



OFFERYNNAU STATUDOL
CYMRU

2008 Rhif 1848 (Cy.177)

**LLYWODRAETH LEOL,
CYMRU**

**Rheoliadau Awdurdodau Lleol
(Cynnal Refferenda) (Cymru)
2008**

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn ailddeddfu rheoliadau o'r un enw a wnaed yn 2004 (O.S. 2004/870 (Cy.85)) ("Rheoliadau 2004"), gyda diwygiadau angenrheidiol i ddarparu ar gyfer cynnal refferenda sydd i'w cynnal o dan adran 27 o Ddeddf Llywodraeth Leol 2000 (p.22) ("Deddf 2000"), neu yn rhinwedd rheoliadau neu orchymyn a wneir o dan unrhyw ddarpariaeth o Ran II o Ddeddf 2000. Mae'r Rheoliadau hyn yn gymwys mewn perthynas â Chymru. Bydd y refferenda yn ymwneud â'r cwestiwn p'un ai trefniadau gweithrediaeth o faer a chabinet, gweithrediaeth o faer a rheolwr y cyngor neu weithrediaeth o arweinydd a chabinet y dylai cyngor sir neu gyngor bwrdeistref sirol eu mabwysiadu. Mae'r Rheoliadau hefyd yn rhagnodi ffurfiau penodol sydd i'w defnyddio mewn refferendwm o dan Ddeddf yr Iaith Gymraeg 1993.

Y prif newidiadau a wneir yn Rheoliadau 2004 yw, yn gyntaf, gwneud y newidiadau angenrheidiol i gyflawni'r newidiadau a wnaed gan Ddeddf Gweinyddu Etholiadau 2006 (p. 22) ("Deddf 2006") yn y cyd-destun hwn, ac yn ail, pennu'r rheolau yn llawn ar gyfer cynnal refferenda.

Mae rheoliad 3 ac Atodlen 1 yn pennu ffurf y geiriau yn y datganiad a'r cwestiwn sydd i'w ofyn yn y refferendwm.

Mae rheoliad 4 yn ei gwneud yn ofynnol rhoi hysbysiad cyhoeddus o gynigion yr awdurdod lleol o dan adran 25 o Ddeddf 2000 neu, yn ôl y digwydd, o dan reoliad 17 neu 19 o Reoliadau Awdurdodau Lleol (Refferenda) (Deisebau a Chyfarwyddiadau) (Cymru)

WELSH
STATUTORY INSTRUMENTS

2008 No. 1848 (W.177)

**LOCAL GOVERNMENT,
WALES**

**The Local Authorities (Conduct of
Referendums) (Wales) Regulations
2008**

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations re-enact Regulations of the same name made in 2004 (S.I. 2004/870 (W.85)) ("the 2004 Regulations"), with necessary amendments, to make provision for the conduct of referendums to be held under section 27 of the Local Government Act 2000 (c.22) ("the 2000 Act"), or by virtue of regulations or an order made under any provision of Part II of the 2000 Act. These Regulations apply in relation to Wales. The referendums will relate to the question of whether a county or county borough council should adopt executive arrangements that include a mayor and cabinet executive, a mayor and council manager executive or a leader and cabinet executive. The Regulations also prescribe certain forms for use at a referendum under the Welsh Language Act 1993.

The principal changes that are made to the 2004 Regulations are, first, to make the changes necessary to implement the changes made by the Electoral Administration Act 2006 (c. 22) ("the 2006 Act") in this context, and second, to set out the rules for the conduct of referendums in full.

Regulation 3 and Schedule 1 prescribe the form of words of the statement and the question to be asked in the referendum.

Regulation 4 requires public notice to be given of the local authority's proposals under section 25 of the 2000 Act or, as the case may be, under regulation 17 or 19 of the Local Authorities (Referendums) (Petitions and Directions) (Wales) Regulations 2001 ("the Petitions

2001 ("y Rheoliadau Deisebau a Chyfarwyddiadau"), o dan reoliadau o dan adran 30 neu 33 o Ddeddf 2000, neu o dan orchymyn o dan adran 36 o'r Ddeddf honno. Rhaid i'r hysbysiad bennu dyddiad y refferendwm, amryw o faterion sy'n gysylltiedig â chynnal y refferendwm a'r modd y bydd cynigion yr awdurdod lleol ar gael i'w harchwilio gan y cyhoedd. Mae'r rheoliad hwn hefyd yn caniatáu i awdurdodau lleol ddarparu gwybodaeth ffeithiol am eu cynigion, amlinelliad o'r cynigion wrth gefn sydd ganddynt a'r refferendwm cyn belled â bod yr wybodaeth wedi ei chyflwyno yn deg.

Mae rheoliad 5 yn gosod cyfyngiadau ar y deunydd y gellir ei gyhoeddi, ei arddangos neu ei ddsbarthu gan neu ar ran yr awdurdod yn ystod y cyfnod o 28 diwrnod cyn dyddiad y refferendwm

Mae rheoliad 6 yn gosod "cyfyngiad treuliau refferendwm" ar y swm y bydd modd ei wario fel "treuliau refferendwm" (diffinnir y ddau derm yn rheoliad 6(1), y mae Atodlen 2 yn berthnasol iddo). Mae swm y treuliau refferendwm yn cael ei uwchraddio i adlewyrchu'r chwyddiant rhwng gwneud Rheoliadau 2004 a gwneud y Rheoliadau hyn. O dan reoliad 6(3) mae'n dramgwydd gwario dros ben y cyfyngiad treuliau refferendwm.

Mae rheoliad 7 yn darparu bod symiau sy'n berthnasol i ddefnyddio rhai mathau o eiddo, gwasanaethau a chyfleusterau i'w trin fel pe baent wedi eu gwario fel treuliau refferendwm at ddibenion rheoliad 6.

Mae rheoliad 8 yn darparu ar gyfer cynnal refferendwm. At y diben hwn yr oedd Rheoliadau 2004 yn cymhwyso Rheolau Etholiadau Lleol (Prif Ardaloedd) 1986 (O.S. 1986/2214) gydag addasiadau. Mae'r Rheoliadau hyn yn nodi'r rheolau ar gyfer cynnal refferendwm yn llawn (Rheolau Refferenda'r Ddeddf Llywodraeth Leol), yn Atodlen 3. Rhoddir crynodeb o'r newidiadau sy'n adlewyrchu Deddf 2006 ar ddiwedd y nodyn hwn. Cymhwysir deddfwriaeth etholiadol arall, gydag addasiadau, i hwyluso'r modd y cynhelir refferenda (fel a nodir yn Nhablau 1 i 5 o Atodlen 4).

Mae rheoliad 9 yn pennu pwy sydd i fod yn swyddog cyfrif yn y refferendwm.

Mae rheoliad 10 yn ymdrin â chanlyniad y refferendwm, yn ddarostyngedig i'r darpariaethau sy'n caniatáu herio canlyniad y refferendwm.

Mae rheoliad 11 yn pennu'r seiliau dros herio a'r cyfnod y bydd yn rhaid gwneud unrhyw ddeiseb refferendwm oddi mewn iddo. Mae hefyd yn nodi'r gweithdrefnau sy'n gymwys i ddeisebau refferendwm ac yn cymhwyso gydag addasiadau, drwy Atodlenni 5 a 6, Deddf Cynrychiolaeth y Bobl 1983 a Rheolau Deisebau Etholiadau 1960. Mae rheoliad 12 yn ymdrin â chanlyniadau di-oed dwyn deiseb refferendwm (p'un a gaiff yr awdurdod gweithredu neu barhau i weithredu

and Directions Regulations"), under regulations under section 30 or 33 of the 2000 Act, or an order under section 36 of that Act. The notice must specify the date of the referendum, various matters relating to the conduct of the referendum, and the availability for public inspection of the local authority's proposals. This regulation also allows local authorities to provide factual information about their proposals, outline fall-back proposals and the referendum, so long as the information is presented fairly.

Regulation 5 imposes restrictions on the material that may be published, displayed or distributed by and on behalf of the authority during the period of 28 days before the date of the referendum.

Regulation 6 imposes a "referendum expenses limit" on the amount that may be incurred by way of "referendum expenses" (both terms are defined in regulation 6(1), to which Schedule 2 is relevant). The amount of referendum expenses is uprated to reflect inflation between the making of the 2004 Regulations and these Regulations. Under regulation 6(3) there is an offence for expenditure in excess of the referendum expenses limit.

Regulation 7 provides for amounts relevant to the use of certain property, services and facilities to be treated as incurred by way of referendum expenses for the purposes of regulation 6.

Regulation 8 provides for the conduct of a referendum. The 2004 Regulations applied for this purpose the Local Elections (Principal Areas) Rules 1986 (S.I. 1986/2214) with modifications. These Regulations set out the rules for the conduct of a referendum in full (the Local Government Act Referendums Rules), in Schedule 3. The changes which reflect the 2006 Act are summarised at the end of this note. Other electoral legislation is applied, with modifications, to facilitate the conduct of referendums (as set out in Tables 1 to 5 of Schedule 4).

Regulation 9 specifies who is to be the counting officer at the referendum.

Regulation 10 deals with the result of the referendum, subject to the provisions which allow the result of the referendum to be challenged.

Regulation 11 specifies the grounds of challenge and the period within which a referendum petition must be made. It also sets out the procedures applicable to referendum petitions, and applies with modifications, through Schedules 5 and 6, provisions of the Representation of the People Act 1983 and the Election Petitions Rules 1960. Regulation 12 addresses the immediate consequences of the bringing of a referendum petition (as to whether the authority may

trefniadau gweithrediaeth newydd yn unol â'r refferendwm ai peidio). Mae rheoliad 13 yn darparu ar gyfer y sefyllfa wedi i lys etholiad benderfynu deiseb refferendwm.

Mae rheoliad 14 yn darparu ar gyfer anwybyddu diwrnodau penodol wrth gyfrifo cyfnodau penodol o amser at ddibenion y Rheoliadau hyn.

Mae rheoliad 15 yn eithrio hysbysebion sy'n ymwneud yn benodol â'r refferendwm rhag rheoliadau o dan Ddeddf Cynllunio Gwlad a Thref 1990 (p. 8) sy'n rheoli arddangos hysbysebion.

Mae rheoliad 16 yn darparu bod mangreoedd a ddefnyddir mewn perthynas â'r refferendwm ar gyfer cyfarfodydd cyhoeddus neu ar gyfer cymryd y bleidlais i'w trin fel mangreoedd heb eu meddiannu at ddibenion trethu.

Mae Atodlen 1 yn rhagnodi'r datganiad a ffurf y cwestiwn sydd i'w ofyn yn y refferendwm.

Mae Atodlen 2 yn gwneud darpariaeth ynghylch materion sy'n berthnasol i dreuliau refferendwm.

Mae Atodlen 3 yn cynnwys Rheolau Refferenda'r Ddeddf Llywodraeth Leol.

Mae Atodlen 4 yn cymhwyso deddfwriaeth etholiadol gydag addasiadau i hwyluso'r modd y cynhelir refferenda. Cymhwysir darpariaethau o'r deddfiadau a'r is-ddeddfwriaeth canlynol: Deddfau Cynrychiolaeth y Bobl 1983 (p. 2), 1985 (p. 50) a 2000 (p. 2), Deddf Pleidiau Gwleidyddol, Etholiadau a Refferenda 2000 (p. 41), Deddf 2006 a Rheoliadau Cynrychiolaeth y Bobl (Cymru a Lloegr) 2001 (O.S. 2001/341).

Mae Atodlen 5 yn cymhwyso gydag addasiadau ddarpariaethau Deddf Cynrychiolaeth y Bobl 1983 at ddibenion dwyn deiseb refferendwm i herio'r canlyniad mewn refferendwm.

Mae Atodlen 6 yn gwneud addasiadau yn Rheolau Deisebau Etholiadau 1960, pan gymhwysir hwy i refferenda gan reoliad 11(9).

Mae'r darpariaethau yn y Rheolau Refferenda'r Ddeddf Llywodraeth Leol ("y Rheolau") sy'n adlewyrchu newidiadau a wnaed gan Ddeddf 2006 yn cynnwys y canlynol.

Mae'r Rheolau'n adlewyrchu mesurau diogelwch newydd a gyflwynwyd gan Ddeddf 2006. Darperir ar gyfer nodau diogelwch ar bapurau pleidleisio, yn ogystal â nodau adnabod unigryw. Disodlir bonion papurau pleidleisio gan restrau rhifau cyfatebol. Gosodir gofynion bod pleidleiswyr post a dirprwyon sy'n pleidleisio drwy'r post yn darparu eu llofnod a'u dyddiad geni wrth ddychwelyd papurau pleidlais bost.

Mae'r Rheolau'n adlewyrchu newidiadau yn yr amgylchiadau pan ganiateir i berson roi pleidlais sydd

implement or continue to operate new executive arrangements in pursuance of the referendum). Regulation 13 makes provision for the situation after an election court has determined a referendum petition.

Regulation 14 provides for certain days to be ignored in computing certain periods of time for the purposes of these Regulations.

Regulation 15 exempts advertisements relating specifically to the referendum from regulations under the Town and County Planning Act 1990 (c. 8) controlling the display of advertisements.

Regulation 16 provides that premises used in relation to the referendum for public meetings or the taking of the poll are to be treated as unoccupied for rating purposes.

Schedule 1 prescribes the statement and the form of the question to be asked in the referendum.

Schedule 2 makes provision about the matters relevant to referendum expenses.

Schedule 3 contains the Local Government Act Referendums Rules.

Schedule 4 applies electoral legislation with modifications to facilitate the conduct of referendums. Provisions from the following enactments and subordinate legislation are applied: the Representation of the People Acts 1983 (c. 2), 1985 (c. 50) and 2000 (c. 2), the Political Parties, Elections and Referendums Act 2000 (c. 41), the 2006 Act and the Representation of the People (England and Wales) Regulations 2001 (S.I. 2001/341).

Schedule 5 applies with modifications provisions of the Representation of the People Act 1983 for the purposes of the bringing of a referendum petition to challenge the result in a referendum.

Schedule 6 makes modifications to the Election Petition Rules 1960, when applied to referendums by regulation 11(9).

