r rhybudd a'r diwrnod y mae'n ofynnol i'r cyngor ddarparu'r ddogfen, y cyfleusterau neu'r cymorth.
- (3) Nid yw'r gofynion yn is-adrannau (1) a (2) yn gymwys os yw arolygydd yn ystyried y byddai rhoi rhybudd i brif gyngor yn niweidio, neu'n debygol o niweidio, arolygiad arbennig o'r cyngor hwnnw.
- (4) Ni chaiff arolygydd arfer y pŵer o dan adran [yr adran sy'n cael ei mewnosod gan Welliant 33](3) (pŵer i'w gwneud yn ofynnol i bersonau ddod gerbron arolygydd) –
 - (a) oni fo arolygydd wedi rhoi rhybudd ysgrifenedig i'r person, a
 - (b) oni cheir, rhwng y diwrnod y mae'r arolygydd yn rhoi'r rhybudd a'r diwrnod y mae'n ofynnol i'r person ddod gerbron yr arolygydd –



- (i) o leiaf dri diwrnod gwaith os yw'r person yn aelod o brif gyngor neu'n aelod o staff prif gyngor, neu
 - (ii) o leiaf saith niwrnod gwaith mewn unrhyw achos arall.
- (5) Caniateir rhoi rhybudd o dan is-adran (1) neu (2) i brif gyngor drwy –
- (a) gadael y rhybudd ym mhrif swyddfa'r cyngor;
 - (b) anfon y rhybudd drwy'r post dosbarth cyntaf, neu drwy wasanaeth arall sy'n darparu ar gyfer ei ddanfon yn ddim hwyrach na'r diwrnod gwaith nesaf, i brif swyddfa'r cyngor;
 - (c) anfon y rhybudd i unrhyw gyfeiriad e-bost y mae'r cyngor wedi ei bennu ar gyfer Archwilydd Cyffredinol Cymru at ddibenion cael rhybuddion o dan yr adran hon.
- (6) Caniateir rhoi rhybudd o dan is-adran (4) i aelod o brif gyngor neu aelod o staff prif gyngor drwy –
- (a) gadael y rhybudd ym mhrif swyddfa'r cyngor;
 - (b) anfon y rhybudd drwy'r post dosbarth cyntaf, neu drwy wasanaeth arall sy'n darparu ar gyfer ei ddanfon yn ddim hwyrach na'r diwrnod gwaith nesaf, i brif swyddfa'r cyngor;
 - (c) rhoi'r rhybudd drwy law'r person;
 - (d) gadael y rhybudd ym mhreswylfa hysbys olaf y person;
 - (e) anfon y rhybudd drwy'r post dosbarth cyntaf, neu drwy wasanaeth arall sy'n darparu ar gyfer ei ddanfon yn ddim hwyrach na'r diwrnod gwaith nesaf, i breswylfa hysbys olaf y person.
- (7) Caniateir rhoi rhybudd o dan is-adran (4) i berson ac eithrio aelod o brif gyngor neu aelod o staff prif gyngor drwy –
- (a) rhoi'r rhybudd drwy law'r person;
 - (b) gadael y rhybudd ym mhreswylfa neu fan busnes hysbys olaf y person;
 - (c) anfon y rhybudd drwy'r post dosbarth cyntaf, neu drwy wasanaeth arall sy'n darparu ar gyfer ei ddanfon yn ddim hwyrach na'r diwrnod gwaith nesaf, i breswylfa neu fan busnes hysbys olaf y person.
- (8) Rhaid i'r arolygydd ddangos tystiolaeth ei fod yn arolygydd os yw person y mae'r arolygydd yn ceisio arfer pŵer yn ei gylch o dan adran [*yr adran sy'n cael ei mewnosod gan Welliant 33*] yn gofyn iddo wneud hynny (ac os nad yw'r arolygydd yn dangos y dystiolaeth honno nid yw'r pŵer yn arferadwy).'

Julie James

35

Section 99, page 57, line 2, leave out 'under section 97(1) or (2)' and insert 'imposed under section [*section to be inserted by Amendment 33*](2), (3) or (4)(b)'.

Adran 99, tudalen 57, llinell 2, hepgorer 'o dan adran 97(1) neu (2)' a mewnosoder 'a osodir o dan adran [*yr adran sy'n cael ei mewnosod gan Welliant 33*](2), (3) neu (4)(b)'.



Julie James 36

Section 99, page 57, line 5, leave out '97(4) or (5)' and insert '[section to be inserted by Amendment 33] (1) or (4)(a) or (c)'.

Adran 99, tudalen 57, llinell 5, hepgorer '97(4) neu (5)' a mewnosoder '[yr adran sy'n cael ei mewnosod gan Welliant 33](1) neu (4)(a) neu (c)'.

Julie James 37

Section 111, page 62, line 20, leave out 'in any recorded' and insert 'recorded in any'.

Adran 111, tudalen 62, llinell 21, hepgorer 'ar unrhyw ffurf gofnodedig' a mewnosoder 'a gofnodir ar unrhyw ffurf'.

Julie James 38

Section 111, page 62, leave out line 21.

Adran 111, tudalen 62, hepgorer llinellau 24 hyd at 25.

Julie James 39

Section 133, page 75, line 39, after 'information', insert 'or documents'.

Adran 133, tudalen 75, llinell 39, ar ôl 'gwybodaeth', mewnosoder 'neu ddogfennau'.

Julie James 40

Section 139, page 78, line 25, after 'information', insert 'or documents'.

Adran 139, tudalen 78, llinell 23, ar ôl 'briodol', mewnosoder 'neu unrhyw ddogfennau y maent yn ystyried eu bod yn briodol'.

Julie James 41

Section 139, page 78, line 31, after 'information', insert 'or documents'.

Adran 139, tudalen 78, llinell 29, ar ôl 'briodol', mewnosoder 'neu unrhyw ddogfennau y maent yn ystyried eu bod yn briodol'.

Julie James 42

Section 140, page 78, line 34, after 'information', insert 'or documents'.

Adran 140, tudalen 78, llinell 33, ar ôl 'briodol', mewnosoder 'neu unrhyw ddogfennau y mae Gweinidogion Cymru yn ystyried eu bod yn briodol'.



Julie James 43

Section 140, page 79, line 10, after 'information', insert 'or documents'.

Adran 140, tudalen 79, llinell 11, ar ôl 'briodol', mewnosoder 'neu unrhyw ddogfennau y mae Gweinidogion Cymru yn ystyried eu bod yn briodol'.

Julie James 44

Section 148, page 85, after line 20, insert –

“documents” (“*dogfennau*”) includes information recorded in any form (other than in section 147);’.

Adran 148, tudalen 85, ar ôl llinell 30, mewnosoder –

‘mae “*dogfennau*” (“*documents*”) yn cynnwys gwybodaeth a gofnodir ar unrhyw ffurf (ac eithrio yn adran 147);’.

Julie James 45

Section 158, page 97, line 1, leave out “information” includes information in any recorded’ and insert “document” includes information recorded in any’.

Adran 158, tudalen 97, llinell 1, hepgorer “gwybodaeth” yn cynnwys gwybodaeth ar unrhyw ffurf gofnodedig’ a mewnosoder “dogfen” yn cynnwys gwybodaeth a gofnodir ar unrhyw ffurf’.

Julie James 46

Page 97, after line 7, insert a new section –

[] Amendment of the Public Audit (Wales) Act 2004 consequential on section 158

In section 54 of the Public Audit (Wales) Act 2004 (c. 23) (restriction on disclosure of information) –

(a) in subsection (1), after paragraph (a) (and before the “or” which follows it) insert –

“(aa) pursuant to section 158 of the Local Government and Elections (Wales) Act 2021,”;

(b) in subsection (2), after paragraph (b) insert –

“(ba) section 158 of the Local Government and Elections (Wales) Act 2021;

(bb) for the purposes of any functions of the Auditor General for Wales which are specified functions within the meaning of section 158 of the Local Government and Elections (Wales) Act 2021 (and are not mentioned elsewhere in this subsection);”’.



Tudalen 97, ar ôl llinell 7, mewnosoder adran newydd –

[] Diwygio Deddf Archwilio Cyhoeddus (Cymru) 2004 sy'n ganlyniadol ar adran 158

Yn adran 54 o Ddeddf Archwilio Cyhoeddus (Cymru) 2004 (p. 23) (cyfyngiadau ar ddatgelu gwybodaeth) –

- (a) yn is-adran (1), ar ôl paragraff (a) (ac o flaen yr “or” sy'n ei ddilyn) mewnosoder –
 - “(aa) pursuant to section 158 of the Local Government and Elections (Wales) Act 2021,”;
- (b) yn is-adran (2), ar ôl paragraff (b) mewnosoder –
 - “(ba) section 158 of the Local Government and Elections (Wales) Act 2021;
 - (bb) for the purposes of any functions of the Auditor General for Wales which are specified functions within the meaning of section 158 of the Local Government and Elections (Wales) Act 2021 (and are not mentioned elsewhere in this subsection);”.

Julie James

47

Section 159, page 97, after line 9, insert –

- ‘() In section 8 of the 2011 Measure, after subsection (1) insert –
 - “(1A) A local authority must have regard to any guidance issued by the Welsh Ministers about the local authority’s function under subsection (1)(b).”.

