



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2017 Rhif 1106 (Cy. 280)

2017 No. 1106 (W. 280)

**CYNYRCHOLAETH Y BOBL,
CYMRU**

**REPRESENTATION OF THE
PEOPLE, WALES**

Gorchymyn Cynulliad Cenedlaethol
Cymru (Taliadau Swyddogion
Canlyniadau) (Diwygio) 2017

The National Assembly for Wales
(Returning Officers' Charges)
(Amendment) Order 2017

NODYN ESBONIADOL

(Nid yw'r nodyn hwn yn rhan o'r Gorchymyn)

Mae'r Gorchymyn hwn yn darparu ar gyfer taliadau am wasanaethau a threuliau swyddogion canlyniadau mewn cysylltiad â chynnal etholiadau Cynulliad Cenedlaethol Cymru.

Mae'r Gorchymyn hwn yn diwygio Gorchymyn Cynulliad Cenedlaethol Cymru (Taliadau Swyddogion Canlyniadau) 2016 (O.S. 2016/417 (Cy. 133)) ("Gorchymyn 2016"). Fe'i gwneir o dan erthygl 23 o Orchymyn Cynulliad Cenedlaethol Cymru (Cynrychiolaeth y Bobl) 2007 (O.S. 2007/236). Mae erthygl 23 yn darparu bod hawl gan swyddog canlyniadau etholaeth neu swyddog canlyniadau rhanbarthol i adennill taliadau mewn perthynas â gwasanaethau a ddarparwyd neu dreuliau yr aed iddynt mewn cysylltiad ag etholiad Cynulliad.

Mae erthygl 3(2) yn diwygio erthygl 2 o Orchymyn 2016 drwy ddileu'r diffiniad o "etholiad comisiynydd heddlu a throseddau".

Mae erthygl 3(3) yn diwygio erthyglau 4, 5(1), 6(1), 7, 8(1) a 9(1) o Orchymyn 2016 drwy ddileu cyfeiriadau at etholiadau Comisiynwyr Heddlu a Throseddau (cyfeirir atynt yng Ngorchymyn 2016 fel etholiad comisiynydd heddlu a throseddau).

Fel y'i diwygiwyd, mae erthygl 4 o Orchymyn 2016 yn pennu mai'r cyfanswm cyffredinol mwyaf sy'n adenilladwy am etholiad etholaeth Cynulliad a ymleddir yw'r hyn a ddangosir yng ngholofn 4 y tabl yn Atodlen 1 i'r Gorchymyn hwnnw.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides for payments for services and expenses of returning officers in connection with the conduct of National Assembly for Wales elections.

This Order amends the National Assembly for Wales (Returning Officers' Charges) Order 2016 (S.I. 2016/417 (W. 133)) ("the 2016 Order"). It is made under article 23 of the National Assembly for Wales (Representation of the People) Order 2007 (S.I. 2007/236). Article 23 provides that a constituency or a regional returning officer is entitled to recover charges in respect of services rendered or expenses incurred in connection with an Assembly election.

Article 3(2) amends article 2 of the 2016 Order by removing the definition of "PCC election".

Article 3(3) amends articles 4, 5(1), 6(1), 7, 8(1) and 9(1) of the 2016 Order by removing references to Police and Crime Commissioner elections (referred to in the 2016 Order as a PCC election).

As amended, article 4 of the 2016 Order specifies that the overall maximum recoverable amount for a contested Assembly constituency election is as shown in column 4 of the table in Schedule 1 to that Order.

Fel y'i diwygiwyd, mae erthygl 5 o Orchymyn 2016 yn pennu mai'r cyfanswm mwyaf sy'n adenilladwy am wasanaethau mewn etholiad etholaeth Cynulliad a ymleddir yw'r hyn a ddangosir yng ngholofn 2 y tabl yn Atodlen 1 i'r Gorchymyn hwnnw.

Fel y'i diwygiwyd, mae erthygl 6 o Orchymyn 2016 yn pennu mai'r cyfanswm mwyaf sy'n adenilladwy am dreuliau mewn etholiad etholaeth Cynulliad a ymleddir yw'r hyn a ddangosir yng ngholofn 3 y tabl yn Atodlen 1 i'r Gorchymyn hwnnw.

