



## RHESTR O WELLIANNAU WEDI'U DIDOLI MARSHALLED LIST OF AMENDMENTS

**Bil Trais yn erbyn Menywod, Cam-drin Domestig a Thrais Rhywiol  
(Cymru)**

**Violence against Women, Domestic Abuse and Sexual Violence  
(Wales) Bill**

Mae'r gwelliannau â \* ar eu pwys yn rhai newydd neu'n rhai sydd wedi'u haddasu  
Amendments marked \* are new or have been altered

Mae'r testun mewn italig wedi'i ddarparu gan y sawl a gynigiodd y gwelliant perthnasol i  
esbonio ei ddiben ac i gynorthwyo'r darlennydd. Nid yw'r testun yn rhan o eiriad y  
gwelliant.

The text in italics has been provided by the proposer of the relevant amendment to explain  
its purpose and to aid the reader's understanding. The text does not form part of the  
amendment.

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Caiff y Bil ei ystyried yn y drefn a ganlyn—  
The Bill will be considered in the following order—

|               |               |
|---------------|---------------|
| Sections 2-25 | Adrannau 2-25 |
| Section 1     | Adran 1       |
| Long Title    | Teitl Hir     |

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**Jocelyn Davies**

**54**

Section 2, page 1, line 22, leave out 'girls' and insert 'children'.

Adran 2, tudalen 1, llinell 21, hepgorer 'merched' a mewnosoder 'plant'.

**Leighton Andrews**

22

Section 2, page 1, line 26, after '8,' insert '[section to be inserted by amendment 24],'

Adran 2, tudalen 1, llinell 25, ar ôl '8,' mewnosoder '[adran newydd i'w mewnosod gan welliant 24],'

**Leighton Andrews**

21

Section 2, page 1, line 26, after '(4)', insert ', but it does not include any functions exercisable under section 5 by a person who is neither a local authority nor a Local Health Board'.

Adran 2, tudalen 1, llinell 25, ar ôl '(4)', mewnosoder ', ond nid yw'n cynnwys unrhyw swyddogaethau sy'n arferadwy o dan adran 5 gan berson nad yw'n awdurdod lleol nac yn Fwrdd Iechyd Lleol'.

**Jocelyn Davies**

55

Section 2, page 1, line 27, leave out 'girls' and insert 'children'.

Adran 2, tudalen 1, llinell 26, hepgorer 'merched' a mewnosoder 'plant'.

**Jocelyn Davies**

56

Section 2, page 1, line 29, after 'female', insert 'or under the age of 18 years'.

Adran 2, tudalen 1, llinell 28, ar ôl 'fenywaidd', mewnosoder 'neu o dan 18 mlwydd oed'.

**Peter Black**

1

To insert a new section –

**[ ] Duty to have regard to the Convention on the Rights of the Child**

- (1) A person exercising relevant functions must have regard (along with all other relevant matters) to the requirements of Part 1 of the Convention.
- (2) In this section, "relevant functions" ("*swyddogaethau perthnasol*") has the meaning set out in section 2(2).
- (3) In this section, "Convention" ("*Confensiwn*") means the United Nations Convention on the Rights of the Child adopted and opened for signature, ratification and accession by General Assembly resolution 44/25 of 20 November 1989'.

I fewnosod adran newydd –

**[ ] Dyletswydd i roi sylw i'r Confensiwn ar Hawliau'r Plentyn**

- (1) Rhaid i berson sy'n arfer swyddogaethau perthnasol roi sylw (ynghyd â phob mater perthnasol arall) i ofynion Rhan 1 o'r Confensiwn.
- (2) Yn yr adran hon, mae i "swyddogaethau perthnasol" ("*relevant functions*") yr ystyr a roddir yn adran 2(2).
- (3) Yn yr adran hon, ystyr "Confensiwn" ("*Convention*") yw Confensiwn y Cenhedloedd Unedig ar Hawliau'r Plentyn a fabwysiadwyd ac a agorwyd i'w lofnodi, ei gadarnhau a'i dderbyn gan benderfyniad 44/25 y Cynulliad Cyffredinol ar 20 Tachwedd 1989'.

**Jocelyn Davies**

57

To insert a new section –

**[ ] Rights of Victims**

A person exercising functions under this Act must have regard to the provisions of Directive 2012/29/EU of the European Parliament and of the Council establishing minimum standards on the rights, support and protection of victims of crime and replacing Council Framework Decision 2001/220/JHA.’.

I fewnosod adran newydd –

**[ ] Hawliau Dioddefwyr**

Rhaid i berson sy’n arfer swyddogaethau o dan y Ddeddf hon roi sylw i ddarpariaethau Cyfarwyddeb 2012/29/EU Senedd Ewrop a’r Cyngor sy’n pennu safonau gofynnol ar hawliau dioddefwyr troseddau, a’r cymorth a’r amddiffyniad sydd ar gael iddynt ac sy’n disodli Penderfyniad Fframwaith Cyngor 2001/220/JHA.’.

**Mark Isherwood**

69

Section 3, page 2, after line 10, insert –

‘(d) meets the gender-specific needs of women and men.’.

Adran 3, tudalen 2, ar ôl llinell 10, mewnosoder –

‘(d) diwallu anghenion rhywedd-benodol menywod a dynion.’.

**Mark Isherwood**

70

Section 3, page 2, after line 11, insert –

‘() The national strategy must include the provision of at least one programme (“perpetrator programmes”) designed to assist and educate perpetrators which must be reasonably available to perpetrators throughout Wales.

( ) In devising perpetrator programmes the Welsh Ministers must consult with –

- (a) each relevant authority in Wales, and
- (b) with the third sector in Wales.’.

Adran 3, tudalen 2, ar ôl llinell 12, mewnosoder –

‘() Rhaid i’r strategaeth genedlaethol gynnwys darparu o leiaf un rhaglen (“rhaglenni i dramgwyddwyr”) sydd wedi’i chynllunio i gynorthwyo ac addysgu tramgwyddwyr a rhaid iddi fod ar gael yn rhesymol i dramgwyddwyr ledled Cymru.