Adran 159, tudalen 97, ar ôl llinell 9, mewnosoder –

- ‘() Yn adran 8 o Fesur 2011, ar ôl is-adran (1) mewnosoder –
 - “(1A) Rhaid i awdurdod lleol roi sylw i unrhyw ganllawiau a ddyroddir gan Weinidogion Cymru ynghylch swyddogaeth yr awdurdod lleol o dan is-adran (1)(b).”.

Julie James

48

Section 166, page 103, after line 11, insert –

- ‘(g) in Schedule 1 (minor and consequential amendments: Part 1) –
 - (i) paragraph 27;
 - (ii) paragraphs 32 and 33, and the heading which precedes them.
- () In section 93 of the Local Government Act 2003 (c. 26) (power to charge for discretionary services), in subsection (9) –
 - (a) for paragraph (aa) substitute –
 - “(aa) a county council or county borough council in Wales;”;



(b) after paragraph (ab) insert –

“(ac) a National Park authority for a National Park in Wales;”’.

Adran 166, tudalen 103, ar ôl llinell 10, mewnosoder –

‘(g) yn Atodlen 1 (mân ddiwygiadau a diwygiadau canlyniadol: Rhan 1) –

(i) paragraff 27;

(ii) paragraffau 32 a 33, a’r pennawd sy’n eu rhagflaenu.

() Yn adran 93 o Ddeddf Llywodraeth Leol 2003 (p. 26) (pŵer i godi ffi am wasanaethau disgresiynol), yn is-adran (9) –

(a) yn lle paragraff (aa) rhodder –

“(aa) a county council or county borough council in Wales;”’;

(b) ar ôl paragraff (ab) mewnosoder –

“(ac) a National Park authority for a National Park in Wales;”’.

Julie James

49

Section 166, page 103, line 12, leave out ‘omit subsections (4) and (5)’ and insert –

‘for subsections (3) to (5) substitute –

“(3) This section does not apply to a fire and rescue authority in Wales.”’.

Adran 166, tudalen 103, llinell 12, hepgorer ‘hepgorer is-adrannau (4) a (5)’ a mewnosoder –

‘yn lle is-adrannau (3) i (5) rhodder –

“(3) This section does not apply to a fire and rescue authority in Wales.”’.

Julie James

50

Section 172, page 106, line 23, leave out ‘(7) (electronic broadcasting of meetings of National Park authorities or fire and rescue authorities)’ and insert ‘(electronic broadcast of meetings)’.

Adran 172, tudalen 106, llinell 26, hepgorer ‘(7) (darllediadau electronig o gyfarfodydd awdurdodau Parciau Cenedlaethol neu awdurdodau tân ac achub)’ a mewnosoder ‘(darllediadau electronig o gyfarfodydd)’.

Julie James

51

Section 172, page 106, after line 24, insert –

‘() section [section to be inserted by Amendment 15](8) (attendance at local authority meetings);’.

Adran 172, tudalen 106, ar ôl llinell 27, mewnosoder –

‘() adran [yr adran sy’n cael ei mewnosod gan Welliant 15](8) (mynychu cyfarfodydd awdurdodau lleol);’.



Julie James

52

Section 172, page 106, after line 24, insert –

- ‘() section [section to be inserted by Amendment 17] (regulations about conduct of local authority meetings, notices relating to such meetings, etc.);’.

Adran 172, tudalen 106, ar ôl llinell 27, mewnosoder –

- ‘() adran [yr adran sy’n cael ei mewnosod gan Welliant 17] (rheoliadau ynglŷn â chynnal cyfarfodydd awdurdodau lleol, hysbysiadau sy’n ymwneud â’r cyfarfodydd hynny, etc.);’.

Julie James

53

Section 173, page 107, after line 21, insert –

- ‘() section [section to be inserted by Amendment 17];
- () section [section to be inserted by Amendment 18];
- () paragraph 17(4) of Schedule [Schedule to be inserted by Amendment 70] (and section 50 in so far as it relates to that paragraph);’.

Adran 173, tudalen 107, ar ôl llinell 23, mewnosoder –

- ‘() adran [yr adran sy’n cael ei mewnosod gan Welliant 17];
- () adran [yr adran sy’n cael ei mewnosod gan Welliant 18];
- () paragraff 17(4) o Atodlen [yr Atodlen sy’n cael ei mewnosod gan Welliant 70] (ac adran 50 i’r graddau y mae’n ymwneud â’r paragraff hwnnw);’.

Julie James

54

Section 173, page 107, after line 30, insert –

- ‘() section [amendment of the Public Audit (Wales) Act 2004 consequential on section 158];’.

Adran 173, tudalen 107, ar ôl llinell 33, mewnosoder –

- ‘() adran [diwygio Deddf Archwilio Cyhoeddus (Cymru) 2004 sy’n ganlyniadol ar adran 158];’.

Julie James

55

Section 173, page 109, line 16, leave out ‘15,’.

Adran 173, tudalen 109, llinell 15, hepgorer ‘15,’.

Julie James

56

Section 173, page 109, line 17, after ‘8(3)(b)’, insert ‘, 15’.

Adran 173, tudalen 109, llinell 17, ar ôl ‘8(3)(b)’, mewnosoder ‘, 15’.



Julie James 57

Section 173, page 109, after line 31, insert—

‘(t) section 166(1)[*first sub-paragraph to be inserted by amendment 48*] and [*subsection inserted by Amendment 48*].’.

Adran 173, tudalen 109, ar ôl llinell 32, mewnosoder—

‘(t) adran 166(1)[*yr is-baragraff cyntaf sy’n cael ei fewnosod gan Welliant 48*] a [*yr is-adran sy’n cael ei mewnosod gan Welliant 48*].’.

Julie James 58

Schedule 1, page 113, line 36, after ‘information’, insert ‘or documents’.

Atodlen 1, tudalen 113, llinell 40, ar ôl ‘briodol’, mewnosoder ‘neu unrhyw ddogfennau y mae Gweinidogion Cymru yn ystyried eu bod yn briodol’.

Julie James 59

Schedule 1, page 116, line 23, after ‘information’, insert ‘or documents’.

Atodlen 1, tudalen 116, llinell 27, hepgorer ‘iddynt y maent yn ystyried ei bod yn briodol’ a mewnosoder ‘y maent yn ystyried ei bod yn briodol neu unrhyw ddogfennau pellach y maent yn ystyried eu bod yn briodol iddynt’.

Julie James 60

Schedule 1, page 117, line 1, after ‘information’, insert ‘or documents’.

Atodlen 1, tudalen 117, llinell 2, hepgorer ‘iddynt y maent yn ystyried ei bod yn briodol’ a mewnosoder ‘y maent yn ystyried ei bod yn briodol neu unrhyw ddogfennau y maent yn ystyried eu bod yn briodol iddynt’.

Julie James 61

Schedule 1, page 117, line 12, after ‘information’, insert ‘or documents’.

Atodlen 1, tudalen 117, llinell 13, ar ôl ‘briodol’, mewnosoder ‘neu i ddarparu unrhyw ddogfennau i Weinidogion Cymru y mae Gweinidogion Cymru yn ystyried eu bod yn briodol’.

Julie James 62

Schedule 2, page 121, after line 30, insert—

‘36C Expenditure by returning officers at local elections in Wales



- (1) All expenditure properly incurred by a returning officer in relation to the holding of an election of a councillor for a county or county borough in Wales must, in so far as it does not, in cases where there is a scale fixed for the purposes of this section by the council for that area, exceed that scale, be paid by that council.
- (2) All the expenditure properly incurred by a returning officer in relation to the holding of an election of a community councillor must, in so far as it does not, in cases where there is a scale fixed for the purposes of this section by the council of the county or county borough in which the community is situated (“the principal council”), exceed that scale, be paid by the principal council; and if the principal council so require, any expenditure so incurred must be repaid to them by the community council.
- (3) Before a poll is taken at an election of a councillor for any local government area in Wales the council of that area or, in the case of an election of a community councillor, the council who appointed the returning officer must, at the request of the returning officer (including any person acting as returning officer), advance to the officer such reasonable sum in respect of the officer’s expenses at the election as the officer may require.”.

Atodlen 2, tudalen 121, ar ôl llinell 30, mewnosoder –

‘36C Expenditure by returning officers at local elections in Wales

- (1) All expenditure properly incurred by a returning officer in relation to the holding of an election of a councillor for a county or county borough in Wales must, in so far as it does not, in cases where there is a scale fixed for the purposes of this section by the council for that area, exceed that scale, be paid by that council.
- (2) All the expenditure properly incurred by a returning officer in relation to the holding of an election of a community councillor must, in so far as it does not, in cases where there is a scale fixed for the purposes of this section by the council of the county or county borough in which the community is situated (“the principal council”), exceed that scale, be paid by the principal council; and if the principal council so require, any expenditure so incurred must be repaid to them by the community council.
- (3) Before a poll is taken at an election of a councillor for any local government area in Wales the council of that area or, in the case of an election of a community councillor, the council who appointed the returning officer must, at the request of the returning officer (including any person acting as returning officer), advance to the officer such reasonable sum in respect of the officer’s expenses at the election as the officer may require.”.



Julie James 63

Schedule 2, page 123, line 14, leave out 'after the definition of "London member"' and insert 'in the appropriate place,'.

Atodlen 2, tudalen 123, llinell 14, hepgorer 'ar ôl y diffiniad o "London member"' a mewnosoder 'yn y lle priodol'.

