

HYSBYSIAD YNGHYLCH GWELLIANNAU

NOTICE OF AMENDMENTS

Cyflwynwyd ar 9 Mai 2024
Tabled on 9 May 2024

Bil Etholiadau a Chyrff Etholedig (Cymru)

Elections and Elected Bodies (Wales) Bill

- Peter Fox** 98
Section 1, page 4, leave out line 17.
Adran 1, tudalen 4, hepgorer llinellau 17 hyd at 18.
- Peter Fox** 99
Section 3, page 8, line 4, leave out '45' and insert '60'.
Adran 3, tudalen 8, llinell 4, hepgorer '45' a mewnosoder '60'.
- Peter Fox** 100
Section 4, page 10, after line 4, insert –
'(10) The Welsh Ministers must, no later than the end of the period of 12 months beginning immediately after the end of the Local Government Elections in Wales held in 2027, carry out a review and lay a report before the Senedd relating to the operation of electoral registration without application.'
Adran 4, tudalen 10, ar ôl llinell 4, mewnosoder –
'(10) Rhaid i Weinidogion Cymru, heb fod yn hwyrach na diwedd y cyfnod o 12 mis sy'n dechrau yn union ar ôl diwedd yr Etholiadau Llywodraeth Leol yng Nghymru a gynhelir yn 2027, gynnal adolygiad a gosod adroddiad gerbron y Senedd sy'n ymwneud â gweithrediad cofrestru etholiadol heb gais.'
- Peter Fox** 101
Section 5, page 10, after line 30, insert –
'(f) frequency of electoral cycles.'
Adran 5, tudalen 10, ar ôl llinell 32, mewnosoder –
'(f) amlder cylchoedd etholiadol.'

Peter Fox 102

Section 6, page 12, leave out lines 1 to 6.

Adran 6, tudalen 12, hepgorer llinellau 1 hyd at 6.

Peter Fox 103

Section 6, page 12, after line 9, insert –

‘(5) Before making any pilot regulations under section 5 which relate to electoral registration without application, the Welsh Ministers must undertake consultation with such stakeholders as they consider appropriate, but in particular, with those that they deem to represent vulnerable groups.’.

Adran 6, tudalen 12, ar ôl llinell 10, mewnosoder –

‘(5) Cyn gwneud unrhyw reoliadau peilot o dan adran 5 sy’n ymwneud â chofrestru etholiadol heb gais, rhaid i Weinidogion Cymru ymgynghori ag unrhyw randdeiliaid y maent yn ystyried eu bod yn briodol, ond yn benodol, â’r rheini y maent yn barnu eu bod yn cynrychioli grwpiau hyglwyf.’.

Peter Fox 104

Section 6, page 12, after line 9, insert –

‘() Pilot regulations, where appropriate, must ensure that they cover a geographical range of areas across Wales which includes both rural and urban areas.’.

Adran 6, tudalen 12, ar ôl llinell 10, mewnosoder –

‘() Rhaid i reoliadau peilot, pan fo’n briodol, sicrhau eu bod yn cwmpasu ystod ddaearyddol o ardaloedd ledled Cymru sy’n cynnwys ardaloedd gwledig a threfol.’.

Peter Fox 105

Section 19, page 18, after line 3, insert –

‘() Electoral reform regulations must not create, remove or modify any criminal offence.’.

Adran 19, tudalen 18, ar ôl llinell 4, mewnosoder –

‘() Ni chaiff rheoliadau diwygio etholiadol greu, dileu nac addasu unrhyw drosedd.’.

Peter Fox 106

Section 19, page 18, line 4, leave out subsection (6).

Adran 19, tudalen 18, llinell 4, hepgorer is-adran (6).

Peter Fox 107

Section 26, page 22, after line 32, insert –

‘(4) In subsection 3(a), the specified questions must include questions in relation to candidates’ experience of abuse and harassment.”;’.

Adran 26, tudalen 22, ar ôl llinell 33, mewnosoder –

‘(4) Yn is-adran (3)(a), rhaid i’r cwestiynau penodedig gynnwys cwestiynau mewn perthynas â phrofiad ymgeiswyr o gam-drin ac aflonyddu.”;’.

Peter Fox 108

Page 23, line 11, leave out section 27.

Tudalen 23, llinell 11, hepgorer adran 27.

Peter Fox 109

Section 27, page 23, leave out lines 23 to 26.

Adran 27, tudalen 23, hepgorer llinellau 24 hyd at 28.

Peter Fox 110

Section 29, page 25, after line 37, insert –

‘() Before making regulations under subsection (1) or (2) the Welsh Ministers must take steps to promote public awareness of any financial assistance schemes prior to any relevant election.’.

Adran 29, tudalen 25, ar ôl llinell 39, mewnosoder –

‘() Cyn gwneud rheoliadau o dan is-adran (1) neu (2), rhaid i Weinidogion Cymru gymryd camau i hybu ymwybyddiaeth y cyhoedd o unrhyw gynlluniau cymorth ariannol cyn unrhyw etholiad perthnasol.’.