The provisions of the Local Government Act Referendums Rules ("the Rules") which reflect changes made by the 2006 Act include the following.

The Rules reflect new security measures introduced by the 2006 Act. Security markings on ballot papers are provided for; so too are unique identifying marks. Counterfoils on ballot papers are replaced by corresponding number lists. Requirements are imposed requiring postal voters and postal proxies to provide both their signature and date of birth when returning postal ballot papers.

The Rules reflect alterations as to the circumstances in which a person may give a tendered vote. New

wedi ei thendro. Cyflwynir gofynion newydd o ran yr wybodaeth a hygyrchedd yr wybodaeth sydd i'w darparu gan swyddogion cyfrif i bleidleiswyr.

Mae'r Rheolau yn adlewyrchu newidiadau a wnaed ynglŷn â'r personau y caniateir mynediad iddynt i orsaf bleidleisio ac i'r cyfrif i arsylwi ar refferenda.

Gwneir diwygiadau i ddarparu ar gyfer trosglwyddo gwybodaeth i swyddog llywyddu am newidiadau yn y gofrestr etholwyr sy'n dod i rym ar ddiwrnod y pleidleisio. Gwneir diwygiadau o ganlyniad i gyflwyno cynllun ar gyfer cofrestru etholwyr penodol yn ddiennw.

Mae'r Rheolau yn adlewyrchu newidiadau a wnaed ynglŷn â chadw ac archwilio dogfennau refferendwm ar ôl y pleidleisio.

Mae'r ffurflenni newydd a atodir i'r Rheolau yn adlewyrchu'r newidiadau a wnaed gan Ddeddf 2006.

Paratowyd asesiad effaith rheoleiddiol mewn perthynas â'r Rheoliadau hyn ac y mae ar gael o'r Isadran Polisi Llywodraeth Leol, Llywodraeth Cynulliad Cymru, Parc Cathays, Caerdydd CF10 3NQ.

requirements are introduced as to the information and accessibility of information to be provided by counting officers to voters.

The Rules reflect changes made as to the persons who may be admitted to a polling station and the count to observe referendums.

Amendments are made to provide for transmission of information to a presiding officer of alterations to the electoral register taking effect on the day of the poll. Amendments consequential upon the introduction of a scheme for the anonymous registration of certain electors are made.

The Rules reflect changes made regarding the retention and inspection of referendum documents after the poll.

The new forms which are appended to the Rules reflect the changes made by the 2006 Act.

A regulatory impact assessment has been carried out in connection with these Regulations and is available from the Local Government Policy Division of the Welsh Assembly Government, Cathays Park, Cardiff CF10 3NQ.

2008 Rhif 1848 (Cy.177)

**LLYWODRAETH LEOL,
CYMRU**

**Rheoliadau Awdurdodau Lleol
(Cynnal Refferenda) (Cymru)
2008**

Gwnaed

9 Gorffennaf 2008

Yn dod i rym yn unol â rheoliad 1

Mae Gweinidogion Cymru yn gwneud y Rheoliadau canlynol drwy arfer y pwerau a roddwyd i Gynulliad Cenedlaethol Cymru gan adran 26 o Ddeddf yr Iaith Gymraeg 1993(1) a chan adrannau 45, 105 a 106(1) o Ddeddf Llywodraeth Leol 2000(2) ac a freiniwyd bellach ynddynt hwy(3):

Mae Gweinidogion Cymru wedi ymgynghori â'r Comisiwn Etholiadol ynglŷn â'r Rheoliadau hyn yn unol ag adran 45(8A) o Ddeddf Llywodraeth Leol 2000.

Yn unol ag adran 45(8B) ac (8C) o'r Ddeddf honno, mae Gweinidogion Cymru wedi ymgynghori â'r Comisiwn Etholiadol ynglŷn â pha mor ddealladwy yw'r cwestiynau y gellir eu gofyn mewn refferendwm ynghyd â'r datganiadau sy'n rhagflaenu'r cwestiynau hynny fel a bennir yn y Rheoliadau hyn. Maent wedi cyflwyno adroddiad gerbron Cynulliad Cenedlaethol Cymru sy'n datgan y safbwyntiau a fynegwyd gan y Comisiwn yn ei ymateb.

(1) 1993 p.38.

(2) 2000 p.22; mewnosodwyd adrannau 45(8A) i (8D) a diwygiwyd adran 45(9) gan baragraff 18 o Atodlen 21 i Ddeddf Pleidiau Gwleidyddol, Etholiadau a Refferenda 2000 (p.41); diwygiwyd adran 105(6) a mewnosodwyd adran 105(6A) gan baragraff 14 o Atodlen 3 i Ddeddf Llywodraeth Leol 2003 (p.26).

(3) Trosglwyddwyd swyddogaethau Cynulliad Cenedlaethol Cymru i Weiniogion Cymru yn rhinwedd paragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p.32).

2008 No. 1848 (W.177)

**LOCAL GOVERNMENT,
WALES**

**The Local Authorities (Conduct of
Referendums) (Wales) Regulations
2008**

Made

9 July 2008

*Coming into force in accordance with
regulation 1*

The Welsh Ministers make the following Regulations in exercise of the powers conferred upon the National Assembly for Wales by section 26 of the Welsh Language Act 1993(1) and by sections 45, 105 and 106(1) of the Local Government Act 2000(2) and now vested in them(3):

The Welsh Ministers have consulted the Electoral Commission about these Regulations in accordance with section 45(8A) of the Local Government Act 2000.

In accordance with section 45(8B) and (8C) of that Act, the Welsh Ministers have consulted the Electoral Commission on the intelligibility of the questions which may be asked at a referendum together with the statements which precede these questions as specified in these Regulations. They have laid before the National Assembly for Wales a report stating the views expressed by the Commission in response.

(1) 1993 c.38.

(2) 2000 c.22; sections 45(8A) to (8D) were inserted by, and section 45(9) was amended by, paragraph 18 of Schedule 21 to the Political Parties, Elections and Referendums Act 2000 (c.41); section 105(6) was amended by, and section 105(6A) was inserted by, paragraph 14 of Schedule 3 to the Local Government Act 2003 (c.26).

(3) The functions of the National Assembly for Wales were transferred to the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c.32).

Yn unol ag adran 45(8D) o'r Ddeddf honno, mae Gweinidogion Cymru wedi gofyn am farn y Comisiwn Etholiadol ar fater y cyfyngiad treuliau refferendwm ac wedi rhoi sylw i'r farn honno. Nid ydynt wedi cyflwyno datganiad gerbron Cynulliad Cenedlaethol Cymru yn unol â'r is-adran honno oherwydd bod y Rheoliadau hyn yn cyd-fynd â'r farn honno.

Yn unol ag adran 105(6) o'r Ddeddf honno (fel y'i cymhwysir gan baragraff 34(2) o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006), mae drafft o'r offeryn hwn wedi ei osod gerbron ac wedi ei gymeradwyo gan benderfyniad Cynulliad Cenedlaethol Cymru.

Enwi, cychwyn a dirymu

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Awdurdodau Lleol (Cynnal Refferenda) (Cymru) 2008.

(2) Daw'r Rheoliadau hyn i rym 14 diwrnod ar ôl y diwrnod pan gânt eu gwneud.

(3) Mae'r Rheoliadau hyn yn gymwys ar gyfer cynnal refferenda gan awdurdodau lleol yng Nghymru.

(4) Dirymir Rheoliadau Awdurdodau Lleol (Cynnal Refferenda) (Cymru) 2004(1).

Dehongli

2.—(1) Yn y rheoliadau hyn—

ystyr "ardal y bleidlais" ("*voting area*") yw'r ardal lle y cynhelir refferendwm;

ystyr "arsylwr cyfrif" ("*counting observer*") yw person a benodir gan swyddog cyfrif o dan reol 18(2) o Reolau Refferenda'r Ddeddf Lywodraeth Leol;

ystyr "arsylwr pleidleisio" ("*polling observer*") yw person a benodir gan swyddog cyfrif o dan reol 18(1) o Reolau Refferenda'r Ddeddf Llywodraeth Leol;

ystyr "cyfnod y refferendwm" ("*referendum period*"), mewn perthynas â refferendwm (gan gynnwys refferendwm pellach), yw'r cyfnod sy'n cychwyn ar—

(a) pan fo'r dyddiad cynigion yn rhagflaenu'r dyddiad y daw'r Rheoliadau hyn i rym, y dyddiad y daw'r Rheoliadau hyn i rym;

(b) mewn unrhyw achos arall, dyddiad y cynigion,

ac yn diweddu ar ddyddiad y refferendwm;

In accordance with section 45(8D) of that Act, the Welsh Ministers have sought and had regard to the views of the Electoral Commission on the matter of the limitation of referendums expenses. They have laid no statement before the National Assembly for Wales in pursuance of that subsection because these Regulations accord with those views.

In accordance with section 105(6) of that Act (as applied by paragraph 34(2) of Schedule 11 to the Government of Wales Act 2006), a draft of this instrument has been laid before and approved by a resolution of the National Assembly for Wales.

Title, commencement and revocation

1.—(1) The title of these Regulations is the Local Authorities (Conduct of Referendums) (Wales) Regulations 2008.

(2) These Regulations come into force 14 days after the day on which they are made.

(3) These Regulations apply to the holding of referendums by local authorities in Wales.

(4) The Local Authorities (Conduct of Referendums) (Wales) Regulations 2004 are revoked(1).

Interpretation

2.—(1) In these Regulations—

"the 1983 Act" ("*Deddf 1983*") means the Representation of the People Act 1983(2);

"the 1985 Act" ("*Deddf 1985*") means the Representation of the People Act 1985(3);

"the 2000 Act" ("*Deddf 2000*") means the Local Government Act 2000(4);

"counting observer" ("*arsylwr cyfrif*") means a person appointed by a counting officer under rule 18(2) of the Local Government Act Referendums Rules;

"counting officer" ("*swyddog cyfrif*") means a person referred to in regulation 9;

"elected mayor" ("*maer etholedig*"), in relation to a local authority, means an individual elected as mayor of the local authority by the local government electors for the local authority's area in accordance with provisions made by or under Part II of the 2000 Act;

(1) O.S. 2004/870 (Cy.85), fel y'i diwygiwyd gan O.S. 2005/3302 (Cy.256).

(1) S.I. 2004/870 (W.85), amended by S.I. 2005/3302 (W.256).

(2) 1983 c.2.

(3) 1985 c.50.

(4) 2000 c.22.

ystyr "cynigion wrth gefn amlinellol" ("outline fall-back proposals")—

- (a) mewn perthynas â chynigion o dan adran 25 (cynigion) o Ddeddf 2000, yw amlinelliad o'r cynigion y mae awdurdod lleol yn bwriadu eu gweithredu pe bai ei gynigion o dan adran 25 yn cael eu gwrthod mewn refferendwm;
- (b) mewn perthynas â chynigion o dan reoliad 17 (gweithredu cyn refferendwm) neu reoliad 19 (gweithredu yn dilyn cyfarwyddyd) o'r Rheoliadau Deisebau a Chyfarwyddiadau, yw amlinelliad o'r cynigion y mae awdurdod lleol yn bwriadu eu gweithredu pe bai'r cynigion sydd i fod yn destun refferendwm o dan Ran II neu Ran III o'r Rheoliadau hynny yn cael eu gwrthod yn y refferendwm hwnnw;
- (c) mewn perthynas â chynigion o dan orchymyn o dan adran 36 (refferendwm yn dilyn gorchymyn) o Ddeddf 2000, yw—
 - (i) os yw'r awdurdod lleol bryd hynny yn gweithredu trefniadau gweithrediaeth neu drefniadau amgen, crynodeb o'r trefniadau hynny;
 - (ii) mewn unrhyw achos arall, amlinelliad o'r cynigion a bennir yn y gorchymyn y mae'r awdurdod lleol yn bwriadu eu gweithredu pe bai cynigion sydd i fod yn destun refferendwm yn cael eu gwrthod yn y refferendwm hwnnw;
- (ch) mewn perthynas â chynigion o dan reoliadau o dan adran 30 (gweithredu trefniadau gweithrediaeth gwahanol) neu adran 33 (gweithredu trefniadau amgen) o Ddeddf 2000, yw crynodeb o drefniadau gweithrediaeth presennol neu drefniadau amgen presennol yr awdurdod lleol (yn ôl y digwydd);

ystyr "Deddf 1983" (*"the 1983 Act"*) yw Deddf Cynrychiolaeth y Bobl 1983(1);

ystyr "Deddf 1985" (*"the 1985 Act"*) yw Deddf Cynrychiolaeth y Bobl 1985(2);

ystyr "Deddf 2000" (*"the 2000 Act"*) yw Deddf Llywodraeth Leol 2000(3);

ystyr "Deddf CB 2000" (*"the RP Act 2000"*) yw Deddf Cynrychiolaeth y Bobl 2000(4);

ystyr "Deddf yr Etholiadau" (*"the Elections Act"*) yw Deddf Pleidiau Gwleidyddol, Etholiadau a Refferenda 2000 (5);

"the Elections Act" (*"Deddf yr Etholiadau"*) means the Political Parties, Elections and Referendums Act 2000(1);

"European Parliamentary election" (*"etholiad Senedd Ewrop"*) and "European Parliamentary general election" (*"etholiad cyffredinol Senedd Ewrop"*) must be construed in accordance with section 27(1) of the 1985 Act(2);

"further referendum" (*"refferendwm pellach"*) means a referendum held in pursuance of an order under regulation 13(3);

"the Local Government Act Referendums Rules" (*"Rheolau Refferenda'r Ddeddf Llywodraeth Leol"*) means the rules set out in Schedule 3 to these Regulations;

"local government election" (*"etholiad llywodraeth leol"*) must be construed in accordance with section 203(1) of the 1983 Act;

"mayoral election" (*"etholiad maerol"*) must be construed in accordance with the Local Authorities (Mayoral Elections) (England and Wales) Regulations 2007(3);

"outline fall-back proposals" (*"cynigion wrth gefn amlinellol"*)—

- (a) in relation to proposals under section 25 (proposals) of the 2000 Act, means an outline of the proposals that a local authority intend to implement if their proposals under section 25 are rejected in a referendum;
- (b) in relation to proposals under regulation 17 (action before referendum) or regulation 19 (action following direction) of the Petitions and Directions Regulations, means an outline of the proposals that a local authority intend to implement if proposals that are to be the subject of a referendum under Part II or Part III of those Regulations are rejected in that referendum;
- (c) in relation to proposals under an order under section 36 (referendum following order) of the 2000 Act, means—
 - (i) if the local authority are then operating executive or alternative arrangements, a summary of those arrangements;
 - (ii) in any other case, an outline of the proposals specified in the order that the local authority intend to implement if proposals that are to be the subject of a

(1) 1983 p.2.

