

# HYSBYSIAD YNGHYLCH GWELLIANNAU

## NOTICE OF AMENDMENTS

Cyflwynwyd ar 10 Mawrth 2023  
Tabled on 10 March 2023

### Bil Amaethyddiaeth (Cymru) Agriculture (Wales) Bill

**Samuel Kurtz** 1

**Gyda chefnogaeth / Supported by: Luke Fletcher**

Section 1, page 1, line 30, after 'to', insert 'support farmers to'.

Adran 1, tudalen 1, llinell 31, hepgorer 'cadw' a mewnosoder 'cefnogi ffermwyr i gadw'.

**Samuel Kurtz** 2

Section 1, page 1, line 31, after 'promote', insert 'existing'.

Adran 1, tudalen 1, llinell 32, ar ôl 'mynediad', mewnosoder 'presennol'.

**Samuel Kurtz** 3

**Gyda chefnogaeth / Supported by: Luke Fletcher**

Section 1, page 1, line 31, after 'them,', insert 'to protect economic viability,'.

Adran 1, tudalen 1, llinell 32, ar ôl 'hwy,', mewnosoder 'diogelu hyfywedd economaidd,'.

**Samuel Kurtz** 4

**Gyda chefnogaeth / Supported by: Luke Fletcher**

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

'( ) The fifth objective is to seek to safeguard rural livelihoods and communities, recognising the importance of sustainable and viable agricultural businesses and agricultural production to the rural economy, and in doing so –

(a) to meet the needs of the present without compromising the ability of future generations to meet their own needs, and

(b) to contribute to achieving the well-being goals in section 4 of the Well-being of Future Generations (Wales) Act 2015.'

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

- ‘( ) Y pumed amcan yw ceisio diogelu bywoliaethau a chymunedau gwledig, gan gydnabod pwysigrwydd busnesau amaethyddol cynaliadwy a hyfyw a chynhyrchu amaethyddol i’r economi wledig, ac wrth wneud hynny –
- (a) diwallu anghenion y presennol heb beryglu gallu cenedlaethau’r dyfodol i ddiwallu eu hanghenion eu hunain, a
  - (b) cyfrannu at gyflawni’r nodau llesiant yn adran 4 o Ddeddf Llesiant Cenedlaethau’r Dyfodol (Cymru) 2015.’.

**Samuel Kurtz**

5

Page 2, after line 11, insert a new section –

**[ ] Equal status of the objectives**

Each of the sustainable land management objectives in section 1 are to be treated equally and are to be considered together.’.

Tudalen 2, ar ôl llinell 11, mewnosoder adran newydd –

**[ ] Statws cyfartal yr amcanion**

Mae pob un o’r amcanion rheoli tir yn gynaliadwy yn adran 1 i’w trin yn gyfartal ac i’w hystyried gyda’i gilydd.’.

**Samuel Kurtz**

6

**Gyda chefnogaeth / Supported by: Luke Fletcher**

Page 4, after line 10, insert a new section –

**[ ] Productivity Report**

- (1) The Welsh Ministers must prepare a report under this section (a “Productivity Report”) in relation to each reporting period.
- (2) The Productivity Report must set out the Welsh Ministers’ assessment of agricultural productivity and levels of food production in Wales.
- (3) The Productivity Report may also assess and report on any other matters that the Welsh Ministers consider relevant for the purposes of assessing agricultural productivity and the levels of food production in Wales.
- (4) The Welsh Ministers must, no later than 12 months after the end of each reporting period –
  - (a) publish the Productivity Report that relates to that reporting period, and
  - (b) lay it before Senedd Cymru.
- (5) In this section, the “reporting period” means –
  - (a) in the case of the first Productivity Report, the period beginning with the day on which this section comes into force and ending two years later;
  - (b) in the case of subsequent Productivity Reports, successive periods of two years.
- (6) The Welsh Ministers may by regulations amend subsection (5).’.