( ) Wrth gynllunio rhaglenni i dramgwyddwyr, rhaid i Weinidogion Cymru ymgynghori â’r canlynol –

- (a) pob awdurdod perthnasol yng Nghymru, a
- (b) y trydydd sector yng Nghymru.’.

**Mark Isherwood**

71

Section 3, page 2, after line 25, insert –

- ‘(9) In this section “perpetrator” means a person who has engaged in violence against women, domestic abuse or sexual violence.
- (10) In this section “third sector” means organisations that exist wholly or mainly to provide benefits for society or the environment.’.

Adran 3, tudalen 2, ar ôl llinell 29, mewnosoder –

- ‘(9) Yn yr adran hon, ystyr “tramgwyddwr” yw person sydd wedi cyflawni trais yn erbyn menywod, cam-drin domestig neu drais rhywiol.
- (10) Yn yr adran hon, ystyr “trydydd sector” yw sefydliadau sy’n bodoli’n gyfan gwbl neu’n bennaf i ddarparu buddion i’r gymdeithas neu’r amgylchedd.’.

**Peter Black**

2

Section 5, page 3, after line 7, insert –

- ‘(d) comply with requirements as to the design, implementation and monitoring of a local strategy about which the Welsh Ministers must by statutory instrument make regulations.’.

Adran 5, tudalen 3, ar ôl llinell 7, mewnosoder –

- ‘(d) cydymffurfio â gofynion o ran dylunio, gweithredu a monitro strategaeth leol y mae’n rhaid i Weinidogion Cymru wneud rheoliadau yn ei chylch drwy offeryn statudol.’.

**Mark Isherwood**

72

Section 5, page 3, after line 7, insert –

- ‘(d) meets the gender-specific needs of women and men.’.

Adran 5, tudalen 3, ar ôl llinell 7, mewnosoder –

- ‘(d) diwallu anghenion rhywedd-benodol menywod a dynion.’.

**Leighton Andrews**

23

Section 5, page 3, line 13, leave out ‘(other than a Minister of the Crown)’.

Adran 5, tudalen 3, llinell 13, hepgorer ‘(ac eithrio un o Weinidogion y Goron)’.

**Peter Black**

3

Section 5, page 3, after line 18, insert –

- ‘(6) A statutory instrument containing regulations made under this section is subject to annulment in pursuance of a resolution of the National Assembly for Wales.’.

Adran 5, tudalen 3, ar ôl llinell 20, mewnosoder –

- ‘(6) Mae offeryn statudol sy’n cynnwys rheoliadau a wneir o dan yr adran hon yn

ddarostyngedig i'w ddirymu yn unol â phenderfyniad gan Gynulliad Cenedlaethol Cymru.'.

**Peter Black**

4

Section 8, page 4, after line 29, insert –

'( ) A local authority must employ at least one officer whose role is to ensure delivery of the local strategy for its area.'

Adran 8, tudalen 4, ar ôl llinell 29, mewnosoder –

'( ) Rhaid i awdurdod lleol gyflogi o leiaf un swyddog sydd â'r rôl o sicrhau y caiff y strategaeth leol ar gyfer ei ardal ei chyflawni.'

**Peter Black**

5

To insert a new section –

*'Education about healthy relationships*

**[ ] Regulations about healthy relationships**

- (1) The Welsh Ministers must make regulations regarding education about healthy relationships including –
  - (a) provision for training to ensure that each school in Wales employs at least one member of staff who has expertise in providing advice and assistance about violence against women and children, domestic abuse and sexual violence;
  - (b) provision to ensure that all teachers employed in schools in Wales have training in providing advice and assistance about violence against women and children, domestic abuse and sexual violence;
  - (c) provision for each school in Wales to designate at least one member of its governing body as a champion of the right not to be subjected to gender-based violence, domestic abuse or sexual violence;
  - (d) subject to the approval of its Governing Body provision for each school in Wales to designate at least one of its pupils as a champion of the right not to be subjected to gender-based violence, domestic abuse or sexual violence;
  - (e) provision for the collection of data by schools in Wales about violence against women and children, including sexual harassment and bullying, domestic abuse and sexual violence;
  - (f) provision for ensuring that education about violence against women and children and healthy relationships, domestic abuse and sexual violence is available to all those aged between three years and sixteen years whether or not they are receiving education in a school.
- (2) Regulations under subsection (1) are to be made by statutory instrument.
- (3) A statutory instrument containing regulations made under subsection (1) is subject to annulment in pursuance of a resolution of the National Assembly for Wales.'

I fewnosod adran newydd –

*‘Addysg am berthnasoedd iach*

**[ ] Rheoliadau ynghylch perthnasoedd iach**

- (1) Rhaid i Weinidogion Cymru wneud rheoliadau ynghylch addysg am berthnasoedd iach gan gynnwys –
  - (a) darpariaeth ar gyfer hyfforddiant i sicrhau bod pob ysgol yng Nghymru yn cyflogi o leiaf un aelod o staff sydd ag arbenigedd mewn rhoi cyngor a chymorth ynghylch trais yn erbyn menywod a phlant, cam-drin domestig a thrais rhywiol;
  - (b) darpariaeth i sicrhau bod yr holl athrawon a gyflogir mewn ysgol yng Nghymru yn cael hyfforddiant mewn rhoi cyngor a chymorth ynghylch trais yn erbyn menywod a phlant, cam-drin domestig a thrais rhywiol;
  - (c) darpariaeth ar gyfer pob ysgol yng Nghymru i ddynodi o leiaf un aelod o’i gorff llywodraethu yn hyrwyddwr yr hawl i beidio â dioddef trais ar sail rhywedd, cam-drin domestig neu drais rhywiol;
  - (d) yn ddarostyngedig i gymeradwyaeth ei Chorff Llywodraethu, ddarpariaeth ar gyfer pob ysgol yng Nghymru i ddynodi o leiaf un o’i disgyblion yn hyrwyddwr yr hawl i beidio â dioddef trais ar sail rhywedd, cam-drin domestig neu drais rhywiol;
  - (e) darpariaeth ar gyfer casglu data gan ysgolion yng Nghymru am drais yn erbyn menywod a phlant, gan gynnwys aflonyddu rhywiol a bwlio, cam-drin domestig a thrais rhywiol;
  - (f) darparu ar gyfer sicrhau bod addysg am drais yn erbyn menywod a phlant, ac addysg am berthnasoedd iach, cam-drin domestig a thrais rhywiol, ar gael i bob un rhwng tair oed ac un ar bymtheg oed, boed y rheini’n cael addysg mewn ysgol ai peidio.
- (2) Mae rheoliadau o dan is-adran (1) i’w gwneud drwy offeryn statudol.
- (3) Mae offeryn statudol sy’n cynnwys rheoliadau a wneir o dan is-adran (1) yn ddarostyngedig i’w ddirymu yn unol â phenderfyniad gan Gynulliad Cenedlaethol Cymru.’.

