Deddf Senedd ac Etholiadau (Cymru) 2020

2020 dccc 1

RHAN 3

ETHOLIADAU

Cofrestru etholiadol

12 Yr hawl i gofrestru yn etholwr llywodraeth leol

(1) Yn adran 4 o Ddeddf Cynrychiolaeth y Bobl 1983 (p. 2) ("Deddf 1983") (yr hawl i gofrestru yn etholwr llywodraeth leol)—

(a) yn is-adran (3)(d), ar ôl "age" mewnosoder "or, if resident in an area in Wales, is 16 years of age or over";

(b) ar ôl is-adran (3) mewnosoder—

"(3A) A person is also entitled to be registered in the register of local government electors for any electoral area in Wales if on the relevant date the person—

(a) is resident in that area,

(b) is not subject to any legal incapacity to vote (age apart) in an election of members (or of a member) of Senedd Cymru,

(c) is a qualifying foreign citizen, and

(d) is 16 years of age or over.";

(c) ar ôl is-adran (5A) mewnosoder—

"(5B) In relation to a register of local government electors for any electoral area in Wales, the reference to "voting age" in subsection (5) is to be interpreted as "16 years of age".".

(2) Yn adran 203(1) o Ddeddf 1983 (darpariaethau llywodraeth leol o ran Cymru a Lloegr) ar ôl y diffiniad o "London member" mewnosoder—

"“qualifying foreign citizen” means a person who—

(a) is not a Commonwealth citizen, a citizen of the Republic of Ireland or a relevant citizen of the Union, and

(b) either—

(i) is not a person who requires leave under the Immigration Act 1971 to enter or remain in the United Kingdom, or

(ii) is such a person but for the time being has (or is, by virtue of any enactment, to be treated as having) any description of such leave.”

13 Canfasio blynyddol

(1) Yn adran 9A o Ddeddf 1983 (swyddogion cofrestru: dyletswydd i gymryd camau angenrheidiol), ar ôl is-adran (2) mewnosoder—

“(2A) In relation to the registration of local government electors in Wales, subsections (1) and (2)(b) do not require a registration officer to make house to house inquires in relation to any person under the age of 16.”

(2) Yn rheoliad 32ZA o Reoliadau Cynrychiolaeth y Bobl (Cymru a Lloegr) 2001 (O.S. 2001/341) (“Rheoliadau 2001”) (ffurflen ganfasio blynyddol)—

(a) ar ôl paragraff (3) mewnosoder—

“(3A) In relation to the registration of local government electors in Wales, the canvass form in paragraph (2) must also—

(a) require the full name and nationality of each person aged 14 or 15 who is eligible to register and is residing at the address to which the form is given, and

(b) in relation to any such person named in the form, require the person’s date of birth to be included.”;”;

(b) ar ôl paragraff (5) mewnosoder—

“(5A) In relation to the registration of local government electors in Wales, the registration officer must not, under paragraph (5), print on the form the date of birth of any person aged under 16.”

14 Gwahoddiadau i gofrestru

(1) Yn adran 9E o Ddeddf 1983 (cynnal cofrestrau: gwahoddiadau i gofrestru ym Mhrydain Fawr), ar ôl is-adran (7) mewnosoder—

“(7A) In relation to the registration of local government electors in Wales, subsection (7) does not apply to a person who was under the age of 16 at the time the requirement was imposed.”

(2) Yn rheoliad 32ZC o Reoliadau 2001 (gwahoddiadau i wneud cais i gofrestru), ar ôl paragraff (2) mewnosoder—

“(2A) In relation to the registration of local government electors in Wales, where the person to be invited is under the age of 16, the invitation in paragraph (1) must also include an explanation of how the person’s information will be held and used.”