Tudalen 4, ar ôl llinell 10, mewnosoder adran newydd –

**[1] Adroddiad Cynhyrchiant**

- (1) Rhaid i Weinidogion Cymru lunio adroddiad o dan yr adran hon (“Adroddiad Cynhyrchiant”) mewn perthynas â phob cyfnod adrodd.
- (2) Rhaid i'r Adroddiad Cynhyrchiant nodi asesiad Gweinidogion Cymru o gynhyrchiant amaethyddol a lefelau cynhyrchu bwyd yng Nghymru.
- (3) Caiff yr Adroddiad Cynhyrchiant hefyd asesu ac adrodd ar unrhyw faterion eraill y mae Gweinidogion Cymru yn ystyried eu bod yn berthnasol at ddibenion asesu cynhyrchiant amaethyddol a'r lefelau cynhyrchu bwyd yng Nghymru.
- (4) Rhaid i Weinidogion Cymru, ddim hwyrach na 12 mis ar ôl diwedd pob cyfnod adrodd –
  - (a) cyhoeddi'r Adroddiad Cynhyrchiant sy'n ymwneud â'r cyfnod adrodd hwnnw, a
  - (b) ei osod gerbron Senedd Cymru.
- (5) Yn yr adran hon, ystyr y “cyfnod adrodd” yw –
  - (a) yn achos yr Adroddiad Cynhyrchiant cyntaf, y cyfnod sy'n dechrau â'r diwrnod y mae'r adran hon yn dod i rym ac sy'n dod i ben ddwy flynedd yn ddiweddarach;
  - (b) yn achos Adroddiadau Cynhyrchiant dilynol, cyfnodau olynol o ddwy flynedd.
- (6) Caiff Gweinidogion Cymru ddiwygio is-adran (5) drwy reoliadau.’.

**Samuel Kurtz**

7

**Gyda chefnogaeth / Supported by: Luke Fletcher**

Section 5, page 4, after line 24, insert –

- ( ) a report that Welsh Government must publish and lay before Senedd Cymru relating to agricultural productivity and the levels of food production in Wales under section [section to be inserted by amendment 6], and’.

Adran 5, tudalen 4, ar ôl llinell 26, mewnosoder –

- ( ) adroddiad y mae'n rhaid i Lywodraeth Cymru ei gyhoeddi a'i osod gerbron Senedd Cymru sy'n ymwneud â chynhyrchiant amaethyddol a'r lefelau cynhyrchu bwyd yng Nghymru o dan adran [adran i'w mewnosod gan welliant 6], ac’.

**Samuel Kurtz**

8

Section 8, page 6, line 18, leave out ‘may, in particular, include’ and insert ‘includes, but is not limited to’.

Adran 8, tudalen 6, llinell 21, hepgorer ‘Caiff y cymorth hwnnw, yn benodol, gynnwys cymorth’ a mewnosoder ‘Mae'r cymorth hwnnw yn cynnwys, ond nid yw wedi'i gyfyngu i gymorth’.

**Samuel Kurtz**

9

**Gyda chefnogaeth / Supported by: Luke Fletcher**

Section 8, page 6, line 20, after ‘environmentally’, insert ‘, economically, socially and culturally’.

Adran 8, tudalen 6, llinell 23, ar ôl ‘amgylcheddol’, mewnosoder ‘, yn economaidd, yn gymdeithasol ac yn ddiwylliannol’.

**Samuel Kurtz**

**10**

Section 8, page 6, after line 20, insert –

‘() starting an agricultural activity, or improving the productivity of an agricultural activity;’.

Adran 8, tudalen 6, ar ôl llinell 23, mewnosoder –

‘() dechrau gweithgaredd amaethyddol, neu wella cynhyrchiant gweithgaredd amaethyddol;’.

**Samuel Kurtz**

**11**

Section 8, page 6, after line 20, insert –

‘() supporting new entrants to undertake an agricultural activity;’.

Adran 8, tudalen 6, ar ôl llinell 23, mewnosoder –

‘() cynorthwyo newydd-ddyfodiaid i ymgymryd â gweithgaredd amaethyddol;’.

**Samuel Kurtz**

**12**

Section 8, page 6, line 22, leave out ‘maximising’ and insert ‘optimising’.

Adran 8, tudalen 6, llinell 25, hepgorer ‘atafaelu a storio carbon i’r graddau gorau posibl’ a mewnosoder ‘optimeiddio atafaelu a storio carbon’.

**Samuel Kurtz**

**13**

Section 8, page 6, line 31, after ‘efficiency’, insert ‘, including the use of renewable energy and renewable technologies’.

Adran 8, tudalen 6, llinell 34, ar ôl ‘posibl’, mewnosoder ‘, gan gynnwys defnyddio ynni adnewyddadwy a thechnolegau ynni adnewyddadwy’.