(2) 1985 p.50.

(3) 2000 p.22.

(4) 2000 p.2.

(5) 2000 p.41.

(1) 2000 c.41.

(2) 1985 c.50; the definitions were amended by section 3 of the European Communities (Amendment) Act 1986 (c.58) in consequence of the European Assembly being renamed the European Parliament.

(3) S.I. 2007/1024.

ystyr "dyddiad y cynigion" ("*proposals date*")—

- (d) mewn perthynas â refferendwm, ac eithrio refferendwm pellach, yw'r dyddiad pan gaiff cynigion—
- (i) o dan adran 25 o Ddeddf 2000 sy'n ymwneud â ffurf o weithrediaeth y mae refferendwm yn ofynnol ar ei chyfer,
 - (ii) o dan reoliad 17 neu 19 o'r Rheoliadau Deisebau a Chyfarwyddiadau,
 - (iii) o dan orchymyn o dan adran 36 o Ddeddf 2000, neu
 - (iv) o dan reoliadau o dan adran 30 neu 33 o Ddeddf 2000(1),

eu hanfon at Weinidogion Cymru; a

- (e) mewn perthynas â refferendwm pellach, yw'r diwrnod sy'n digwydd ddau fis cyn y diwrnod y cynhelir y bleidlais yn y refferendwm pellach;

rhaid dehongli "etholiad llywodraeth leol" ("*local government election*") yn unol ag adran 203(1) o Ddeddf 1983;

rhaid dehongli "etholiad maerol" ("*mayoral election*") yn unol â Rheoliadau Awdurdodau Lleol (Etholiadau Maerol) (Cymru a Lloegr) 2007(2);

rhaid dehongli "etholiad Senedd Ewrop" ("*European Parliamentary election*") ac "etholiad cyffredinol Senedd Ewrop" ("*European Parliamentary general election*") yn unol ag adran 27(1) o Ddeddf 1985(3);

ystyr "maer etholedig" ("*elected mayor*"), mewn perthynas ag awdurdod lleol, yw unigolyn a etholir yn faer yr awdurdod lleol gan etholwyr llywodraeth leol ardal yr awdurdod lleol yn unol â darpariaethau a wnaed gan, neu o dan Ran II o Ddeddf 2000;

ystyr "refferendwm" ("*referendum*") yw refferendwm a gynhelir o dan adran 27 (refferendwm yn achos cynigion sy'n ymwneud â maer etholedig) o Ddeddf 2000, neu yn rhinwedd rheoliadau neu orchymyn a wnaed o dan unrhyw ddarpariaeth o Ran II (trefniadau o ran gweithrediaethau etc.) o Ddeddf 2000;

referendum are rejected in that referendum;

- (d) in relation to proposals under regulations under section 30 (operation of different executive arrangements) or section 33 (operation of alternative arrangements) of the 2000 Act, means a summary of the local authority's existing executive arrangements or existing alternative arrangements (as the case may be);

"the Petitions and Directions Regulations" ("*Rheoliadau Deisebau a Chyfarwyddiadau*") means the Local Authorities (Referendums) (Petitions and Directions) (Wales) Regulations 2001(1);

"petition organiser" ("*trefnydd deiseb*"), in relation to a referendum, means a person who is treated for the purposes of regulation 10(4) or (5) (formalities of petition) (as the case may be) of the Petitions and Directions Regulations, as the petition organiser of any valid petition (whether an amalgamated petition, a constituent petition or a post-announcement petition) received by the local authority by or in respect of which the referendum is held(2);

"polling observer" ("*arsylwr pleidleisio*") means a person appointed by a counting officer under rule 18(1) of the Local Government Act Referendums Rules;

"proper officer" ("*swyddog priodol*") must be construed in accordance with section 270(3) of the Local Government Act 1972(3);

"proposals date" ("*dyddiad y cynigion*")—

- (a) in relation to a referendum, other than a further referendum, means the date on which proposals—
- (i) under section 25 of the 2000 Act which involve a form of executive for which a referendum is required,
 - (ii) under regulation 17 or 19 of the Petitions and Directions Regulations,
 - (iii) under an order under section 36 of the 2000 Act, or

(1) *Gweler* Rheoliadau Awdurdodau Lleol (Newid Trefniadau Gweithrediaeth a Threfniadau Amgen) (Cymru) 2004 (O.S. 2004/3158 (Cy.275)).

(2) O.S. 2007/1024.

(3) 1985 c.50; diwygiwyd y diffiniadau gan adran 3 o Ddeddf y Cymunedau Ewropeaidd (Diwygio) 1986 (p.58) o ganlyniad i ailenwi Cynulliad Ewrop yn Senedd Ewrop.

(1) S.I. 2001/2292 (W.180) as amended by S.I.2003/398 (W.55).

(2) The definition of "petition organiser" is to be found in regulation 3 of the Petitions and Directions Regulations. As to the validity of petitions, see regulation 9(1) of those Regulations. As to amalgamated, constituent and post-announcement petitions, relevant definitions are to be found in regulation 3 of those Regulations.

(3) 1972 c.70.

ystyr "refferendwm pellach" ("*further referendum*") yw refferendwm a gynhelir yn unol â gorchymyn o dan reoliad 13(3);

ystyr "Rheolau Refferenda'r Ddeddf Llywodraeth Leol" ("*the Local Government Act Referendums Rules*") yw'r rheolau a nodir yn Atodlen 3 i'r Rheoliadau hyn;

ystyr "Rheoliadau Cynrychiolaeth y Bobl" ("*the Representation of the People Regulations*") yw Rheoliadau Cynrychiolaeth y Bobl (Cymru a Lloegr) 2001(1);

ystyr "y Rheoliadau Deisebau a Chyfarwyddiadau" ("*the Petitions and Directions Regulations*") yw Rheoliadau Awdurdodau Lleol (Refferenda) (Deisebau a Chyfarwyddiadau) (Cymru) 2001(2);

ystyr "swyddog cyfrif" ("*counting officer*") yw person y cyfeirir ato yn rheoliad 9;

mae i "swyddog priodol" yr ystyr a roddir i "*proper officer*" yn adran 270(3) o Ddeddf Llywodraeth Leol 1972(3); ac

ystyr "trefnydd deiseb" ("*petition organiser*"), mewn perthynas â refferendwm, yw person a drinnir at ddibenion rheoliad 10(4) neu (5) (ffurfioldebau deisebau) (yn ôl y digwydd) o'r Rheoliadau Deisebau a Chyfarwyddiadau fel trefnydd unrhyw ddeiseb ddilys (p'un ai deiseb gyfunedig, deiseb gyfansoddol neu ddeiseb wedi'r cyhoeddiad) a dderbyniwyd gan yr awdurdod lleol sy'n cynnal y refferendwm neu y cynhelir y refferendwm mewn perthynas ag ef(4).

(2) Mae pob cyfeiriad yn y darpariaethau canlynol o'r Rheoliadau hyn at adran â rhif yn ei dilyn, onid yw'r cyd-destun yn mynnu'n wahanol, yn gyfeiriad at yr adran yn Neddf 2000 sy'n dwyn y rhif hwnnw.

Y datganiad a'r cwestiwn sydd i'w ofyn mewn refferendwm

3. Pan fo'r cynigion y cynhelir refferendwm mewn perthynas â hwy yn ymwneud ag—

- (a) gweithrediaeth o faer a chabinet, mae'r datganiad sydd i ragflaenu'r cwestiwn ("y datganiad") a'r cwestiwn sydd i'w ofyn yn y refferendwm hwnnw i fod yn y ffurf a bennir ym mharagraff 1 o'r Atodlen i'r Rheoliadau hyn;

(1) O.S. 2001/341; fel y'i diwygiwyd gan O.S. 2001/1700, 2002/1871, 2004/226, 2006/752 a 2006/2910.

(2) O.S. 2001/2292 (Cy.180) fel y'i diwygiwyd gan O.S.2003/398 (Cy.55).

(3) 1972 p.70.

(4) Ceir diffiniad o "*petition organiser*" yn rheoliad 3 o'r Rheoliadau Deisebau a Chyfarwyddiadau. O ran dilysrwydd deisebau, gweler rheoliad 9(1) o'r Rheoliadau hynny. O ran deisebau cyfunedig, deisebau cyfansoddol a deisebau wedi'r cyhoeddiad, ceir diffiniadau perthnasol yn rheoliad 3 o'r Rheoliadau hynny.

- (iv) under regulations under section 30 or 33 of the 2000 Act(1),

are sent to the Welsh Ministers; and

- (b) in relation to a further referendum, means the day which falls two months before the day on which the poll at the further referendum is held;

"referendum" ("*refferendwm*") means a referendum held under section 27 (referendum in case of proposals involving elected mayor) of the 2000 Act, or by virtue of regulations or an order made under any provision of Part II (arrangements with respect to executives etc.) of the 2000 Act;

"referendum period" ("*cyfnod y refferendwm*"), in relation to a referendum (including a further referendum), means the period beginning with—

- (a) where the proposals date precedes the coming into force of these Regulations, the date on which these Regulations come into force;
- (b) in any other case, the proposals date,

and ending on the date of the referendum;

"the Representation of the People Regulations" ("*Rheoliadau Cynrychiolaeth y Bobl*") means the Representation of the People (England and Wales) Regulations 2001(2);

"the RP Act 2000" ("*Deddf CB 2000*") means the Representation of the People Act 2000(3); and

"voting area" ("*ardal y bleidlais*") means the area in which a referendum is held.

(2) Any reference in the following provisions of these Regulations to a section followed by a number is, unless the context otherwise requires, a reference to the section of the 2000 Act that bears that number.

The statement and the question to be asked in a referendum

3. Where the proposals in relation to which a referendum is to be held involve—

- (a) a mayor and cabinet executive, the statement to precede the question ("the statement") and the question to be asked in that referendum are to be in the form set out in paragraph 1 of Schedule 1 to these Regulations;

(1) See the Local Authorities (Changing Executive Arrangements and Alternative Arrangements (Wales) Regulations 2004 (S.I. 2004/3158 (W.275)).

(2) S.I. 2001/341; amended by S.I. 2001/1700, 2002/1871, 2004/226, 2006/752 and 2006/2910.

(3) 2000 c.2.

- (b) gweithrediaeth o faer a rheolydd y cyngor, mae'r datganiad a'r cwestiwn sydd i'w ofyn yn y refferendwm hwnnw i fod yn y ffurf a bennir ym mharagraff 2 o'r Atodlen honno;
- (c) gweithrediaeth o arweinydd a chabinet, mae'r datganiad a'r cwestiwn sydd i'w ofyn yn y refferendwm hwnnw i fod yn y ffurf a bennir ym mharagraff 3 o'r Atodlen honno.

Cyhoedduswydd a gwybodaeth arall mewn cysylltiad â refferenda

4.—(1) Rhaid i'r swyddog priodol, cyn gynted ag y bo'n ymarferol ar ôl y dyddiad cynigion, gyhoeddi mewn o leiaf un o'r papurau newydd sy'n cylchredeg yn ardal yr awdurdod lleol hysbysiad sydd yn cynnwys—

- (a) datganiad, yn ôl y digwydd, bod—
 - (i) cynigion o dan adran 25 sy'n ymwneud â ffurf o weithrediaeth y mae refferendwm yn ofynnol ar ei chyfer,
 - (ii) cynigion o dan reoliad 17(3) neu 19(1) o'r Rheoliadau Deisebau a Chyfarwyddiadau,
 - (iii) cynigion o dan orchymyn o dan adran 36, neu
 - (iv) cynigion o dan reoliadau o dan adran 30 neu 33,

wedi eu hanfon at Weinidogion Cymru;

- (b) disgrifiad o brif nodweddion y cynigion ac o'r cynigion wrth gefn amlinellol;
- (c) datganiad—
 - (i) y cynhelir refferendwm,
 - (ii) o'r dyddiad y cynhelir y refferendwm,
 - (iii) o'r cwestiwn sydd i'w ofyn yn y refferendwm,
 - (iv) y cynhelir y refferendwm yn unol â gweithdrefnau cyffelyb i'r rhai a ddefnyddir mewn etholiadau llywodraeth leol,
 - (v) o'r cyfyngiad treuliau refferendwm (fel y'i diffinnir yn rheoliad 6(1)) a fydd yn gymwys mewn perthynas â'r refferendwm, ac o nifer yr etholwyr llywodraeth leol y cyfrifwyd y cyfyngiad hwnnw drwy gyfeirio ato,
 - (vi) o'r cyfeiriad lle y gellir archwilio copi o'r cynigion a chynigion wrth gefn amlinellol yr awdurdod lleol, a'r amserau pan ellir gwneud hynny, a
 - (vii) o'r gweithdrefnau ar gyfer cael copi o'r cynigion a'r cynigion wrth gefn amlinellol.

- (b) a mayor and council manager executive, the statement and the question to be asked in that referendum are to be in the form set out in paragraph 2 of that Schedule;
- (c) a leader and cabinet executive, the statement and the question to be asked in that referendum are to be in the form set out in paragraph 3 of that Schedule.