**Peter Black**

6

To insert a new section –

**[ ] Guidance on education about healthy relationships**

- (1) The Welsh Ministers may issue guidance to schools in Wales on education about healthy relationships.
- (2) A school must have regard to any guidance issued.’.

I fewnosod adran newydd –

**[ ] Canllawiau ynghylch addysg am berthnasoedd iach**

- (1) Caiff Gweinidogion Cymru ddyroddi canllawiau i ysgolion yng Nghymru ynghylch

addysg am berthnasoedd iach.

- (2) Rhaid i ysgol dalu sylw i unrhyw ganllawiau a ddyroddir.’.

**Peter Black**

7

To insert a new section –

**[ ] Report on the progress of healthy relationship education**

- (1) No later than five years from the day on which this Act receives Royal Assent, the Welsh Ministers must lay before the National Assembly for Wales a report about the progress of healthy relationship education in schools in Wales in the previous three years.
- (2) Subsequent reports must be laid no later than three years and six months after the previous report was laid.
- (3) The Welsh Ministers may direct Her Majesty’s Chief Inspector of Education and Training in Wales to prepare the report.
- (4) A direction must be given at least three months before the report is required.’.

I fewnosod adran newydd –

**[ ] Adrodd ar y cynnydd o ran addysg am berthnasoedd iach**

- (1) Heb fod yn hwyrach na phum mlynedd o’r diwrnod y caiff y Ddeddf hon Gydsyniad Brenhinol, rhaid i Weinidogion Cymru osod gerbron Cynulliad Cenedlaethol Cymru adroddiad am y cynnydd o ran addysg am berthnasoedd iach yn ysgolion Cymru yn y tair blynedd blaenorol.
- (2) Rhaid gosod adroddiadau dilynol heb fod yn hwyrach na thair blynedd a chwe mis ar ôl yr adroddiad blaenorol.
- (3) Caiff Gweinidogion Cymru gyfarwyddo Prif Arolygydd Ei Mawrhydi dros Addysg a Hyfforddiant yng Nghymru i baratoï’r adroddiad.
- (4) Rhaid i gyfarwyddyd gael ei roi o leiaf dri mis cyn y bydd angen yr adroddiad.’.

**Peter Black**

11

To insert a new section –

**[ ] Amendment to the Education Act 2005**

- (1) Section 28 of the Education Act 2005 as follows.
- (2) In subsection (5) –
  - (a) at the end of paragraph (e) omit “and”;
  - (b) at the end of paragraph (f) omit “.” and insert “, and”;
  - (c) after paragraph (f) insert –
    - “(g) the extent to which the school has complied with its duties under regulations made under section [section to be inserted by amendment 5] of the Violence against Women, Domestic Abuse

and Sexual Violence (Wales) Act 2015.”.

I fewnosod adran newydd –

**[ ] Diwygio Deddf Addysg 2005**

(1) Adran 28 o Ddeddf Addysg 2005 fel a ganlyn.

(2) Yn is-adran (5) –

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

(b) ar ddiwedd paragraff (f) hepgorer “.” a mewnosoder “, and”;

(c) ar ôl paragraff (f) mewnosoder –

“(g) the extent to which the school has complied with its duties under regulations made under section [adran i’w mewnosod gan welliant 5] of the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015.”.

**Jocelyn Davies**

58

To insert a new section –

*‘Regulations about education on healthy relationships*

**[ ] Regulations about education on healthy relationships**

(1) The Welsh Ministers must make regulations to ensure that all teachers employed in maintained schools in Wales have adequate training in education about healthy relationships.

(2) Regulations under subsection (1) are to be made by statutory instrument.

(3) A statutory instrument containing regulations made under subsection (1) is subject to annulment in pursuance of a resolution of the National Assembly for Wales.’.

I fewnosod adran newydd –

*‘Rheoliadau ynghylch addysg am berthnasoedd iach*

**[ ] Rheoliadau ynghylch addysg am berthnasoedd iach**

(1) Rhaid i Weinidogion Cymru wneud rheoliadau i sicrhau bod yr holl athrawon a gyflogir mewn ysgolion a gynhelir yng Nghymru yn cael hyfforddiant digonol mewn addysg am berthnasoedd iach.

(2) Mae rheoliadau o dan is-adran (1) i’w gwneud drwy offeryn statudol.

(3) Mae offeryn statudol sy’n cynnwys rheoliadau sydd wedi eu gwneud o dan is-adran (1) yn ddarostyngedig i’w ddirymu yn unol â phenderfyniad gan Gynulliad Cenedlaethol Cymru.’.



**Jocelyn Davies**

59

To insert a new section –

*‘Duties of governing bodies of maintained schools*

**[ ] Duties of governing bodies of maintained schools**

The governing body of each maintained school in Wales must take all reasonable steps, in exercising its functions, to contribute to the pursuit of the purpose of this Act.’.

I fewnosod adran newydd –

*‘Dyletswyddau cyrff llywodraethu ysgolion a gynhelir*

**[ ] Dyletswyddau cyrff llywodraethu ysgolion a gynhelir**

Rhaid i gorff llywodraethu pob ysgol a gynhelir yng Nghymru gymryd pob cam rhesymol, wrth arfer ei swyddogaethau, i gyfrannu at ymgyrraedd at ddiben y Ddeddf hon.’.

