

HYSBYSIAD YNGHYLCH GWELLIANNAU NOTICE OF AMENDMENTS

Cyflwynwyd ar 5 Chwefror 2021
Tabled on 5 February 2021

Bil Etholiadau Cymru (Coronafeirws) Welsh Elections (Coronavirus) Bill

Mark Isherwood

10

Section 2, page 1, after line 14, insert –

‘() Section 4 of the 2006 Act (power to vary date of ordinary general election) has effect subject to the provisions of section 6[*(first subsection to be inserted by amendment 18)*].’.

Adran 2, tudalen 1, ar ôl llinell 14, mewnosoder –

‘() Mae adran 4 o Ddeddf 2006 (pŵer i amrywio dyddiad yr etholiad cyffredinol arferol) yn cael effaith yn ddarostyngedig i ddarpariaethau adran 6[*(yr is-adran gyntaf sy'n cael ei mewnosod gan welliant 18)*].’.

Mark Isherwood

11

Page 1, after line 33, insert a new section –

[] Equality of opportunity for all people seeking election

(1) During the pre-dissolution period, Members of the Senedd, the First Minister, the Welsh Ministers and the Counsel General must carry out their duties and responsibilities with due regard to the principle that there must be equality of opportunity for all persons seeking election to Senedd Cymru.

(2) In this section “pre-dissolution period” means the period beginning on 7 April 2021 and ending on the day immediately before the dissolution of Senedd Cymru in accordance with sections 3(1) or 3(2).’.



Tudalen 1, ar ôl llinell 33, mewnosoder adran newydd –

[] Cyfle cyfartal i bob person sy'n ceisio cael ei ethol

- (1) Yn ystod y cyfnod cyn diddymu, rhaid i Aelodau o'r Senedd, y Prif Weinidog, Gweinidogion Cymru a'r Cwnsler Cyffredinol gyflawni eu dyletswyddau a'u cyfrifoldebau gan roi sylw dyladwy i'r egwyddor bod rhaid i bob person sy'n ceisio cael ei ethol i Senedd Cymru gael cyfle cyfartal.
- (2) Yn yr adran hon, ystyr "y cyfnod cyn diddymu" yw'r cyfnod sy'n dechrau ar 7 Ebrill 2021 ac sy'n dod i ben ar y diwrnod yn union cyn diddymu Senedd Cymru yn unol ag adrannau 3(1) neu 3(2).'

Mark Isherwood

12

Section 5, page 2, line 6, leave out 'for a reason relating to coronavirus,' and insert –

'at the time of making the proposal –

- (a) Wales is subject to alert level 4 restrictions,
- (b) SAGE estimates that the reproduction (R) number of coronavirus for Wales is above 1.2,
- (c) Public Health Wales estimate that the rolling 7 day case rate of coronavirus per 100,000 people in Wales has increased in the two week period immediately beforehand, and'.

Adran 5, tudalen 2, llinell 6, hepgorer 'os yw'r Prif Weinidog, am reswm sy'n ymwneud â'r coronafeirws,' a mewnosoder –

', ar adeg gwneud y cynnig –

- (a) os yw Cymru yn ddarostyngedig i gyfyngiadau lefel rhybudd 4,
- (b) os yw SAGE yn amcangyfrif bod rhif atgynhyrchu'r coronafeirws yng Nghymru yn uwch nag 1.2,
- (c) os yw Iechyd Cyhoeddus Cymru yn amcangyfrif bod y gyfradd 7 niwrnod treigl o achosion coronafeirws fesul 100,000 o bobl yng Nghymru wedi cynyddu yn y cyfnod o bythefnos yn union cyn hynny, ac os yw'r Prif Weinidog'.

Mark Isherwood

13

Section 5, page 2, line 17, leave out '5 November' and insert '9 September'.

Adran 5, tudalen 2, llinell 17, hepgorer '5 Tachwedd' a mewnosoder '9 Medi'.

Mark Isherwood

14

Section 5, page 2, line 24, after 'may', insert 'not'.

Adran 5, tudalen 2, llinell 24, hepgorer 'Caniateir' a mewnosoder 'Ni chaniateir'.