Julie James 64

Schedule 2, page 125, line 23, leave out '(2)'.

Atodlen 2, tudalen 125, llinell 25, hepgorer '(2)'.

Julie James 65

Schedule 2, page 125, after line 23, insert –

'(a) in subsection (2),'.

Atodlen 2, tudalen 125, ar ôl llinell 25, mewnosoder –

'(a) yn is-adran (2),'.

Julie James 66

Schedule 2, page 125, after line 30, insert –

'(b) after subsection (2) insert –

"(3) In sections 25 and 26, "local government election" means –

(a) an election of councillors for any electoral ward or community ward in Wales or, in the case of a community in Wales in which there are no wards, the community, for which the election of councillors is held under the Local Government Act 1972 (c.70), or

(b) an election for the return of an elected mayor (within the meaning of section 39(1) of the Local Government Act 2000 (c.22)) of a local authority in Wales."

() In section 25 (exceptions from prohibition on disclosure) –

(a) in subsection (3), for "32ZA(5) and (5A)" substitute "32ZBD(9) and (9A)";

(b) in subsection (5) –

(i) in paragraph (b), after "Senedd" insert ", a member of a local authority in Wales, an elected mayor of a local authority in Wales or candidates at local government elections";

(ii) in paragraph (c), after "elections" insert "or local government elections";

(iii) for paragraph (e) substitute –



- (e) regulation 61 of the 2001 regulations (absent voters records or lists) so far as applying to local government elections and any enactment making provision equivalent to that regulation in relation to Senedd elections”;
- (iv) for paragraph (f), substitute –
 - (f) regulation 98 of the 2001 regulations (supply to returning officers) so far as applying to returning officers of community councils and returning officers for any Senedd elections and any enactment making provision equivalent to regulation 98(4) in relation to Senedd elections”.
- () In section 26 (further provision for exceptions) –
 - (a) in subsection (1), after “Senedd” insert “, local government elections or local referendums”;
 - (b) after subsection (4), insert –
 - (5) In this section, “local referendum” means a referendum held under –
 - (a) section 27 of the Local Government Act 2000 (c. 22) or by virtue of regulations or an order made under Part 2 of that Act, or
 - (b) section 40 of the Local Government (Wales) Measure 2011 (nawm 2).”.

Atodlen 2, tudalen 125, ar ôl llinell 34, mewnosoder –

‘(b) ar ôl is-adran (2) mewnosoder –

“(3) Yn adrannau 25 a 26, ystyr “etholiad llywodraeth leol” yw –

- (a) etholiad ar gyfer cynghorwyr dros unrhyw ward etholiadol neu ward gymunedol yng Nghymru neu, yn achos cymuned yng Nghymru lle nad oes unrhyw wardiau, y gymuned, y cynhelir yr etholiad ar gyfer cynghorwyr ar ei chyfer o dan Ddeddf Llywodraeth Leol 1972, neu
 - (b) etholiad i ethol maer etholedig (o fewn ystyr adran 39(1) o Ddeddf Llywodraeth Leol 2000 (p. 22)) ar gyfer awdurdod lleol yng Nghymru.”
- () Yn adran 25 (eithriadau i’r gwaharddiad ar ddatgelu) –
- (a) yn is-adran (3), yn lle “32ZA(5) a (5A)” rhodder “32ZBD(9) a (9A)”;
 - (b) yn is-adran (5) –
 - (i) ym mharagraff (b), ar ôl “Senedd” mewnosoder “, i aelod o awdurdod lleol yng Nghymru, i faer etholedig ar gyfer awdurdod lleol yng Nghymru neu i ymgeiswyr mewn etholiadau llywodraeth leol”;
 - (ii) ym mharagraff (c), ar ôl “Senedd” mewnosoder “neu mewn etholiadau llywodraeth leol”;
 - (iii) yn lle paragraff (e) rhodder –



- (e) rheoliad 61 o reoliadau 2001 (cofnodion neu restrau pleidleiswyr absennol) i'r graddau y mae'n gymwys i etholiadau llywodraeth leol ac unrhyw ddeddfiad sy'n gwneud darpariaeth sy'n cyfateb i'r rheoliad hwnnw mewn perthynas ag etholiadau'r Senedd";
- (iv) yn lle paragraff (f) rhodder –
 - (f) rheoliad 98 o reoliadau 2001 (cyflenwi i swyddogion canlyniadau) i'r graddau y mae'n gymwys i swyddogion canlyniadau cynghorau cymuned a swyddogion canlyniadau ar gyfer unrhyw etholiadau'r Senedd ac unrhyw ddeddfiad sy'n gwneud darpariaeth sy'n cyfateb i reoliad 98(4) mewn perthynas ag etholiadau'r Senedd".
- () Yn adran 26 (darpariaeth bellach ar gyfer eithriadau) –
 - (a) yn is-adran (1), ar ôl "Senedd" mewnosoder ", etholiadau llywodraeth leol neu refferenda lleol";
 - (b) ar ôl is-adran (4), mewnosoder –
 - (5) Yn yr adran hon, ystyr "refferendwm lleol" yw refferendwm a gynhelir o dan –
 - (a) adran 27 o Ddeddf Llywodraeth Leol 2000 (p. 22) neu yn rhinwedd rheoliadau neu orchymyn a wnaed o dan Ran 2 o'r Ddeddf honno, neu
 - (b) adran 40 o Fesur Llywodraeth Leol (Cymru) 2011 (mccc 2)."

Julie James

67

Schedule 2, page 125, line 31, leave out –

'(3) In section 41, (general interpretation), after the definition of "enactment" insert –

""local government election" means an election of councillors for any electoral ward or community ward in Wales or, in the case of a community in Wales in which there are no wards, the community, for which the election of councillors is held under the Local Government Act 1972;"

Atodlen 2, tudalen 125, llinell 35, hepgorer –

'(3) Yn adran 41, (dehongliad cyffredinol), ar ôl y diffiniad o "deddfiad" mewnosoder –

"ystyr "etholiad llywodraeth leol" yw etholiad ar gyfer cynghorwyr dros unrhyw ward etholiadol neu ward gymunedol yng Nghymru neu, yn achos cymuned yng Nghymru lle nad oes unrhyw wardiau, y gymuned, y cynhelir yr etholiad ar gyfer cynghorwyr ar ei chyfer o dan Ddeddf Llywodraeth Leol 1972;"



Julie James

68

Schedule 3, page 130, line 23, leave out –

‘(1) The Local Government Act 2003 is amended as follows.

(2) In section 95 (power to trade in function-related activities through a company) –

(a) in subsection (4), after “section” insert “made by the Secretary of State”;

(b) after subsection (4), insert –

“(4A) Power conferred by an order under this section made by the Welsh Ministers is only exercisable through a company within the meaning given in section 28 of the Local Government and Elections (Wales) Act 2021.”;

(c) in subsection (7), in paragraph (aa) of the definition of “relevant authority” after “authority” insert “, other than a county council or county borough council”.

(3) In section 116 (local polls), in subsection (1) –’

and insert –

‘In the Local Government Act 2003, in section 116 (local polls) –’.

Atodlen 3, tudalen 130, llinell 25, hepgorer –

‘(1) Mae Deddf Llywodraeth Leol 2003 wedi ei diwygio fel a ganlyn.

(2) Yn adran 95 (pŵer i fasnachu mewn gweithgareddau sy’n gysylltiedig â swyddogaethau drwy gwmni) –

(a) yn is-adran (4), ar ôl “section” mewnosoder “made by the Secretary of State”;

(b) ar ôl is-adran (4), mewnosoder –

“(4A) Power conferred by an order under this section made by the Welsh Ministers is only exercisable through a company within the meaning given in section 28 of the Local Government and Elections (Wales) Act 2021.”;

(c) yn is-adran (7), ym mharagraff (aa) o’r diffiniad o “relevant authority” ar ôl “authority” mewnosoder “, other than a county council or county borough council”.

(3) Yn adran 116 (cynnal pleidleisiau lleol), yn is-adran (1) –’

a mewnosoder –

‘Yn Neddf Llywodraeth Leol 2003, yn adran 116 (cynnal pleidleisiau lleol) –’.

Julie James

69

Schedule 3, page 132, leave out lines 11 to 14.

Atodlen 3, tudalen 132, hepgorer llinellau 11 hyd at 14.



Julie James

70

Page 133, line 1, leave out schedule 4 and insert –



'SCHEDULE 4

(introduced by sections [section to be inserted by Amendment 15] and 50)

NOTICE OF LOCAL AUTHORITY MEETINGS, ACCESS TO DOCUMENTS AND
ATTENDANCE AT MEETINGS

PART 1

NOTICE OF LOCAL AUTHORITY MEETINGS AND ACCESS TO DOCUMENTS

Notices of local authority meetings

- 1 In section 100A of the 1972 Act (admission to meetings of principal councils) –
- (a) in subsection (6) –
 - (i) in paragraph (a), at the beginning insert “in relation to a principal council in England,”;
 - (ii) after paragraph (a) insert –
 - “(aa) in relation to a principal council in Wales, public notice of the meeting must be given –
 - (i) in accordance with subsection (6A), and
 - (ii) by publishing the notice electronically,at least three clear days before the meeting or, if the meeting is convened at shorter notice, then at the time it is convened;”
 - (b) after subsection (6) insert –
 - “(6A) The notice given under subsection (6)(aa) must –
 - (a) where the meeting or part of the meeting is open to the public and is held through remote means only, give details of the time of the meeting and how to access it;
 - (b) where the meeting or part of the meeting is open to the public and is held partly through remote means or is not held through remote means, give details of the time and place of the meeting and how to access it;
 - (c) where the meeting is not open to the public and is held partly through remote means or is not held through remote means, give details of the time and place of the meeting and the fact that it is not open to the public;
 - (d) where the meeting is not open to the public and is held through remote means only, give details of the time of the meeting, and the fact that it is being held through remote means only and is not open to the public.”
- 2 In section 100K of the 1972 Act (interpretation and application of Part 5A), in subsection (3) after “sections 100A(6)(a)” insert “and (aa)”.