**Leighton Andrews**

24

To insert a new section –

**[ ] Guidance to further and higher education institutions**

- (1) The Welsh Ministers may issue guidance to the governing bodies of institutions in Wales within the further education sector on how the bodies may contribute to the pursuit of the purpose of this Act.
- (2) The Higher Education Funding Council for Wales (“HEFCW”) may issue guidance to the governing bodies of institutions in Wales within the higher education sector on how the bodies may contribute to the pursuit of the purpose of this Act.
- (3) But the Welsh Ministers and HEFCW may not issue guidance under this section –
  - (a) which is directed at a particular institution,
  - (b) in respect of courses or programmes of research (including the contents of such courses or programmes or the manner in which they are taught, supervised or assessed),
  - (c) in respect of the criteria for admission of students, or
  - (d) in respect of the criteria for the selection and appointment of academic staff.
- (4) A governing body to which guidance is issued under this section must have regard to it.
- (5) Before issuing guidance under this section the Welsh Ministers and HEFCW must consult such persons as they consider appropriate.
- (6) Guidance issued under this section must be published.
- (7) For the purposes of this section, an institution –
  - (a) is in Wales if its activities are carried on wholly or principally in Wales,
  - (b) is within the further education sector if it falls within section 91(3) of the Further

and Higher Education Act 1992 (c.13) (“the 1992 Act”), and

(c) is within the higher education sector if it falls within section 91(5) of the 1992 Act.

(8) Until 31 August 2017, “institution within the higher education sector” also includes a university which is treated as being a regulated institution for the purpose of the transitional provision made by Part 2 of the Schedule to the Higher Education (Wales) Act 2015 (anaw 1).

(9) In this section “governing body” has the meaning given by section 90 of the 1992 Act.’.

I fewnosod adran newydd –

### **[1] Canllawiau i sefydliadau addysg bellach ac uwch**

(1) Caiff Gweinidogion Cymru ddyroddi canllawiau i gyrff llywodraethu sefydliadau yng Nghymru o fewn y sector addysg bellach ynghylch sut y gall y gyrff gyfrannu at ymgyrhaedd at ddiben y Ddeddf hon.

(2) Caiff Cyngor Cyllido Addysg Uwch Cymru (“CCAUC”) ddyroddi canllawiau i gyrff llywodraethu sefydliadau yng Nghymru o fewn y sector addysg uwch ynghylch sut y gall y gyrff gyfrannu at ymgyrhaedd at ddiben y Ddeddf hon.

(3) Ond ni chaiff Gweinidogion Cymru a CCAUC ddyroddi canllawiau o dan yr adran hon –

(a) a gyfeirir at sefydliad penodol,

(b) mewn cysylltiad â chyrsgiau neu raglenni ymchwil (gan gynnwys cynnwys cyrsiau neu raglenni o’r fath neu’r modd y maent yn cael eu haddysgu, eu goruchwylio neu eu hasesu),

(c) mewn cysylltiad â’r meini prawf ar gyfer derbyn myfyrwyr, neu

(d) mewn cysylltiad â’r meini prawf ar gyfer dethol a phenodi staff academiaidd.

(4) Rhaid i gorff llywodraethu y dyroddir canllawiau iddo o dan yr adran hon roi sylw iddynt.

(5) Cyn dyroddi canllawiau o dan yr adran hon rhaid i Weinidogion Cymru a CCAUC ymgynghori â’r personau hynny sy’n briodol yn eu barn hwy.

(6) Rhaid i ganllawiau a ddyroddir o dan yr adran hon gael eu cyhoeddi.

(7) At ddibenion yr adran hon, mae sefydliad –

(a) yng Nghymru os yw ei weithgareddau yn cael eu cynnal yn gyfan gwbl neu’n bennaf yng Nghymru,

(b) o fewn y sector addysg bellach os yw’n dod o fewn adran 91(3) o Ddeddf Addysg Bellach ac Uwch 1992 (p.13) (“Deddf 1992”), ac

(c) o fewn y sector addysg uwch os yw’n dod o fewn adran 91(5) o Ddeddf 1992.

(8) Hyd 31 Awst 2017, mae “sefydliad o fewn y sector addysg uwch” hefyd yn cynnwys prifysgol sy’n cael ei thrin fel pe bai’n sefydliad rheoleiddiedig at ddiben y ddarpariaeth drosiannol a wneir gan Ran 2 o’r Atodlen i Ddeddf Addysg Uwch (Cymru) 2015 (dccc 1).

(9) Yn yr adran hon mae i “corff llywodraethu” yr ystyr a roddir i “governing body” gan adran 90 o Ddeddf 1992.’.

**Peter Black**

8

Section 10, page 5, leave out lines 26 to 28 and insert—

‘by statutory instrument make an order specifying indicators (“national indicators”) that may be applied for the purpose of measuring progress towards the achievement of the purpose of this Act.

- ( ) An order under this section may not be made unless a draft of the statutory instrument containing the order has been laid before, and approved by a resolution of, the National Assembly for Wales.’

Adran 10, tudalen 5, hepgorer llinellau 26 hyd at 28 a mewnosoder—

‘drwy offeryn statudol wneud gorchymyn sy’n pennu dangosyddion (“dangosyddion cenedlaethol”) y ceir eu cymhwyso at y diben o fesur cynnydd tuag at gyflawni diben y Ddeddf hon.

- ( ) Ni chaniateir gwneud gorchymyn o dan yr adran hon oni bai bod drafft o’r offeryn statudol sy’n cynnwys y gorchymyn wedi ei osod gerbron Cynulliad Cenedlaethol Cymru, ac wedi ei gymeradwyo drwy benderfyniad ganddo.’

**Peter Black**

9

Section 10, page 5, line 35, leave out subsections (3) to (4).

Adran 10, tudalen 5, llinell 35, hepgorer is-adrannau (3) hyd at (4).

**Peter Black**

10

Section 10, page 6, line 1, leave out ‘publishing national indicators (including indicators revised under subsection (3)),’ and insert ‘making an order under this section’.

Adran 10, tudalen 6, llinell 1, hepgorer ‘cyhoeddi dangosyddion cenedlaethol (gan gynnwys dangosyddion a ddiwygir o dan is-adran (3)),’ a mewnosoder ‘gwneud gorchymyn o dan yr adran hon’.

**Peter Black**

12

Section 11, page 6, after line 8, insert—

‘(c) of the resources which they have made available to achieve the purpose of this Act.’