Publicity and other information in connection with referendums

4.—(1) The proper officer must, as soon as practicable after the proposals date, publish in at least one newspaper circulating in the local authority's area a notice which contains—

- (a) a statement that, as the case may be—
 - (i) proposals under section 25 involving a form of executive for which a referendum is required,
 - (ii) proposals under regulation 17(3) or 19(1) of the Petitions and Directions Regulations,
 - (iii) proposals under an order under section 36, or
 - (iv) proposals under regulations under section 30 or 33,

have been sent to the Welsh Ministers;

- (b) a description of the main features of the proposals and of the outline fall-back proposals;
- (c) a statement—
 - (i) that a referendum will be held,
 - (ii) of the date on which the referendum will be held,
 - (iii) of the question to be asked in the referendum,
 - (iv) that the referendum will be conducted in accordance with procedures similar to those used at local government elections,
 - (v) of the referendum expenses limit (as defined in regulation 6(1)) that will apply in relation to the referendum and the number of local government electors by reference to which that limit has been calculated,
 - (vi) of the address and times at which a copy of the proposals, and of the local authority's outline fall-back proposals, may be inspected, and
 - (vii) of the procedures for obtaining a copy of the proposals and outline fall-back proposals.

(2) Oni chyhoeddir yr hysbysiad sy'n ofynnol ei gyhoeddi yn ôl paragraff (1) ("yr hysbysiad cyntaf") o fewn llai na 56 o ddiwrnodau cyn dyddiad y refferendwm, rhaid i'r swyddog priodol gyhoeddi ail hysbysiad a fydd yn cynnwys y manylion a bennir ym mharagraff (1)(c)(i) i (vii).

(3) Rhaid cyhoeddi'r ail hysbysiad—

- (a) yn yr un papur neu bapurau newydd a ddefnyddiwyd i gyhoeddi'r hysbysiad cyntaf, a
- (b) nid mwy na 55 o ddiwrnodau ac nid llai na 28 o ddiwrnodau cyn dyddiad y refferendwm.

(4) Drwy gydol cyfnod y refferendwm, yn y cyfeiriad ac yn ystod yr amserau a nodir yn yr hysbysiad, a hynny'n ddi-dâl, rhaid i'r awdurdod lleol roi copi ar gael i'w archwilio o'i gynigion a'i gynigion wrth gefn amlinellol, a rhaid iddo sicrhau bod nifer digonol o gopïau ar gael i bersonau sy'n dymuno cael copïau.

(5) Caiff yr awdurdod lleol ddarparu (p'un ai yn unol ag unrhyw ddyletswydd i wneud hynny ai peidio) unrhyw wybodaeth ffeithiol arall mewn perthynas â'r cynigion, y cynigion wrth gefn amlinellol neu'r refferendwm, cyn belled ag y cyflwynir yr wybodaeth honno yn deg.

(6) Wrth benderfynu at ddibenion paragraff (5) a yw unrhyw wybodaeth yn cael ei chyflwyno'n deg, rhaid rhoi sylw, yn unol ag adran 38, i unrhyw ganllawiau a gyhoeddir am y tro gan Weinidogion Cymru o dan adran 38.

Cyfyngu ar gyhoeddi etc. deunydd hyrwyddo

5.—(1) Mae'r rheoliad hwn yn gymwys i unrhyw ddeunydd sydd—

- (a) yn darparu gwybodaeth gyffredinol am y refferendwm,
- (b) yn ymwneud ag unrhyw un o'r materion a godir gan y cwestiwn sydd i'w ofyn yn y refferendwm, neu
- (c) yn cyflwyno unrhyw ddadleuon o blaid neu yn erbyn ateb penodol i'r cwestiwn hwnnw.

(2) Ni chaniateir cyhoeddi unrhyw ddeunydd y mae'r rheoliad hwn yn gymwys iddo gan neu ar ran awdurdod lleol yn ystod y cyfnod o 28 diwrnod a ddaw i ben ar ddyddiad y bleidlais yn y refferendwm.

(3) Nid yw paragraff (2) yn gymwys i—

- (a) deunydd a roddir ar gael i bersonau mewn ymateb i geisiadau penodol am wybodaeth neu i bersonau sy'n ceisio cael mynediad i'r deunydd yn benodol,
- (b) cyhoeddi gwybodaeth ynglŷn â chynnal y bleidlais yn y refferendwm, neu
- (c) cyhoeddi hysbysiadau i'r wasg sy'n cynnwys gwybodaeth ffeithiol, os unig ddiben y

(2) Unless the notice required to be published by paragraph (1) ("the first notice") is published fewer than 56 days before the date of the referendum, the proper officer must publish a second notice containing the particulars specified in paragraph (1)(c)(i) to (vii).

(3) The second notice is to be published—

- (a) in the same newspaper or newspapers as were used for the publication of the first notice, and
- (b) no more than 55 days and no less than 28 days before the date of the referendum.

(4) The local authority must make available for inspection throughout the referendum period, at the address and times stated in the notice, and free of charge, a copy of their proposals and outline fall-back proposals, and must secure that sufficient copies are available for persons who wish to obtain copies.

(5) The local authority may provide (whether or not in pursuance of any duty to do so) any other factual information relating to the proposals, the outline fall-back proposals or the referendum so far as it is presented fairly.

(6) In determining for the purposes of paragraph (5) whether any information is presented fairly, regard is, in accordance with section 38, to be had to any guidance for the time being issued by the Welsh Ministers under section 38.

Restriction on publication etc. of promotional material

5.—(1) This regulation applies to any material which—

- (a) provides general information about the referendum,
- (b) deals with any of the issues raised by the question to be asked in the referendum, or
- (c) puts any arguments for or against a particular answer to that question.

(2) No material to which this regulation applies is to be published by or on behalf of a local authority during the period of 28 days ending with the date of the poll at the referendum.

(3) Paragraph (2) does not apply to—

- (a) material made available to persons in response to specific requests for information or to persons specifically seeking access to it,
- (b) the publication of information relating to the holding of the poll at the referendum, or
- (c) the publication of press notices containing factual information where the sole purpose of

cyhoeddi yw gwrthbrofi neu gywiro unrhyw anghywirdeb mewn deunydd a gyhoeddir gan berson ac eithrio'r awdurdod lleol.

(4) Yn y rheoliad hwn, ystyr "cyhoeddi" ("*publish*") yw rhoi ar gael i'r cyhoedd yn gyffredinol, neu i unrhyw ran o'r cyhoedd, ar ba ffurf bynnag a thrwy ba bynnag ddull (gan gynnwys, yn benodol, drwy gynnwys mewn unrhyw raglen a gynhwysir mewn gwasanaeth rhaglenedig o fewn ystyr Deddf Darlledu 1990 (1)); a dylid dehongli "cyhoeddiad" ("*publication*") yn yr un modd.

Cyfyngiad cyffredinol ar dreuliau refferendwm

6.—(1) Yn y rheoliad hwn a rheoliad 7—

ystyr "at ddibenion refferendwm" ("*for referendum purposes*") yw—

- (a) mewn cysylltiad â chynnal neu reoli unrhyw ymgyrch a gynhelir gyda'r bwriad o hyrwyddo neu sicrhau canlyniad penodol mewn perthynas â'r cwestiwn a ofynnir yn y refferendwm, neu
- (b) mewn cysylltiad fel arall â hyrwyddo neu sicrhau canlyniad o'r fath;

ystyr "cyfyngiad treuliau refferendwm" ("*referendum expenses limit*") yw'r cyfanswm o £2,362 a'r swm a geir trwy luosi 5.9 ceiniog â nifer y cofnodion yn y gofrestr berthnasol;

ystyr "y gofrestr berthnasol" ("*the relevant register*") yw'r gofrestr (neu gofrestrau) o etholwyr llywodraeth leol a gyhoeddwyd o dan adran 13 (cyhoeddi cofrestrau) o Ddeddf 1983(2) ar ôl terfynu'r canfasio a wnaed o dan adran 10 o'r Ddeddf honno(3) yn y flwyddyn a oedd yn rhagflaenu yn union y flwyddyn y cynhelir y refferendwm ynddi, sydd mewn grym yn ardal yr awdurdod lleol sy'n cynnal y refferendwm, neu y cynhelir y refferendwm mewn perthynas ag ef (p'un a oes hawl gan y personau y mae'r cofnodion yn ymwneud â hwy i bleidleisio yn y refferendwm ai peidio):

ystyr "trefnydd ymgyrch" ("*campaign organiser*") yw'r unigolyn neu'r corff y tynnir treuliau refferendwm ganddo, neu ar ei ran (gan gynnwys treuliau a drinnir fel be baent wedi eu tynnu felly) mewn cysylltiad ag ymgyrch refferendwm;

the publication is to refute or correct any inaccuracy in material published by a person other than the local authority.

(4) In this regulation "publish" ("*cyhoeddi*") means make available to the public at large, or to any section of the public, in whatever form and by whatever means (including, in particular, by inclusion in any programme included in a programme service within the meaning of the Broadcasting Act 1990(1)); and "publication" ("*cyhoeddiad*") is to be construed accordingly.

General restriction on referendum expenses

6.—(1) In this regulation and regulation 7—

"campaign organiser" ("*trefnydd ymgyrch*") means the individual or body by whom, or on whose behalf, referendum expenses are incurred (including expenses treated as incurred) in connection with a referendum campaign;

"referendum campaign" ("*ymgyrch refferendwm*") means a campaign conducted with a view to promoting or procuring a particular outcome in relation to the question to be asked in a referendum;

"referendum expenses" ("*treuliau refferendwm*") means the expenses incurred by or on behalf of any individual or body during the referendum period for referendum purposes in respect of any of the matters set out in paragraphs 1 to 7 of Schedule 2 to these Regulations, as read in accordance with paragraph 8 of that Schedule;

"referendum expenses limit" ("*cyfyngiad treuliau refferendwm*") means the aggregate of £2,362 and the amount found by multiplying by 5.9 pence the number of entries in the relevant register;

"for referendum purposes" ("*at ddibenion refferendwm*") means—

- (a) in connection with the conduct or management of any campaign conducted with a view to promoting or procuring a particular outcome in relation to the question asked in the referendum, or
- (b) otherwise in connection with promoting or procuring any such outcome;

(1) 1990 p.42. Diwygiwyd adran 201, sy'n cynnwys y diffiniad o "*programme service*", gan adran 360 o Ddeddf Cyfathrebu 2003 (p.21) ac Atodlen 19 i'r Ddeddf honno.

(2) 1983 p.2; rhoddwyd adran 13 yn lle adran 13 fel y'i deddfwyd yn wreiddiol, gan baragraff 6 o Atodlen 1 i Ddeddf Cynrychiolaeth y Bobl 2000 (p.2).

(3) Rhoddwyd adran 10 yn ogystal ag adran 10A yn lle adran 10 fel y'i deddfwyd yn wreiddiol, gan baragraff 4 o Atodlen 1 i Ddeddf Cynrychiolaeth y Bobl 2000 (p.2) a diwygiwyd hi gan baragraffau 5 a 105 o Atodlen 1 i Ddeddf Gweinyddu Etholiadau 2006 (p.22).

(1) 1990 c.42. Section 201, containing the definition of programme service, was amended by section 360 of and Schedule 19 to the Communications Act 2003 (c.21).

ystyr "treuliau refferendwm" ("*referendum expenses*") yw'r treuliau a dynnir gan neu ar ran unrhyw unigolyn neu gorff yn ystod y cyfnod refferendwm at ddibenion y refferendwm mewn perthynas ag unrhyw un o'r materion a nodir ym mharagraffau 1 i 7 o Atodlen 2 i'r Rheoliadau hyn, fel y'u darllenir yn unol â pharagraff 8 o'r Atodlen honno;

ystyr "ymgyrch refferendwm" ("*referendum campaign*") yw ymgyrch a gynhelir gyda'r bwriad o hyrwyddo neu sicrhau canlyniad penodol mewn perthynas â'r cwestiwn a ofynnir yn y refferendwm.

(2) Ni chaiff cyfanswm y treuliau refferendwm a dynnir gan neu ar ran unrhyw unigolyn neu gorff, neu a drinnir, yn unol â rheoliad 7, fel pe baent wedi eu tynnu felly, fod yn fwy na'r cyfyngiad treuliau refferendwm.

(3) Pan dynnir unrhyw dreuliau refferendwm sydd yn fwy na'r cyfyngiad treuliau refferendwm, bydd person a oedd yn gwybod, neu a ddylai yn rhesymol fod wedi gwybod, yr eid dros ben y cyfyngiad neu sydd, heb esgus rhesymol, yn awdurdodi person arall i fynd dros ben y cyfyngiad hwnnw, yn euog o dramgwydd.

(4) Pan roddir gwybodaeth i'r Cyfarwyddwr Erlyniadau Cyhoeddus bod tramgwydd o dan baragraff (3) wedi ei gyflawni, dyletswydd y Cyfarwyddwr Erlyniadau Cyhoeddus yw gwneud pa bynnag ymholiadau a chychwyn pa bynnag erlyniadau ag y bo'n ymddangos i'r Cyfarwyddwr Erlyniadau Cyhoeddus yn ofynnol o dan amgylchiadau'r achos.

(5) Pan brofir bod tramgwydd o dan baragraff (3) a gyflawnwyd gan gorff corfforaethol wedi ei gyflawni gyda chydysniad neu ymoddefiad, neu y gellir ei briodoli i unrhyw esgeulustod ar ran, cyfarwyddwr, rheolwr, ysgrifennydd neu swyddog cyffelyb y corff corfforaethol, neu unrhyw berson arall sy'n honni gweithredu yn rhinwedd swydd o'r fath, bydd y person hwnnw yn ogystal â'r corff corfforaethol yn euog o'r tramgwydd hwnnw ac yn agored i gael achos cyfreithiol wedi ei ddwyn yn ei erbyn ac i'w gosbi yn unol â hynny.

(6) Bydd person sy'n cyflawni tramgwydd o dan baragraff (3) yn agored—

"the relevant register" ("*y gofrestr berthnasol*") means the register (or registers) of local government electors published under section 13 (publication of registers) of the 1983 Act⁽¹⁾ after the conclusion of the canvass conducted under section 10 of that Act⁽²⁾ in the year immediately preceding that in which the referendum is held, which has (or have) effect in the area of the local authority by which or as regards which the referendum is held (whether or not the persons to whom those entries relate are entitled to vote in the referendum).

(2) The total referendum expenses incurred, or, in accordance with regulation 7, treated as incurred, by or on behalf of any individual or body must not exceed the referendum expenses limit.

(3) Where any referendum expenses are incurred in excess of the referendum expenses limit, a person who knew or ought reasonably to have known that that limit would be exceeded, or who, without reasonable excuse, authorises another person to exceed that limit, is guilty of an offence.