Peter Fox 111

Page 27, after line 25, insert a new section –

‘Assistance with voting for persons with disabilities

[] Assistance with voting for persons with disabilities

Section 36A (Rules for local elections in Wales) of the Representation of the People Act 1983 is amended as follows. After subsection (3) insert –

- (4) Rules under subsection (1) must require that each polling station be equipped with such equipment as it is reasonable to provide for the purposes of enabling, or making it easier for, persons who find it difficult or impossible to vote in the manner directed by the rules because of—
- (a) blindness or partial sight, or
 - (b) another disability.
- (5) The Electoral Commission must publish guidance in relation to the type of equipment that should be present in polling stations in order to comply with the duty imposed by paragraph (4).’.

Tudalen 27, ar ôl llinell 26, mewnosoder adran newydd —

‘Cymorth gyda phleidleisio ar gyfer personau ag anableddau

[] Cymorth gyda phleidleisio ar gyfer personau ag anableddau

Mae adran 36A (rheolau ar gyfer etholiadau lleol yng Nghymru) o Ddeddf Cynrychiolaeth y Bobl 1983 wedi ei diwygio fel a ganlyn. Ar ôl is-adran (3) mewnosoder —

- “(4) Rules under subsection (1) must require that each polling station be equipped with such equipment as it is reasonable to provide for the purposes of enabling, or making it easier for, persons who find it difficult or impossible to vote in the manner directed by the rules because of—
- (a) blindness or partial sight, or
 - (b) another disability.
- (5) The Electoral Commission must publish guidance in relation to the type of equipment that should be present in polling stations in order to comply with the duty imposed by paragraph (4).”.

Peter Fox

112

Section 61, page 53, leave out lines 28 to 30.

Adran 61, tudalen 53, hepgorer llinellau 28 hyd at 31.

Peter Fox

113

Section 61, page 53, line 32, leave out subsection (4).

Adran 61, tudalen 53, llinell 32, hepgorer is-adran (4).

Peter Fox

114

Page 54, after line 18, insert a new section –

‘Removal of disqualification

[] Removal of disqualification: Member of the Senedd and member of a county or county borough council

- (1) The Government of Wales Act 2006 is as amended as follows.
- (2) In section 16 (disqualification from being a Member of the Senedd) in subsection (1), omit paragraph (zc).
- (3) Omit section 17D.
- (4) Omit section 17E.
- (5) Omit section 17F.’.

Tudalen 54, ar ôl llinell 19, mewnosoder adran newydd –

‘Dileu anghymhwysiad

[] Dileu anghymhwysiad: Aelod o’r Senedd ac aelod o gyngor sir neu o gyngor bwrdeistref sirol

- (1) Mae Deddf Llywodraeth Cymru 2006 wedi ei diwygio fel a ganlyn.
- (2) Yn adran 16 (anghymhwyso rhag bod yn Aelod o’r Senedd) yn is-adran (1), hepgorer paragraff (zc).
- (3) Hepgorer adran 17D.
- (4) Hepgorer adran 17E.
- (5) Hepgorer adran 17F.’.

***Adam Price**

115

Section 1, page 1, line 32, after ‘referendums’, insert ‘and issues related to the democratic health of the nation’.

Adran 1, tudalen 1, llinell 32, ar ôl ‘Cymreig’, mewnosoder ‘a materion sy’n gysylltiedig ag iechyd democrataidd y genedl’.

***Adam Price**

116

Section 1, page 1, after line 32, insert –

- () The Commission must establish a Democratic Health Unit.
- () The Democratic Health Unit will undertake tasks as directed by the Commission.
- () The Commission must produce and publish an annual report on democratic health in the context of Welsh elections, providing data on a range of matters, including but not limited to –
 - (a) turnout of the electorate,

- (b) integrity and fairness of elections,
- (c) public knowledge and understanding of elections by the electorate, and
- (d) demographic equality and diversity of candidates standing and elected in elections.’.

Adran 1, tudalen 1, ar ôl llinell 32, mewnosoder –

- ‘() Rhaid i’r Comisiwn sefydlu Uned Iechyd Democrataidd.
- () Bydd yr Uned Iechyd Democrataidd yn ymgymryd â thasgau yn ôl cyfarwyddyd y Comisiwn.
- () Rhaid i’r Comisiwn lunio a chyhoeddi adroddiad blynyddol ar iechyd democrataidd yng nghyd-destun etholiadau Cymreig, gan ddarparu data ar ystod o faterion, gan gynnwys ond heb fod yn gyfyngedig i’r canlynol –
 - (a) canran yr etholwyr a bleidleisiodd,
 - (b) uniondeb a thegwch etholiadau,
 - (c) gwybodaeth y cyhoedd a dealltwriaeth yr etholwyr o etholiadau, a
 - (d) cydraddoldeb ac amrywiaeth ddemograffig yr ymgeiswyr sy’n sefyll ac sy’n cael eu hethol mewn etholiadau.’.

***Adam Price**

117

Section 5, page 11, after line 11, insert –

- ‘() The Welsh Ministers must make pilot regulations, no later than five years after this Act receives Royal Assent, that makes provision for an election to take place on a Sunday.’.

Adran 5, tudalen 11, ar ôl llinell 11, mewnosoder –

- ‘() Rhaid i Weinidogion Cymru wneud rheoliadau peilot, heb fod yn hwyrach na phum mlynedd ar ôl i’r Ddeddf hon gael y Cydsyniad Brenhinol, sy’n gwneud darpariaeth i etholiad ddigwydd ar ddydd Sul.’.

***Adam Price**

118

Section 27, page 23, after line 27, insert –

- ‘() for making users of the platform aware when elections information has been wholly or partly created using artificial intelligence.’.