Adran 11, tudalen 6, ar ôl llinell 11, mewnosoder—

‘(c) yr adnoddau y maent wedi’u rhoi ar gael i gyflawni diben y Ddeddf hon.’

**Janet Finch-Saunders**

68

Section 11, page 6, after line 8, insert—

‘(c) of the resources (financial or other) which they have made available to achieve the purpose of this Act, including—

- (i) the name of any person or body to which they have made resources

- available and the value in each case;
- (ii) the specific purposes for which resources have been used or are intended to be used in each case, including resources used or intended to be used directly by the Welsh Ministers themselves;
- (d) of any increase or decrease, resulting from compliance with the duties imposed by sections 4, 8, 16 or 18 of this Act, in the demand for services provided by, or on behalf of, a relevant authority, and the cost of any such increase (or the financial saving produced by any such decrease).’.

Adran 11, tudalen 6, ar ôl llinell 11, mewnosoder –

- ‘(c) yr adnoddau (ariannol neu o fath arall) y maent wedi sicrhau eu bod ar gael i gyflawni diben y Ddeddf hon, gan gynnwys –
- (i) enw unrhyw berson neu gorff y maent wedi trefnu bod adnoddau ar gael iddynt a gwerth yr adnoddau sydd ar gael ym mhob achos;
  - (ii) y dibenion penodol y mae adnoddau wedi cael eu defnyddio mewn perthynas â hwy, neu y bwriedir eu defnyddio mewn perthynas â hwy ym mhob achos, gan gynnwys adnoddau a ddefnyddir, neu y bwriedir eu defnyddio, yn uniongyrchol gan Weinidogion Cymru eu hunain;
- (d) unrhyw gynnydd neu ostyngiad, o ganlyniad i gydymffurfio â’r dyletswyddau a osodir gan adrannau 4, 8, 16 neu 18 o’r Ddeddf hon, yn y galw am wasanaethau a ddarperir gan, neu ar ran, awdurdod perthnasol, a chost unrhyw gynnydd o’r fath (neu’r arbediad ariannol sy’n deillio o unrhyw ostyngiad o’r fath).’.

**Peter Black**

13

Section 14, page 7, line 7, leave out ‘may’ and insert ‘must’.

Adran 14, tudalen 7, llinell 7, hepgorer ‘Caiff Gweinidogion’ a mewnosoder ‘Rhaid i Weinidogion’.

**Jocelyn Davies**

67

Section 14, page 7, line 10, leave out –

- ‘may, amongst other things, address –
- (a) steps an authority may take to increase awareness of, or change attitudes in relation to, gender-based violence, domestic abuse and sexual violence (for example, by undertaking or assisting with a programme of public education);
  - (b) the commissioning by relevant authorities of specialist advice or other assistance relating to gender-based violence, domestic abuse or sexual violence;
  - (c) the circumstances in which it is appropriate for persons acting on behalf of a relevant authority to ask a person if he or she is suffering or at risk of gender-based violence, domestic abuse and sexual violence;
  - (d) the action that is appropriate where a person acting on behalf of a relevant authority has reason to suspect that a person is suffering or at risk of gender-based violence, domestic abuse and sexual violence;
  - (e) workplace policies to promote the well-being of employees of relevant authorities

who may be affected by gender-based violence, domestic abuse and sexual violence;

- (f) training for the members and staff of a relevant authority;
- (g) the sharing of information between relevant authorities or by a relevant authority with another person;
- (h) co-operation between relevant authorities or between a relevant authority and other persons.

And insert—

‘must, amongst other things, address—

- ( ) the action that is appropriate where a person acting on behalf of a relevant authority has reason to suspect that a person is suffering or at risk of gender-based violence, domestic abuse and sexual violence;
  - ( ) workplace policies to promote the well-being of employees of relevant authorities who may be affected by gender-based violence, domestic abuse and sexual violence;
  - ( ) training for the members and staff of a relevant authority;
  - ( ) the sharing of information between relevant authorities or by a relevant authority with another person;
  - ( ) co-operation between relevant authorities or between a relevant authority and other persons;
  - ( ) steps a relevant authority must take to promote an understanding of healthy relationships by children in its area.
- ( ) The statutory guidance may also, amongst other things, address—
- (a) steps a relevant authority may take to increase awareness of, or change attitudes in relation to, gender-based violence, domestic abuse and sexual violence (for example, by undertaking or assisting with a programme of public education);
  - (b) the commissioning by relevant authorities of specialist advice or other assistance relating to gender-based violence, domestic abuse or sexual violence;
  - (c) the circumstances in which it is appropriate for a person acting on behalf of a relevant authority to ask a person if he or she is suffering or at risk of gender-based violence, domestic abuse and sexual violence.’.

Adran 14, tudalen 7, llinell 10, hepgorer is-adran (2) a mewnosoder—

‘( ) Rhaid i’r canllawiau statudol, ymysg pethau eraill, ymdrin â’r canlynol—

- (a) y camau sy’n briodol pan fo gan berson sy’n gweithredu ar ran awdurdod perthnasol reswm i amau bod person yn dioddef trais ar sail rhywedd, cam-drin domestig a thrais rhywiol, neu mewn perygl o’u dioddef;
- (b) polisïau’r gweithle i hybu lles cyflogeion awdurdodau perthnasol y gallai trais ar sail rhywedd, cam-drin domestig a thrais rhywiol effeithio arnynt;
- (c) hyfforddiant i aelodau a staff awdurdod perthnasol;
- (d) rhannu gwybodaeth rhwng awdurdodau perthnasol neu gan awdurdod

- perthnasol â pherson arall;
- (e) cydweithredu rhwng awdurdodau perthnasol neu rhwng awdurdod perthnasol a phersonau eraill;
  - (f) y camau y mae'n rhaid i awdurdod perthnasol eu cymryd i hyrwyddo dealltwriaeth o berthnasoedd iach ymysg plant yn ei ardal.
- ( ) Gallai'r canllawiau statudol hefyd, ymysg pethau eraill, ymdrin â'r canlynol—
- (a) y camau y caiff awdurdod perthnasol eu cymryd i gynyddu ymwybyddiaeth o drais ar sail rhywedd, cam-drin domestig a thrais rhywiol, neu newid agweddau mewn perthynas â hwy (er enghraifft, drwy ymgymryd â rhaglen addysg gyhoeddus neu gynorthwyo â rhaglen o'r fath);
  - (b) comisiynu cyngor arbenigol neu gymorth arall yn ymwneud â thrais ar sail rhywedd, cam-drin domestig a thrais rhywiol gan awdurdodau perthnasol;
  - (c) yr amgylchiadau pan fo'n briodol i berson sy'n gweithredu ar ran awdurdod perthnasol holi person a yw'n dioddef trais ar sail rhywedd, cam-drin domestig a thrais rhywiol, neu mewn perygl o'u dioddef.'