Mark Isherwood

15

Section 5, page 2, line 24, leave out subsection (6) and insert –

- ‘() Subject to subsection [(*second subsection to be inserted by this*)], the powers in subsections (1) and (2) may be exercised more than once.
- () The powers in subsections (1) and (2) may not be exercised at any time after the beginning of the period of 11 days that ends immediately before the day of the poll for the 2021 election.
- () In calculating any period of days for the purposes of section 5[(*second subsection to be inserted by this amendment*)], the following days are to be disregarded –
 - (a) Saturday and Sunday,
 - (b) any day which is a bank holiday in Wales under the Banking and Financial Dealings Act 1971 (c. 80), and
 - (c) any day appointed for public thanksgiving or mourning.’

Adran 5, tudalen 2, llinell 24, hepgorer is-adran (6) a mewnosoder –

- ‘(6) Yn ddarostyngedig i is-adran [(*yr ail is-adran sy’n cael ei mewnosod gan y welliant hwn*)], caniateir i’r pwerau yn is-adrannau (1) a (2) gael eu harfer fwy nag unwaith.
- (7) Ni chaniateir i’r pwerau yn is-adrannau (1) a (2) gael eu harfer ar unrhyw adeg ar ôl dechrau’r cyfnod o 11 o ddiwrnodau sy’n dod i ben yn union cyn diwrnod y pŵl ar gyfer etholiad 2021.
- (8) Wrth gyfrifo unrhyw gyfnod o ddiwrnodau at ddibenion adran 5[(*yr ail is-adran sy’n cael ei mewnosod gan y welliant hwn*)], mae’r diwrnodau canlynol i’w diystyru –
 - (a) dydd Sadwrn a dydd Sul,
 - (b) unrhyw ddiwrnod sy’n ŵyl y banc yng Nghymru o dan Ddeddf Bancio a Thrafodion Ariannol 1971 (p. 80), ac
 - (c) unrhyw ddiwrnod a bennwyd ar gyfer diolchgarwch neu alar cyhoeddus.’

Mark Isherwood

16

Section 5, page 2, after line 26, insert –

- ‘(8) In this section –
 - “alert level 4 restrictions” means those restrictions and requirements contained in Schedule 4 of the Health Protection (Coronavirus Restrictions) (No.5) (Wales) Regulations 2020 as amended;
 - “SAGE” means the Scientific Advisory Group for Emergencies.’

Adran 5, tudalen 2, ar ôl llinell 26, mewnosoder –

- ‘(8) Yn yr adran hon –
 - ystyr “cyfyngiadau lefel rhybudd 4” yw’r cyfyngiadau a’r gofynion hynny sydd wedi eu cynnwys yn Atodlen 4 i Reoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 5) (Cymru) 2020 fel y’u diwygiwyd;



ystyr "SAGE" yw'r Grŵp Cyngori Gwyddonol ar Argyfyngau.'.

Mark Isherwood 17

Section 6, page 2, line 32, leave out '5 November' and insert '9 September'.

Adran 6, tudalen 2, llinell 33, hepgorer '5 Tachwedd' a mewnosoder '9 Medi'.

Mark Isherwood 18

Section 6, page 2, after line 33, insert –

- '() The power under either subsection (2) or section 4 of the 2006 Act may not be exercised at any time after the beginning of the period of 11 days that ends immediately before the day of the poll for the 2021 election.
- () In calculating any period of days for the purposes of section 6[(*first subsection to be inserted by this amendment*)], the following days are to be disregarded –
 - (a) Saturday and Sunday,
 - (b) any day which is a bank holiday in Wales under the Banking and Financial Dealings Act 1971 (c. 80), and
 - (c) any day appointed for public thanksgiving or mourning.'

Adran 6, tudalen 2, ar ôl llinell 34, mewnosoder –

- '() Ni chaniateir i'r pŵer o dan naill ai is-adran (2) neu adran 4 o Ddeddf 2006 gael ei arfer ar unrhyw adeg ar ôl dechrau'r cyfnod o 11 o ddiwrnodau sy'n dod i ben yn union cyn diwrnod y pŵl ar gyfer etholiad 2021.
- () Wrth gyfrifo unrhyw gyfnod o ddiwrnodau at ddibenion adran (6)[(*yr is-adran gyntaf sy'n cael ei mewnosod gan y welliant hwn*)], mae'r diwrnodau canlynol i'w diystyru –
 - (a) dydd Sadwrn a dydd Sul,
 - (b) unrhyw ddiwrnod sy'n wyl y banc yng Nghymru o dan Ddeddf Bancio a Thrafodion Ariannol 1971 (p. 80), ac
 - (c) unrhyw ddiwrnod a bennwyd ar gyfer diolchgarwch neu alar cyhoeddus.'

Mark Isherwood 19

Section 7, page 3, line 9, after 'may', insert 'not'.