Adran 27, tudalen 23, ar ôl llinell 30, mewnosoder –

- ‘() i roi gwybod i ddefnyddwyr y platfform pan grëwyd gwybodaeth am etholiadau yn gyfan gwbl neu’n rhannol gan ddefnyddio deallusrwydd artifisial.’.

***Adam Price**

119

Section 27, page 24, after line 1, insert –

- () all electronic material for a specified Welsh election which meets the conditions set out in section 41 and section 44 of the Elections Act 2022 to be –
 - (i) deposited on the platform by the promoter of the material or the person on behalf of which it is published, and
 - (ii) published on the platform;
- () any electronic material deposited on the platform that is produced using generative artificial intelligence must be subject to disclosure by the promoter of the material or the person on behalf of which it is published;
- () any electronic material deposited on the platform that contains materially deceptive images, video or audio recording must be subject to disclosure by the promoter of the material or the person on behalf of which it is published;
- () any material subject to disclosure under this subsection must include a disclaimer stating that it has been created using generative artificial intelligence to be published on the information platform and in the electronic material in the same terms as set out for the information required under section 41(3) of the Elections Act 2022.
- () Failure to comply with the requirements set out in subsection (*[first paragraph to be inserted by this amendment to the fourth paragraph to be inserted by this amendment]*) is an offence punishable by a fine on summary conviction.
- () The following persons may be guilty of an offence under subsection (*[first subsection to be inserted by this amendment]*) –
 - (a) the promoter of the material;
 - (b) any person on behalf of whom the material is published (and who is not the promoter).
- () It is a defence for a person charged with an offence under subsection (*[first subsection to be inserted by this amendment]*) to prove –
 - (a) that the contravention arose from circumstances beyond the person’s control, and
 - (b) that the person took all reasonable steps, and exercised all due diligence, to ensure that the contravention would not arise.
- () If a person is convicted of an offence under subsection (*[first subsection to be inserted by this amendment]*), the court by or before which the person is convicted of the offence may order a person by whom the electronic material is published to take the action specified in the order to remove the material, or to disable access to it, before the end of the period specified in the order.
- () A person to whom an order under subsection (*[fourth subsection to be inserted by this amendment]*) applies commits an offence if, without reasonable excuse, the person fails to comply with the order.
- () A person guilty of an offence under subsection (*[fourth subsection to be inserted by this amendment]*) is liable on summary conviction, to a fine.
- () A person must not submit to the voter information platform a statement of fact that is misleading or deceptive in a material particular.
- () Any person may make a complaint to Democracy and Boundary Commission Cymru that another person has breached subsection (*[seventh subsection to be inserted by this amendment]*).

- () The Democracy and Boundary Commission Cymru may investigate if it believes on reasonable grounds that an investigation is in the public interest.
- () If the Democracy and Boundary Commission Cymru is satisfied on reasonable grounds that a person has breached subsection (*[seventh subsection to be inserted by this amendment]*), it may order that person to remove the material from circulation and publish a correction.
- () Failure to comply with an order under subsection (*[tenth subsection to be inserted by this amendment]*) is an offence punishable under summary conviction, by a fine.’.

Adran 27, tudalen 24, ar ôl llinell 1, mewnosoder –

- ‘() i bob deunydd electronig ar gyfer etholiad Cymreig penodedig sy’n bodloni’r amodau a nodir yn adran 41 ac adran 44 o Ddeddf Etholiadau 2022 –
 - (i) cael ei roi ar y plattfform gan hyrwyddwr y deunydd neu’r person y’i cyhoeddir ar ei ran, a
 - (ii) cael ei gyhoeddi ar y plattfform;
- () i unrhyw ddeunydd electronig sy’n cael ei roi ar y plattfform ac sy’n cael ei lunio gan ddefnyddio deallusrwydd artiffisial cynhyrchiol gael ei ddatgelu gan hyrwyddwr y deunydd neu’r person y’i cyhoeddir ar ei ran;
- () i unrhyw ddeunydd electronig sy’n cael ei roi ar y plattfform ac sy’n cynnwys delweddau, fideo neu recordiad sain sy’n dwyllodrus mewn modd perthnasol gael ei ddatgelu gan hyrwyddwr y deunydd neu’r person y’i cyhoeddir ar ei ran;
- () i unrhyw ddeunydd sy’n ddarostyngedig i’w ddatgelu o dan yr is-adran hon gynnwys ymwadiad sy’n datgan ei fod wedi ei greu gan ddefnyddio deallusrwydd artiffisial cynhyrchiol i gael ei gyhoeddi ar y plattfform gwybodaeth ac yn y deunydd electronig ar yr un telerau ag a nodir ar gyfer yr wybodaeth sy’n ofynnol o dan adran 41(3) o Ddeddf Etholiadau 2022.
- () Mae methu â chydymffurfio â’r gofynion a nodir yn is-adran (*[y paragraff cyntaf i’w fewnosod gan y gwelliant hwn i’r pedwerydd paragraff i’w fewnosod gan y gwelliant hwn]*) yn drosedd i’w chosbi drwy ddirwy ar euogfarn ddiannod.
- () Gall y personau a ganlyn fod yn euog o drosedd o dan is-adran (*[yr is-adran gyntaf i’w mewnosod gan y gwelliant hwn]*) –
 - (a) hyrwyddwr y deunydd;
 - (b) unrhyw berson y cyhoeddir y deunydd ar ei ran (nid yr hyrwyddwr).
- () Mae’n amddiffyniad i berson a gyhuddir o drosedd o dan is-adran (*[yr is-adran gyntaf i’w mewnosod gan y gwelliant hwn]*) brofi –
 - (a) bod y tramgwydd wedi codi o amgylchiadau y tu hwnt i reolaeth y person, a
 - (b) bod y person wedi cymryd pob cam rhesymol, ac wedi arfer pob diwydrwydd dyladwy, i sicrhau na fyddai’r tramgwydd yn codi.
- () Os caiff person ei euogfarnu o drosedd o dan is-adran (*[yr is-adran gyntaf i’w mewnosod gan y gwelliant hwn]*), caiff y llys y mae’r person yn cael ei euogfarnu o’r drosedd ganddo neu ger ei fron orchymyn i berson sydd wedi cyhoeddi’r deunydd electronig gymryd y camau a bennir yn y gorchymyn ddileu’r deunydd, neu beidio â chaniatáu mynediad iddo, cyn diwedd y cyfnod a bennir yn y gorchymyn.