**Leighton Andrews**

65

Section 14, page 7, line 13, after 'by', insert 'designating a member of staff for that purpose or'.

Adran 14, tudalen 7, llinell 13, ar ôl 'enghraifft', mewnosoder 'drwy ddynodi aelod o staff at y diben hwnnw neu'.

**Peter Black**

14

Section 16, page 8, line 21, leave out—

'the following provisions of this section.

- (2) A relevant authority is not subject to the duty under subsection (1) so far as—
  - (a) the authority concerned thinks there is good reason for it not to follow the guidance in particular categories of case or at all,
  - (b) it decides on an alternative policy for the exercise of its functions in respect of the subject matter of the guidance, and
  - (c) a policy statement issued by the authority in accordance with section 17 is in effect.
- (3) Where subsection (2) applies in the case of an authority to which this section applies, the authority—
  - (a) must follow the course set out in the policy statement, and
  - (b) is subject to the duty under subsection (1) only so far as the subject matter of the guidance is not displaced by the policy statement.
- (4) The duties in subsections (1) and (3) do not apply to a relevant authority so far as it would be unreasonable for the authority to follow the statutory guidance or policy statement in a particular case or category of case.'

And insert—

'subsection (2).

- ( ) A relevant authority is not subject to the duty under subsection (1) so far as the authority concerned demonstrates to the satisfaction of the Welsh Ministers that it exceeds the requirements of the course set out in the guidance in particular categories of case or in all cases.'

Adran 16, tudalen 8, llinell 25, hepgorer –

'i'r darpariaethau a ganlyn yn yr adran hon.

- (2) Nid yw awdurdod perthnasol yn ddarostyngedig i'r ddyletswydd o dan is-adran (1) i'r graddau –
- (a) y bo'r awdurdod o dan sylw o'r farn bod rheswm da dros iddo beidio â dilyn y canllawiau mewn categorïau penodol o achosion, neu beidio â'u dilyn o gwbl,
  - (b) y bo'r awdurdod yn penderfynu ar bolisi amgen ar gyfer arfer ei swyddogaethau mewn perthynas â phwnc y canllawiau, ac
  - (c) y bo datganiad polisi a ddyroddwyd gan yr awdurdod yn unol ag adran 17 yn cael effaith.
- (3) Pan fo is-adran (2) yn gymwys yn achos awdurdod y mae'r adran hon yn gymwys iddo –
- (a) rhaid i'r awdurdod ddilyn y drefn a nodir yn y datganiad polisi, a
  - (b) dim ond i'r graddau nad yw pwnc y canllawiau yn cael ei ddisodli gan y datganiad polisi y mae'r awdurdod yn ddarostyngedig i'r ddyletswydd o dan is-adran (1).
- (4) Nid yw'r dyletswyddau yn is-adrannau (1) a (3) yn gymwys i awdurdod perthnasol i'r graddau y byddai'n afresymol i'r awdurdod ddilyn y canllawiau statudol neu ddatganiad polisi mewn achos penodol neu gategori o achos.'

A mewnosoder –

'i is-adran (2).

- ( ) Nid yw awdurdod perthnasol yn ddarostyngedig i'r ddyletswydd o dan is-adran (1) i'r graddau y bo'r awdurdod o dan sylw yn dangos er boddhad Gweinidogion Cymru ei fod yn rhagori ar ofynion y llwybr a nodir yn y canllawiau mewn categorïau penodol o achosion neu ym mhob achos.'

**Peter Black**

**15**

Page 9, line 5, leave out section 17.

Tudalen 9, llinell 5, hepgorer adran 17.

**Peter Black**

**16**

Page 9, line 20, leave out section 18.

Tudalen 9, llinell 20, hepgorer adran 18.

**Peter Black**

17

To insert a new section –

*‘Duty to seek advice*

**[ ] Duty to seek advice**

(1) The Welsh Ministers must, in exercising relevant functions under this Act, seek advice from the Higher Education Funding Council for Wales, and the institutions that provide higher education or further education in Wales, and involve them in achieving the purpose of this Act in such a manner and extent as the Welsh Ministers consider appropriate.

(2) In this section –

“relevant functions” (*“swyddogaethau perthnasol”*) has the meaning set out in section 2(2);

“higher education” (*“addysg uwch”*) means education provided by means of a course of any description mentioned in Schedule 6 to the Education Reform Act 1988; and

“further education” (*“addysg bellach”*) has the same meaning as in section 2 of the Education Act 1996.”.

I fewnosod adran newydd –

*‘Dyletswydd i geisio cyngor*

**[ ] Dyletswydd i geisio cyngor**

(1) Rhaid i Weinidogion Cymru, wrth arfer swyddogaethau perthnasol o dan y Ddeddf hon, geisio cyngor gan Gyngor Cyllido Addysg Uwch Cymru, a’r sefydliadau sy’n darparu addysg uwch neu addysg bellach yng Nghymru, a’u cynnwys hwy o ran cyflawni diben y Ddeddf hon yn y fath fodd ac i’r fath raddau ag y mae Gweinidogion Cymru yn eu hystyried yn briodol.

(2) Yn yr adran hon –

mae i “swyddogaethau perthnasol” (*“relevant functions”*) yr ystyr a roddir yn adran 2(2);

ystyr “addysg uwch” (*“higher education”*) yw addysg a ddarperir drwy gwrs o unrhyw ddisgrifiad a grybwyllir yn Atodlen 6 i Ddeddf Diwygio Addysg 1988;

ac mae i “addysg bellach” (*“further education”*) yr un ystyr ag yn adran 2 o Ddeddf Addysg 1996.”.