**Samuel Kurtz**

**14**

**Gyda chefnogaeth / Supported by: Luke Fletcher**

Page 9, after line 2, insert a new section –

**[ ] Multi-annual support plans**

- (1) The Welsh Ministers must from time to time prepare a document (a “multi-annual support plan”) giving information about the expected use of the powers conferred on the Welsh Ministers by sections 8 and 9 during the period to which the plan relates (the “plan period”).
- (2) A multi-annual support plan must (as a minimum) –

- (a) specify the plan period,
  - (b) set out the Welsh Ministers’ strategic priorities for giving financial and other assistance during the plan period, and
  - (c) describe, in such manner and giving such detail as the Welsh Ministers consider appropriate, each support scheme that –
    - (i) is in operation, or
    - (ii) the Welsh Ministers expect to come into operation during the plan period.
- (3) The plan period for the first plan is the period of seven years beginning with 1 January 2025.
- (4) The plan period for a subsequent plan may not be shorter than five years.
- (5) The Welsh Ministers must ensure that the plan period for a plan does not expire without a new plan being in place.
- (6) A plan prepared under this section must be laid before Senedd Cymru, and published, by the Welsh Ministers –
- (a) in the case of the first plan, as soon as practicable before the beginning of the plan period for the plan, and
  - (b) in the case of a subsequent plan, at least 12 months before the beginning of the plan period for the plan.
- (7) Where, before the end of the plan period for a plan –
- (a) the Welsh Ministers’ strategic priorities for giving financial or other support change, or
  - (b) it appears to the Welsh Ministers that any information given in the plan by virtue of subsection (2)(c) has ceased to be accurate and complete,
- the Welsh Ministers must amend the plan accordingly as soon as it is practicable to do so.
- (8) A document setting out amendments being made to a plan must be laid before Senedd Cymru and published, by the Welsh Ministers, as soon as practicable after being prepared.
- (9) The Welsh Ministers must have regard to the strategic priorities set out in the plan by virtue of subsection (2)(b) when determining –
- (a) what financial or other support to give;
  - (b) the overall budget for, or for any period of operation of, a support scheme or any support otherwise provided.’.

Tudalen 9, ar ôl llinell 2, mewnosoder adran newydd –

**[ ] Cynlluniau cymorth amlflwydd**

- (1) Rhaid i Weinidogion Cymru, o dro i dro, lunio dogfen (“cynllun cymorth amlflwydd”) sy’n rhoi gwybodaeth am y defnydd disgwylidig o’r pwerau a roddir i Weinidogion Cymru gan adrannau 8 a 9 yn ystod y cyfnod y mae’r cynllun yn ymwneud ag ef (“cyfnod y cynllun”).
- (2) Rhaid i gynllun cymorth amlflwydd (o leiaf) –
  - (a) pennu cyfnod y cynllun,