- () Mae person y mae gorchymyn o dan is-adran ([y *bedwaredd is-adran i'w mewnosod gan y gwelliant hwn*]) yn gymwys iddo yn cyflawni trosedd os yw'r person, heb esgus rhesymol, yn methu â chydymffurfio â'r gorchymyn.
- () Mae person sy'n euog o drosedd o dan is-adran ([y *bedwaredd is-adran i'w mewnosod gan y gwelliant hwn*]) yn agored ar euogfarn ddiannod i ddirwy.
- () Ni chaiff person gyflwyno i'r plattform gwybodaeth pleidleiswyr ddatganiad ffeithiau sy'n gamarweiniol neu'n dwyllodrus mewn manylyn perthnasol.
- () Caiff unrhyw berson wneud cwyn i Gomisiwn Democratiaeth a Ffiniau Cymru bod person arall wedi torri is-adran ([y *seithfed is-adran i'w mewnosod gan y gwelliant hwn*]).
- () Caiff Comisiwn Democratiaeth a Ffiniau Cymru ymchwilio os yw'n credu ar sail resymol fod ymchwiliad er budd y cyhoedd.
- () Os yw Comisiwn Democratiaeth a Ffiniau Cymru wedi ei fodloni ar sail resymol fod person wedi torri is-adran ([y *seithfed is-adran i'w mewnosod gan y gwelliant hwn*]), caiff orchymyn i'r person hwnnw ddileu'r deunydd o gylchrediad a chyhoeddi cywiriad.
- () Mae methu â chydymffurfio â gorchymyn o dan is-adran ([y *ddegfed is-adran i'w mewnosod gan y gwelliant hwn*]) yn drosedd i'w chosbi ar euogfarn ddiannod drwy ddirwy.'

***Adam Price**

120

Section 27, page 24, after line 8, insert –

“artificial intelligence” (“*deallusrwydd artifisial*”) and “AI” mean technology enabling the programming or training of a device or software to –

- (a) perceive environments through the use of data,
- (b) interpret data using automated processing designed to approximate cognitive abilities,
- (c) make recommendations, predictions or decisions; with a view to achieving a specific objective, and
- (d) make deep or large language models able to generate text and other content based on the data on which they were trained.'

Adran 27, tudalen 24, ar ôl llinell 8, mewnosoder –

'ystyr “*deallusrwydd artifisial*” (“*artificial intelligence*”) yw technoleg sy'n galluogi rhaglennu neu hyfforddi dyfais neu feddalwedd i –

- (a) canfod amgylcheddau drwy ddefnyddio data,
- (b) dehongli data gan ddefnyddio dull awtomatig o brosesu a ddylunnir i efelychu galluoedd gwybyddol,
- (c) gwneud argymhellion, rhagfynegiadau neu benderfyniadau; gyda golwg ar gyflawni amcan penodol, a
- (d) sicrhau bod modelau iaith dwfn neu fawr yn gallu cynhyrchu testun a chynnwys arall yn seiliedig ar y data a ddefnyddiwyd i'w hyfforddi;'

***Adam Price**

121

Page 26, after line 38, insert a new section –

[] Duty to monitor gender based political violence, harassment, abuse and intimidation of Elected Representatives

- (1) The Democracy and Boundary Commission Cymru etc. Act 2013 (“the 2013 Act”) is amended as follows.
- (2) After Part 3 insert –

“PART 3A

**DUTY TO MONITOR GENDER BASED POLITICAL VIOLENCE,
HARRASSMENT, ABUSE AND INTIMIDATION OF ELECTED
REPRESENTATIVES**

49A Duty to monitor gender based political violence, harassment, abuse and intimidation of elected representatives

- (1) The Commission must establish a monitoring unit on gender based political violence, harassment, abuse and intimidation of elected representatives.
- (2) Elected representatives include –
 - (a) Members of the Senedd,
 - (b) County Councillors, and
 - (c) Community Councillors.
- (3) The Commission must collect and publish data annually on the extent of gender based political violence, harassment, abuse and intimidation of elected representatives, disaggregated between women and men and according to other protected characteristics on an anonymised basis.
- (4) The Welsh Ministers may by regulations make further provision about the Commission’s duty to monitor gender based political violence, harassment, abuse and intimidation of elected representatives for the purpose of this section.”.