**Leighton Andrews**

25

Section 19, page 10, line 3, leave out ‘Ministerial’ and insert ‘National’.

Adran 19, tudalen 10, llinell 3, hepgorer ‘Gweinidogol’ a mewnosoder ‘Cenedlaethol’.



|   |           |
|---|-----------|
| <i>Bil Trais yn erbyn Menywod, Cam-drin Domestig a Thrais Rhywiol (Cymru)</i><br><i>Violence against Women, Domestic Abuse and Sexual Violence (Wales) Bill</i>   | 17        |
| <b>Leighton Andrews</b>   | <b>26</b> |
| Section 19, page 10, line 4, leave out 'Ministerial' and insert 'National'.<br>Adran 19, tudalen 10, llinell 4, hepgorer 'Gweinidogol' a mewnosoder 'Cenedlaethol'.                                       |           |
| <b>Leighton Andrews</b>   | <b>27</b> |
| Section 19, page 10, line 7, leave out 'Ministerial' and insert 'National'.<br>Adran 19, tudalen 10, llinell 7, hepgorer 'Gweinidogol' a mewnosoder 'Cenedlaethol'.                                       |           |
| <b>Leighton Andrews</b>   | <b>28</b> |
| Section 19, page 10, line 9, leave out 'Ministerial' and insert 'National'.<br>Adran 19, tudalen 10, llinell 9, hepgorer 'Gweinidogol' a mewnosoder 'Cenedlaethol'.                                       |           |
| <b>Leighton Andrews</b>   | <b>29</b> |
| Section 19, page 10, line 11, leave out 'Ministerial' and insert 'National'.<br>Adran 19, tudalen 10, llinell 11, hepgorer 'Gweinidogol' a mewnosoder 'Cenedlaethol'.                                     |           |
| <b>Leighton Andrews</b>   | <b>30</b> |
| Section 19, page 10, line 12, leave out 'Ministerial' and insert 'National'.<br>Adran 19, tudalen 10, llinell 12, hepgorer 'Gweinidogol' a mewnosoder 'Cenedlaethol'.                                     |           |
| <b>Leighton Andrews</b>   | <b>31</b> |
| Section 19, page 10, line 15, leave out 'Ministerial' and insert 'National'.<br>Adran 19, tudalen 10, llinell 16, hepgorer 'Gweinidogol' a mewnosoder 'Cenedlaethol'.                                     |           |
| <b>Leighton Andrews</b>   | <b>32</b> |
| Section 20, page 10, line 18, leave out 'Ministerial' and insert 'National'.<br>Adran 20, tudalen 10, llinell 18, hepgorer 'Gweinidogol' a mewnosoder 'Cenedlaethol'.                                     |           |
| <b>Peter Black</b>  | <b>18</b> |
| Section 20, page 10, line 18, leave out ', subject to the direction of the Welsh Ministers'.<br>Adran 20, tudalen 10, llinell 18, hepgorer ', yn ddarostyngedig i gyfarwyddyd Gweinidogion Cymru'.        |           |
| <b>Jocelyn Davies</b>   | <b>60</b> |
| Section 20, page 10, line 21, after '(2)', insert 'including in relation to their human rights obligations'.<br>Adran 20, tudalen 10, llinell 21, ar ôl '(2)', mewnosoder 'gan gynnwys mewn perthynas â'u |           |

goblygiadau hawliau dynol’.

**Jocelyn Davies** **61**

Section 20, page 10, after line 21, insert –

‘() to advise the Welsh Ministers about how the purpose of this Act may be pursued by providers of education in Wales;’.

Adran 20, tudalen 10, ar ôl llinell 21, mewnosoder –

‘() cynghori Gweinidogion Cymru ynghylch sut y gall darparwyr addysg yng Nghymru ymgynghori at ddiben y Ddeddf hon;’.

**Jocelyn Davies** **62**

Section 20, page 10, line 28, leave out ‘, with the agreement of the Welsh Ministers,’.

Adran 20, tudalen 10, llinell 29, hepgorer ‘gyda cydsyniad Gweinidogion Cymru,’.

**Peter Black** **19**

Section 20, page 10, after line 32, insert –

‘(f) at the beginning of each financial year to lay before the National Assembly for Wales a report as to the Ministerial Adviser’s activities in the preceding year.’.

Adran 20, tudalen 10, ar ôl llinell 33, mewnosoder –

‘(f) ar ddechrau pob blwyddyn ariannol, gosod gerbron Cynulliad Cenedlaethol Cymru adroddiad ynghylch gweithgareddau’r Cynghorydd Gweinidogol yn y flwyddyn flaenorol.’.

**Leighton Andrews** **33**

Section 20, page 10, line 33, leave out ‘Ministerial’ and insert ‘National’.

Adran 20, tudalen 10, llinell 35, hepgorer ‘Gweinidogol’ a mewnosoder ‘Cenedlaethol’.

**Leighton Andrews** **34**

Section 20, page 11, line 1, leave out ‘Ministerial’ and insert ‘National’.

Adran 20, tudalen 11, llinell 1, hepgorer ‘Gweinidogol’ a mewnosoder ‘Cenedlaethol’.

**Leighton Andrews** **35**

Section 20, page 11, line 7, leave out ‘Ministerial’ and insert ‘National’.

Adran 20, tudalen 11, llinell 8, hepgorer ‘Gweinidogol’ a mewnosoder ‘Cenedlaethol’.

**Leighton Andrews** **36**

Section 21, page 11, line 9, leave out ‘Ministerial’ and insert ‘National’.

Adran 21, tudalen 11, llinell 11, hepgorer 'Gweinidogol' a mewnosoder 'Cenedlaethol'.

**Leighton Andrews**

37

Section 21, page 11, line 10, leave out 'Ministerial' and insert 'National'.

Adran 21, tudalen 11, llinell 12, hepgorer 'Gweinidogol' a mewnosoder 'Cenedlaethol'.

**Leighton Andrews**

38

Section 21, page 11, line 11, leave out 'Ministerial' and insert 'National'.

Adran 21, tudalen 11, llinell 13, hepgorer 'Gweinidogol' a mewnosoder 'Cenedlaethol'.