(4) Where information is given to the Director of Public Prosecutions that an offence under paragraph (3) has been committed, it is the duty of the Director of Public Prosecutions to make such inquiries and institute such prosecutions as the circumstances of the case appear to the Director of Public Prosecutions to require.

(5) Where an offence under paragraph (3) which has been committed by a body corporate is proved to have been committed with the consent or connivance of, or to have been attributable to any neglect on the part of, a director, manager, secretary or other similar officer of the body corporate, or any other person purporting to act in any such capacity, that person, as well as the body corporate, is guilty of that offence and is liable to be proceeded against and punished accordingly.

(6) A person who commits an offence under paragraph (3) is liable—

(1) 1983 c.2; section 13 was substituted for section 13 as originally enacted by paragraph 6 of Schedule 1 to the Representation of the People Act 2000 (c.2).

(2) Section 10 was substituted together with section 10A for section 10 as originally enacted by paragraph 4 of Schedule 1 to the Representation of the People Act 2000 (c.2) and amended by paragraphs 5 and 105 of Schedule 1 to the Electoral Administration Act 2006 (c.22).

- (a) o'i gollfarnu'n ddiannod, i ddirwy heb fod yn uwch na'r uchafswm statudol neu gyfnod yn y carchar nad yw'n hwy na 12 mis, neu'r ddau, neu
- (b) o'i gollfarnu ar ddiad, i ddirwy neu gyfnod yn y carchar nad yw'n hwy na 12 mis, neu'r ddau.

(7) Mewn perthynas â thramgwydd a gyflawnwyd cyn cychwyn adran 154(1) o Ddeddf Cyfiawnder Troseddol 2003(1), rhaid darllen y cyfeiriad ym mharagraff (6)(a) at 12 mis fel pe bai'n gyfeiriad at 6 mis.

(8) Nid oes dim ym mharagraff (2) yn effeithio ar hawl unrhyw gredydwr na wyddai, pan achoswyd y draul fod y draul honno yn groes i'r paragraff hwnnw.

Treuliau refferendwm tybiannol

7.—(1) Mae'r rheoliad hwn yn gymwys pan—

- (a) darperir eiddo, gwasanaethau neu gyfleusterau at ddefnydd neu er budd unrhyw berson naill ai—
 - (i) yn ddi-dâl, neu
 - (ii) ar ddisgownt o fwy na 10 y cant o'r gyfradd fasnachol am ddefnyddio'r eiddo neu ddarparu'r gwasanaethau neu'r cyfleusterau; a
- (b) y defnyddir yr eiddo, y gwasanaethau neu'r cyfleusterau gan neu ar ran y person hwnnw o dan y fath amgylchiadau fel pe dynnid (neu pan dynnir) yn wirioneddol unrhyw dreuliau gan y person hwnnw neu ar ran y person hwnnw mewn cysylltiad â'r defnydd hwnnw, byddent (neu maent) yn dreuliau refferendwm a dynnwyd gan y person hwnnw neu ar ran y person hwnnw.

(2) Yn ddarostyngedig i baragraff (5), pan fo'r rheoliad hwn yn gymwys, rhaid ymdrin â swm o dreuliau refferendwm a bennir yn unol â pharagraff (3), onid yw'n ddim mwy na £200, at ddibenion rheoliad 6 fel pe dynnwyd ef gan y person hwnnw yn ystod y cyfnod y defnyddir yr eiddo, y gwasanaethau neu'r cyfleusterau fel y nodir ym mharagraff (1)(b).

(3) Y swm a grybwyllir ym mharagraff (2) yw'r cyfryw gyfran o naill ai—

- (a) y gyfradd fasnachol am ddefnyddio'r eiddo neu am ddarparu'r gwasanaethau neu'r cyfleusterau (pan ddarperir yr eiddo, y gwasanaethau neu'r cyfleusterau yn ddi-dâl), neu
- (b) y gwahaniaeth rhwng y gyfradd fasnachol a swm y treuliau a dynnwyd mewn gwirionedd gan y person hwnnw neu ar ei ran am ddefnyddio'r eiddo neu am ddarparu'r gwasanaethau neu'r cyfleusterau (pan darperir

- (a) on summary conviction, to a fine not exceeding the statutory maximum or imprisonment for a term not exceeding 12 months or both, or
- (b) on conviction on indictment, to a fine or imprisonment for a term not exceeding 12 months or both.

(7) In relation to an offence committed before the commencement of section 154(1) of the Criminal Justice Act 2003(1), the reference in paragraph (6)(a) to 12 months is to be read as a reference to 6 months.

(8) Nothing in paragraph (2) affects the right of any creditor who, when the expense was incurred, was ignorant of that expense being in contravention of that paragraph.

Notional referendum expenses

7.—(1) This regulation applies where—

- (a) property, services or facilities is or are provided for the use or benefit of any person either—
 - (i) free of charge, or
 - (ii) at a discount of more than 10 per cent of the commercial rate for the use of the property or for the provision of the services or facilities; and
- (b) the property, services or facilities is or are made use of by or on behalf of that person in circumstances such that, if any expenses were to be (or are) actually incurred by that person or on behalf of that person in respect of that use, they would be (or are) referendum expenses incurred by that person or on that person's behalf.

(2) Subject to paragraph (5), where this regulation applies, an amount of referendum expenses determined in accordance with paragraph (3) is, unless it is not more than £200, to be treated for the purposes of regulation 6 as incurred by that person during the period for which the property, services or facilities is or are made use of as mentioned in paragraph (1)(b).

(3) The amount mentioned in paragraph (2) is such proportion of either—

- (a) the commercial rate for the use of the property or the provision of the services or facilities (where the property, services or facilities is or are provided free of charge), or
- (b) the difference between that commercial rate and the amount of the expenses actually incurred by or on behalf of that person in respect of the use of the property or the provision of the services or facilities (where

yr eiddo, y gwasanaethau neu'r cyfleusterau ar ddisgownt),

ag y gellir yn rhesymol ei phriodoli i'r defnydd a wneir o'r eiddo, y gwasanaethau neu'r cyfleusterau fel y nodir ym mharagraff (1)(b).

(4) Pan roddir gwasanaethau cyflogai ar gael at ddefnydd neu er budd person gan gyflogwr y cyflogai, y swm sydd i'w ystyried yn gyfradd fasnachol am ddarparu'r gwasanaethau hynny yw swm y tâl neu'r lwfansau a fyddai'n daladwy i'r cyflogai gan gyflogwr y cyflogai am y cyfnod pan roddir gwasanaethau'r cyflogai ar gael (ond nid yw'r swm hwnnw i gynnwys unrhyw swm mewn perthynas â chyfraniadau neu daliadau eraill y mae'r cyflogwr yn atebol amdanynt mewn perthynas â'r cyflogai).

(5) Nid ystyrir bod unrhyw swm o dreuliau refferendwm wedi ei dynnu yn rhinwedd paragraff (2) mewn cysylltiad ag unigolyn sy'n darparu ei wasanaeth ei hun o'i wirfodd yn ei amser ei hun ac yn ddi-dâl.

Cynnal refferendwm

8.—(1) Mae refferendwm i'w gynnal yn unol â Rheolau Refferenda'r Ddeddf Llywodraeth Leol (a gynhwysir yn Atodlen 3 i'r Rheoliadau hyn).

(2) Mae'r darpariaethau a grybwyllir yn y golofn gyntaf o'r Tablau 1 i 5 o Atodlen 4 i'r Rheoliadau hyn yn cael effaith mewn perthynas â refferenda, yn ddarostyngedig i'r addasiadau a bennir yn yr Atodlen honno ac i unrhyw ddarpariaeth i'r gwrthwyneb yn y Rheoliadau hyn.

Swyddog cyfrif

9.—(1) Rhaid i'r swyddogaethau a roddwyd gan y Rheoliadau hyn i'r swyddog cyfrif gael eu harfer ym mhob ardal pleidlais gan y person sydd am y tro yn swyddog canlyniadau mewn etholiadau cynghorwyr ar gyfer yr ardal honno o dan adran 35(1A)(a) (swyddogion canlyniadau: etholiadau lleol) o Ddeddf 1983(1).

(2) Dyletswydd gyffredinol y swyddog cyfrif yn y refferendwm yw gwneud yr holl gyfryw weithredoedd a phethau a all fod yn angenrheidiol er mwyn cynnal y refferendwm yn effeithiol yn y modd a ddarperir gan y Rheoliadau hyn.

(3) Rhaid i'r swyddog cyfrif hefyd benodi a thalu'r cyfryw bersonau a all fod yn angenrheidiol at y diben o gyfrif y pleidleisiau.

the property, services or facilities is or are provided at a discount),

as is reasonably attributable to the use made of the property, services or facilities as mentioned in paragraph (1)(b).

(4) Where the services of an employee are made available by the employee's employer for the use or benefit of a person, the amount which is to be taken as constituting the commercial rate for the provision of those services is the amount of the remuneration or allowances payable to the employee by the employee's employer in respect of the period for which the employee's services are made available (but that amount is not to include any amount in respect of contributions or other payments for which the employer is liable in respect of the employee).

(5) No amount of referendum expenses is to be regarded as incurred by virtue of paragraph (2) in respect of the provision by any individual of the individual's own services which the individual provides voluntarily in the individual's own time and free of charge.

Conduct of referendum

8.—(1) A referendum is to be conducted in accordance with the Local Government Act Referendums Rules (as contained in Schedule 3 to these Regulations).

(2) The provisions mentioned in the first column of Tables 1 to 5 of Schedule 4 to these Regulations have effect in relation to referendums, subject to the modifications specified in that Schedule and to any contrary provision of these Regulations.

Counting officer

9.—(1) Functions conferred by these Regulations on the counting officer are to be exercised in each voting area by the person who is for the time being the returning officer at elections of councillors for that area under section 35(1A)(a) (returning officers: local elections) of the 1983 Act(1).

(2) It is the counting officer's general duty at the referendum to do all such acts and things as may be necessary for effectually conducting the referendum in the manner provided by these Regulations.

(3) The counting officer must also appoint and pay such persons as may be necessary for the purpose of the counting of the votes.

(1) 1983 p.2; mewnosodwyd is-adran (1A) gan Ddeddf Llywodraeth Leol (Cymru) 1994, adran 66(6), Atodlen 16, paragraff 68(7).

(1) 1983 c.2; subsection (1A) was inserted by the Local Government (Wales) Act 1994, section 66(6), Schedule 16, paragraph 68(7).

Canlyniad y refferendwm neu refferendwm pellach

10.—(1) Mae'r rheoliad hwn yn ddarostyngedig i reoliadau 12 a 13.

(2) Os yw mwyafrif y pleidleisiau a fwir mewn refferendwm, ac eithrio refferendwm pellach, yn bleidleisiau "o blaid", canlyniad y refferendwm yw—

- (a) at ddibenion adran 27(7), cymeradwyo cynigion yr awdurdod lleol o dan adran 25;
- (b) at ddibenion rheoliad 23 (gweithredu pan gymeradwyir cynigion y refferendwm) o'r Rheoliadau Deisebau a Chyfarwyddiadau neu, yn ôl y digwydd, darpariaethau cymaradwy unrhyw reoliadau eraill neu orchymyn arall a wnaed o dan unrhyw ddarpariaeth o Ran II o Ddeddf 2000, cymeradwyo'r cynigion a oedd yn destun y refferendwm.

(3) Os yw mwyafrif y pleidleisiau a fwir mewn refferendwm, ac eithrio refferendwm pellach, yn bleidleisiau "yn erbyn", canlyniad y refferendwm yw—

- (a) at ddibenion adran 27(8), gwrthod cynigion yr awdurdod lleol o dan adran 25;
- (b) at ddibenion rheoliad 24 (gweithredu pan wrthodir cynigion y refferendwm) o'r Rheoliadau Deisebau a Chyfarwyddiadau neu, yn ôl y digwydd, darpariaethau cymaradwy unrhyw reoliadau eraill neu orchymyn arall a wnaed o dan unrhyw ddarpariaeth o Ran II o Ddeddf 2000, gwrthod y cynigion a oedd yn destun y refferendwm.

(4) Os yw mwyafrif y pleidleisiau a fwir mewn refferendwm pellach yn bleidleisiau "o blaid", canlyniad y refferendwm yw cymeradwyo parhau â threfniadau gweithrediaeth presennol yr awdurdod lleol neu ei drefniadau amgen presennol (yn ôl y digwydd).

(5) Os yw mwyafrif y pleidleisiau a fwir mewn refferendwm pellach yn bleidleisiau "yn erbyn", canlyniad y refferendwm yw gwrthod parhau â threfniadau gweithrediaeth presennol yr awdurdod lleol neu ei drefniadau amgen presennol (yn ôl y digwydd).

(6) Mewn achos y mae paragraff (5) yn gymwys iddo, bydd adran 27(8) i (12) wedyn yn gymwys, fel pe bai canlyniad y refferendwm pellach yn wrthodiad o gynigion yr awdurdod lleol o dan adran 25, ond yn ddarostyngedig—

- (a) yn adran 27(8)(b), i fewnosod y geiriau "that were proposed at the time of the referendum" ar ôl "outline fall-back proposals",
- (b) yn adran 27(9), i hepgor y geiriau "outline fall-back proposals or", ac
- (c) yn adran 27(10), i roi "Detailed" yn lle'r

Result of referendum or further referendum

10.—(1) This regulation is subject to regulations 12 and 13.

(2) If the majority of the votes cast in a referendum other than a further referendum are "yes" votes, the result of the referendum is—

- (a) for the purposes of section 27(7), to approve the local authority's proposals under section 25;
- (b) for the purposes of regulation 23 (action where referendum proposals approved) of the Petitions and Directions Regulations or, as the case may be, the comparable provisions of any other regulations or order made under any provision of Part II of the 2000 Act, to approve the proposals that were the subject of the referendum.

(3) If the majority of the votes cast in a referendum other than a further referendum are "no" votes, the result of the referendum is—

- (a) for the purposes of section 27(8), to reject the local authority's proposals under section 25;
- (b) for the purposes of regulation 24 (action where referendum proposals rejected) of the Petitions and Directions Regulations or, as the case may be, the comparable provisions of any other regulations or order made under any provision of Part II of the 2000 Act, to reject the proposals that were the subject of the referendum.