Adran 7, tudalen 3, llinell 9, hepgorer 'caniateir' a mewnosoder 'ni chaniateir'.

Mark Isherwood 20

Section 7, page 3, line 10, leave out '5 November' and insert '9 September'.

Adran 7, tudalen 3, llinell 10, hepgorer '5 Tachwedd' a mewnosoder '9 Medi'.



Mark Isherwood 21

Section 8, page 3, line 22, leave out '5 November' and insert '9 September'.

Adran 8, tudalen 3, llinell 23, hepgorer '5 Tachwedd' a mewnosoder '9 Medi'.

Mark Isherwood 22

Section 8, page 3, line 26, leave out '5 November' and insert '9 September'.

Adran 8, tudalen 3, llinell 27, hepgorer '5 Tachwedd' a mewnosoder '9 Medi'.

Mark Isherwood 23

Section 8, page 3, line 27, leave out '5 November' and insert '9 September'.

Adran 8, tudalen 3, llinell 28, hepgorer '5 Tachwedd' a mewnosoder '9 Medi'.

Mark Isherwood 24

Section 8, page 3, line 28, after 'may', insert 'not'.

Adran 8, tudalen 3, llinell 29, hepgorer 'Caniateir' a mewnosoder 'Ni chaniateir'.

Mark Isherwood 25

Section 12, page 6, after line 35, insert—

- '(4) Regulations under subsection (1) must not make provision for polling at the 2021 election to take place on a day or days additional to the day of the poll.
- (5) In this section "the day of the poll" means 6 May 2021, or, where the Llywydd has exercised the power conferred by section 4(1) of the 2006 Act or section 5(2) or section 6(2) of this Act, the day fixed or proposed by the Llywydd under those sections for the holding of the poll for the 2021 election.'

Adran 12, tudalen 6, ar ôl llinell 39, mewnosoder—

- '(4) Ni chaiff rheoliadau o dan is-adran (1) wneud darpariaeth i'r pleidleisio yn etholiad 2021 ddiwydd ar ddiwrnod neu ddiwrnodau sy'n ychwanegol at ddiwrnod y pôl.
- (5) Yn yr adran hon, ystyr "diwrnod y pôl" yw 6 Mai 2021, neu, pan fo'r Llywydd wedi arfer y pŵer a roddir gan adran 4(1) o Ddeddf 2006 neu adran 5(2) neu adran 6(2) o'r Ddeddf hon, y diwrnod a bennir neu a gynigir gan y Llywydd o dan yr adrannau hynny ar gyfer cynnal y pôl ar gyfer etholiad 2021.'

Mark Isherwood 1A

As an amendment to Amendment 1, line 3, after 'Wales' insert—

- '(b) the Electoral Commission, and



- (c) such other persons as the First Minister considers appropriate.’.

Fel gwelliant i Welliant 1, llinell 3, ar ôl ‘Cymru’ mewnosoder –

- ‘(b) y Comisiwn Etholiadol, ac
(c) unrhyw bersonau eraill y mae’r Prif Weinidog yn eu hystyried yn briodol.’.

Rhun ap Iorwerth

26

Section 2, page 1, after line 12, insert –

- ‘() Section 4 of the 2006 Act (power to vary date of ordinary general election) has effect for the 2021 election subject to the provisions of section [(*section to be inserted by amendment 29*)].’.

Adran 2, tudalen 1, ar ôl llinell 12, mewnosoder –

- ‘() Mae adran 4 o Ddeddf 2006 (pŵer i amrywio dyddiad yr etholiad cyffredinol arferol) yn cael effaith ar gyfer etholiad 2021 yn ddarostyngedig i ddarpariaethau adran [(*yr adran sy’n cael ei mewnosod gan welliant 29*)].’.

Rhun ap Iorwerth

27

Page 1, after line 33, insert a new section –

‘[] Pre-dissolution period

- (1) The Senedd shall enter a pre-dissolution period prior to dissolution.
- (2) The pre-dissolution period commences at the beginning of the twenty second day before dissolution and ends immediately before dissolution.
- (3) For the purposes of this section “dissolution” means the dissolution of Senedd Cymru in accordance with section 3(1) or 3(2).’.