(3) Yn rheoliad 32ZD o Reoliadau 2001 (camau i'w cymryd gan swyddog cofrestru i annog person i wneud cais i gofrestru mewn ymateb i wahoddiad i wneud hynny), ar ôl paragraff (3) mewnosoder—

"(3A) In relation to the registration of local government electors in Wales, paragraph (3) does not require a registration officer to make, or have made, any visits in the case where the invitations were given to a person under the age of 16."

(4) Yn rheoliad 32ZE o Reoliadau 2001 (ei gwneud yn ofynnol i berson wneud cais i gofrestru), ar ôl paragraff (3) mewnosoder—

"(3A) In relation to the registration of local government electors in Wales, the following provisions of this regulation do not apply in the case of a person who is under the age of 16—

(a) paragraphs (2)(b)(iii) and (3)(b) and (c);

(b) paragraph (3)(f), so far as requiring a notice to state that the person may make representations about why a civil penalty should not be imposed."

15 Gwahoddiadau i gofrestru: darpariaeth bellach am bersonau o dan 16 oed

(1) Caiff Gweinidogion Cymru, drwy reoliadau, wneud darpariaeth am wahoddiadau i'w rhoi o dan adran 9E(1) o Ddeddf 1983 (gwahoddiadau i wneud cais i gofrestru) mewn perthynas â chofrestru etholwyr llywodraeth leol yng Nghymru.

(2) Caiff rheoliadau o dan is-adran (1) (ymhlith pethau eraill) gynnwys darpariaeth—

(a) ynghylch ffurf a chynnwys gwahoddiadau;

(b) ynghylch sut a phryd y mae'n rhaid rhoi gwahoddiadau;

(c) sy'n ei gwneud yn ofynnol bod ffurflenni cais neu ddogfennau eraill (gan gynnwys ffurflenni cais a gwblhawyd yn rhannol) yn cyd-fynd â gwahoddiadau, neu'n cael eu cyfuno â gwahoddiadau.

(3) Caiff rheoliadau o dan is-adran (1) roi swyddogaethau i'r Comisiwn Etholiadol (er enghraifft, gallai fod yn ofynnol i'r Comisiwn ddylunio gwahoddiad).

(4) Caiff rheoliadau o dan is-adran (1) ddiwygio, diddymu (neu ddirymu) neu addasu unrhyw ddeddfiad.

(5) Cyn gwneud rheoliadau o dan is-adran (1), rhaid i Weinidogion Cymru ymgynghori â'r cyfryw bersonau sy'n briodol yn eu barn hwy.

16 Ceisiadau i gofrestru

(1) Mae Rheoliadau 2001 wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 24 (tystiolaeth o ran oedran a chenedligrwydd), ar ôl "Union" mewnosoder "or (for the purposes only of the registration of local government electors in Wales) a qualifying foreign citizen".

(3) Yn rheoliad 26 (ceisiadau i gofrestru)—

(a) ar ôl paragraff (1) mewnosoder—

"(1A) In relation to the registration of local government electors in Wales, where the applicant is not able to provide the applicant's date of birth, the statement referred to in paragraph (1)(e) must indicate whether the applicant is—

(a) under the age of 16,

(b) aged 16 or 17, or

(c) aged 18 or over.";

(b) ym mharagraff (3), ar ôl "(1)" mewnosoder ", (1A)";

(c) ym mharagraff (3)(ba), ar ôl "Union" mewnosoder "or (for the purposes only of the registration of local government electors in Wales) a qualifying foreign citizen";

(d) ar ôl paragraff (3) mewnosoder—

"(3A) In relation to the registration of local government electors in Wales, the paper application form under paragraph (3) must also include an explanation of how information about applicants under the age of 16 will be held and used.";

(e) ar ôl paragraff (9) mewnosoder—

"(9A) In relation to the registration of local government electors in Wales, paragraphs (1)(f) and (8)(a) do not apply in the case where the applicant is under the age of 16."