Tudalen 26, ar ôl llinell 39, mewnosoder adran newydd –

[] Dyletswydd i fonitro trais, aflonyddu, cam-drin a bygwth gwleidyddol ar sail rhywedd yn erbyn Cynrychiolwyr Etholedig

- (1) Mae Deddf Comisiwn Democratiaeth a Ffiniau Cymru etc. 2013 (“Deddf 2013”) wedi ei diwygio fel a ganlyn.
- (2) Ar ôl Rhan 3 mewnosoder –

“RHAN 3A

**DYLETSWYDD I FONITRO TRAIS, AFLONYDDU, CAM-DRIN A
BYGWTH GWLEIDYDDOL AR SAIL RHYWEDD YN ERBYN
CYNRYCHIOLWYR ETHOLEDIG**

- 49A Dyletswydd i fonitro trais, aflonyddu, cam-drin a bygwth gwleidyddol ar sail rhywedd yn erbyn cynrychiolwyr etholedig**
- (1) Rhaid i'r Comisiwn sefydlu uned i fonitro trais, aflonyddu, cam-drin a bygwth gwleidyddol ar sail rhywedd yn erbyn cynrychiolwyr etholedig.
 - (2) Mae cynrychiolwyr etholedig yn cynnwys –
 - (a) Aelodau o'r Senedd,
 - (b) Cynghorwyr Sir, ac
 - (c) Cynghorwyr Cymuned.
 - (3) Rhaid i'r Comisiwn gasglu a chyhoeddi data yn flynyddol ar raddfa'r trais, aflonyddu, cam-drin a bygwth gwleidyddol ar sail rhywedd yn erbyn cynrychiolwyr etholedig, wedi'u dadgyfuno rhwng menywod a dynion ac yn ôl eu nodweddion gwarchoddedig eraill ar sail ddiennw.
 - (4) Caiff Gweinidogion Cymru drwy reoliadau wneud darpariaeth bellach ynghylch dyletswydd y Comisiwn i fonitro trais, aflonyddu, cam-drin a bygwth gwleidyddol ar sail rhywedd yn erbyn cynrychiolwyr etholedig at ddiben yr adran hon.”.

***Adam Price**

122

Section 44, page 35, after line 8, insert –

‘() After section 22 (duties of a principal council), insert new section –

“[] Determining the names of wards, areas and communities)

Each ward, area, or community resulting from the review process in this Part must have a single name for the purposes of identifying it in communication through Welsh and English, unless the Commission, or the relevant body as the case may be, considers this would be unacceptable (in which case it may have different names for the purposes of identifying it in communication through Welsh and English).”

() In section 34 (Pre-review procedure), after 34(3)(a) insert –

“() the Welsh Language Commissioner”

() In section 35 (Consultation and investigation), before 35(1) insert –

“() Prior to commencing a review under this Part, the Commission must hold a pre-consultation with the Welsh Language Commissioner on the orthography of any names proposed and have regard to any representations from the Commissioner on the proposed names.”.

Adran 44, tudalen 35, ar ôl llinell 9, mewnosoder –

() Ar ôl adran 22 (dyletswyddau prif gyngor), mewnosoder adran newydd –

“[] Penderfynu enwau wardiau, ardaloedd a chymunedau

Rhaid i bob ward, ardal, neu gymuned sy'n deillio o'r broses adolygu yn y Rhan hon gael un enw at ddibenion ei hadnabod mewn cyfathrebiadau yn Gymraeg ac yn Saesneg, oni bai bod y Comisiwn, neu'r corff perthnasol, yn ôl y digwydd, yn ystyried y byddai hyn yn annerbyniol (ac os felly caiff gael enwau gwahanol at ddibenion ei hadnabod mewn cyfathrebiadau yn Gymraeg ac yn Saesneg).”

() Yn adran 34 (y weithdrefn ragadolygu), ar ôl 34(3)(a) mewnosoder –

“() Comisiynydd y Gymraeg,”

() Yn adran 35 (ymgyngori ac ymchwilio), o flaen 35(1) mewnosoder –

“() Cyn cychwyn adolygiad o dan y Rhan hon, rhaid i'r Comisiwn gynnal rhag-ymgyngoriad â Chomisiynydd y Gymraeg ar orgraff unrhyw enwau arfaethedig a rhoi sylw i unrhyw sylwadau gan y Comisiynydd ar yr enwau arfaethedig.”.

***Adam Price**

123

Section 54, page 41, leave out –

‘an up-to-date list of all communities and community councils in its area with their current names’,

and insert –

‘the following –

- (a) an up-to-date list of all communities and community councils in its area with their current names,
- (b) a list of the names of members of their community councils including their party affiliation and contact details,
- (c) details of the community council’s registered address (and meeting place if different), and
- (d) contact details for the clerk/secretary’.

Adran 54, tudalen 41, hepgorer –

‘ar ei wefan restr gyfredol o’r holl gymunedau a chynghorau cymuned yn ei ardal, gyda’u henwau presennol’,

a mewnosoder –

‘y canlynol ar ei wefan –

- (a) rhestr gyfredol o’r holl gymunedau a chynghorau cymuned yn ei ardal ynghyd â’u henwau cyfredol,
- (b) rhestr o enwau aelodau eu cynghorau cymuned gan gynnwys eu hymlyniad wrth blaid a’u manylion cyswllt,
- (c) manylion cyfeiriad cofrestredig y cyngor cymuned (a’i fan cyfarfod os yw’n wahanol), a

(d) manylion cyswllt ar gyfer y cler / ysgrifennydd’.