Tudalen 1, ar ôl llinell 33, mewnosoder adran newydd –

‘[] Y cyfnod cyn diddymu

- (1) Rhaid i’r Senedd ddechrau cyfnod cyn diddymu cyn y diddymir y Senedd.
- (2) Mae’r cyfnod cyn diddymu yn cychwyn ar ddechrau’r ail ddiwrnod ar hugain cyn y diddymu ac yn dod i ben yn union cyn y diddymu.
- (3) At ddibenion yr adran hon, ystyr “diddymu” yw diddymu Senedd Cymru yn unol ag adran 3(1) neu 3(2).’.

Rhun ap Iorwerth

28

Page 1, after line 33, insert a new section –

‘[] Guidance for the pre-dissolution period



- (1) The First Minister must prepare and publish guidance which provides for restrictions on the business and activities that can be conducted by the Welsh Ministers during the pre-dissolution period.
- (2) The Senedd Commission must prepare and publish guidance regarding use during the pre-dissolution period of the property, staff and services provided to the Senedd in accordance with section 27(5) of the 2006 Act.
- (3) Guidance under subsections (1) and (2) must be published no later than the end of 14 days beginning with the day upon which this Act receives Royal Assent.
- (4) For the purpose of this section –

“pre-dissolution period” means the period commencing at the beginning of the twenty second day before dissolution and ending immediately before dissolution;

“dissolution” means the dissolution of Senedd Cymru in accordance with section 3(1) or 3(2).’.

Tudalen 1, ar ôl llinell 33, mewnosoder adran newydd –

[] Canllawiau ar gyfer y cyfnod cyn diddymu

- (1) Rhaid i’r Prif Weinidog lunio a chyhoeddi canllawiau sy’n darparu ar gyfer cyfyngiadau ar y busnes a’r gweithgareddau y caiff Gweinidogion Cymru eu cynnal yn ystod y cyfnod cyn diddymu.
- (2) Rhaid i Gomisiwn y Senedd lunio a chyhoeddi canllawiau ynghylch defnyddio eiddo, staff a gwasanaethau a ddarperir i’r Senedd yn ystod y cyfnod cyn diddymu yn unol ag adran 27(5) o Ddeddf 2006.
- (3) Rhaid cyhoeddi canllawiau o dan is-adrannau (1) a (2) heb fod yn hwyrach na diwedd y 14 o ddiwrnodau sy’n dechrau â’r diwrnod y caiff y Ddeddf hon y Cydsyniad Brenhinol.
- (4) At ddiben yr adran hon –

ystyr “y cyfnod cyn diddymu” yw’r cyfnod sy’n cychwyn ar ddechrau’r ail ddiwrnod ar hugain cyn y diddymu ac sy’n dod i ben yn union cyn y diddymu;

ystyr “diddymu” yw diddymu Senedd Cymru yn unol ag adran 3(1) neu 3(2).’.

Rhun ap Iorwerth

29

Page 2, after line 3, insert a new section –

[] Llywydd’s power to vary date of 2021 election

The Llywydd may not exercise her power under section 4(1) of the 2006 Act at any time after 28 April 2021.’.

Tudalen 2, ar ôl llinell 3, mewnosoder adran newydd –

[] Pŵer y Llywydd i amrywio dyddiad etholiad 2021



Ni chaiff y Llywydd arfer ei phŵer o dan adran 4(1) o Ddeddf 2006 ar unrhyw adeg ar ôl 28 Ebrill 2021.’.

Rhun ap Iorwerth 30

Section 5, page 2, after line 7, insert –

‘() The First Minister may not make a proposal under subsection (1) at any time after the beginning of the pre-dissolution period.’.

Adran 5, tudalen 2, ar ôl llinell 7, mewnosoder –

‘() Ni chaiff y Prif Weinidog wneud cynnig o dan is-adran (1) ar unrhyw adeg ar ôl dechrau’r cyfnod cyn diddymu.’.

Rhun ap Iorwerth 31

Section 5, page 2, at the beginning of line 24, insert ‘Subject to subsection [(*subsection to be inserted by amendment 30*)],’.

Adran 5, tudalen 2, ar ddechrau llinell 24, mewnosoder ‘Yn ddarostyngedig i is-adran [(*yr is-adran sy’n cael ei mewnosod gan welliant 30*)],’.

Rhun ap Iorwerth 32

Section 5, page 2, after line 24, insert –

‘() If the First Minister has not exercised the power under subsection (1) before 7 April 2021, he must lay a statement before Senedd Cymru which sets out –

- (a) the reasons for not exercising the power, and
- (b) whether, in the First Minister’s view, a full and fair election campaign can be conducted by all persons seeking election in the 2021 election which does not disadvantage any person eligible to vote in that election.’.