(4) Yn rheoliad 26B (pŵer i ofyn am dystiolaeth ychwanegol lle nad oes gwybodaeth benodol ar gael neu lle bo'r swyddog cofrestru o'r farn bod y dystiolaeth yn angenrheidiol), ar ôl paragraff (6) mewnosoder—

"(6A) In relation to the registration of local government electors in Wales, paragraphs (2) to (6) do not apply in the case where the applicant is under the age of 16 if—

(a) there is information available to the registration officer from any educational record relating to the applicant, and

(b) that information is sufficient to satisfy the registration officer as to the applicant's identity and entitlement to be registered."

(5) Yn rheoliad 28 (archwilio ceisiadau a gwrthwynebiadau), ar ôl paragraff (2) mewnosoder—

"(3) In relation to the registration of local government electors in Wales, this regulation does not apply to an application made by a person under the age of 16."

(6) Yn rheoliad 29ZA (gwirio gwybodaeth a ddarparwyd mewn cais), ar ôl paragraff (6) mewnosoder—

"(6A) In relation to the registration of local government electors in Wales, this regulation does not apply to an application made by a person under the age of 16."

17 Adolygu'r hawl i gofrestru

(1) Mae Rheoliadau 2001 wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 31D (gweithdrefn ar gyfer adolygu'r hawl i gofrestru), ar ôl paragraff (3) mewnosoder—

"(3A) In relation to the registration of local government electors in Wales, paragraph (2)(b) does not apply where the subject of the review is under the age of 16."

(3) Yn rheoliad 31E (rhestr o adolygiadau), ar ôl paragraff (4) mewnosoder—

"(5) In relation to the registration of local government electors in Wales, this regulation does not apply to any review where the subject of the review is under the age of 16."

18 Cofrestru'n ddienw

Yn rheoliad 31J o Reoliadau 2001 (cofrestru'n ddienw: tystiolaeth drwy ardystio), ar ôl paragraff (5) mewnosoder—

"(6) In relation to the registration of local government electors in Wales, where the applicant is under the age of 16 on the date on which the application is made—

(a) "qualifying officer" also includes a person authorised in writing for the purposes of this regulation by an officer referred to in paragraph (4)(h), and

(b) where the attestation is signed by a person so authorised, the attestation must be accompanied by a copy of the person's authorisation."

19 Datganiadau o gysylltiad lleol

(1) Mae adran 7B o Ddeddf 1983 (preswylfa dybiannol: datganiadau o gysylltiad lleol) wedi ei diwygio fel a ganlyn.

(2) Ar ôl is-adran (2) mewnosoder—

"(2A) In relation to the registration of local government electors in Wales, this section also applies to a person who, on the date on which the person makes a declaration under subsection (1)—

(a) is under 18 years of age,

(b) does not fall within any of the paragraphs (a) to (c) of subsection (2), and

(c) meets any of the requirements specified in subsection (2B).

(2B) The requirements are that—

(a) the person is, or has been, a child who is looked after by a local authority, or

(b) the person is being kept in any secure accommodation specified in regulations made by the Welsh Ministers in circumstances specified in the regulations.

(2C) The power to make regulations under subsection (2B)(b) is exercisable by statutory instrument and is subject to annulment in pursuance of a resolution of the Senedd.

(2D) In subsection (2B)—

(a) the reference to a child who is looked after by a local authority has the same meaning as in the Social Services and Well-being (Wales) Act 2014 (anaw 1) (see section 74);

(b) "secure accommodation" means accommodation for the purpose of restricting the liberty of persons under the age of 18."

(3) Yn is-adran (3)(e), ar ôl "Union" mewnosoder "or (if the declaration is made for the purposes only of the registration of local government electors in Wales) a qualifying foreign citizen".

(4) Yn is-adran (4), ar ôl paragraff (b) mewnosoder—

"(c) in the case of a person falling within subsection (2A), any of the following—

(i) an address in Wales at which the person has previously been resident, or

(ii) an address used by a council of a county or county borough in Wales in which the person has previously been resident."