- 3 In paragraph 4 of Schedule 12 to the 1972 Act (notices of meetings of principal councils) –
- (a) in sub-paragraph (2), after “in Wales” insert “or, if the meeting is convened at shorter notice, then at the time it is convened”;
 - (b) in sub-paragraph (2)(a) –
 - (i) for “of the time and place of the intended meeting shall be published at the council’s offices” substitute “of the intended meeting containing the information required by sub-paragraph (2A) must be published electronically”, and
 - (ii) for “be signed by” substitute “set out the names of”;
 - (c) after sub-paragraph (2) insert –
 - “(2A) The information required to be in a notice under sub-paragraph (2)(a) consists of –
 - (a) where the meeting or part of the meeting is open to the public and is held through remote means only, details of the time of the meeting and how to access it;
 - (b) where the meeting or part of the meeting is open to the public and is held partly through remote means or is not held through remote means, details of the time and place of the meeting and how to access it;
 - (c) where the meeting is not open to the public and is held partly through remote means or is not held through remote means, details of the time and place of the meeting and the fact that it is not open to the public;
 - (d) where the meeting is not open to the public and is held through remote means only, details of the time of the meeting and the fact that it is being held through remote means only and is not open to the public.
 - (2B) In sub-paragraph (2A), references to a meeting held through remote means are to a meeting held by means of any equipment or other facility which enables persons who are not in the same place to speak to and be heard by each other (whether or not the equipment or facility enables those persons to see and be seen by each other).”
- 4 In paragraph 26 of Schedule 12 to the 1972 Act (notices of meetings of community councils) –
- (a) in sub-paragraph (2), after “community council” insert “or, if the meeting is convened at shorter notice, then at the time it is convened”;
 - (b) in sub-paragraph (2)(a) –
 - (i) for “of the time and place of the intended meeting” substitute “of the meeting containing the information required by sub-paragraph (2ZA)”, and
 - (ii) for “be signed by” substitute “set out the names of”;
 - (c) after sub-paragraph (2) insert –



“(2ZA) The information required to be in a notice under sub-paragraph (2)(a) consists of –

- (a) where the meeting or part of the meeting is open to the public and is held through remote means only, details of the time of the meeting and how to access it;
- (b) where the meeting or part of the meeting is open to the public and is held partly through remote means or is not held through remote means, details of the time and place of the meeting and how to access it;
- (c) where the meeting is not open to the public and is held partly through remote means or is not held through remote means, details of the time and place of the meeting and the fact that it is not open to the public;
- (d) where the meeting is not open to the public and is held through remote means only, details of the time of the meeting and the fact that it is being held through remote means only and is not open to the public.

(2ZB) In sub-paragraph (2ZA), references to a meeting held through remote means are to a meeting held by means of any equipment or other facility which enables persons who are not in the same place to speak to and be heard by each other (whether or not the equipment or facility enables those persons to see and be seen by each other).”

5 In section 1 of the Public Bodies (Admission to Meetings) Act 1960 (c. 67) (admission of public to meetings) –

- (a) in subsection (4)(a), at the end insert “(but see subsections (4ZA) to (4ZC) for further provision in relation to notices of meetings of certain bodies in Wales)”;
- (b) after subsection (4), insert –

“(4ZA) Subsection (4ZB) applies to community councils and joint boards or joint committees which discharge functions of community councils or of community councils and of a principal council in Wales within the meaning of the Local Government Act 1972.

(4ZB) In the case of a meeting of a body to which this subsection applies –

- (a) a copy of the notice mentioned in subsection (4)(a) must also be published electronically at least three clear days before the meeting or, if the meeting is convened at shorter notice, then at the time it is convened;
- (b) if the meeting is held partly through remote means, the notice under subsection (4)(a) must give details of how to access the meeting (as well as its time and place);
- (c) if the meeting is held through remote means only, the notice under subsection (4)(a) must give details of how to access the meeting as well as its time, but not its place.



(4ZC) In subsection (4ZB) –

- (a) references to a meeting held through remote means are to a meeting held by means of any equipment or other facility which enables persons who are not in the same place to speak to and be heard by each other (whether or not the equipment or facility enables those persons to see and be seen by each other);
- (b) the requirement imposed on a body to publish a notice electronically is, where the body has its own website, a requirement to publish on that website.”

Copies and publication of documents relating to meetings of local authorities

- 6 (1) Section 100B of the 1972 Act (access to agenda and connected reports) is amended as follows.
 - (2) In subsections (1), (4), (6) and (7)(a) after “principal council” insert “in England”.
 - (3) In the heading, after “reports” insert “: principal councils in England”.
- 7 After section 100B of the 1972 Act (access to agenda and connected reports), insert –

“100BA Access to agenda and connected reports: principal councils in Wales

- (1) Copies of the agenda for a meeting of a principal council in Wales and copies of any report for the meeting must be published –
 - (a) electronically, and
 - (b) in accordance with subsections (3) to (5).
- (2) If the proper officer thinks fit, there may be excluded from the copies of reports published under subsection (1) the whole of a report which, or any part which, relates only to items during which, in the officer’s opinion, the meeting is likely not to be open to the public.
- (3) A document required to be published under subsection (1) must be published at least three clear days before the meeting, or, if the meeting is convened at shorter notice, then at the time it is convened.
- (4) If an item is added to an agenda, copies of which have been published, copies of the item or revised agenda and copies of any report for the meeting relating to the item must be published at the time the item is added to the agenda.
- (5) Nothing in subsections (3) and (4) requires a document or copies of an agenda, item or report to be published until the document or copies are available to members of the council.
- (6) An item of business may not be considered at a meeting of a principal council in Wales unless either –



- (a) a copy of the agenda including the item (or a copy of the item) is published electronically at least three clear days before the meeting, or, if the meeting is convened at shorter notice, at the time it is convened, or
 - (b) by reason of special circumstances, which must be specified in the minutes, the chair of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency.
- (7) Where the whole or part of a report is excluded under subsection (2) –
- (a) every copy of the report or of the part must be marked “Not for publication”, and
 - (b) there must be stated on every copy of the report or of the part a description, in terms of Schedule 12A, of the exempt information by virtue of which the council is likely to exclude the public during the item to which the report relates.
- (8) Where a meeting of a principal council in Wales –
- (a) is required by section 100A to be open to the public during the proceedings or part of them, and
 - (b) is not held through remote means only,
- there must be made available for the use of members of the public present at the meeting a reasonable number of copies of the agenda and of the reports for the meeting.
- (9) There must, on request and on payment of postage or other necessary charge for transmission, be supplied for the benefit of any newspaper –
- (a) a copy of the agenda for a meeting of a principal council in Wales and a copy of each of the reports for the meeting,
 - (b) such further statements or particulars, if any, as are necessary to indicate the nature of the items included in the agenda, and
 - (c) if the proper officer thinks fit in the case of any item, copies of any other documents supplied to members of the council in connection with the item.
- (10) Subsection (2) applies in relation to copies of reports provided under subsection (8) or (9) as it applies in relation to copies of reports published under subsection (1).”

- 8 (1) Section 100C of the 1972 Act (inspection of minutes and other documents after meetings) is amended as follows.
- (2) In subsection (1), after “principal council” insert “in England”.
 - (3) After subsection (1) insert –



“(1A) After a meeting of a principal council in Wales the documents listed in subsection (1B) must—

- (a) be published electronically, and
- (b) remain accessible electronically to members of the public until the expiration of the period of six years beginning with the date of the meeting.

(1B) The documents are—

- (a) the minutes, or a copy of the minutes, of the meeting, excluding so much of the minutes of proceedings during which the meeting was not open to the public as discloses exempt information,
- (b) where applicable, a summary under subsection (2),
- (c) a copy of the agenda for the meeting, and
- (d) a copy of so much of any report for the meeting as relates to any item during which the meeting was open to the public.

(1C) As soon as reasonably practicable after a meeting of a principal council in Wales, and in any event before the end of seven working days beginning with the day on which the meeting is held, the council must publish electronically a note setting out—

- (a) the names of the members who attended the meeting, and any apologies for absence;
- (b) any declarations of interest;
- (c) any decision taken at the meeting, including the outcomes of any votes, but excluding anything relating to a decision taken when the meeting was not open to the public as discloses exempt information.”

(4) In subsection (2), after “subsection (1)(a) above” insert “, or the document published under subsections (1A) and (1B)(a),”.

(5) In the heading after “Inspection” insert “and publication”.

9 (1) Section 100D of the 1972 Act (background papers) is amended as follows.