WITHDRAWN/TYNNWYD YN ÔL

****Adam Price**

124

Section 57, page 51, after line 7, insert –

‘(5) The Commission must publish a report setting out the information that has been collated whilst exercising its monitoring functions under subsections (2) to (4).’.

Adran 57, tudalen 51, ar ôl llinell 9, mewnosoder –

‘(5) Rhaid i’r Comisiwn gyhoeddi adroddiad sy’n nodi’r wybodaeth sydd wedi ei chrynhai wrth arfer ei swyddogaethau monitro o dan is-adrannau (2) i (4).’.

***Adam Price**

125

Page 54, after line 18, insert a new section –

[] Disqualification from being a member of the Senedd or a candidate: offence of deception

In Schedule 1A to the Government of Wales Act 2006 (c. 32) (disqualification from being a Member of the Senedd or a candidate in an election to be a Member of the Senedd), after paragraph 7 insert –

“Persons convicted of the offence of deception within the previous four years

- 8 (1) For the period of four years starting with the date of conviction, a person who has been convicted of the offence of deception as described in subparagraph (2).
- (2) A person must not –
- (a) wilfully, and
 - (b) with the intent to mislead, make, publish or cause or permit to be published on their behalf, a statement purporting to be a statement of fact which they know to be false or deceptive in a material particular.
- (3) A person for the purposes of subparagraph (2) is a person acting in their capacity as a –
- (a) Member of the Senedd, or
 - (b) candidate to be a Member of the Senedd.
- (4) It is a defence for any person charged with an offence under subparagraph (2) to show that –
- (a) at the time of the alleged offence they had acted in the interests of national security,
 - (b) the statement could be reasonably inferred to be a statement of

- opinion, belief or future intention rather than a statement of fact, or
- (c) they retracted the statement and apologised for its inaccuracy within 14 days of –
 - (i) the making or publication of the statement, or
 - (ii) the inaccuracy being brought to their attention.
 - (5) Proceedings for any such offence must be commenced within six months of the date on which the statement was made or published.
 - (6) No private individual or private entity may act as a prosecutor for an offence under this paragraph.
 - (7) The Welsh Ministers may by regulation –
 - (a) add, remove or modify provisions in this paragraph;
 - (b) amend, revoke or repeal any enactment to make such consequential, incidental, transitional, transitory or saving provision as they think appropriate for the purposes of or in connection with this section.
 - (8) The power to make regulations under subparagraph (7) is exercisable by statutory instrument.
 - (9) A statutory instrument containing regulations under subparagraph (7) may not be made unless a draft of the instrument has been laid before and approved by a resolution of Senedd Cymru.
 - (10) Section 42 (defamation) does not apply for the purposes of this paragraph.
 - (11) In this paragraph –
 - (a) “private entity” means any corporation, partnership, business, professional, sole practitioner, voluntary or charitable organisation;
 - (b) “statement” has the same meaning as in the Defamation Act 1996 (c. 31).”.

Tudalen 54, ar ôl llinell 19, mewnosoder adran newydd –

[] **Anghymhwysiad rhag bod yn aelod o’r Senedd neu’n ymgeisydd: y drosedd o ddichell**
Yn Atodlen 1A i Ddeddf Llywodraeth Cymru 2006 (p. 32) (anghymhwysiad rhag bod yn Aelod o’r Senedd neu’n ymgeisydd mewn etholiad i fod yn Aelod o’r Senedd), ar ôl paragraff 7 mewnosoder –

“Persons convicted of the offence of deception within the previous four years

- 8 (1) For the period of four years starting with the date of conviction, a person who has been convicted of the offence of deception as described in subparagraph (2).
- (2) A person must not –
 - (a) wilfully, and
 - (b) with the intent to mislead,

- make, publish or cause or permit to be published on their behalf, a statement purporting to be a statement of fact which they know to be false or deceptive in a material particular.
- (3) A person for the purposes of subparagraph (2) is a person acting in their capacity as a –
- (a) Member of the Senedd, or
 - (b) candidate to be a Member of the Senedd.
- (4) It is a defence for any person charged with an offence under subparagraph (2) to show that –
- (a) at the time of the alleged offence they had acted in the interests of national security,
 - (b) the statement could be reasonably inferred to be a statement of opinion, belief or future intention rather than a statement of fact, or
 - (c) they retracted the statement and apologised for its inaccuracy within 14 days of –
 - (i) the making or publication of the statement, or
 - (ii) the inaccuracy being brought to their attention.
- (5) Proceedings for any such offence must be commenced within six months of the date on which the statement was made or published.
- (6) No private individual or private entity may act as a prosecutor for an offence under this paragraph.
- (7) The Welsh Ministers may by regulation –
- (a) add, remove or modify provisions in this paragraph;
 - (b) amend, revoke or repeal any enactment to make such consequential, incidental, transitional, transitory or saving provision as they think appropriate for the purposes of or in connection with this section.
- (8) The power to make regulations under subparagraph (7) is exercisable by statutory instrument.
- (9) A statutory instrument containing regulations under subparagraph (7) may not be made unless a draft of the instrument has been laid before and approved by a resolution of Senedd Cymru.
- (10) Section 42 (defamation) does not apply for the purposes of this paragraph.
- (11) In this paragraph –
- (a) “private entity” means any corporation, partnership, business, professional, sole practitioner, voluntary or charitable organisation;
 - (b) “statement” has the same meaning as in the Defamation Act 1996 (c. 31).”.