(5) Ar ôl is-adran (7) mewnosoder—

"(7A) Despite anything in subsection (7), in relation to Wales, a relevant declaration made by a person has effect only for the person's registration as a local government elector.

(7B) In subsection (7A) a "relevant declaration" means—

(a) a declaration of local connection made by virtue of subsection (2A);

(b) a declaration of local connection made by a qualifying foreign citizen;

(c) any other declaration of local connection made by a person who, on the date on which the declaration is made, is—

(i) under the age of 17, and

(ii) not entitled to be registered in the register of parliamentary electors.

(7C) A relevant declaration referred to in subsection (7A) must be marked to show that it is available only for the purposes of registration as a local government elector, but otherwise is to be the same as other declarations of local connection."

20 Datganiadau o wasanaeth

(1) Mae Deddf 1983 wedi ei diwygio fel a ganlyn.

(2) Yn adran 14 (cymhwyster gwasanaeth), ar ôl is-adran (1) mewnosoder—

"(1A) In relation to the registration of local government electors in Wales, a person also has a service qualification for the purposes of this Act if—

(a) the person is under the age of 18,

(b) a parent or guardian of the person has a service qualification under any of paragraphs (a) to (e) of subsection (1), and

(c) the person is residing at a particular place in order to be with that parent or guardian."

(3) Yn adran 15 (datganiad o wasanaeth)—

(a) ar ôl is-adran (3) mewnosoder—

"(3A) In relation to the registration of local government electors in Wales, a service declaration made by a person by virtue of a service qualification under section 14(1A) ceases to have effect when the person attains the age of 18.

(3B) Without prejudice to subsection (2), a person registered in a register of local government electors in Wales in pursuance of a service declaration referred to in subsection (3A) ceases to be entitled to remain so registered when the person attains the age of 18.

(3C) Where a person's entitlement to remain registered ceases under subsection (3B), the registration officer must remove the person's entry from the register."'

(b) ar ôl is-adran (5) mewnosoder—

"(5A) Despite anything in subsection (5), in relation to Wales, a relevant service declaration made by a person has effect only for the purposes of the person's registration as a local government elector.

(5B) In subsection (5A), "relevant service declaration" means—

(a) a service declaration made by virtue of a service qualification under section 14(1A);

(b) a service declaration made by a qualifying foreign citizen;

(c) any other service declaration made by a person who, on the date on which the declaration is made, is—

(i) under the age of 17, and

(ii) not entitled to be registered in the register of parliamentary electors.

(5C) A relevant service declaration referred to in subsection (5A) must be marked to show that it is available only for the purposes of registration as a local government elector, but otherwise is to be the same as other service declarations."

(4) Yn adran 16 (cynnwys datganiad o wasanaeth)—

(a) mae'r testun presennol yn dod yn is-adran (1);

(b) yn yr is-adran honno, ym mharagraff (e), ar ôl "Union" mewnosoder "or (if the declaration is made for the purposes only of the registration of local government electors in Wales) a qualifying foreign citizen";

(c) ar ôl yr is-adran honno mewnosoder—

"(2) In relation to the registration of local government electors in Wales, a service declaration made by a person claiming to have a service qualification under section 14(1A) does not require to be attested."

(5) Yn adran 17 (effaith datganiad o wasanaeth)—

(a) yn is-adran (1)(c), ar ôl "Union" mewnosoder "or (if the declaration is made for the purposes only of the registration of local government electors in Wales) a qualifying foreign citizen";

(b) ar ôl is-adran (2) mewnosoder—

"(3) In relation to the registration of local government electors in Wales, subsection (2) is subject to section 15(3A)."

21 Cynnwys datganiadau o wasanaeth

(1) Mae Rheoliadau 2001 wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 15 (cynnwys datganiad o wasanaeth)—

(a) ar ôl paragraff (1) mewnosoder—

"(1A) In relation to the registration of local government electors in Wales, paragraph (1)(c) does not apply in a case where the declarant claims a service qualification under section 14(1A) of the 1983 Act (see instead regulation 15A).";

(b) ar ôl paragraff (3) mewnosoder—

"(3A) In relation to the registration of local government electors in Wales, the reference to "Government department" in paragraph (3) includes any organisation in which a Crown servant works."