(2) In subsection (1)—

(a) after “members of the public” insert “, or are required by section 100BA(1) or 100C(1A) to be published electronically”;

(b) omit the “and” after paragraph (a);

(c) in paragraph (b) at the beginning insert “in relation to a principal council in England,”;

(d) after paragraph (b) insert “, and



- (c) in relation to a principal council in Wales, each of the documents included in that list must be published electronically, but if in the opinion of the proper officer it is not reasonably practicable to publish a document included in the list electronically at least one copy of the document must be open to inspection at the offices of the council."
- (3) In subsection (2) at the beginning insert "In relation to a principal council in England,".
- (4) After subsection (2) insert –
 - “(2A) In relation to a principal council in Wales, copies of documents included in the list must –
 - (a) where they are published under subsection (1)(c), remain accessible electronically to members of the public until the expiration of the period of six years beginning with the date of the meeting, and
 - (b) where they are open to inspection under subsection (1)(c), be open to inspection by members of the public at the offices of the council until the expiration of that period.”
- (5) In subsection (4)(b) after “the public” insert “or published electronically”.
- (6) In the heading after “Inspection” insert “and publication”.
- 10 (1) Section 100H of the 1972 Act (supplemental provision about access to meetings and documents) is amended as follows.
 - (2) In subsection (2), at the beginning insert “In relation to a principal council in England,”.
 - (3) After subsection (2) insert –
 - “(2A) In relation to a principal council in Wales, where a document is open to inspection by a person under any provision of this Part the person may, subject to subsection (3) below –
 - (a) make copies of the document or parts of the document, or
 - (b) require the person having custody of the document to provide a copy of the document or of parts of the document,upon payment of such reasonable fee as may be required for the facility.”
 - (4) In subsection (3) –
 - (a) for “Subsection (2) above does” substitute “Subsections (2), (2A) and (6A) do”;
 - (b) for “that subsection” substitute “those subsections”.
 - (5) After subsection (3) insert –
 - “(3A) Provisions in this Part which require the publication of documents by a principal council in Wales do not require or authorise the doing of any act which infringes the copyright in any work except that, where the owner of the copyright is the council, nothing done in pursuance of those provisions constitutes an infringement of the copyright.”



- (6) In subsection (5) –
- (a) omit the “or” after paragraph (a);
 - (b) after paragraph (a), insert –
 - “(aa) is published electronically by a principal council in Wales, or”;
 - (c) in paragraph (b), after “100B(7)” insert “or 100BA(9)”.
- (7) In subsection (6) –
- (a) in paragraph (b), after “100B(7)(b)” insert “or 100BA(9)(b)”;
 - (b) in paragraph (c), after “100B(7)(c)” insert “or 100BA(9)(c)”;
 - (c) after paragraph (e), insert –
 - “(f) the note required to be published by a principal council in Wales under section 100C(1C).”
- (8) After subsection (6) insert –
- “(6A) A principal council in Wales must put in place facilities for members of the public who would otherwise not be able to do so, to access –
 - (a) notices or other documents required to be published electronically under sections 100A(6)(aa), 100BA(1), 100C(1A) and (1C) and 100D(1)(c), and
 - (b) documents required to remain accessible electronically under sections 100C(1A) and 100D(2A)(a).”
- (9) After subsection (7) insert –
- “(8) A principal council in Wales must have regard to any guidance issued by the Welsh Ministers about the exercise of its functions relating to the publication, provision and inspection of documents under this Part.”
- 11 In section 228(1) of the 1972 Act (minutes of community council meetings), omit “or community”.
- 12 After paragraph 26 of Schedule 12 to the 1972 Act (notices of meetings of community councils), insert –
- “26ZA(1)As soon as reasonably practicable after a meeting of a community council, and in any event before the end of seven working days beginning with the day on which the meeting is held, the council must publish electronically a note setting out –
 - (a) the names of the members who attended the meeting, and any apologies for absence;
 - (b) any declarations of interest;
 - (c) any decision taken at the meeting, including the outcomes of any votes.
 - (2) The duty under sub-paragraph (1)(c) to publish a note setting out any decisions does not apply –



- (a) in relation to a decision relating to business which was transacted in private, or
- (b) where disclosure of the information would be contrary to any enactment.”

Application to committees and sub-committees

- 13 In section 100E of the 1972 Act (application to committees and sub-committees), in subsection (2) –
- (a) omit the “and” after paragraph (b);
 - (b) after paragraph (b) insert –
 - “(ba) the requirement in sections 100A(6)(aa), 100BA(1), 100C(1A) and (1C) and 100D(1)(c) to publish a document electronically is complied with if it is published electronically by every constituent principal council;
 - (bb) the requirement in sections 100C(1A) and 100D(2A)(a) for a document to remain accessible electronically is complied with if the document remains accessible on the website of every constituent principal council; and”;
 - (c) in paragraph (c), after “100D(1)” insert “and (2A)(b)”.

Application and interpretation

- 14 In section 100J of the 1972 Act (application to other authorities etc.), after subsection (4AA) insert –
- “(4AB) References to a principal council in Wales in this Part include –
 - (a) a National Park authority for a National Park in Wales;
 - (b) a fire and rescue authority for an area in Wales;
 - (c) a joint board or joint committee which falls within subsection (2) and which discharges functions of two or more principal councils in Wales.”
- 15 In section 100K of the 1972 Act (interpretation and application of Part 5A), after subsection (1) insert –
- “(1A) In this Part references to a meeting of a principal council in Wales held through remote means are to a meeting held by means of any equipment or other facility which enables persons who are not in the same place to speak to and be heard by each other (whether or not the equipment or facility enables those persons to see and be seen by each other).”
- 16 In section 270 of the 1972 Act (interpretation), after subsection (1) insert –
- “(1A) A requirement to publish a notice or document electronically, imposed by –
 - (a) this Act on a local authority in Wales, or



(b) Part 5A on a body or authority in Wales (other than a principal council),

is, where such an authority has its own website, a requirement to publish on that website.”

Publication of public notices given by local authorities

17 (1) Section 232 of the 1972 Act (public notices) is amended as follows.

(2) In subsection (1) –

(a) omit the “and” at the end of paragraph (a);

(b) after paragraph (b) insert “; and

(c) where the local authority is a local authority in Wales, by publishing it electronically.”

(3) Omit subsection (1ZA).

(4) After subsection (2) insert –

“(3) The Welsh Ministers may by regulations make further or different provision about the manner of giving a public notice required to be given by a local authority in Wales.

(4) Regulations under subsection (3) may also make provision about the manner of giving a public notice required to be given by –

(a) a National Park authority for a National Park in Wales;

(b) a fire and rescue authority constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004, or a scheme to which section 4 of that Act applies, for an area in Wales.

(5) Regulations under subsection (3) may –

(a) make different provision for different purposes;

(b) include supplementary, incidental, consequential, transitional, transitory or saving provision (including provision amending, modifying, repealing or revoking any enactment (including this Act and the Local Government and Elections (Wales) Act 2021)).

(6) A statutory instrument containing regulations under subsection (3) must not be made unless a draft of the instrument has been laid before and approved by resolution of Senedd Cymru.”

18 In Schedule 7 to the Environment Act 1995 (c. 25) (National Park authorities), in paragraph 17(2)(d) (application of provisions of the 1972 Act about service and authentication of documents to National Park authorities) for “to 234” substitute “, 232 (other than subsection (1)(c)), 233 and 234”.

Electronic service of summonses on members to attend local authority meetings

19 (1) Schedule 12 to the 1972 Act is amended as follows.



- (2) In paragraph 4(2)(b) (summonses to meetings of principal councils) –
 - (a) for “signed” substitute “authenticated”;
 - (b) for the words from “shall” to the end of that paragraph substitute “must, subject to sub-paragraph (3), be sent to every member of the council electronically; and each member must specify an electronic address for that purpose.”
- (3) After paragraph 4(2B) (inserted by paragraph 3(c) of this Schedule), insert –
 - “(2C) In sub-paragraph (2)(b) “authenticated” means signed or otherwise authenticated in such manner as the proper officer considers appropriate.”
- (4) In paragraph 4(3) for the words from “some address” to the end of that sub-paragraph substitute “an address specified in the notice rather than electronically, such summonses must be sent to that member by being left at, or sent by post to, that address.”
- (5) In paragraph 26(2)(b) (summonses to meetings of community councils) –
 - (a) for “signed” substitute “authenticated”;
 - (b) for the words from “shall” to the end of that paragraph, substitute “must, subject to sub-paragraph (2C), be sent to every member of the council electronically; and each member must specify an electronic address for that purpose.”
- (6) After paragraph 26(2A), insert –
 - “(2B) In sub-paragraph (2)(b) “authenticated” means signed or otherwise authenticated in such manner as the proper officer considers appropriate.
 - (2C) If a member of a community council gives notice in writing to the proper officer of the council that summonses to attend meetings of the council should be sent to the member at an address specified in the notice rather than electronically, such summonses must be sent to that member by being left at, or sent by post to, that address.”

Venue for community council meetings

- 20 (1) In paragraph 26 of Schedule 12 to the 1972 Act, for sub-paragraph (1) substitute –
 - “(1) Meetings of the community council and its committees and sub-committees are to be held at such place, either within or outside the council’s area, as the council may direct.”
- (2) In consequence of sub-paragraph (1), in Schedule 6 to the Licensing Act 2003 (c. 17) (minor and consequential amendments) omit paragraph 61(2)(b).