- (b) nodi blaenoriaethau strategol Gweinidogion Cymru ar gyfer rhoi cymorth ariannol a chymorth arall yn ystod cyfnod y cynllun, ac
- (c) disgrifio, mewn unrhyw fodd a chan roi unrhyw fanylion y mae Gweinidogion Cymru yn ystyried eu bod yn briodol, bob cynllun cymorth –
  - (i) sydd yn weithredol, neu
  - (ii) y mae Gweinidogion Cymru yn disgwyl iddynt ddod yn weithredol yn ystod cyfnod y cynllun.
- (3) Cyfnod y cynllun ar gyfer y cynllun cyntaf yw'r cyfnod o saith mlynedd sy'n dechrau â 1 Ionawr 2025.
- (4) Ni chaiff cyfnod y cynllun ar gyfer cynllun dilynol fod yn fyrrach na phum mlynedd.
- (5) Rhaid i Weinidogion Cymru sicrhau nad yw cyfnod y cynllun ar gyfer cynllun yn dod i ben heb fod cynllun newydd ar waith.
- (6) Rhaid gosod cynllun a luniwyd o dan yr adran hon gerbron Senedd Cymru, a'i gyhoeddi, gan Weinidogion Cymru –
  - (a) yn achos y cynllun cyntaf, cyn gynted ag y bo'n ymarferol cyn dechrau cyfnod y cynllun ar gyfer y cynllun, a
  - (b) yn achos cynllun dilynol, o leiaf 12 mis cyn dechrau cyfnod y cynllun ar gyfer y cynllun.
- (7) Cyn diwedd cyfnod y cynllun ar gyfer cynllun –
  - (a) pan fo blaenoriaethau strategol Gweinidogion Cymru ar gyfer rhoi cymorth ariannol neu gymorth arall yn newid, neu
  - (b) pan fo'n ymddangos i Weinidogion Cymru fod unrhyw wybodaeth a roddwyd yn y cynllun yn rhinwedd is-adran 2(c) wedi peidio â bod yn gywir ac yn gyflawn, rhaid i Weinidogion Cymru ddiwygio'r cynllun yn unol â hynny cyn gynted ag y bo'n ymarferol gwneud hynny.
- (8) Rhaid gosod dogfen sy'n nodi'r diwygiadau a wneir i gynllun gerbron Senedd Cymru a'i chyhoeddi, gan Weinidogion Cymru, cyn gynted ag y bo'n ymarferol ar ôl iddi gael ei llunio.
- (9) Rhaid i Weinidogion Cymru roi sylw i'r blaenoriaethau strategol a nodwyd yn y cynllun yn rhinwedd is-adran (2)(b) wrth benderfynu –
  - (a) pa gymorth arall i'w roi;
  - (b) cyfanswm y gyllideb ar gyfer cynllun cymorth neu unrhyw gymorth a ddarperir fel arall neu ar gyfer unrhyw gyfnod pan fo cynllun cymorth neu unrhyw gymorth a ddarperir fel arall ar waith.'.

**Samuel Kurtz**

**15**

Page 9, after line 2, insert a new section –

**[ ] Statement of Intent**

- (1) The Welsh Ministers must from time to time prepare a document (a “statement of intent”) giving information about the expected use of the powers conferred on the Welsh Ministers by sections 8 and 9 during the period to which the statement relates (the “statement period”).

- (2) A statement of intent must (as a minimum) –
  - (a) specify the statement period,
  - (b) set out the Welsh Ministers’ intentions, subject to sufficient funding being available, for giving financial and other support during the statement period, and
  - (c) describe, in such manner and giving such detail as the Welsh Ministers consider appropriate, each support scheme that –
    - (i) is in operation, or
    - (ii) the Welsh Ministers expect to come into operation during the plan period.
- (3) The statement period for the first statement is the period of seven years beginning with 1 January 2025.
- (4) The statement period for a subsequent statement may not be shorter than five years.
- (5) The Welsh Ministers must ensure that the statement period for a statement does not expire without a new statement being in place for a statement period beginning with the day after the last day of the expiring statement period.’.

Tudalen 9, ar ôl llinell 2, mewnosoder adran newydd –

#### [ ] **Datganiad o fwriad**

- (1) Rhaid i Weinidogion Cymru, o dro, i dro lunio dogfen (“datganiad o fwriad”) sy’n rhoi gwybodaeth am y defnydd disgwylidig o’r pwerau a roddir i Weinidogion Cymru gan adrannau 8 a 9 yn ystod y cyfnod y mae’r datganiad yn ymwneud ag ef (“cyfnod y datganiad”).
- (2) Rhaid i ddatganiad o fwriad (o leiaf) –
  - (a) pennu cyfnod y datganiad,
  - (b) nodi bwriadau Gweinidogion Cymru, yn ddarostyngedig i ddigon o gyllid fod ar gael, i roi cymorth ariannol a chymorth arall yn ystod cyfnod y datganiad, ac
  - (c) disgrifio, mewn unrhyw fodd a chan roi unrhyw fanylion y mae Gweinidogion Cymru yn ystyried eu bod yn briodol, bob cynllun cymorth –
    - (i) sydd yn weithredol, neu
    - (ii) y mae Gweinidogion Cymru yn disgwyl iddynt ddod yn weithredol yn ystod cyfnod y cynllun.
- (3) Cyfnod y datganiad ar gyfer y datganiad cyntaf yw’r cyfnod o saith mlynedd sy’n dechrau â 1 Ionawr 2025.
- (4) Ni chaiff cyfnod y datganiad ar gyfer datganiad dilynol fod yn fyrrach na phum mlynedd.
- (5) Rhaid i Weinidogion Cymru sicrhau nad yw cyfnod y datganiad ar gyfer datganiad yn dod i ben heb fod datganiad newydd ar waith ar gyfer cyfnod y datganiad sy’n dechrau â’r diwrnod ar ôl y diwrnod olaf y daw cyfnod y datganiad i ben.’.