(3) Ar ôl rheoliad 15 mewnosoder—

"15A **Contents of service declaration: declarant with a service qualification under section 14(1A) of the 1983 Act**

(1) In relation to the registration of local government electors in Wales, a service declaration by a person claiming a service qualification under section 14(1A) of the 1983 Act must include, in addition to the matters specified in regulation 15(1)(a) and (b), such of the particulars specified in paragraph (2), (3) or (4) as are relevant to the declarant.

(2) Where the declarant claims a service qualification on the grounds that a parent or guardian of the declarant is a member of the forces (within the meaning of section 59(1) of the 1983 Act) or the spouse or civil partner of such a member, the declaration must state—

(a) the service (whether naval, military or air forces) in which the member serves,

(b) the rank or rating of the member,

(c) the service number of the member, and

(d) where the member serves in the military forces, the regiment or corps in which the member serves.

(3) Where the declarant claims a service qualification on the grounds that a parent or guardian of the declarant is a Crown servant to whom regulation 14 applies or the spouse or civil partner of such a servant, the declaration must state—

(a) the name of the organisation in which the servant works,

(b) a description of the post of the servant, and

(c) any staff number, payroll number or other similar identifying number of the servant.

(4) Where the declarant claims a service qualification on the grounds that a parent or guardian of the declarant is a British Council employee or the spouse or civil partner of such an employee, the declaration must state—

(a) a description of the post of the employee, and
(b) any staff number, payroll number or other similar identifying number of the employee."

22 Datganiadau o wasanaeth: darpariaeth bellach

(1) Mae Rheoliadau 2001 wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 25 (atgoffa etholwyr a gofrestrwyd yn unol â datganiad), ar ôl paragraff (4) mewnosoder—

"(5) In relation to the registration of local government electors in Wales, paragraphs (6) and (7) apply in the case of a person registered in pursuance of a service declaration made by virtue of a service qualification under section 14(1A) of the 1983 Act.

(6) The registration officer must send to the person a reminder that the person's declaration will cease to have effect, and that the person's entitlement to remain registered will cease, when the person attains the age of 18.

(7) The reminder must be sent as soon as practicable within the period of 3 months ending on the day on which the person attains the age of 18."

(3) Yn rheoliad 26B (pŵer i ofyn am dystiolaeth ychwanegol lle nad oes gwybodaeth benodol ar gael neu lle bo'r swyddog cofrestru o'r farn bod hynny'n angenrheidiol)—

(a) ym mharagraff (7)—

(i) yn lle "(6)" rhodder "(6A)";

(ii) ar ôl is-baragraff (c) mewnosoder—

"(ca) in relation to the registration of local government electors in Wales, a service declaration on the grounds that the applicant has a service qualification under section 14(1A) of the 1983 Act;";

(b) ar ôl paragraff (9) mewnosoder—

"(9A) In the case of an application in pursuance of a service declaration within paragraph (7)(ca), the registration officer may require that the applicant give the officer one of the following documents or a copy of one of them certified by a relevant official—

(a) the applicant's passport, or
(b) the applicant's identity card issued in the European Economic Area.

(9B) In paragraph (9A), "relevant official" means—

(a) a Crown Servant (within the meaning of regulation 14),
(b) a British Council employee, or
(c) an officer of the forces (within the meaning of section 59(1) of the 1983 Act),

who is not the applicant's parent, guardian, spouse or civil partner."

23 Cofrestr etholwyr

Yn adran 9 o Ddeddf 1983 (cofrestrau etholwyr), ar ôl is-adran (5) mewnosoder—

"(5A) In relation to the registration of local government electors in Wales—

(a) the entry in the combined registers of any person aged 16 or 17 who is registered only as a local government elector must give the date on which the person will attain the age of 18;

(b) the entry in the combined registers of any person who is registered only as a local government elector by virtue of section 4(3A) of this Act must give an indication of that fact."