**Leighton Andrews**

39

Section 21, page 11, line 15, leave out 'Ministerial' and insert 'National'.

Adran 21, tudalen 11, llinell 17, hepgorer 'Gweinidogol' a mewnosoder 'Cenedlaethol'.

**Leighton Andrews**

40

Section 21, page 11, line 17, leave out 'Ministerial' and insert 'National'.

Adran 21, tudalen 11, llinell 19, hepgorer 'Gweinidogol' a mewnosoder 'Cenedlaethol'.

**Leighton Andrews**

41

Section 21, page 11, line 19, leave out 'Ministerial' and insert 'National'.

Adran 21, tudalen 11, llinell 21, hepgorer 'Gweinidogol' a mewnosoder 'Cenedlaethol'.

**Leighton Andrews**

42

Section 21, page 11, line 20, leave out 'Ministerial' and insert 'National'.

Nid oes angen diwygio'r fersiwn Cymraeg. There is no need to amend the Welsh version

**Leighton Andrews**

43

Section 21, page 11, line 21, leave out 'Ministerial' and insert 'National'.

Adran 21, tudalen 11, llinell 23, hepgorer 'Gweinidogol' a mewnosoder 'Cenedlaethol'.

**Leighton Andrews**

44

Section 21, page 11, line 23, leave out 'Ministerial' and insert 'National'.

Adran 21, tudalen 11, llinell 26, hepgorer 'Gweinidogol' a mewnosoder 'Cenedlaethol'.

**Leighton Andrews**

45

Section 21, page 11, line 24, leave out 'Ministerial' and insert 'National'.

Adran 21, tudalen 11, llinell 27, hepgorer 'Gweinidogol' a mewnosoder 'Cenedlaethol'.

**Leighton Andrews**

46

Section 21, page 11, line 28, leave out 'Ministerial' and insert 'National'.

Adran 21, tudalen 11, llinell 32, hepgorer 'Gweinidogol' a mewnosoder 'Cenedlaethol'.

**Leighton Andrews**

47

Section 21, page 11, line 30, leave out 'Ministerial' and insert 'National'.

Adran 21, tudalen 11, llinell 33, hepgorer 'Gweinidogol' a mewnosoder 'Cenedlaethol'.

**Leighton Andrews**

48

Section 21, page 11, line 32, leave out 'Ministerial' and insert 'National'.

Adran 21, tudalen 11, llinell 35, hepgorer 'Gweinidogol' a mewnosoder 'Cenedlaethol'.

**Leighton Andrews**

49

Section 21, page 11, line 33, leave out 'Ministerial' and insert 'National'.

Nid oes angen diwygio'r fersiwn Cymraeg. There is no need to amend the Welsh version

**Leighton Andrews**

50

Section 22, page 12, line 1, leave out 'Ministerial' and insert 'National'.

Adran 22, tudalen 12, llinell 2, hepgorer 'Gweinidogol' a mewnosoder 'Cenedlaethol'.

**Leighton Andrews**

51

Section 22, page 12, line 3, leave out 'Ministerial' and insert 'National'.

Adran 22, tudalen 12, llinell 3, hepgorer 'Gweinidogol' a mewnosoder 'Cenedlaethol'.

**Leighton Andrews**

52

Section 22, page 12, line 5, leave out 'Ministerial' and insert 'National'.

Adran 22, tudalen 12, llinell 6, hepgorer 'Gweinidogol' a mewnosoder 'Cenedlaethol'.

**Julie Morgan**

**Gyda chefnogaeth / Supported by: Lindsay Whittle, Jocelyn Davies, Aled Roberts, Christine Chapman**

66

To insert a new section –

*'Amendment to the Children Act 2004*

**[ ] Removal of reasonable punishment defence**

(1) Section 58 of the Children Act 2004 is amended as follows.

(2) In subsection (2) –

(a) at the end of paragraph (c) for “.” substitute “;”;

(b) after paragraph (c) insert –

“(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the offence took place in Wales;

(e) any offence involving battery of a child where the battery is committed in Wales.”.

(3) For subsection (3) substitute –

“(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –

(a) the battery took place in England and caused actual bodily harm, or

(b) the battery took place in Wales (whether or not it caused actual bodily harm).”.

I fewnosod adran newydd –

*'Diwygio Deddf Plant 2004*

**[ ] Dileu'r amddiffyniad cosb resymol**

(1) Diwygir adran 58 o Ddeddf Plant 2004 fel a ganlyn.

(2) Yn is-adran (2) –

(a) ar ddiwedd paragraff (c) yn lle “.” rhodder “;”;

(b) ar ôl paragraff (c) mewnosoder –

“(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the offence took place in Wales;

(e) any offence involving battery of a child where the battery is committed in Wales.”.

(3) Yn lle is-adran (3) mewnosoder –

“(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –

- (a) the battery took place in England and caused actual bodily harm, or
- (b) the battery took place in Wales (whether or not it caused actual bodily harm).".'

**Jocelyn Davies**

63

Section 23, page 12, line 16, after 'abuse', insert 'and includes threats to other people and to pets and property, whether or not belonging to the victim of the abuse'.

Adran 23, tudalen 12, llinell 24, ar ôl 'ariannol', mewnosoder 'ac mae'n cynnwys bygythiadau yn erbyn pobl eraill, anifeiliaid anwes ac eiddo, pa un a yw'n eiddo i'r sawl sy'n dioddef camdriniaeth ai peidio'.

**Leighton Andrews**

53

Section 24, page 15, at the beginning of line 7, insert 'Section [*section to be inserted by amendment 24*] and'.

Adran 24, tudalen 15, llinell 8, ar ôl 'Daw', mewnosoder 'adran [*adran i'w mewnosod gan welliant 24*] ac'.

**Jocelyn Davies**

64

Section 25, page 15, line 16, after 'Women', insert 'and Children'.

Adran 25, tudalen 15, llinell 17, ar ôl 'Menywod', mewnosoder 'a Phlant'.

**Leighton Andrews**

20

Long title, page 1, line 4, leave out 'Ministerial' and insert 'National'.

Teitl hir, tudalen 1, llinell 4, hepgorer 'Gweinidogol' a mewnosoder 'Cenedlaethol'.