Fel y'i diwygiwyd, mae erthygl 7 o Orchymyn 2016 yn pennu mai'r cyfanswm cyffredinol mwyaf sy'n adenilladwy am etholiad rhanbarthol y Cynulliad a ymleddir yw'r hyn a ddangosir yng ngholofn 4 y tabl yn Atodlen 2 i'r Gorchymyn hwnnw.

Fel y'i diwygiwyd, mae erthygl 8 o Orchymyn 2016 yn pennu mai'r cyfanswm mwyaf sy'n adenilladwy am wasanaethau mewn etholiad rhanbarthol y Cynulliad a ymleddir yw'r hyn a ddangosir yng ngholofn 2 y tabl yn Atodlen 2 i'r Gorchymyn hwnnw.

Fel y'i diwygiwyd, mae erthygl 9 o Orchymyn 2016 yn pennu mai'r cyfanswm mwyaf sy'n adenilladwy am dreuliau mewn etholiad rhanbarthol y Cynulliad a ymleddir yw'r hyn a ddangosir yng ngholofn 3 y tabl yn Atodlen 2 i'r Gorchymyn hwnnw.

Mae erthygl 3(3) o'r Gorchymyn hwn hefyd yn dileu'r cyfeiriadau at etholiadau Comisiynwyr Heddlu a Throseddu ym mhenawdau erthyglau 4, 5, 6, 7, 8 a 9 o Orchymyn 2016 ac Atodlen 2 iddo.

Mae erthygl 3(4) yn amnewid Atodlen 1 i Orchymyn 2016. Mae'r tabl yn Atodlen 1 sydd wedi ei hamnewid yn rhestru'r cyfanswm cyffredinol mwyaf (colofn 4), a'r cyfansymiau mwyaf am wasanaethau (colofn 2) ac am dreuliau (colofn 3), sy'n adenilladwy gan swyddog canlyniadau etholaethol am etholiad a ymleddir i Gynulliad Cenedlaethol Cymru, neu mewn cysylltiad ag etholiad o'r fath.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Aseidiadau Effaith Rheoleiddiol mewn perthynas â'r Gorchymyn hwn. O ganlyniad, ystyriwyd nad oedd yn angenrheidiol cynnal aseiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Gorchymyn hwn.

As amended, article 5 of the 2016 Order specifies that the maximum recoverable amount for services at a contested Assembly constituency election is as shown in column 2 of the table in Schedule 1 to that Order.

As amended, article 6 of the 2016 Order specifies that the maximum recoverable amount for expenses at a contested Assembly constituency election is as shown in column 3 of the table in Schedule 1 to that Order.

As amended, article 7 of the 2016 Order specifies that the overall maximum recoverable amount for a contested Assembly regional election is as shown in column 4 of the table in Schedule 2 to that Order.

As amended, article 8 of the 2016 Order specifies that the maximum recoverable amount for services at a contested Assembly regional election is as shown in column 2 of the table in Schedule 2 to that Order.

As amended, article 9 of the 2016 Order specifies that the maximum recoverable amount for expenses at a contested Assembly regional election is as shown in column 3 of the table in Schedule 2 to that Order.

Article 3(3) of this Order also removes the references to Police and Crime Commissioner elections from the headings to articles 4, 5, 6, 7, 8 and 9 of, and Schedule 2 to, the 2016 Order.

Article 3(4) substitutes Schedule 1 to the 2016 Order. The table contained at substituted Schedule 1 lists the overall maximum recoverable amount (column 4), and the maximum recoverable amounts for services (column 2) and expenses (column 3), by a constituency returning officer for, or in connection with, a contested election to the National Assembly for Wales.

The Welsh Ministers' Code of Practice in the carrying out of Regulatory Impact Assessments was considered in relation to this Order. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with this Order.