#### **Samuel Kurtz**

16

Section 20, page 12, line 24, after ‘markets’, insert ‘or a sudden or unexpected increase in the input costs affecting the agricultural sector’.

Adran 20, tudalen 12, llinell 27, ar ôl ‘amaethyddol’, mewnosoder ‘neu gynnydd sydyn neu annisgwyl yn y costau mewnbwn sy’n effeithio ar y sector amaethyddol’.

**Samuel Kurtz**

17

Section 20, page 12, line 25, leave out ‘or threatened disturbance has, or is likely to have, a significant adverse effect on agricultural producers in Wales in terms of the prices achievable for’ and insert ‘, threatened disturbance or input cost increases has, or is likely to have, a significant adverse effect on agricultural producers in Wales in terms of the prices achievable for or costs of producing’.

Adran 20, tudalen 12, llinell 28, hepgorer ‘neu’r bygythiad o aflonyddwch yn cael effaith andwyol sylweddol, neu’n debygol o gael effaith andwyol sylweddol, ar gynhyrchwyr amaethyddol yng Nghymru o ran y prisiau y gellir eu cael am’ a mewnosoder ‘, y bygythiad o aflonyddwch neu’r cynnydd mewn costau mewnbwn wedi cael effaith andwyol sylweddol, neu’n debygol o gael effaith andwyol sylweddol, ar gynhyrchwyr amaethyddol yng Nghymru o ran y prisiau y gellir eu cael am un neu ragor o gynhyrchion amaethyddol neu o ran costau cynhyrchu’.

**Samuel Kurtz**

18

Section 28, page 18, after line 29, insert –

‘(7) The Welsh Ministers must not sell, or offer for sale, the information received in accordance with the requirements imposed by this Chapter.’.

Adran 28, tudalen 18, ar ôl llinell 33, mewnosoder –

‘(7) Ni chaiff Gweinidogion Cymru werthu, na chynnig gwerthu, yr wybodaeth a ddaeth i law yn unol â’r gofynion a osodir gan y Bennod hon.’.

**Samuel Kurtz**

19

Page 21, after line 11, insert a new section –

**[ ] Data protection legislation**

- (1) This section applies to a duty or power to disclose or use information where the duty or power is imposed or conferred by or under any provision of this Act.
- (2) A duty or power to which this section applies does not operate to require or authorise the disclosure or use of information which would contravene the data protection legislation (but the duty or power is to be taken into account in determining whether the disclosure or use would contravene that legislation).
- (3) In this section “data protection legislation” has the same meaning as in the Data Protection Act 2018 (see section 3 of that Act).’.

Tudalen 21, ar ôl llinell 12, mewnosoder adran newydd –

**[ ] Deddfwriaeth diogelu data**

- (1) Mae’r adran hon yn gymwys i ddyletswydd neu bŵer i ddatgelu neu ddefnyddio gwybodaeth pan osodir neu pan roddir y ddyletswydd neu’r pŵer gan neu o dan unrhyw ddarpariaeth yn y Ddeddf hon.



- (2) Nid yw dyletswydd neu bŵer y mae'r adran hon yn gymwys iddi neu iddo yn gweithredu i'w gwneud yn ofynnol nac awdurdodi datgelu neu ddefnyddio gwybodaeth a fyddai'n mynd yn groes i'r ddeddfwriaeth diogelu data (ond mae'r ddyletswydd neu'r pŵer i'w hystyried neu i'w ystyried wrth benderfynu a fyddai'r datgeliad neu'r defnydd yn mynd yn groes i'r ddeddfwriaeth honno).
- (3) Yn yr adran hon, mae i "deddfwriaeth diogelu data" yr un ystyr â "data protection legislation" yn Neddf Diogelu Data 2018 (gweler adran 3 o'r Ddeddf honno).