***Adam Price**

126

Page 54, after line 18, insert a new section –

[] Disqualification from election or being a member of a local authority: offence of deception

(1) The Local Government Act 1972 is amended as follows.

(2) In section 80A(1), after subparagraph (d) insert –

“(e) the provisions of section 80D apply to that person.”

(3) After section 80C, insert a new section –

“80D Disqualification for election or being a member of a local authority in Wales: offence of deception

(1) For the period of four years starting with the date of conviction, a person who has been convicted of the offence of deception as described in subsection (2) is disqualified from being elected or being a member of a local authority in Wales.

(2) A person must not –

(a) wilfully, and

(b) with the intent to mislead,

make, publish or cause or permit to be published on their behalf, a statement purporting to be a statement of fact which they know to be false or deceptive in a material particular.

(3) A person for the purposes of subsection (2) is a person acting in their capacity as a –

(a) member of a local authority, or

(b) candidate to be a member of a local authority.

(4) It is a defence for any person charged with an offence under subsection (2) to show that –

(a) at the time of the alleged offence they had acted in the interests of national security,

(b) the statement could be reasonably inferred to be a statement of opinion, belief or future intention rather than a statement of fact, or

(c) they retracted the statement and apologised for its inaccuracy within 14 days of –

(i) the making or publication of the statement, or

(ii) the inaccuracy being brought to their attention.

(5) Proceedings for any such offence must be commenced within six months of the date on which the statement was made or published.

(6) No private individual or private entity may act as a prosecutor for an offence under this section.

- (7) The Welsh Ministers may by regulation –
- (a) add, remove or modify provisions in this section;
 - (b) amend, revoke or repeal any enactment to make such consequential, incidental, transitional, transitory or saving provision as they think appropriate for the purposes of or in connection with this section.
- (8) The power to make regulations under subsection (7) is exercisable by statutory instrument.
- (9) A statutory instrument containing regulations under subsection (7) may not be made unless a draft of the instrument has been laid before and approved by a resolution of Senedd Cymru.
- (10) In this section –
- (a) “private entity” means any corporation, partnership, business, professional, sole practitioner, voluntary or charitable organisation;
 - (b) “statement” has the same meaning as in the Defamation Act 1996 (c. 31).”.

Tudalen 54, ar ôl llinell 19, mewnosoder adran newydd –

[] **Anghymhwyso person rhag cael ei ethol neu fod yn aelod o awdurdod lleol: y drosedd o ddichell**

- (1) Mae Deddf Llywodraeth Leol 1972 wedi ei diwygio fel a ganlyn.
- (2) Yn adran 80A(1), ar ôl is-baragraff (d) mewnosoder –
 - “(e) the provisions of section 80D apply to that person.”
- (3) Ar ôl adran 80C, mewnosoder adran newydd –

“80D Disqualification for election or being a member of a local authority in Wales: offence of deception

- (1) For the period of four years starting with the date of conviction, a person who has been convicted of the offence of deception as described in subsection (2) is disqualified from being elected or being a member of a local authority in Wales.
- (2) A person must not –
 - (a) wilfully, and
 - (b) with the intent to mislead,make, publish or cause or permit to be published on their behalf, a statement purporting to be a statement of fact which they know to be false or deceptive in a material particular.
- (3) A person for the purposes of subsection (2) is a person acting in their capacity as a –
 - (a) member of a local authority, or
 - (b) candidate to be a member of a local authority.

- (4) It is a defence for any person charged with an offence under subsection (2) to show that –
 - (a) at the time of the alleged offence they had acted in the interests of national security,
 - (b) the statement could be reasonably inferred to be a statement of opinion, belief or future intention rather than a statement of fact, or
 - (c) they retracted the statement and apologised for its inaccuracy within 14 days of –
 - (i) the making or publication of the statement, or
 - (ii) the inaccuracy being brought to their attention.
- (5) Proceedings for any such offence must be commenced within six months of the date on which the statement was made or published.
- (6) No private individual or private entity may act as a prosecutor for an offence under this section.
- (7) The Welsh Ministers may by regulation –
 - (a) add, remove or modify provisions in this section;
 - (b) amend, revoke or repeal any enactment to make such consequential, incidental, transitional, transitory or saving provision as they think appropriate for the purposes of or in connection with this section.
- (8) The power to make regulations under subsection (7) is exercisable by statutory instrument.
- (9) A statutory instrument containing regulations under subsection (7) may not be made unless a draft of the instrument has been laid before and approved by a resolution of Senedd Cymru.
- (10) In this section –
 - (a) “private entity” means any corporation, partnership, business, professional, sole practitioner, voluntary or charitable organisation;
 - (b) “statement” has the same meaning as in the Defamation Act 1996 (c.31).”.