24 Diogelu gwybodaeth am bersonau o dan 16 oed

(1) Ni chaiff swyddog cofrestru gyhoeddi, cyflenwi neu ddatgelu fel arall wybodaeth person ifanc, heblaw yn unol â'r canlynol—

(a) adran 25, neu

(b) rheoliadau o dan adran 26.

(2) Yn yr adran hon ac adrannau 25 a 26—

ystyr "cofnod neu restr o bleidleiswyr absennol" ("*absent voters record or list*") yw unrhyw un neu ragor o'r canlynol—

(a) cofnod a gedwir o dan erthygl 8(3), 9(6) neu 12(6) o Orchymyn 2007;

(b) rhestr a gedwir o dan erthygl 10 neu 12(8) o Orchymyn 2007;

mae "cofrestr o etholwyr llywodraeth leol" ("*register of local government electors*") yn cynnwys unrhyw hysbysiad o addasiad yn y gofrestr o dan adran 13A(2), 13AB(2) neu 13B(3), (3B) neu (3D) o Ddeddf 1983;

ystyr "gwybodaeth person ifanc" ("*a young person's information*") yw unrhyw—

(a) cofnod yn y gofrestr o etholwyr llywodraeth leol, neu

(b) eitem mewn cofnod neu restr o bleidleiswyr absennol,

sy'n ymwneud â pherson sydd, adeg cyhoeddi neu gyflenwi'r wybodaeth neu ei datgelu fel arall, o dan 16 oed, ac mae "person ifanc" i'w ddehongli yn unol â hynny;

mae "swyddog cofrestru" ("*registration officer*") yn cynnwys—

(a) dirprwy i swyddog cofrestru;

(b) person a benodir i gynorthwyo swyddog cofrestru i gyflawni swyddogaethau'r swyddog cofrestru;

(c) person, yng nghwrs cyflogaeth y person, sy'n cynorthwyo swyddog cofrestru i gyflawni'r swyddogaethau hynny.

25 Eithriadau i'r gwaharddiad ar ddatgelu

(1) Mae'r adran hon yn gymwys at ddiben adran 24(1).

(2) Caniateir datgelu gwybodaeth person ifanc i unrhyw berson i'r graddau y bo hynny'n angenrheidiol at ddiben cyflawni swyddogaethau'r person hwnnw mewn cysylltiad ag—

(a) cofrestru etholwyr, neu

(b) cynnal etholiad.

(3) Caniateir datgelu gwybodaeth person ifanc yn unol â rheoliad 32ZA(5) a (5A) o Reoliadau 2001 (rhagboblogi'r ffurflen ganfasio).

(4) Caniateir datgelu gwybodaeth person ifanc (oni bai am unrhyw wybodaeth y gellid canfod dyddiad geni'r person oddi wrthi) mewn fersiwn neu gopi o'r gofrestr o etholwyr llywodraeth leol neu gofnod neu restr o bleidleiswyr absennol a gyflenwir yn unol â deddfiad cyflenwi perthnasol, ond dim ond i'r graddau y bo gwneud hynny'n angenrheidiol at ddibenion etholiad lle y bydd gan y person ifanc hawl i bleidleisio neu mewn cysylltiad ag etholiad o'r fath.