**Samuel Kurtz**

20

Page 23, after line 30, insert a new section –

**[ ] Appropriate forestry authority**

In section 1 of the Forestry Act 1967 (c. 10) (The Forestry Commission), in subsection (1A) –

- (a) in paragraph (b), leave out “, the Natural Resources Body for Wales.” and insert “except in circumstances where subsection (1A)(c) applies, the Natural Resources Body for Wales;”;
- (b) after subsection (1A)(b) insert –
  - “(c) in relation to Wales, where the Natural Resources Body for Wales is the applicant for or holder of a tree felling licence, a person appointed by the Welsh Ministers.”.

Tudalen 23, ar ôl llinell 31, mewnosoder adran newydd –

**[ ] Awdurdod coedwigaeth priodol**

Yn adran 1 o Ddeddf Coedwigaeth 1967 (p. 10) (Y Comisiwn Coedwigaeth), yn is-adran (1A) –

- (a) ym mharagraff (b), hepgorer “, the Natural Resources Body for Wales.” a mewnosoder “except in circumstances where subsection (1A)(c) applies, the Natural Resources Body for Wales;”;
- (b) ar ôl is-adran (1A)(b) mewnosoder –
  - “(c) in relation to Wales, where the Natural Resources Body for Wales is the applicant for or holder of a tree felling licence, a person appointed by the Welsh Ministers.”.

**Samuel Kurtz**

21

Page 31, after line 21, insert a new section –

**[ ] Review of operation and effect of Part 4**

- (1) The Welsh Ministers must –
  - (a) review the operation and effect of Part 4 of this Act, and
  - (b) publish the conclusions of the review within three years of the commencement of Part 4 of this Act.

- (2) In undertaking a review of Part 4, the Welsh Ministers must consult Senedd Cymru and such other persons as they consider appropriate.’

Tudalen 31, ar ôl llinell 22, mewnosoder adran newydd –

**[ ] Adolygu gweithrediad ac effaith Rhan 4**

- (1) Rhaid i Weinidogion Cymru –
- (a) adolygu gweithrediad ac effaith Rhan 4 o’r Ddeddf hon, a
  - (b) cyhoeddi casgliadau’r adolygiad o fewn tair blynedd i gychwyn Rhan 4 o’r Ddeddf hon.
- (2) Wrth gynnal adolygiad o Ran 4, rhaid i Weinidogion Cymru ymgynghori â Senedd Cymru ac unrhyw bersonau eraill y maent yn ystyried eu bod yn briodol.’

**Samuel Kurtz**

22

Section 42, page 31, line 27, leave out ‘including’ and insert ‘excluding’.

Adran 42, tudalen 31, llinell 28, hepgorer ‘gan gynnwys’ a mewnosoder ‘ac eithrio’.

**Samuel Kurtz**

23

Section 43, page 32, line 5, after ‘restraint’, insert ‘(except those licensed for use by section 16(3C))’.

Adran 43, tudalen 32, llinell 5, ar ôl ‘restraint’, mewnosoder ‘(except those licensed for use by section 16(3C))’.

**Samuel Kurtz**

24

Section 43, page 32, line 9, after ‘restraint’, insert ‘(except those licensed for use by section 16(3C))’.

Adran 43, tudalen 32, llinell 9, ar ôl ‘restraint’, mewnosoder ‘(except those licensed for use by section 16(3C))’.

**Samuel Kurtz**

25

Page 32, after line 19, insert a new section –

**[ ] Licensed use of snares**

In section 16 of the Wildlife and Countryside Act 1981 (c. 69) (power to grant licences), after subsection (3B) insert –

“(3C) Section 11(1)(ba) and (bb) do not apply to anything done for the purposes of –

- (a) conserving wild animals or wild plants or introducing them to particular areas;
- (b) the re-population of an area with, or the re-introduction into an area of, wild birds, including any breeding necessary for those purposes,

if it is done under and in accordance with the terms of a licence granted by the appropriate authority.

- (3D) The Welsh Ministers may by regulations make provision about licences under subsection (3C).”

Tudalen 32, ar ôl llinell 19, mewnosoder adran newydd –

**[ ] Defnydd trwyddedig o faglau**

Yn adran 16 o Ddeddf Bywyd Gwyllt a Chefn Gwlad 1981 (p. 69) (pŵer i roi trwyddedau), ar ôl is-adran (3B) mewnosoder –

“(3C) Section 11(1)(ba) and (bb) do not apply to anything done for the purposes of –

- (a) conserving wild animals or wild plants or introducing them to particular areas;
- (b) the re-population of an area with, or the re-introduction into an area of, wild birds, including any breeding necessary for those purposes,

if it is done under and in accordance with the terms of a licence granted by the appropriate authority.