Notices of community council committee and sub-committee meetings to be published

- 21 In paragraph 26 of Schedule 12 to the 1972 Act, after sub-paragraph (2C) (inserted by paragraph 19(6) of this Schedule) insert –



- “(2D) At least three clear days before a meeting of a committee or sub-committee of a community council, notice of the time and place of the intended meeting must be published electronically and fixed in a conspicuous place in the community.
- (2E) If the chairman of a committee or sub-committee of a community council considers that a meeting of the committee or sub-committee should take place urgently, sub-paragraph (2D) has effect as if for the words “three clear days” there were substituted “twenty four hours”.”

Saving provision

- 22 Sections 100A to 100D and 100H of the 1972 Act apply to community health councils and community health committees in accordance with section 1 of the Community Health Councils (Access to Information) Act 1988 (c. 24) (access to meetings and documents of community health councils) as if the amendments made by paragraphs 1, 2 and 6 to 10 of this Schedule had not been made.

PART 2

ATTENDANCE AT LOCAL AUTHORITY MEETINGS: CONSEQUENTIAL AMENDMENTS

Attendance at local authority meetings: amendments consequential on section [section to be inserted by Amendment 15]

- 23 (1) In Part 4 of Schedule 12 to the 1972 Act (community council meetings), in paragraph 29 for sub-paragraph (1) substitute –
- “(1) The manner of voting at meetings of a community council is to be decided by the council, but (if a vote is necessary on the question) the proper officer is to determine the manner of voting on that decision; if agreement cannot be reached, the proper officer is to determine the manner of voting on all other matters.”
- (2) In the 2011 Measure, omit section 4 (remote attendance at meetings).
- (3) In the 2013 Act, omit section 59 (remote attendance at meetings of principal councils).
- (4) In the Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007 (S.I. 2007/399), in Schedule 1 (functions not to be the responsibility of an executive), in the table in Part I (miscellaneous functions), after paragraph 18 insert –

“19 Duty to make arrangements for holding meetings of a principal council or its executive

Section [section to be inserted by Amendment 15]
(1) of the Local Government and Elections
(Wales) Act 2021”

Tudalen 133, llinell 1, hepgorer atodlen 4 a mewnosoder –



‘ATODLEN 4

(a gyflwynir gan adrannau [yr adran sy'n cael ei mewnosod gan Welliant 15] a 50)

HYSBYSIAD AM GYFARFODYDD AWDURDODAU LLEOL, MYNEDIAD AT
DDOGFENNAU A MYNYCHU CYFARFODYDD

RHAN 1

HYSBYSIAD AM GYFARFODYDD AWDURDODAU LLEOL A MYNEDIAD AT DDOGFENNAU

Hysbysiadau am gyfarfodydd awdurdodau lleol

1 Yn adran 100A o Ddeddf 1972 (mynediad at gyfarfodydd prif gynghorau) –

(a) yn is-adran (6) –

(i) ym mharagraff (a), ar y dechrau mewnosoder “in relation to a principal council in England,”;

(ii) ar ôl paragraff (a) mewnosoder –

“(aa) in relation to a principal council in Wales, public notice of the meeting must be given –

(i) in accordance with subsection (6A), and

(ii) by publishing the notice electronically,

at least three clear days before the meeting or, if the meeting is convened at shorter notice, then at the time it is convened;”

(b) ar ôl is-adran (6) mewnosoder –

“(6A) The notice given under subsection (6)(aa) must –

(a) where the meeting or part of the meeting is open to the public and is held through remote means only, give details of the time of the meeting and how to access it;

(b) where the meeting or part of the meeting is open to the public and is held partly through remote means or is not held through remote means, give details of the time and place of the meeting and how to access it;

(c) where the meeting is not open to the public and is held partly through remote means or is not held through remote means, give details of the time and place of the meeting and the fact that it is not open to the public;

(d) where the meeting is not open to the public and is held through remote means only, give details of the time of the meeting, and the fact that it is being held through remote means only and is not open to the public.”

2 Yn adran 100K o Ddeddf 1972 (dehongli a chymhwyso Rhan 5A), yn is-adran (3) ar ôl “sections 100A(6)(a)” mewnosoder “and (aa)”.



- 3 Ym mharagraff 4 o Atodlen 12 i Ddeddf 1972 (hysbysiadau am gyfarfodydd prif gynghorau) –
- (a) yn is-baragraff (2), ar ôl “in Wales” mewnosoder “or, if the meeting is convened at shorter notice, then at the time it is convened”;
 - (b) yn is-baragraff (2)(a) –
 - (i) yn lle “of the time and place of the intended meeting shall be published at the council’s offices” rhodder “of the intended meeting containing the information required by sub-paragraph (2A) must be published electronically”, a
 - (ii) yn lle “be signed by” rhodder “set out the names of”;
 - (c) ar ôl is-baragraff (2) mewnosoder –
 - “(2A) The information required to be in a notice under sub-paragraph (2)(a) consists of –
 - (a) where the meeting or part of the meeting is open to the public and is held through remote means only, details of the time of the meeting and how to access it;
 - (b) where the meeting or part of the meeting is open to the public and is held partly through remote means or is not held through remote means, details of the time and place of the meeting and how to access it;
 - (c) where the meeting is not open to the public and is held partly through remote means or is not held through remote means, details of the time and place of the meeting and the fact that it is not open to the public;
 - (d) where the meeting is not open to the public and is held through remote means only, details of the time of the meeting and the fact that it is being held through remote means only and is not open to the public.
 - (2B) In sub-paragraph (2A), references to a meeting held through remote means are to a meeting held by means of any equipment or other facility which enables persons who are not in the same place to speak to and be heard by each other (whether or not the equipment or facility enables those persons to see and be seen by each other).”
- 4 Ym mharagraff 26 o Atodlen 12 i Ddeddf 1972 (hysbysiadau am gyfarfodydd cynghorau cymuned) –
- (a) yn is-baragraff (2), ar ôl “community council” mewnosoder “or, if the meeting is convened at shorter notice, then at the time it is convened”;
 - (b) yn is-baragraff (2)(a) –
 - (i) yn lle “of the time and place of the intended meeting” rhodder “of the meeting containing the information required by sub-paragraph (2ZA)”, a
 - (ii) yn lle “be signed by” rhodder “set out the names of”;



(c) ar ôl is-baragraff (2) mewnosoder –

“(2ZA) The information required to be in a notice under sub-paragraph (2)(a) consists of –

- (a) where the meeting or part of the meeting is open to the public and is held through remote means only, details of the time of the meeting and how to access it;
- (b) where the meeting or part of the meeting is open to the public and is held partly through remote means or is not held through remote means, details of the time and place of the meeting and how to access it;
- (c) where the meeting is not open to the public and is held partly through remote means or is not held through remote means, details of the time and place of the meeting and the fact that it is not open to the public;
- (d) where the meeting is not open to the public and is held through remote means only, details of the time of the meeting and the fact that it is being held through remote means only and is not open to the public.

(2ZB) In sub-paragraph (2ZA), references to a meeting held through remote means are to a meeting held by means of any equipment or other facility which enables persons who are not in the same place to speak to and be heard by each other (whether or not the equipment or facility enables those persons to see and be seen by each other).”

5 Yn adran 1 o Ddeddf Cyrff Cyhoeddus (Mynediad at Gyfarfodydd) 1960 (p. 67) (rhoi mynediad at gyfarfodydd i’r cyhoedd) –

- (a) yn is-adran (4)(a), ar y diwedd mewnosoder “(but see subsections (4ZA) to (4ZC) for further provision in relation to notices of meetings of certain bodies in Wales)”;
- (b) ar ôl is-adran (4), mewnosoder –

“(4ZA) Subsection (4ZB) applies to community councils and joint boards or joint committees which discharge functions of community councils or of community councils and of a principal council in Wales within the meaning of the Local Government Act 1972.

(4ZB) In the case of a meeting of a body to which this subsection applies –

- (a) a copy of the notice mentioned in subsection (4)(a) must also be published electronically at least three clear days before the meeting or, if the meeting is convened at shorter notice, then at the time it is convened;
- (b) if the meeting is held partly through remote means, the notice under subsection (4)(a) must give details of how to access the meeting (as well as its time and place);



- (c) if the meeting is held through remote means only, the notice under subsection (4)(a) must give details of how to access the meeting as well as its time, but not its place.

(4ZC) In subsection (4ZB) –

- (a) references to a meeting held through remote means are to a meeting held by means of any equipment or other facility which enables persons who are not in the same place to speak to and be heard by each other (whether or not the equipment or facility enables those persons to see and be seen by each other);
- (b) the requirement imposed on a body to publish a notice electronically is, where the body has its own website, a requirement to publish on that website.”