(5) Yn is-adran (4), ystyr "deddfiad cyflenwi perthnasol" yw—

- (a) rheoliad 100 o Reoliadau 2001 (cyflenwi i'r Comisiwn Etholiadol);
- (b) rheoliad 104 o Reoliadau 2001 (cyflenwi i ddeiliaid swyddi etholiadol perthnasol ac ymgeiswyr), i'r graddau y mae'n gymwys i Aelod o'r Senedd;
- (c) rheoliad 108 o Reoliadau 2001 (cyflenwi i ymgeiswyr), i'r graddau y mae'n gymwys i ymgeiswyr yn etholiadau'r Senedd;
- (d) rheoliad 102 o Reoliadau 2001 (darpariaeth gyffredinol), i'r graddau y mae'n ymwneud â rheoliadau 104 a 108;
- (e) unrhyw ddeddfiad sy'n gwneud darpariaeth sy'n cyfateb i'r ddarpariaeth yn rheoliad 61 o Reoliadau 2001 (cofnodion a rhestrau pleidleiswyr absennol) mewn perthynas ag etholiadau'r Senedd;
- (f) unrhyw ddeddfiad sy'n gwneud darpariaeth sy'n cyfateb i'r ddarpariaeth yn rheoliad 98(4) o Reoliadau 2001 mewn perthynas ag etholiadau'r Senedd.

(6) Caniateir datgelu gwybodaeth person ifanc i unrhyw berson i'r graddau y bo hynny'n angenrheidiol at ddibenion ymchwiliad troseddol neu achos troseddol sy'n ymwneud â throsedd (neu drosedd honedig) o dan unrhyw ddeddfiad sy'n ymwneud ag—

- (a) cofrestru etholwyr, neu
- (b) cynnal etholiadau.

(7) Caniateir datgelu gwybodaeth person ifanc i'r person ifanc y mae'r wybodaeth yn ymwneud ag ef.

(8) Rhaid i swyddog cofrestru gyflenwi gwybodaeth person ifanc i'r person ifanc y mae'r wybodaeth yn ymwneud ag ef os bydd y person ifanc yn gofyn am yr wybodaeth at diben gwirio bod y person ifanc yn rhoddwr a ganiateir o fewn ystyr ("permissible donor") yn adran 54(2)(a) o Ddeddf Pleidiau Gwleidyddol, Etholiadau a Refferenda 2000 (p. 41).

(9) Caniateir datgelu gwybodaeth person ifanc i berson a benodwyd yn ddirprwy i bleidleisio ar ran y person ifanc y mae'r wybodaeth yn ymwneud ag ef.

(10) Ni chaiff person y datgelwyd gwybodaeth person ifanc iddo o dan is-adran (2) neu (6) ddatgelu'r wybodaeth i berson arall, ac eithrio fel y crybwyllir yn yr is-adran honno.

(11) Mae person sy'n torri is-adran (10) yn cyflawni trosedd ac mae'n agored i ddirwy ar euogfarn ddiannod.

26 Darpariaeth bellach ar gyfer eithriadau

(1) Caiff Gweinidogion Cymru drwy reoliadau wneud darpariaeth ar gyfer neu ynghylch datgelu gwybodaeth person ifanc mewn cysylltiad ag etholiadau i'r Senedd.

(2) Caiff rheoliadau o dan is-adran (1) (ymhlith pethau eraill) gynnwys darpariaeth—

(a) yn awdurdodi neu'n ei gwneud yn ofynnol i swyddogion cofrestru gyflenwi neu ddatgelu fel arall unrhyw wybodaeth person ifanc i bersonau a bennir yn y rheoliadau;

(b) yn pennu, mewn perthynas ag unrhyw ddisgrifiad o bersonau a bennir yn y rheoliadau yn unol â pharagraff (a), y dibenion y caniateir defnyddio unrhyw wybodaeth person ifanc a gyflenwyd neu a ddatgelwyd fel arall;

(c) yn gosod gwaharddiadau neu gyfyngiadau sy'n ymwneud â'r graddau (os o gwbl) y caiff personau y cyflenwyd neu y datgelwyd unrhyw wybodaeth person ifanc iddynt (boed hynny yn unol â'r rheoliadau neu fel arall)—

(i) cyflenwi neu ddatgelu fel arall yr wybodaeth i bersonau eraill;