- (3D) The Welsh Ministers may by regulations make provision about licences under subsection (3C).”

**Samuel Kurtz**

26

Section 47, page 34, leave out line 22.

Adran 47, tudalen 34, hepgorer llinell 24.

**Samuel Kurtz**

27

Section 47, page 34, after line 25, insert –

‘( ) A statutory instrument containing regulations under section 50 is subject to the procedure contained in section [section to be inserted by amendment 28].’

Adran 47, tudalen 34, ar ôl llinell 27, mewnosoder –

‘( ) Mae offeryn statudol sy’n cynnwys rheoliadau o dan adran 50 yn ddarostyngedig i’r weithdrefn sydd wedi ei chynnwys yn adran [adran i’w mewnosod gan welliant 28].’

**Samuel Kurtz**

28

Page 35, after line 22, insert a new section –

**[ ] Procedure for regulations by Welsh Ministers etc**

- (1) Before making regulations under section 50, to amend section 48 or 49, the Welsh Ministers must consult with farming unions and such other persons as they consider appropriate.

- (2) If after consultation in accordance with (1) above the Welsh Ministers consider it appropriate to proceed with the making of regulations under section 50, the Welsh Ministers may lay before Senedd Cymru –
  - (a) the draft regulations, and
  - (b) an explanatory document.
- (3) The explanatory document must –
  - (a) introduce and give reasons for the regulations,
  - (b) explain why the Welsh Ministers consider that the regulations are required, and
  - (c) contain a summary of representations received in the consultation.
- (4) The Welsh Ministers may not act under subsection (2) before the end of the period of twelve weeks beginning with the day on which the consultation began.
- (5) Subject as follows, if after the expiry of the 40-day period the draft regulations laid under subsection (2) is approved by a resolution of Senedd Cymru, the Welsh Ministers may make regulations in the terms of the draft regulations.
- (6) The procedure in subsections (7) to (10) shall apply to the draft regulations instead of the procedure in subsection (5) if –
  - (a) Senedd Cymru so resolves within the 30-day period, or
  - (b) a committee of Senedd Cymru charged with reporting on the draft regulations so recommends within the 30-day period and Senedd Cymru does not by resolution reject the recommendation within that period.
- (7) The Welsh Ministers must have regard to –
  - (a) any representations,
  - (b) any resolution of Senedd Cymru, and
  - (c) any recommendations of a committee of Senedd Cymru charged with reporting on the draft regulations,made during the 60-day period with regard to the draft regulations.
- (8) If after the expiry of the 60-day period the draft regulations are approved by a resolution of Senedd Cymru, the Welsh Ministers may make regulations in the terms of the draft regulations.
- (9) If after the expiry of the 60-day period the Welsh Ministers wish to proceed with the draft regulations but with material changes, the Welsh Ministers may lay before Senedd Cymru –
  - (a) revised draft regulations, and
  - (b) a statement giving a summary of the changes proposed.
- (10) If the revised draft regulations are approved by a resolution of Senedd Cymru, the Welsh Ministers may make regulations in the terms of the revised draft regulations.
- (11) For the purposes of this section regulations are made in the terms of draft regulations or revised draft regulations if they contain no material changes to their provisions.
- (12) In this section, references to the “30-day”, “40-day” and “60-day” periods in relation to any draft regulations are to the periods of 30, 40 and 60 days beginning with the day on which the draft regulations were laid before Senedd Cymru.



- (13) For the purposes of subsection (12) no account is to be taken of any time during which Senedd Cymru is dissolved or is in recess for more than four days.’.