2017 Rhif 1106 (Cy. 280)

**CYNYRCHIOLAETH Y BOBL,
CYMRU**

Gorchymyn Cynulliad Cenedlaethol
Cymru (Taliadau Swyddogion
Canlyniadau) (Diwygio) 2017

Gwnaed 15 Tachwedd 2017

Yn dod i rym yn unol ag erthygl 1(2)

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir i Gynulliad Cenedlaethol Cymru gan erthygl 23 o Orchymyn Cynulliad Cenedlaethol Cymru (Cynrychiolaeth y Bobl) 2007(1) ac a freiniwyd bellach ynddynt hwy(2), yn gwneud y Gorchymyn a ganlyn—

Enwi, cychwyn a chymhwyso

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Cynulliad Cenedlaethol Cymru (Taliadau Swyddogion Canlyniadau) (Diwygio) 2017.

(2) Daw'r Gorchymyn hwn i rym drannoeth y diwrnod y'i gwneir.

(3) Mae'r Gorchymyn hwn yn gymwys o ran Cymru.

Dehongli

2. Yn y Gorchymyn hwn mae “etholaeth Cynulliad” (“*Assembly constituency*”) i'w dehongli yn unol ag adran 2 o Ddeddf Llywodraeth Cymru 2006(3).

2017 No. 1106 (W. 280)

**REPRESENTATION OF THE
PEOPLE, WALES**

The National Assembly for Wales
(Returning Officers' Charges)
(Amendment) Order 2017

Made 15 November 2017

Coming into force in accordance with article 1(2)

The Welsh Ministers, in exercise of the powers conferred on the National Assembly for Wales by article 23 of the National Assembly for Wales (Representation of the People) Order 2007(1) and now vested in them(2), make the following Order—

Title, commencement and application

1.—(1) The title of this Order is the National Assembly for Wales (Returning Officers' Charges) (Amendment) Order 2017.

(2) This Order comes into force the day after the day on which it is made.

(3) The Order applies in relation to Wales.

Interpretation

2. In this Order “Assembly constituency” (“*etholaeth Cynulliad*”) is to be construed in accordance with section 2 of the Government of Wales Act 2006(3).

(1) O.S. 2007/236.

(2) Yn rhinwedd adran 162 o Ddeddf Llywodraeth Cymru 2006 (p. 32), a pharagraff 30 o Atodlen 11 iddi, trosglwyddwyd pwerau Cynulliad Cenedlaethol Cymru i Weinidogion Cymru.

(3) 2006 p. 32. Diwygiwyd adran 2 gan Ddeddf Pleidleisio Seneddol ac Etholaethau 2011 (p. 1); adrannau 13(1), 13(2)(a) ac 16 o'r Ddeddf honno, a Rhan 2 o Atodlen 12 iddi.

(1) S.I. 2007/236.

(2) By virtue of section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c. 32) the powers of the National Assembly for Wales were transferred to the Welsh Ministers.

(3) 2006 c. 32. Section 2 was amended by the Parliamentary Voting and Constituencies Act 2011 (c. 1); sections 13(1), 13(2)(a) and 16 of, and Part 2 of Schedule 12 to, that Act.

Diwygio Gorchymyn Cynulliad Cenedlaethol Cymru (Taliadau Swyddogion Canlyniadau) 2016

3.—(1) Mae Gorchymyn Cynulliad Cenedlaethol Cymru (Taliadau Swyddogion Canlyniadau) 2016(1) wedi ei ddiwygio fel a ganlyn.

(2) Yn erthygl 2 (dehongli) hepgorer y diffiniad o “etholiad comisiynydd heddlu a throseddu”.

(3) Yn erthyglau 4, 5(1), 6(1), 7, 8(1) a 9(1), ac ym mhenawdau'r erthyglau hynny ac Atodlen 2, hepgorer y geiriau “ac a gynhelir ar yr un diwrnod ag etholiad comisiynydd heddlu a throseddu”.

(4) Yn lle Atodlen 1 rhodder yr Atodlen a ganlyn—

Amendment to the National Assembly for Wales (Returning Officers' Charges) Order 2016

3.—(1) The National Assembly for Wales (Returning Officers' Charges) Order 2016(1) is amended as follows.

(2) In article 2 (interpretation) omit the definition of “PCC election”.

(3) In articles 4, 5(1), 6(1), 7, 8(1) and 9(1), and in the headings to those articles and to Schedule 2, omit the words “held on the same day as a PCC election”.

(4) For Schedule 1, substitute the following Schedule—

(1) O.S. 2016/417 (Cy. 133).

(1) S.I. 2016/417 (W. 133).



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