(ii) gwneud defnydd o'r wybodaeth ac eithrio at unrhyw ddibenion a bennir yn y rheoliadau neu'r dibenion y cyflenwyd neu y datgelwyd yr wybodaeth fel arall yn unol â'r rheoliadau;

(d) yn gosod gwaharddiadau neu gyfyngiadau sy'n cyfateb i'r rhai y caniateir eu gosod yn rhinwedd paragraff (c) mewn perthynas ag—

(i) personau y mae unrhyw wybodaeth person ifanc wedi ei chyflenwi neu ei datgelu fel arall iddynt yn unol â rheoliadau a wneir yn unol â pharagraff (c) neu'r paragraff hwn, neu

(ii) personau sydd fel arall â mynediad at unrhyw wybodaeth person ifanc;

(e) yn gosod, mewn perthynas â phersonau sy'n ymwneud â pharatoi'r gofrestr lawn o etholwyr llywodraeth leol, waharddiadau sy'n ymwneud â chyflenwi copïau o'r gofrestr lawn a datgelu unrhyw wybodaeth person ifanc a gynhwysir ynddi.

(3) Caiff rheoliadau o dan is-adran (1)—

(a) diwygio, diddymu neu addasu darpariaeth yn adran 25;

(b) gwneud darpariaeth drwy gyfeirio at ddeddfiadau eraill sy'n ymwneud â chyflenwi neu ddatgelu'r gofrestr o etholwyr llywodraeth leol, neu gopïau ohoni neu'r cofnodion ynddi;

(c) darparu ar gyfer creu troseddau sydd i'w cosbi drwy ddirwy ar euogfarn ddiannod.

(4) Cyn gwneud rheoliadau o dan is-adran (1), rhaid i Weinidogion Cymru ymgynghori â'r cyfryw bersonau sy'n briodol ym marn Gweinidogion Cymru.

27 Diwygiadau i Orchymyn Cynulliad Cenedlaethol Cymru (Cynrychiolaeth y Bobl) 2007

(1) Mae Gorchymyn 2007 wedi ei ddiwygio fel a ganlyn.

(2) Yn erthygl 2(1)—

(a) ar ôl y diffiniad o "qualifying Commonwealth citizen" mewnosoder—

""qualifying foreign citizen" means a person who—

(a) is not a Commonwealth citizen, a citizen of the Republic of Ireland or a relevant citizen of the Union, and

(b) either—

(i) is not a person who requires leave under the Immigration Act 1971 to enter or remain in the United Kingdom, or

(ii) is such a person but for the time being has (or is, by virtue of any enactment, to be treated as having) any description of such leave;";

(b) yn y diffiniad o "qualifying Commonwealth citizen" yn lle "indefinite leave to remain within the meaning of that Act" hyd at y diwedd rhodder "any description of such leave";

(c) ar ddiwedd y diffiniad o "valid postal voting statement", hepgorer "and";

(d) ar ôl y diffiniad o "voter", mewnosoder—

""voting age" means 16 years of age or over."

(3) Yn erthygl 11 (dirprwyon yn etholiadau'r Cynulliad)—

(a) ym mharagraff (3)(b), ar ôl "Union" mewnosoder "nor a qualifying foreign citizen";

(b) ym mharagraff (4), yn lle "eighteen" rhodder "16".

(4) Yn erthygl 26(3)(b) (effaith cofrestrau), ar ôl is-baragraff (i) mewnosoder—

"(ia) a qualifying foreign citizen;".

(5) Mae'r diwygiadau a ganlyn yn cael effaith at ddibenion etholiad i fod yn Aelod o'r Senedd pan gynhelir y bleidlais ar 5 Ebrill 2021 neu wedi hynny—

(a) y diwygiad a wneir gan is-adran (2)(d) i'r graddau y mae'n diffinio "voting age" yn erthygl 26(3)(a) o Orchymyn 2007;

(b) y diwygiadau a wneir gan is-adrannau (3) a (4).