Tudalen 35, ar ôl llinell 22, mewnosoder adran newydd –

**[1] Gweithdrefn ar gyfer rheoliadau gan Weinidogion Cymru etc.**

- (1) Cyn gwneud rheoliadau o dan adran 50, i ddiwygio adran 48 neu 49, rhaid i Weinidogion Cymru ymgynghori ag undebau ffermwyr ac unrhyw bersonau eraill y maent yn ystyried eu bod yn briodol.
- (2) Os yw Gweinidogion Cymru, ar ôl ymgynghori yn unol ag (1) uchod, yn ystyried ei bod yn briodol bwrw ymlaen â gwneud rheoliadau o dan adran 50, caiff Gweinidogion Cymru osod gerbron Senedd Cymru –
  - (a) y rheoliadau drafft, a
  - (b) dogfen esboniadol.
- (3) Rhaid i'r ddogfen esboniadol –
  - (a) cyflwyno'r rheoliadau a rhoi rhesymau drostynt,
  - (b) esbonio pam y mae Gweinidogion Cymru yn ystyried bod y rheoliadau yn ofynnol, ac
  - (c) cynnwys crynodeb o sylwadau a ddaeth i law yn yr ymgynghoriad.
- (4) Ni chaiff Gweinidogion Cymru weithredu o dan is-adran (2) cyn diwedd y cyfnod o deuddeg wythnos sy'n dechrau â'r diwrnod y dechreuodd yr ymgynghoriad.
- (5) Yn ddarostyngedig i'r canlynol, os, ar ôl i'r cyfnod o 40 o ddiwrnodau ddod i ben, cymeradwyir y rheoliadau drafft a osodir o dan is-adran (2) drwy benderfyniad gan Senedd Cymru, caiff Gweinidogion Cymru wneud rheoliadau yn nhelerau'r rheoliadau drafft.
- (6) Bydd y weithdrefn yn is-adrannau (7) i (10) yn gymwys i'r rheoliadau drafft yn hytrach na'r weithdrefn yn is-adran (5) os –
  - (a) bydd Senedd Cymru yn penderfynu hynny o fewn y cyfnod o 30 o ddiwrnodau, neu
  - (b) bydd un o bwyllgorau Senedd Cymru sy'n gyfrifol am adrodd ar y rheoliadau drafft yn argymhell hynny o fewn y cyfnod o 30 o ddiwrnodau ac os na fydd Senedd Cymru, drwy benderfyniad, yn gwrthod yr argymhelliad o fewn y cyfnod hwnnw.
- (7) Rhaid i Weinidogion Cymru roi sylw i –
  - (a) unrhyw sylwadau,
  - (b) unrhyw benderfyniad gan Senedd Cymru, ac
  - (c) unrhyw argymhellion gan un o bwyllgorau Senedd Cymru sy'n gyfrifol am adrodd ar y rheoliadau drafft,a wnaed yn ystod y cyfnod o 60 o ddiwrnodau o ran y rheoliadau drafft.
- (8) Os cymeradwyir y rheoliadau drafft drwy benderfyniad gan Senedd Cymru ar ôl i'r cyfnod o 60 o ddiwrnodau ddod i ben, caiff Gweinidogion Cymru wneud rheoliadau yn nhelerau'r rheoliadau drafft.
- (9) Os bydd Gweinidogion Cymru, ar ôl i'r cyfnod o 60 o ddiwrnodau ddod i ben, am fwrw ymlaen â'r rheoliadau drafft ond gyda newidiadau sylweddol, caiff Gweinidogion Cymru osod gerbron Senedd Cymru –
  - (a) rheoliadau drafft diwygiedig, a



(b) datganiad sy'n rhoi crynodeb o'r newidiadau a gynigir.

- (10) Os cymeradwyir y rheoliadau drafft diwygiedig drwy benderfyniad gan Senedd Cymru, caiff Gweinidogion Cymru wneud rheoliadau yn nhelerau'r rheoliadau drafft diwygiedig.
- (11) At ddibenion yr adran hon, gwneir rheoliadau yn nhelerau rheoliadau drafft neu reoliadau drafft diwygiedig os nad ydynt yn cynnwys newidiadau sylweddol i'w darpariaethau.
- (12) Yn yr adran hon, mae cyfeiriadau at y cyfnodau o "30 o ddiwrnodau", "40 o ddiwrnodau" a "60 o ddiwrnodau" mewn perthynas ag unrhyw reoliadau drafft yn gyfeiriadau at y cyfnodau o 30, 40 a 60 o ddiwrnodau sy'n dechrau â'r diwrnod y gosodwyd y rheoliadau drafft gerbron Senedd Cymru.
- (13) At ddibenion is-adran (12), rhaid diystyru unrhyw gyfnod pan fo Senedd Cymru wedi ei diddymu neu ar doriad am fwy na phedwar diwrnod.'