Copiau o ddogfennau sy'n ymwneud â chyfarfodydd awdurdodau lleol a chyhoeddi'r dogfennau hynny

- 6 (1) Mae adran 100B o Ddeddf 1972 (mynediad at agenda ac at adroddiadau cysylltiedig) wedi ei diwygio fel a ganlyn.
- (2) Yn is-adrannau (1), (4), (6) a (7)(a) ar ôl “principal council” mewnosoder “in England”.
- (3) Yn y pennawd, ar ôl “reports” mewnosoder “: principal councils in England”.
- 7 Ar ôl adran 100B o Ddeddf 1972 (mynediad at agenda ac at adroddiadau cysylltiedig), mewnosoder –

“100BA Access to agenda and connected reports: principal councils in Wales

- (1) Copies of the agenda for a meeting of a principal council in Wales and copies of any report for the meeting must be published –
 - (a) electronically, and
 - (b) in accordance with subsections (3) to (5).
- (2) If the proper officer thinks fit, there may be excluded from the copies of reports published under subsection (1) the whole of a report which, or any part which, relates only to items during which, in the officer’s opinion, the meeting is likely not to be open to the public.
- (3) A document required to be published under subsection (1) must be published at least three clear days before the meeting, or, if the meeting is convened at shorter notice, then at the time it is convened.
- (4) If an item is added to an agenda, copies of which have been published, copies of the item or revised agenda and copies of any report for the meeting relating to the item must be published at the time the item is added to the agenda.
- (5) Nothing in subsections (3) and (4) requires a document or copies of an agenda, item or report to be published until the document or copies are available to members of the council.



- (6) An item of business may not be considered at a meeting of a principal council in Wales unless either –
- (a) a copy of the agenda including the item (or a copy of the item) is published electronically at least three clear days before the meeting, or, if the meeting is convened at shorter notice, at the time it is convened, or
 - (b) by reason of special circumstances, which must be specified in the minutes, the chair of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency.
- (7) Where the whole or part of a report is excluded under subsection (2) –
- (a) every copy of the report or of the part must be marked “Not for publication”, and
 - (b) there must be stated on every copy of the report or of the part a description, in terms of Schedule 12A, of the exempt information by virtue of which the council is likely to exclude the public during the item to which the report relates.
- (8) Where a meeting of a principal council in Wales –
- (a) is required by section 100A to be open to the public during the proceedings or part of them, and
 - (b) is not held through remote means only,
- there must be made available for the use of members of the public present at the meeting a reasonable number of copies of the agenda and of the reports for the meeting.
- (9) There must, on request and on payment of postage or other necessary charge for transmission, be supplied for the benefit of any newspaper –
- (a) a copy of the agenda for a meeting of a principal council in Wales and a copy of each of the reports for the meeting,
 - (b) such further statements or particulars, if any, as are necessary to indicate the nature of the items included in the agenda, and
 - (c) if the proper officer thinks fit in the case of any item, copies of any other documents supplied to members of the council in connection with the item.
- (10) Subsection (2) applies in relation to copies of reports provided under subsection (8) or (9) as it applies in relation to copies of reports published under subsection (1).”

- 8 (1) Mae adran 100C o Ddeddf 1972 (edrych ar gofnodion a dogfennau eraill ar ôl cyfarfodydd) wedi ei diwygio fel a ganlyn.
- (2) Yn is-adran (1), ar ôl “principal council” mewnosoder “in England”.



(3) Ar ôl is-adran (1) mewnosoder –

“(1A) After a meeting of a principal council in Wales the documents listed in subsection (1B) must –

- (a) be published electronically, and
- (b) remain accessible electronically to members of the public until the expiration of the period of six years beginning with the date of the meeting.

(1B) The documents are –

- (a) the minutes, or a copy of the minutes, of the meeting, excluding so much of the minutes of proceedings during which the meeting was not open to the public as discloses exempt information,
- (b) where applicable, a summary under subsection (2),
- (c) a copy of the agenda for the meeting, and
- (d) a copy of so much of any report for the meeting as relates to any item during which the meeting was open to the public.

(1C) As soon as reasonably practicable after a meeting of a principal council in Wales, and in any event before the end of seven working days beginning with the day on which the meeting is held, the council must publish electronically a note setting out –

- (a) the names of the members who attended the meeting, and any apologies for absence;
- (b) any declarations of interest;
- (c) any decision taken at the meeting, including the outcomes of any votes, but excluding anything relating to a decision taken when the meeting was not open to the public as discloses exempt information.”

(4) Yn is-adran (2), ar ôl “subsection (1)(a) above” mewnosoder “, or the document published under subsections (1A) and (1B)(a),”.

(5) Yn y pennawd ar ôl “Inspection” mewnosoder “and publication”.

9 (1) Mae adran 100D o Ddeddf 1972 (papurau cefndirol) wedi ei diwygio fel a ganlyn.

(2) Yn is-adran (1) –

- (a) ar ôl “members of the public” mewnosoder “, or are required by section 100BA(1) or 100C(1A) to be published electronically”;
- (b) hepgorer yr “and” ar ôl paragraff (a);
- (c) ym mharagraff (b) ar y dechrau mewnosoder “in relation to a principal council in England,”;

(d) ar ôl paragraff (b) mewnosoder “, and



- (c) in relation to a principal council in Wales, each of the documents included in that list must be published electronically, but if in the opinion of the proper officer it is not reasonably practicable to publish a document included in the list electronically at least one copy of the document must be open to inspection at the offices of the council."
- (3) Yn is-adran (2) ar y dechrau mewnosoder "In relation to a principal council in England,".
- (4) Ar ôl is-adran (2) mewnosoder –
- “(2A) In relation to a principal council in Wales, copies of documents included in the list must –
- (a) where they are published under subsection (1)(c), remain accessible electronically to members of the public until the expiration of the period of six years beginning with the date of the meeting, and
- (b) where they are open to inspection under subsection (1)(c), be open to inspection by members of the public at the offices of the council until the expiration of that period.”
- (5) Yn is-adran (4)(b) ar ôl "the public" mewnosoder "or published electronically".
- (6) Yn y pennawd ar ôl "Inspection" mewnosoder "and publication".
- 10 (1) Mae adran 100H o Ddeddf 1972 (darpariaeth atodol ynghylch mynediad at gyfarfodydd a dogfennau) wedi ei diwygio fel a ganlyn.
- (2) Yn is-adran (2), ar y dechrau mewnosoder "In relation to a principal council in England,".
- (3) Ar ôl is-adran (2) mewnosoder –
- “(2A) In relation to a principal council in Wales, where a document is open to inspection by a person under any provision of this Part the person may, subject to subsection (3) below –
- (a) make copies of the document or parts of the document, or
- (b) require the person having custody of the document to provide a copy of the document or of parts of the document,
- upon payment of such reasonable fee as may be required for the facility.”
- (4) Yn is-adran (3) –
- (a) yn lle "Subsection (2) above does" rhodder "Subsections (2), (2A) and (6A) do";
- (b) yn lle "that subsection" rhodder "those subsections".
- (5) Ar ôl is-adran (3) mewnosoder –
- “(3A) Provisions in this Part which require the publication of documents by a principal council in Wales do not require or authorise the doing of any act which infringes the copyright in any work except that, where the owner of the copyright is the council, nothing done in pursuance of those provisions constitutes an infringement of the copyright.”



- (6) Yn is-adran (5) –
- (a) hepgorer yr “or” ar ôl paragraff (a);
 - (b) ar ôl paragraff (a), mewnosoder –
 - “(aa) is published electronically by a principal council in Wales, or”;
 - (c) ym mharagraff (b), ar ôl “100B(7)” mewnosoder “or 100BA(9)”.
- (7) Yn is-adran (6) –
- (a) ym mharagraff (b), ar ôl “100B(7)(b)” mewnosoder “or 100BA(9)(b)”;
 - (b) ym mharagraff (c), ar ôl “100B(7)(c)” mewnosoder “or 100BA(9)(c)”;
 - (c) ar ôl paragraff (e), mewnosoder –
 - “(f) the note required to be published by a principal council in Wales under section 100C(1C).”
- (8) Ar ôl is-adran (6) mewnosoder –
- “(6A) A principal council in Wales must put in place facilities for members of the public who would otherwise not be able to do so, to access –
 - (a) notices or other documents required to be published electronically under sections 100A(6)(aa), 100BA(1), 100C(1A) and (1C) and 100D(1)(c), and
 - (b) documents required to remain accessible electronically under sections 100C(1A) and 100D(2A)(a).”
- (9) Ar ôl is-adran (7) mewnosoder –
- “(8) A principal council in Wales must have regard to any guidance issued by the Welsh Ministers about the exercise of its functions relating to the publication, provision and inspection of documents under this Part.”
- 11 Yn adran 228(1) o Ddeddf 1972 (cofnodion cyfarfodydd cyngor cymuned), hepgorer “or community”.
- 12 Ar ôl paragraff 26 o Atodlen 12 i Ddeddf 1972 (hysbysïadau am gyfarfodydd cynghorau cymuned), mewnosoder –
- “26ZA(1)As soon as reasonably practicable after a meeting of a community council, and in any event before the end of seven working days beginning with the day on which the meeting is held, the council must publish electronically a note setting out –
 - (a) the names of the members who attended the meeting, and any apologies for absence;
 - (b) any declarations of interest;
 - (c) any decision taken at the meeting, including the outcomes of any votes.
 - (2) The duty under sub-paragraph (1)(c) to publish a note setting out any decisions does not apply –



- (a) in relation to a decision relating to business which was transacted in private, or
- (b) where disclosure of the information would be contrary to any enactment."