Adran 5, tudalen 2, ar ôl llinell 24, mewnosoder –

‘() Os nad yw’r Prif Weinidog wedi arfer y pŵer o dan is-adran (1) cyn 7 Ebrill 2021, rhaid iddo osod datganiad gerbron Senedd Cymru sy’n nodi –

- (a) y rhesymau dros beidio ag arfer y pŵer, a
- (b) a ellir cynnal ymgyrch etholiadol lawn a theg, ym marn y Prif Weinidog, gan bob person sy’n ceisio cael ei ethol yn etholiad 2021 nad yw’n rhoi unrhyw berson sy’n gymwys i bleidleisio yn yr etholiad hwnnw dan anfantais.’.

Rhun ap Iorwerth 33

Section 5, page 2, after line 26, insert –

‘(8) For the purpose of this section –



“pre-dissolution period” means the period commencing at the beginning of the twenty second day before dissolution and ending immediately before dissolution;

“dissolution” means the dissolution of Senedd Cymru in accordance with section 3(1) or 3(2).’.

Adran 5, tudalen 2, ar ôl llinell 26, mewnosoder –

‘(8) At ddiben yr adran hon –

ystyr “y cyfnod cyn diddymu” yw’r cyfnod sy’n cychwyn ar ddechrau’r ail ddiwrnod ar hugain cyn y diddymu ac sy’n dod i ben yn union cyn y diddymu;

ystyr “diddymu” yw diddymu Senedd Cymru yn unol ag adran 3(1) neu 3(2).’.

Rhun ap Iorwerth

34

Page 2, after line 37, insert a new section –

[] Duty to provide guidance: conduct of campaigning

- (1) The Welsh Ministers must, as soon as reasonably practicable, publish guidance about what election campaigning activities are permitted for the 2021 election under each level of coronavirus restrictions.
- (2) In this section “level of coronavirus restrictions” means the restrictions and requirements contained in Schedule 4 of the Health Protection (Coronavirus Restrictions) (No.5) (Wales) Regulations 2020 as amended.’.

Tudalen 2, ar ôl llinell 39, mewnosoder adran newydd –

[] Dyletswydd i ddarparu canllawiau: ymddygiad wrth ymgyrchu

- (1) Rhaid i Weinidogion Cymru, cyn gynted ag y bo’n rhesymol ymarferol, gyhoeddi canllawiau ynghylch pa weithgareddau ymgyrchu etholiadol a ganiateir ar gyfer etholiad 2021 o dan holl lefelau’r cyfyngiadau coronafeirws.
- (2) Yn yr adran hon, ystyr “lefelau’r cyfyngiadau coronafeirws” yw’r cyfyngiadau a’r gofynion sydd wedi eu cynnwys yn Atodlen 4 i Reoliadau Diogelu Iechyd (Cyfyngiadau Coronafeirws) (Rhif 5) (Cymru) 2020 fel y’u diwygiwyd.’.

Rhun ap Iorwerth

35

Page 6, after line 10, insert a new section –

[] Review: preparations for the holding of the poll

- (1) The Welsh Ministers must carry out reviews of the preparations for the holding of the poll for the 2021 election.
- (2) The first review must take place by 19 February 2021.
- (3) Subsequent reviews must take place at least once in each subsequent period of 21 days up until the poll for the 2021 election is held.



- (4) As soon as reasonably practicable after a review, the Welsh Ministers must lay before Senedd Cymru a statement summarising the result of the review and stating whether any postponement of the 2021 election is reasonably anticipated.’.

Tudalen 6, ar ôl llinell 11, mewnosoder adran newydd –

[] Adolygiad: paratodau ar gyfer cynnal y pŵl

- (1) Rhaid i Weinidogion Cymru gynnal adolygiadau o’r paratodau ar gyfer cynnal y pŵl ar gyfer etholiad 2021.
- (2) Rhaid cynnal yr adolygiad cyntaf erbyn 19 Chwefror 2021.
- (3) Rhaid cynnal adolygiadau dilynol o leiaf unwaith ym mhob cyfnod dilynol o 21 diwrnod hyd at gynnal y pŵl ar gyfer etholiad 2021.
- (4) Cyn gynted ag y bo’n rhesymol ymarferol ar ôl adolygiad, rhaid i Weinidogion Cymru osod gerbron Senedd Cymru ddatganiad yn crynhoi canlyniad yr adolygiad a nodi a yw’n rhesymol rhagweld unrhyw oedi i etholiad 2021.’.