(4) If the majority of the votes cast in a further referendum are "yes" votes, the result of the referendum is to approve the continuation of the local authority's existing executive arrangements or their existing alternative arrangements (as the case may be).

(5) If the majority of the votes cast in a further referendum are "no" votes, the result of the referendum is to reject the continuation of the local authority's existing executive arrangements or their existing alternative arrangements (as the case may be).

(6) In a case to which paragraph (5) applies, section 27(8) to (12) is then to apply as if the result of the further referendum was the rejection of the local authority's proposals under section 25, but subject—

- (a) in section 27(8)(b), to the insertion after "outline fall-back proposals" of "that were proposed at the time of the referendum",
- (b) in section 27(9), to the omission of "outline fall-back proposals or", and
- (c) in section 27(10), to the substitution for

geiriau "Outline fall-back proposals and detailed".

"Outline fall-back proposals and detailed" of "Detailed".

Gweithdrefnau ar gyfer cwestiynu refferendwm

11.—(1) Gellir cwestiynu refferendwm o dan y Rheoliadau hyn drwy ddeiseb ("deiseb refferendwm")—

- (a) ar y sail nad oedd canlyniad y refferendwm yn unol â'r pleidleisiau a fwriwyd,
- (b) ar y sail bod y refferendwm wedi ei ddirymu gan y cyfryw arferion llwgr neu anghyfreithlon, o fewn yr ystyr yn Neddf 1983, sy'n berthnasol i refferenda yn rhinwedd rheoliad 8 neu baragraff (8),
- (c) ar y seiliau a ddarperir gan adran 164 (dirymu etholiad oherwydd llygredigaeth gyffredinol etc.) o Ddeddf 1983, fel y'i cymhwysir at ddibenion y Rheoliadau hyn gan baragraff (8), neu
- (ch) yn ddarostyngedig i baragraff (3), ar y sail bod taliad ariannol neu wobwr arall wedi eu gwneud neu'u haddo ers y refferendwm, yn unol ag arfer llwgr neu anghyfreithlon sy'n berthnasol i'r refferendwm yn rhinwedd rheoliad 8 neu baragraff (8).

(2) Rhaid cyflwyno deiseb refferendwm ar unrhyw un o'r seiliau ym mharagraff (1)(a) i (c) ddim hwyrach nag 21 o ddiwrnodau ar ôl y diwrnod y cynhaliwyd y refferendwm.

(3) Caniateir cyflwyno deiseb refferendwm ar y sail a grybwyllir ym mharagraff (1)(ch) ddim ond gyda chaniatâd yr Uchel Lys.

(4) Rhaid gwneud cais am ganiatâd ddim hwyrach na 28 o ddiwrnodau ar ôl dyddiad y taliad neu addewid honedig, drwy roi hysbysiad o gais i'r llys, ar ba bynnag adeg ac ym mha bynnag le a bennir gan y llys.

(5) Ddim llai na saith niwrnod cyn y diwrnod a bennir felly, rhaid i'r ymgeisydd—

- (a) gyflwyno'r hysbysiad o gais i'r ymatebydd ac i'r Cyfarwyddwr Erlyniadau Cyhoeddus a rhoi copi yn y swyddfa deisebau etholiadau, a
- (b) cyhoeddi hysbysiad o'r bwriad i wneud cais mewn o leiaf un papur newydd sy'n cylchredeg yn ardal y bleidlais ar gyfer y refferendwm y mae'r cais ym wneud ag ef.

(6) Rhaid i'r hysbysiad o gais ddatgan ar ba sail y gwneir y cais.

(7) Rhaid i ddeiseb refferendwm gael ei phrofi gan lys etholiad, hynny yw, llys a gyfansoddwyd o dan adran 130 (Llys etholiad ar gyfer etholiad lleol yng Nghymru a Lloegr, a man cynnal treial) o Ddeddf 1983 ar gyfer profi deiseb etholiad, fel y'i cymhwysir gan baragraff (8).

Procedures for questioning referendum

11.—(1) A referendum under these Regulations may be questioned by petition ("a referendum petition")—

- (a) on the ground that the result of the referendum was not in accordance with the votes cast,
- (b) on the ground that the referendum was avoided by such corrupt or illegal practices, within the meaning of the 1983 Act, as are relevant to referendums by virtue of regulation 8 or paragraph (8),
- (c) on the grounds provided by section 164 (avoidance of election for general corruption etc.) of the 1983 Act, as applied for the purposes of these Regulations by paragraph (8), or
- (d) subject to paragraph (3), on the ground that a payment of money or other reward has been made or promised since the referendum in pursuance of a corrupt or illegal practice relevant to the referendum by virtue of regulation 8 or paragraph (8).

(2) A referendum petition on any of the grounds specified in paragraph (1)(a) to (c) must be presented not later than 21 days after the day on which the referendum was held.

(3) A referendum petition on the ground mentioned in paragraph (1)(d) may be presented only with the leave of the High Court.

(4) An application for leave must be made, not later than 28 days after the date of the alleged payment or promise, by application notice to the court at such time and place as the court may appoint.

(5) Not less than seven days before the day so appointed the applicant must—

- (a) serve the application notice on the respondent and the Director of Public Prosecutions and lodge a copy in the election petitions office, and
- (b) publish notice of the intended application in at least one newspaper circulating in the voting area for the referendum to which the application relates.

(6) The application notice must state the grounds on which the application is made.

(7) A referendum petition is to be tried by an election court, that is to say, a court constituted under section 130 (election court for local election in England and Wales, and place of trial) of the 1983 Act for the trial of an election petition, as applied by paragraph (8).

(8) Mae Atodlen 5 i'r Rheoliadau hyn yn cynnwys darpariaethau sy'n cael effaith mewn perthynas â chwestiynu refferendwm, fel y cânt effaith mewn perthynas â chwestiynu etholiad o dan Ddeddf Llywodraeth Leol 1972, yn ddarostyngedig i'r addasiadau a bennir yn yr Atodlen honno ac i unrhyw ddarpariaeth i'r gwrthwyneb yn y Rheoliadau hyn.

(9) Mae Rheolau Deisebau Etholiadau 1960(1) yn cael effaith mewn perthynas â deiseb refferendwm fel y cânt effaith mewn perthynas deiseb etholiad lleol o fewn ystyr y Rheolau hynny, yn ddarostyngedig i'r addasiadau a bennir yn Atodlen 6 i'r Rheoliadau hyn ac i unrhyw ddarpariaeth i'r gwrthwyneb yn y Rheoliadau hyn.

Canlyniadau di-oed deisebau refferendwm

12.—(1) Mae'r rheoliad hwn, ac eithrio paragraff (8), yn gymwys—

- (a) pan gyflwynir deiseb refferendwm ar unrhyw un o'r seiliau a grybwyllir yn rheoliad 11(1)(a) i (c), neu
- (b) pan roddir caniatâd i gyflwyno deiseb refferendwm a ddygir ar y sail a grybwyllir yn 11(1)(ch).

(2) Pan fo'r rheoliad hwn yn gymwys—

- (a) mewn perthynas â refferendwm—
 - (i) lle'r oedd y datganiad a'r cwestiwn a ofynnwyd ar y ffurf a nodir ym mharagraff 3 o Atodlen 1, a
 - (ii) lle mae mwyafrif y pleidleisiau a fwriwyd yn bleidleisiau "o blaid"; a
- (b) cyn i'r awdurdod lleol basio penderfyniad o dan adran 29,

rhaid i'r awdurdod lleol beidio â chymryd unrhyw gamau pellach o ganlyniad i'r refferendwm hyd nes bo'r llys etholiad wedi ardstyio ei benderfyniad ym mater y ddeiseb refferendwm.

(3) Pan fo'r rheoliad hwn yn gymwys —

- (a) mewn perthynas â refferendwm—
 - (i) lle'r oedd y datganiad a'r cwestiwn a ofynnwyd ar y ffurf a nodir ym mharagraff 3 o Atodlen 1, a
 - (ii) lle mae mwyafrif y pleidleisiau a fwriwyd yn bleidleisiau "o blaid"; a
- (b) ar ôl i'r awdurdod lleol basio penderfyniad o dan adran 29,

rhaid i'r awdurdod lleol barhau i weithredu'r trefniadau gweithrediaeth sy'n destun y penderfyniad hwnnw.

(4) Pan fo'r rheoliad hwn yn gymwys —

(8) Schedule 5 to these Regulations contains provisions which have effect in relation to the questioning of a referendum as they have effect in relation to the questioning of an election under the Local Government Act 1972, subject to the modifications specified in that Schedule and to any contrary provision of these Regulations.

(9) The Election Petition Rules 1960(1) have effect in relation to a referendum petition as they have effect in relation to a local election petition within the meaning of those Rules, subject to the modifications specified in Schedule 6 to these Regulations and to any contrary provision of these Regulations.

Immediate consequences of referendum petitions

12.—(1) This regulation, apart from paragraph (8), applies where—

- (a) a referendum petition is presented on any of the grounds mentioned in regulation 11(1)(a) to (c), or
- (b) leave is granted to the presentation of a referendum petition brought under the ground mentioned in regulation 11(1)(d).

(2) Where this regulation applies—

- (a) in relation to a referendum—
 - (i) at which the statement and the question asked were in the form set out in paragraph 3 of Schedule 1, and
 - (ii) in which the majority of the votes cast are "yes" votes; and
- (b) before the local authority have passed a resolution under section 29,

the local authority must take no further steps in consequence of the referendum until the election court has certified its determination in the matter of the referendum petition.

(3) Where this regulation applies—

- (a) in relation to a referendum—
 - (i) at which the statement and the question asked were in the form set out in paragraph 3 of Schedule 1, and
 - (ii) in which the majority of the votes cast are "yes" votes, and
- (b) after the local authority have passed a resolution under section 29,

the local authority must continue to operate the executive arrangements that are the subject of that resolution.

(4) Where this regulation applies—

(1) O.S. 1960/543; diwygiwyd gan O.S. 1985/1278, 1999/1352 a 2003/972.

(1) S.I. 1960/543; amended by S.I. 1985/1278, 1999/1352 and 2003/972.

- (a) mewn perthynas â refferendwm —
 - (i) lle'r oedd y datganiad a'r cwestiwn a ofynnwyd ar y ffurf a nodir ym mharagraff 1 neu 2 o Atodlen 1, a
 - (ii) lle mae mwyafrif y pleidleisiau a fwriwyd yn bleidleisiau "o blaid"; a
- (b) nid oes etholiad i ethol maer etholedig wedi digwydd o ganlyniad i'r refferendwm,

rhaid i'r awdurdod lleol beidio â chymryd unrhyw gamau pellach o ganlyniad i'r refferendwm hyd nes bo'r llys etholiad wedi ardystio ei benderfyniad ym mater y ddeiseb refferendwm.

- (5) Pan fo'r rheoliad hwn yn gymwys —
 - (a) mewn perthynas â refferendwm lle mae mwyafrif y pleidleisiau a fwriwyd yn bleidleisiau "yn erbyn"; a
 - (b) pan fo cynigion wrth gefn amlinellol yr awdurdod lleol yn seiliedig ar y trefniadau gweithrediaeth neu drefniadau amgen yr oedd yn eu gweithredu ar ddyddiad y refferendwm, rhaid iddo barhau i weithredu'r trefniadau hynny.

(6) Pan fo'r rheoliad hwn yn gymwys ond nad yw paragraff (5) yn gymwys—

- (a) mewn perthynas â refferendwm lle mae mwyafrif y pleidleisiau a fwriwyd yn bleidleisiau "yn erbyn"; a
- (b) cyn i'r awdurdod lleol basio penderfyniad o dan adran 29 (gweithredu trefniadau gweithrediaeth a chyhoeddusrwydd ar eu cyfer) neu adran 33 (gweithredu trefniadau amgen),

rhaid i'r awdurdod lleol beidio â chymryd unrhyw gamau pellach o ganlyniad i'r refferendwm hyd nes bo'r llys etholiad wedi ardystio ei benderfyniad ym mater y ddeiseb refferendwm.

- (7) Pan fo'r rheoliad hwn yn gymwys—
 - (a) mewn perthynas â refferendwm lle mae mwyafrif y pleidleisiau a fwriwyd yn bleidleisiau "yn erbyn"; a
 - (b) ar ôl i'r awdurdod lleol basio penderfyniad o dan adran 29 neu 33,

rhaid i'r awdurdod lleol barhau i weithredu'r trefniadau gweithrediaeth neu'r trefniadau amgen (yn ôl y digwydd) sy'n destun y penderfyniad hwnnw.

(8) Pan roddir caniatâd i gyflwyno deiseb refferendwm a ddygir ar y sail a grybwyllir yn rheoliad 11(1)(ch)—

- (a) mewn perthynas â refferendwm—
 - (i) lle'r oedd y datganiad a'r cwestiwn a ofynnwyd ar y ffurf a nodir ym mharagraff

- (a) in relation to a referendum—
 - (i) at which the statement and the question asked were in the form set out in paragraph 1 or 2 of Schedule 1, and
 - (ii) in which the majority of the votes cast are "yes" votes; and
- (b) without an election for the return of an elected mayor having taken place in consequence of the referendum,

the local authority must take no further steps in consequence of the referendum until the election court has certified its determination in the matter of the referendum petition.

- (5) Where this regulation applies—
 - (a) in relation to a referendum in which the majority of the votes cast are "no" votes; and
 - (b) the local authority's outline fall-back proposals are based on the executive or alternative arrangements which they were operating at the date of the referendum, they must continue to operate those arrangements.

(6) Where this regulation applies but paragraph (5) does not apply—

- (a) in relation to a referendum in which the majority of the votes cast are "no" votes, and
- (b) before the local authority have passed a resolution under section 29 (operation of, and publicity for, executive arrangements) or section 33 (operation of alternative arrangements),

the local authority must take no further steps in consequence of the referendum until the election court has certified its determination in the matter of the referendum petition.

- (7) Where this regulation applies—
 - (a) in relation to a referendum in which the majority of the votes cast are "no" votes, and
 - (b) after the local authority have passed a resolution under section 29 or 33,

the local authority must continue to operate the executive arrangements or the alternative arrangements (as the case may be) that are the subject of that resolution.