Cymhwyso i bwyllgorau ac is-bwyllgorau

- 13 Yn adran 100E o Ddeddf 1972 (cymhwyso i bwyllgorau ac is-bwyllgorau), yn is-adran (2) –
- (a) hepgorer yr "and" ar ôl paragraff (b);
 - (b) ar ôl paragraff (b) mewnosoder –
 - "(ba) the requirement in sections 100A(6)(aa), 100BA(1), 100C(1A) and (1C) and 100D(1)(c) to publish a document electronically is complied with if it is published electronically by every constituent principal council;
 - (bb) the requirement in sections 100C(1A) and 100D(2A)(a) for a document to remain accessible electronically is complied with if the document remains accessible on the website of every constituent principal council; and";
 - (c) ym mharagraff (c), ar ôl "100D(1)" mewnosoder "and (2A)(b)".

Cymhwyso a dehongli

- 14 Yn adran 100J o Ddeddf 1972 (cymhwyso i awdurdodau eraill etc.), ar ôl is-adran (4AA) mewnosoder –
- "(4AB) References to a principal council in Wales in this Part include –
- (a) a National Park authority for a National Park in Wales;
 - (b) a fire and rescue authority for an area in Wales;
 - (c) a joint board or joint committee which falls within subsection (2) and which discharges functions of two or more principal councils in Wales."

15 Yn adran 100K o Ddeddf 1972 (dehongli a chymhwyso Rhan 5A), ar ôl is-adran (1) mewnosoder –

"(1A) In this Part references to a meeting of a principal council in Wales held through remote means are to a meeting held by means of any equipment or other facility which enables persons who are not in the same place to speak to and be heard by each other (whether or not the equipment or facility enables those persons to see and be seen by each other)."

16 Yn adran 270 o Ddeddf 1972 (dehongli), ar ôl is-adran (1) mewnosoder –

"(1A) A requirement to publish a notice or document electronically, imposed by –

 - (a) this Act on a local authority in Wales, or



(b) Part 5A on a body or authority in Wales (other than a principal council),

is, where such an authority has its own website, a requirement to publish on that website.”

Cyhoeddi hysbysiadau cyhoeddus a roddir gan awdurdodau lleol

17 (1) Mae adran 232 o Ddeddf 1972 (hysbysiadau cyhoeddus) wedi ei diwygio fel a ganlyn.

(2) Yn is-adran (1) –

(a) hepgorer yr “and” ar ddiwedd paragraff (a);

(b) ar ôl paragraff (b) mewnosoder “; and

(c) where the local authority is a local authority in Wales, by publishing it electronically.”

(3) Hepgorer is-adran (1ZA).

(4) Ar ôl is-adran (2) mewnosoder –

“(3) The Welsh Ministers may by regulations make further or different provision about the manner of giving a public notice required to be given by a local authority in Wales.

(4) Regulations under subsection (3) may also make provision about the manner of giving a public notice required to be given by –

(a) a National Park authority for a National Park in Wales;

(b) a fire and rescue authority constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004, or a scheme to which section 4 of that Act applies, for an area in Wales.

(5) Regulations under subsection (3) may –

(a) make different provision for different purposes;

(b) include supplementary, incidental, consequential, transitional, transitory or saving provision (including provision amending, modifying, repealing or revoking any enactment (including this Act and the Local Government and Elections (Wales) Act 2021)).

(6) A statutory instrument containing regulations under subsection (3) must not be made unless a draft of the instrument has been laid before and approved by resolution of Senedd Cymru.”

18 Yn Atodlen 7 i Ddeddf yr Amgylchedd 1995 (p. 25) (awdurdodau Parciau Cenedlaethol), ym mharagraff 17(2)(d) (cymhwyso darpariaethau Deddf 1972 ynghylch cyflwyno a dilysu dogfennau i awdurdodau Parciau Cenedlaethol) yn lle “to 234” rhodder “, 232 (other than subsection (1)(c)), 233 and 234”.

Cyflwyno gwysion ar ffurf electronig i aelodau fynychu cyfarfodydd awdurdodau lleol

19 (1) Mae Atodlen 12 i Ddeddf 1972 wedi ei diwygio fel a ganlyn.



- (2) Ym mharagraff 4(2)(b) (gwysion i gyfarfodydd prif gynghorau) –
- (a) yn lle “signed” rhodder “authenticated”;
 - (b) yn lle’r geiriau o “shall” hyd at ddiwedd y paragraff hwnnw rhodder “must, subject to sub-paragraph (3), be sent to every member of the council electronically; and each member must specify an electronic address for that purpose.”
- (3) Ar ôl paragraff 4(2B) (a fewnosodir gan baragraff 3(c) o’r Atodlen hon), mewnosoder –
- “(2C) In sub-paragraph (2)(b) “authenticated” means signed or otherwise authenticated in such manner as the proper officer considers appropriate.”
- (4) Ym mharagraff 4(3) yn lle’r geiriau o “some address” hyd at ddiwedd yr is-baragraff hwnnw rhodder “an address specified in the notice rather than electronically, such summonses must be sent to that member by being left at, or sent by post to, that address.”
- (5) Ym mharagraff 26(2)(b) (gwysion i gyfarfodydd cynghorau cymuned) –
- (a) yn lle “signed” rhodder “authenticated”;
 - (b) yn lle’r geiriau o “shall” hyd at ddiwedd y paragraff hwnnw, rhodder “must, subject to sub-paragraph (2C), be sent to every member of the council electronically; and each member must specify an electronic address for that purpose.”
- (6) Ar ôl paragraff 26(2A), mewnosoder –
- “(2B) In sub-paragraph (2)(b) “authenticated” means signed or otherwise authenticated in such manner as the proper officer considers appropriate.
- (2C) If a member of a community council gives notice in writing to the proper officer of the council that summonses to attend meetings of the council should be sent to the member at an address specified in the notice rather than electronically, such summonses must be sent to that member by being left at, or sent by post to, that address.”

Lleoliad cyfarfodydd cyngor cymuned

- 20 (1) Ym mharagraff 26 o Atodlen 12 i Ddeddf 1972, yn lle is-baragraff (1) rhodder –
- “(1) Meetings of the community council and its committees and sub-committees are to be held at such place, either within or outside the council’s area, as the council may direct.”
- (2) O ganlyniad i is-baragraff (1), yn Atodlen 6 i Ddeddf Trwyddedu 2003 (p. 17) (mân ddiwygiadau a diwygiadau canlyniadol) hepgorer paragraff 61(2)(b).

Hysbysiadau am gyfarfodydd pwyllgorau ac is-bwyllgorau cyngor cymuned i’w cyhoeddi

- 21 Ym mharagraff 26 o Atodlen 12 i Ddeddf 1972, ar ôl is-baragraff (2C) (a fewnosodir gan baragraff 19(6) o’r Atodlen hon) mewnosoder –



- “(2D) At least three clear days before a meeting of a committee or sub-committee of a community council, notice of the time and place of the intended meeting must be published electronically and fixed in a conspicuous place in the community.
- (2E) If the chairman of a committee or sub-committee of a community council considers that a meeting of the committee or sub-committee should take place urgently, sub-paragraph (2D) has effect as if for the words “three clear days” there were substituted “twenty four hours”.”

Darpariaeth arbed

22 Mae adrannau 100A i 100D a 100H o Ddeddf 1972 yn gymwys i gynghorau iechyd cymuned a phwyllgorau iechyd cymuned yn unol ag adran 1 o Ddeddf Cynghorau Iechyd Cymuned (Mynediad at Wybodaeth) 1988 (p. 24) (mynediad at gyfarfodydd a dogfennau cynghorau iechyd cymuned) fel pe na bai'r diwygiadau a wneir gan baragraffau 1,2 a 6 i 10 o'r Atodlen hon wedi eu gwneud.

RHAN 2

MYNYCHU CYFARFODYDD AWDURDODAU LLEOL: DIWYGIADAU CANLYNIADOL

Mynychu cyfarfodydd awdurdodau lleol: diwygiadau sy'n ganlyniadol ar adran [yr adran sy'n cael ei mewnosod gan Welliant 15]

- 23 (1) Yn Rhan 4 o Atodlen 12 i Ddeddf 1972 (cyfarfodydd cyngor cymuned), ym mharagraff 29 yn lle is-baragraff (1) rhodder –
- “(1) The manner of voting at meetings of a community council is to be decided by the council, but (if a vote is necessary on the question) the proper officer is to determine the manner of voting on that decision; if agreement cannot be reached, the proper officer is to determine the manner of voting on all other matters.”
- (2) Ym Mesur 2011, hepgorer adran 4 (mynychu cyfarfodydd o bell).
- (3) Yn Neddf 2013, hepgorer adran 59 (mynychu cyfarfodydd prif gynghorau o bell).
- (4) Yn Rheoliadau Awdurdodau Lleol (Trefniadau Gweithrediaeth) (Swyddogaethau a Chyfrifoldebau) (Cymru) 2007 (O.S. 2007/399), yn Atodlen 1 (swyddogaethau nad ydynt i fod yn gyfrifoldeb i weithrediaeth), yn y tabl yn Rhan Ff (swyddogaethau amrywiol), ar ôl paragraff 18 mewnosoder –

“19 Y ddyletswydd i wneud trefniadau ar gyfer cynnal cyfarfodydd prif gyngor neu ei weithrediaeth	Adran [yr adran sy'n cael ei mewnosod gan Welliant 15](1) o Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021”
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Julie James

71

Schedule 11, page 163, line 35, after 'information', insert 'and documents'.

Atodlen 11, tudalen 163, llinell 35, ar ôl 'wybodaeth', mewnosoder 'a'r dogfennau'.