***Adam Price**

127

Section 66, page 56, after line 14, insert new section –

‘PART []

REGISTRATION OF VOTERS IN LOCAL GOVERNMENT ELECTIONS

[] Entitlement to be registered as a local government elector in Wales

Section 4 of the Representation of the People Act 1983 is amended as follows. After subsection 3 insert –

- “(3A) In relation to Wales, “resident in that area” for the purposes of subsection (3)(a) means that the person is ordinarily resident at an address in the area for at least 182 days of the year.
- (3B) For the purposes of subsection (3A) a person is to be treated as ordinarily resident in that area if he would have been so resident but for the fact that he or his spouse or civil partner is or was temporarily resident outside that area for a particular reason.
- (3C) A “particular reason” for the purposes of subsection (3B) means any reason in relation to—
- (a) education,
 - (b) training,
 - (c) employment,
 - (d) healthcare, or
 - (e) elected representation.
- (3D) For the purposes of subsection (3C) “elected representation” includes Members of Parliament and Senedd Members.”.

Tudalen 56, ar ôl llinell 17, mewnosoder adran newydd—

‘RHAN []

COFRESTRU ETHOLWYR MEWN ETHOLIADAU LLYWODRAETH LEOL

[] Hawlogoeth i fod yn gofrestredig fel etholwr llywodraeth leol yng Nghymru

Mae adran 4 o Ddeddf Cynrychiolaeth y Bobl 1983 wedi ei diwygio fel a ganlyn. Ar ôl is-adran 3, mewnosoder—

- “(3A) In relation to Wales, “resident in that area” for the purposes of subsection (3)(a) means that the person is ordinarily resident at an address in the area for at least 182 days of the year.
- (3B) For the purposes of subsection (3A) a person is to be treated as ordinarily resident in that area if he would have been so resident but for the fact that he or his spouse or civil partner is or was temporarily resident outside that area for a particular reason.
- (3C) A “particular reason” for the purposes of subsection (3B) means any reason in relation to—
- (a) education,
 - (b) training,
 - (c) employment,
 - (d) healthcare, or
 - (e) elected representation.
- (3D) For the purposes of subsection (3C) “elected representation” includes Members of Parliament and Senedd Members.”.

***Adam Price**

128

Section 69, page 57, after line 16, insert –

[] Procedure for commencement of deception provisions

- (1) Sections [section to be inserted by amendment 125] and [section to be inserted by amendment 126] come into force on a day appointed by the Welsh Ministers in an order made by statutory instrument.
- (2) An order under subsection (1) must be made before the end of the period of 12 months beginning with the day on which the Act receives Royal Assent.
- (3) Before making an order under subsection (1), the Welsh Ministers must –
 - (a) consult such persons as they consider appropriate on the provisions that will be commenced by the draft order,
 - (b) allow those persons a period of at least 12 weeks to submit comments,
 - (c) consider any comments submitted within that period,
 - (d) publish a summary of those comments, and
 - (e) allow sufficient time for the Senedd Standards of Conduct Committee and Legislation, Justice and Constitution Committees, or their successor committees as set out in the Senedd’s Standing Orders, to consider the provisions of this section and issue a report containing any recommendations they may wish to make.
- (4) A statutory instrument containing an order made under subsection (1) by the Welsh Ministers shall be subject to annulment in pursuance of a resolution of Senedd Cymru.’.

Adran 69, tudalen 57, ar ôl llinell 19, mewnosoder –

[] Y weithdrefn ar gyfer cychwyn darpariaethau dichell

- (1) Daw adrannau [adran i’w mewnosod gan welliant 125] a [adran i’w mewnosod gan welliant 126] i rym ar ddiwrnod a bennir gan Weinidogion Cymru mewn gorchymyn a wneir drwy offeryn statudol.
- (2) Rhaid gwneud gorchymyn o dan is-adran (1) cyn diwedd y cyfnod o 12 mis sy’n dechrau â’r diwrnod y mae’r Ddeddf yn cael y Cydsyniad Brenhinol.
- (3) Cyn gwneud gorchymyn o dan is-adran (1), rhaid i Weinidogion Cymru –
 - (a) ymgynghori â’r personau hynny y maent yn ystyried eu bod yn briodol ar y darpariaethau y bydd y gorchymyn drafft yn eu cychwyn,
 - (b) caniatáu cyfnod o 12 wythnos o leiaf i’r personau hynny gyflwyno sylwadau,
 - (c) ystyried unrhyw sylwadau a gyflwynir o fewn y cyfnod hwnnw,
 - (d) cyhoeddi crynodeb o’r sylwadau hynny, ac
 - (e) caniatáu digon o amser i Bwyllgor Safonau Ymddygiad a Phwyllgor Deddfwriaeth, Cyfiawnder a’r Cyfansoddiad y Senedd, neu’r pwyllgorau a fydd yn eu holynu fel y nodir yn Rheolau Sefydlog y Senedd, ystyried darpariaethau’r adran hon a chyhoeddi adroddiad sy’n cynnwys unrhyw argymhellion y maent yn dymuno eu gwneud.

- (4) Bydd offeryn statudol sy'n cynnwys gorchymyn a wnaed o dan is-adran (1) gan Weinidogion Cymru yn ddarostyngedig i'w ddiddymu yn unol â phenderfyniad gan Senedd Cymru.'

***Adam Price**

129

Section 70, page 57, at the beginning of line 29, insert 'Other than sections [*section to be inserted by amendment 125*] and [*section to be inserted by amendment 126*],'

Adran 70, tudalen 57, ar ddechrau llinell 33, mewnosoder 'Ac eithrio adrannau [*adran i'w mewnosod gan welliant 125*] a [*adran i'w mewnosod gan welliant 126*],'