(8) Where leave is granted to the presentation of a referendum petition brought under the ground mentioned in regulation 11(1)(d)—

- (a) in relation to a referendum—
 - (i) at which the statement and the question asked were in the form set out in paragraph

1 neu 2 o Atodlen 1, a

- (ii) lle mae mwyafrif y pleidleisiau a fwriwyd yn bleidleisiau "o blaid"; a
- (b) ar ôl i etholiad ddigwydd ar gyfer ethol maer etholedig o ganlyniad i'r refferendwm,

bydd y maer etholedig yn parhau yn y swydd.

Penderfynu deisebau refferendwm a'r gweithdrefnau dilynol

13.—(1) Pan fo llys etholiad yn ardystio, fel ei benderfyniad ar ddeiseb refferendwm, bod canlyniad y refferendwm, a gyhoeddwyd o dan reoliad 10, naill ai yn unol â'r pleidleisiau a fwriwyd neu nad yw'n unol â'r pleidleisiau a fwriwyd (yn ôl y digwydd), rhaid dehongli unrhyw gyfeiriad (ym mha dermau bynnag) at ddyddiad canlyniad y refferendwm yn yr amserlen—

- (a) a gynhwysir yng nghynigion yr awdurdod lleol o dan adran 25;
- (b) a gynhwysir yn ei gynigion o dan reoliad 17(3)(a) neu 19(1)(c) o'r Rheoliadau Deisebau a Chyfarwyddiadau;
- (c) a baratowyd yn unol ag adran 27(4) neu reoliad 17(7)(a)(ii) neu 20(3)(a)(iii) o'r Rheoliadau hynny; neu
- (ch) a baratowyd o ran unrhyw reoliadau eraill neu orchymyn a wnaed o dan unrhyw ddarpariaeth o Ran II (trefniadau mewn perthynas â gweithrediaethau etc.) o Ddeddf 2000.

fel cyfeiriad at y dyddiad pan fo'r llys etholiad yn ardystio ei benderfyniad.

(2) Pan fo llys etholiad yn ardystio, fel ei benderfyniad ar ddeiseb refferendwm a oedd yn nodi unrhyw un o'r seiliau a grybwyllir yn rheoliad 11(1), bod y refferendwm wedi ei ddirymu, rhaid i'r awdurdod lleol dan sylw gynnal refferendwm arall, ddim cynt na dau fis a dim hwyrach na thri mis ar ôl y dyddiad y cadarnhaodd y llys etholiad y penderfyniad hwnnw.

(3) Pan fo'r amgylchiadau fel a grybwyllir yn rheoliad 12(8)(a) a (b), rhaid i'r llys—

- (a) wrthod y ddeiseb, neu
- (b) ganiatáu'r ddeiseb,

a, phan fo'r llys yn caniatáu'r ddeiseb rhaid iddo gyhoeddi bod y refferendwm yn llygredig a gorchymyn bod refferendwm arall yn cael ei gynnal.

(4) Pan fo'r llys etholiad yn gwneud y gorchymyn a grybwyllir ym mharagraff (3), rhaid i'r awdurdod lleol gynnal y refferendwm pellach cyn gynted ag y bo'n ymarferol ar ôl diwedd y cyfnod o bum mlynedd sy'n cychwyn ar y dyddiad y cynhaliwyd y refferendwm llygredig.

1 or 2 of Schedule 1, and

- (ii) in which the majority of the votes cast are "yes" votes; and
- (b) after an election for the return of an elected mayor has taken place in consequence of the referendum,

the elected mayor is to continue in office.

Determination of referendum petitions and subsequent procedures

13.—(1) Where an election court certifies, as its determination of a referendum petition, that the result of the referendum declared under regulation 10 is or is not in accordance with the votes cast (as the case may be), any reference (in whatever terms) in the timetable—

- (a) included in the local authority's proposals under section 25;
- (b) included in their proposals under regulation 17(3)(a) or 19(1)(c) of the Petitions and Directions Regulations;
- (c) prepared in pursuance of section 27(4) or regulation 17(7)(a)(ii) or 20(3)(a)(iii) of those Regulations; or
- (d) prepared in pursuance of any other regulations or an order made under any provision of Part II (arrangements with respect to executives etc.) of the 2000 Act,

to the date of the result of the referendum is to be construed as a reference to the date on which the election court certifies its determination.

(2) Where an election court certifies, as its determination of a referendum petition specifying any of the grounds mentioned in regulation 11(1), that the referendum was avoided, the local authority concerned must, not earlier than two months and not later than three months after the date on which the election court has certified that determination, hold another referendum.

(3) Where the circumstances are as mentioned in regulation 12(8)(a) and (b), the court must—

- (a) dismiss the petition, or
- (b) allow the petition,

and, where the court allows the petition, it must declare the referendum to be tainted, and order that a further referendum be held.

(4) Where the election court makes the order mentioned in paragraph (3), the local authority must hold the further referendum as soon as practicable after the expiration of the period of five years beginning with the date on which the tainted referendum was held.

(5) Os yw mwyafrif y pleidleisiau a fwrir mewn refferendwm pellach yn bleidleisiau "o blaid"—

- (a) pan fo'r awdurdod lleol yn gweithredu trefniadau gweithrediaeth, rhaid iddo barhau i weithredu'r trefniadau hynny oni chaiff, a hyd nes caiff, ei awdurdodi neu ei bod yn ofynnol iddo weithredu trefniadau gweithrediaeth gwahanol, neu ei awdurdodi i weithredu trefniadau amgen yn lle ei drefniadau gweithrediaeth presennol, a
- (b) pan fo'r awdurdod lleol yn gweithredu trefniadau amgen, rhaid iddo barhau i weithredu'r trefniadau hynny oni chaiff, a hyd nes caiff, ei awdurdodi i weithredu trefniadau amgen gwahanol, neu ei awdurdodi neu ei bod yn ofynnol iddo weithredu trefniadau gweithrediaeth yn lle ei drefniadau amgen presennol.

(6) Os yw mwyafrif y pleidleisiau a fwrir mewn refferendwm pellach yn bleidleisiau "yn erbyn"—

- (a) rhaid i'r awdurdod lleol weithredu'r cynigion hynny a oedd yn gynigion wrth gefn amlinellol ganddo ar adeg y refferendwm llygredig, a
- (b) yn ddarostyngedig i baragraffau (7) ac (8), mae adran 27(13) (refferendwm yn achos cynigion sy'n ymwneud â maer etholedig) yn gymwys ar gyfer gweithredu cynigion wrth gefn manwl fel pe bai'r cynigion wrth gefn amlinellol hynny yn gynigion wrth gefn amlinellol ar achlysur pan wrthodir cynigion o dan adran 25 (cynigion) mewn refferendwm o dan adran 27.

(7) Os y trefniadau gweithrediaeth neu drefniadau amgen a weithredid gan yr awdurdod ar ddyddiad y refferendwm llygredig yw cynigion wrth gefn amlinellol yr awdurdod, mae adran 27(13) yn gymwys (fel y crybwyllir ym mharagraff (6)) fel pe rhoddid y geiriau "as soon as practicable" yn lle "in accordance with the timetable mentioned in subsection (4)"

(8) Os trefniadau gweithrediaeth sy'n cynnwys ffurf o weithrediaeth nad yw'n ofynnol cael refferendwm ar ei chyfer yw cynigion wrth gefn amlinellol yr awdurdod—

- (a) mae adran 29(1) (gweithredu trefniadau gweithrediaeth a chyhoeddusrwydd ar eu cyfer) yn gymwys at y diben o alluogi'r awdurdod i weithredu'r trefniadau gweithrediaeth a nodir yn ei gynigion wrth gefn manwl, fel y mae'n gymwys at y diben o alluogi awdurdod i weithredu trefniadau gweithrediaeth mewn amgylchiadau eraill, a
- (b) mae adran 29(2) yn gymwys fel pe bai is-baragraff (i) ym mharagraff (b) wedi ei amnewid gan—

"(i) states that, in consequence of the rejection in a further referendum of the authority's existing executive arrangements, the authority have resolved to operate the

(5) If the majority of the votes cast in a further referendum are "yes" votes—

- (a) where the local authority are operating executive arrangements, they must continue to operate those arrangements unless and until they are authorised or required to operate different executive arrangements or authorised to operate alternative arrangements in place of their existing executive arrangements, and
- (b) where the local authority are operating alternative arrangements, they must continue to operate those arrangements unless and until they are authorised to operate different alternative arrangements or authorised or required to operate executive arrangements in place of their existing alternative arrangements.

(6) If the majority of votes cast in the further referendum are "no" votes, the local authority—

- (a) must implement the proposals that were their outline fall-back proposals at the time of the tainted referendum, and
- (b) subject to paragraphs (7) and (8), section 27(13) (referendum in case of proposals involving elected mayor) applies to the implementation of detailed fall-back proposals as if those outline fall-back proposals were outline fall-back proposals in the event that proposals under section 25 (proposals) are rejected in a referendum under section 27.

(7) Where the authority's outline fall-back proposals are the executive or alternative arrangements which they were operating at the date of the tainted referendum, section 27(13) applies (as mentioned in paragraph (6)) as if, for "in accordance with the timetable mentioned in subsection (4)", there were substituted "as soon as practicable".

(8) Where the authority's outline fall-back proposals are executive arrangements which involve a form of executive for which a referendum is not required—

- (a) section 29(1) (operation of, and publicity for, executive arrangements) applies for the purpose of enabling the authority to operate the executive arrangements set out in their detailed fall-back proposals as it applies for the purpose of enabling an authority to operate executive arrangements in other circumstances, and
- (b) section 29(2) applies as if in paragraph (b) for sub-paragraph (i) there were substituted—

"(i) states that, in consequence of the rejection in a further referendum of the authority's existing executive arrangements, the authority have

different executive arrangements that were described in their outline fall-back proposals at the time of the referendum,".

(9) Pan fo cynigion wrth gefn amlinellol yr awdurdod lleol yn drefniadau amgen—

(a) mae adran 32(2) (gweithredu trefniadau amgen) yn gymwys at y diben o alluogi'r awdurdod lleol i weithredu'r trefniadau amgen a nodir yn ei gynigion wrth gefn manwl, fel y mae'n gymwys at y diben o alluogi awdurdod i weithredu trefniadau amgen mewn amgylchiadau eraill, a

(b) mae adran 29(2) yn gymwys fel pe bai is-baragraff (i) ym mharagraff (b) wedi ei amnewid gan "(i) states that, in consequence of the rejection in a further referendum of the local authority's existing executive arrangements the local authority have resolved to operate the alternative arrangements that were described in their outline fall-back proposals at the time of the referendum."

(10) Mae'r Rheoliadau hyn, ac eithrio pan fo'r cydestun yn mynnu fel arall, yn gymwys (i'r graddau y maent yn berthnasol) ar gyfer cynnal y refferendwm pellach, fel y maent yn gymwys i gynnal unrhyw refferendwm arall, yn ddarostyngedig i—

(a) yn rheoliad 4—

(i) hepgor paragraff (1)(a),

(ii) ym mharagraff (1)(b), rhoi "trefniadau gweithrediaeth neu amgen presennol yr awdurdod lleol" yn lle "y cynigion",

(iii) ym mharagraff (1)(c)(vi), rhoi "dogfen y nodir ynddi brif nodweddion trefniadau gweithrediaeth neu amgen presennol yr awdurdod" yn lle "copi o'r cynigion",

(iv) ym mharagraff (1)(c)(vii), rhoi "ddogfen honno a'r cynigion wrth gefn amlinellol hynny" yn lle "cynigion a'r cynigion wrth gefn amlinellol",

(v) ar ôl paragraff (1)(c)(vii), mewnosod—

"(viii) os yw'n digwydd bod y refferendwm yn cael ei gynnal o ganlyniad i benderfyniad llys etholiad bod y refferendwm diwethaf a gynhaliwyd yn ardal yr awdurdod yn ddirym neu, yn ôl y digwydd, y datgenir iddo fod yn llygredig oherwydd gwneud neu addo taliad ariannol neu wobwr arall ers y refferendwm, yn unol ag arfer llwgr neu anghyfreithlon."

(vi) ym mharagraff (4), rhoi "dogfen ar gael i'w harchwilio sy'n nodi prif nodweddion

resolved to operate the different executive arrangements that were described in their outline fall-back proposals at the time of the referendum,".

(9) Where the local authority's outline fall-back proposals are alternative arrangements —

(a) section 33(2) (operation of alternative arrangements) applies for the purpose of enabling the local authority to operate the alternative arrangements set out in their detailed fall-back proposals as it applies for the purpose of enabling a local authority to operate alternative arrangements in other circumstances; and

(b) section 29(2) applies as if, in paragraph (b), for sub-paragraph (i) there were substituted; "(i) states that, in consequence of the rejection in a further referendum of the local authority's existing executive arrangements the local authority have resolved to operate the alternative arrangements that were described in their outline fall-back proposals at the time of the referendum."

(10) These Regulations, except where the context otherwise requires, apply (so far as relevant) to the conduct of the further referendum as they apply to the conduct of any other referendum subject to—

(a) in regulation 4—

(i) the omission of paragraph (1)(a),

(ii) in paragraph (1)(b), the substitution for "the proposals" of "the local authority's existing executive or alternative arrangements",

(iii) in paragraph (1)(c)(vi), the substitution for "a copy of the proposals" of "a document in which are set out the main features of the authority's existing executive or alternative arrangements",

(iv) in paragraph (1)(c)(vii), the substitution for "the proposals and" of "that document and those",

(v) after paragraph (1)(c)(vii), the insertion of—

"(viii) if it be the case, that the referendum is being held in consequence of the determination of an election court that the referendum last held in the authority's area was void or, as the case may be, declared to be tainted by reason of a payment of money or other reward made or promised since the referendum in pursuance of a corrupt or illegal practice."

(vi) in paragraph (4), the substitution for "a copy of their proposals" of "a document in

trefniadau gweithrediaeth cyfredol neu drefniadau amgen cyfredol yr awdurdod" yn lle "copi ar gael i'w archwilio o'i gynigion",

(vii) ym mharagraff (5), rhoi "â phrif nodweddion trefniadau gweithrediaeth neu amgen cyfredol yr awdurdod lleol" yn lle "â'r cynigion", ac

(b) yn lle paragraff 1 o Atodlen 1 a'r ffurf gyntaf sy'n ymddangos yn yr Atodiad i Reolau Refferenda'r Ddeddf Llywodraeth Leol, rhoi—

"Yn y refferendwm maerol a gynhaliwyd ar [mewnosoder y dyddiad fel y bo'n briodol] cymeradwyodd yr etholwyr ar gyfer [mewnosoder enw'r awdurdod lleol] y cynnig y dylai maer arwain y [mewnosoder "sir" neu "fwrdeistref sirol" fel y bo'n briodol] honno a bod yn gyfrifol am wneud penderfyniadau ynghylch gwasanaethau'r cyngor ynghyd â "chabinet" o gynghorwyr etholedig a benodid gan y maer hwnnw. Ar [mewnosoder y dyddiad fel y bo'n briodol] cyhoeddodd y Llys Etholiad fod y refferendwm maerol hwnnw yn llygredig. Gorchmynnodd y Llys Etholiad fod refferendwm pellach i'w gynnal.

Os bydd mwyafrif y pleidleisiau a fwir yn y refferendwm pellach hwn yn bleidleisiau "yn erbyn", bydd [mewnosoder enw'r awdurdod lleol] yn gweithredu trefniadau [gweithrediaeth]* [amgen]* a fydd yn [arweinydd a etholir gan yr awdurdod a chabinet o gynghorwyr etholedig]* [faer etholedig a rheolwr cyngor a benodir felly gan yr awdurdod]* [fwrdd sy'n wleidyddol gytbwys]* a fydd yn gyfrifol am wneud penderfyniadau ynghylch gwasanaethau lleol y cyngor.

*dileer fel y bo'n briodol

.....

Cwestiwn

A ydych o blaid bod [mewnosoder enw'r awdurdod lleol] yn parhau i gael ei arwain gan faer ynghyd â chabinet o gynghorwyr etholedig?"; ac

(c) yn lle paragraff 2 o Atodlen 1 a'r ail ffurf sy'n ymddangos yn yr Atodiad i Reolau Refferenda'r Ddeddf Llywodraeth Leol, rhoi—

"Yn y refferendwm maerol a gynhaliwyd ar [mewnosoder y dyddiad fel y bo'n briodol] cymeradwyodd yr etholwyr ar gyfer [mewnosoder enw'r awdurdod lleol] y cynnig y dylai maer arwain y [mewnosoder "sir" neu "fwrdeistref sirol" fel y bo'n briodol] honno a bod yn gyfrifol am wneud penderfyniadau ynghylch gwasanaethau'r cyngor ynghyd â swyddog o'r [mewnosoder

which are set out the main features of the authority's current executive or alternative arrangements",

(vii) in paragraph (5), the substitution, for "the proposals", of "the main features of the local authority's current executive or alternative arrangements", and

(b) the substitution of paragraph 1 of Schedule 1 and the first form to appear in the Appendix to the Local Government Act Referendums Rules, by —

"At the mayoral referendum held on [insert date as appropriate] the electorate for [insert name of local authority] approved the proposal that a mayor should lead that [insert "county" or "county borough" as appropriate] and be responsible for making decisions about council services together with a "cabinet" of elected councillors appointed by that mayor. On [insert date as appropriate] the Election Court declared that mayoral referendum to be tainted. The Election Court ordered that a further referendum be held.

Should the majority of votes cast in this further referendum be "no" votes, [insert name of local authority] will implement [executive]* [alternative]* arrangements consisting of [a leader elected by the authority and a cabinet of elected councillors]* [an elected mayor and council manager appointed as such by the authority]* [a politically balanced board]* responsible for making decisions about local council services.

*delete as appropriate

.....

Question

Are you in favour of [insert name of local authority] continuing to be led by a mayor together with a cabinet of elected councillors?"; and

(c) the substitution of paragraph 2 of Schedule 1 and the second form to appear in the Appendix to the Local Government Act Rules by —

"At the mayoral referendum held on [insert date as appropriate] the electorate for [insert name of local authority] approved the proposal that a mayor should lead that [insert "county" or "county borough" as appropriate] and be responsible for making decisions about council services together with an officer of that [insert "county" or "county borough" as appropriate] appointed

"sir" neu "fwrdeistref sirol" fel y bo'n briodol] honno, a benodir yn "rheolwr cyngor" gan gynghorwyr etholedig. Ar [mewnosoder y dyddiad fel y bo'n briodol] cyhoeddodd y Llys Etholiad fod y refferendwm maerol hwnnw yn llygredig. Gorchmynnodd y Llys Etholiad fod refferendwm pellach i'w gynnal.

Os bydd mwyafrif y pleidleisiau a fwir yn y refferendwm pellach hwn yn bleidleisiau "yn erbyn", bydd [mewnosoder enw'r awdurdod lleol] yn gweithredu trefniadau [gweithrediaeth]* [amgen]* a fydd yn [faer etholedig a chabinet o gynghorwyr etholedig a benodir gan y maer]* [arweinydd a etholir gan yr awdurdod a chabinet o gynghorwyr etholedig]* [fwrdd sy'n wleidyddol gytbwys]* a fydd yn gyfrifol am wneud penderfyniadau ynghylch gwasanaethau lleol y cyngor.

**dileer fel y bo'n briodol*

.....

Cwestiwn

A ydych o blaid bod [mewnosoder enw'r awdurdod lleol] yn parhau i gael ei arwain gan faer ynghyd â rheolwr cyngor?"

(11) Yn dilyn prif wrandawriad deiseb refferendwm y rhoddwyd caniatâd ar ei chyfer ac y mae'r amgylchiadau fel a grybwyllir mewn unrhyw baragraff o reoliad 12 ac eithrio paragraff (8), rhaid i'r llys etholiad naill ai—

- (a) gwrthod y ddeiseb, neu
- (b) caniatáu'r ddeiseb,

a phan fo'r llys yn caniatáu'r ddeiseb, rhaid iddo gyhoeddi bod y refferendwm yn ddi-rym.

Amser

14.—(1) Rhaid anwybyddu'r diwrnodau a grybwyllir ym mharagraff (2) wrth gyfrifo unrhyw gyfnod o amser at ddibenion rheoliad 4(1).

(2) Y diwrnodau a grybwyllir yn y paragraff hwn yw—

- (a) dydd Sadwrn neu ddydd Sul,
- (b) Noswyl Nadolig, Dydd Nadolig, dydd Gwener y Groglith neu ddiwrnod sy'n ŵyl banc o dan Ddeddf Bancio a Thrafodion Ariannol 1971(1) yng Nghymru, ac
- (c) unrhyw ddiwrnod a bennir yn ddiwrnod o ddiolchgarwch neu alaru cyhoeddus.

as "council manager" by elected councillors. On [insert date as appropriate] the Election Court declared that mayoral referendum to be tainted. The Election Court ordered that a further referendum be held.

Should the majority of votes cast in this further referendum be "no" votes, [insert name of local authority] will implement [executive]* [alternative]* arrangements consisting of [an elected mayor and a cabinet of elected councillors appointed by the mayor]* [a leader elected by the authority and a cabinet of elected councillors]* [a politically balanced board]* responsible for making decisions about local council services.

**delete as appropriate*

.....

Question

Are you in favour of [insert name of local authority] continuing to be led by a mayor together with a council manager?"

(11) On the substantive hearing of a referendum petition for which leave has been granted where the circumstances are as mentioned in any paragraph of regulation 12 other than paragraph (8), the election court must either—

- (a) dismiss the petition, or
- (b) allow the petition,

and, where the court allows the petition, it must declare the referendum avoided.

Time

14.—(1) The days mentioned in paragraph (2) are to be disregarded in calculating any period of time for the purposes of regulation 4(1).

(2) The days mentioned in this paragraph are—

- (a) a Saturday or Sunday,
- (b) Christmas Eve, Christmas Day, Good Friday or a day which is a bank holiday under the Banking and Financial Dealings Act 1971(1) in Wales, and
- (c) any day appointed as a day of public thanksgiving or mourning.

(1) 1971 p.80.

(1) 1971 c.80.

Hysbysebion

15. Mae Rheoliadau Cynllunio Gwlad a Thref (Rheoli Hysbysebion) 1992(1) yn cael effaith mewn perthynas ag arddangos, ar unrhyw safle yn ardal y bleidlais, unrhyw hysbyseb sy'n ymwneud yn benodol â'r refferendwm, fel y maent yn effeithiol mewn perthynas ag arddangos hysbyseb sy'n ymwneud yn benodol ag etholiad llywodraeth leol.

Trethi annomestig: mangre a ddefnyddir at ddibenion refferendwm

16. Mewn perthynas â mangre yn ardal y bleidlais, mae adran 65(6) o Ddeddf Cyllid Llywodraeth Leol 1988(2) (meddiant ar gyfer cynnal cyfarfodydd etholiad a phleidleisiau) yn cael effaith fel pe bai—

- (a) y cyfeiriad at gyfarfodydd cyhoeddus er hyrwyddo ymgeisyddiaeth person mewn etholiad yn cynnwys cyfeiriad at gyfarfodydd cyhoeddus sy'n hyrwyddo canlyniad penodol yn y refferendwm, a
- (b) y cyfeiriad at ddefnyddio gan swyddog canlyniadau at y diben o gynnal y bleidlais mewn etholiad yn cynnwys cyfeiriad at ddefnyddio at y diben o gymryd y bleidlais yn y refferendwm gan berson sy'n cyflawni swyddogaethau swyddog cyfrif yn unol â rheoliad 9.

Advertisements

15. The Town and Country Planning (Control of Advertisements) Regulations 1992(1) have effect in relation to the display on any site in a voting area of an advertisement relating specifically to the referendum as they have effect in relation to the display of an advertisement relating specifically to a local government election.

Non-domestic rating: premises used for referendum purposes

16. In relation to premises in a voting area, section 65(6) of the Local Government Finance Act 1988(2) (occupation for election meetings and polls) has effect as if—

- (a) the reference to public meetings in furtherance of a person's candidature at an election included a reference to public meetings promoting a particular result in the referendum, and
- (b) the reference to the use by a returning officer for the purpose of taking the poll in an election included a reference to the use for the purpose of taking the poll in the referendum by a person exercising functions of a counting officer in accordance with regulation 9.

Brian Gibbons

Y Gweinidog dros Gyfiawnder Cymdeithasol a Llywodraeth Leol, un o Weinidogion Cymru

Minister for Social Justice and Local Government, one of the Welsh Ministers

9 Gorffennaf 2008

9 July 2008

(1) O.S. 1992/666 fel y'i diwygiwyd gan baragraff 233 o Atodlen 22 i Ddeddf Amgylchedd 1995 (p.25) ac O.S. 1994/2351, 1996/525, 1997/2971, 1999/1810, 2001/1149, 2001/4050, 2003/2155 a 2005/3050.

(2) 1988 p.41.

(1) S.I. 1992/666. as amended by paragraph 233 of Schedule 22 to the Environment Act 1995 (c.25) and S.I. 1994/2351, 1996/525, 1997/2971, 1999/1810, 2001/1149, 2001/4050, 2003/2155 and 2005/3050.

(2) 1988 c.41.

DATGANIADAU A CHWESTIYNAU SYDD I'W GOFYN MEWN REFFERENDWM

STATEMENTS AND QUESTIONS TO BE ASKED IN A REFERENDUM

1. Ar hyn o bryd mae [*mewnoder enw'r awdurdod lleol*] yn gweithio o dan "drefniadau [gweithrediaeth]* [amgen]*". Caiff [arweinydd y cyngor ei ddewis gan y cynghorwyr, ac yna mae arweinydd y cyngor yn dethol aelodau eraill o'r cyngor i ddod yn aelodau o gabinet y cyngor]* [arweinydd y cyngor ac aelodau o gabinet y cyngor eu dewis gan y cynghorwyr]* [maer ei ddewis gan yr etholwyr ac yna mae'r maer yn dethol aelodau eraill o'r cyngor i ddod yn aelodau o gabinet y cyngor]* [maer ei ddewis gan yr etholwyr a phenodir rheolwr y cyngor gan y cynghorwyr]* [y cyngor ei redeg gan fwrdd sy'n wleidyddol gytbwys]*. [Mae arweinydd y cyngor a'r cabinet]* [Mae'r maer etholedig a'r cabinet]* [Mae'r maer etholedig a rheolwr y cyngor]* [Mae'r Bwrdd]* yn gyfrifol am wneud penderfyniadau ynghylch gwasanaethau lleol y cyngor.

Cafwyd [deiseb yn gwneud cynnig]* [cyfarwyddyd gan Weinidogion Cymru a chynigir]* [Gorchymyn a wnaed gan Weinidogion Cymru a chynigir]* [mae'r cyngor wedi cynnig]* i newid hyn fel y byddai, yn y dyfodol, maer a etholir yn uniongyrchol gan etholwyr yn [sir]* [bwrdeistref sirol]* yn arwain y cyngor. Byddai'r maer yn penodi dau aelod o'r cyngor neu fwy i ddod yn aelodau o'r cabinet, a byddai'r maer a'r cabinet yn gyfrifol am wneud penderfyniadau ynghylch gwasanaethau lleol y cyngor.

**dileer fel y bo'n briodol*

Cwestiwn

A ydych o blaid y cynnig i gael maer a etholwyd yn uniongyrchol ar gyfer [*mewnoder enw'r awdurdod lleol*]?

2. Ar hyn o bryd mae [*mewnoder enw'r awdurdod lleol*] yn gweithio o dan "drefniadau [gweithrediaeth]* [amgen]*". Caiff [arweinydd y cyngor ei ddewis gan y cynghorwyr, ac yna mae arweinydd y cyngor yn dethol aelodau eraill o'r cyngor i ddod yn aelodau o gabinet y cyngor]* [arweinydd y cyngor ac aelodau o gabinet y cyngor eu dewis gan y cynghorwyr]* [maer ei ddewis gan yr etholwyr ac yna mae'r maer yn dethol aelodau eraill o'r cyngor i ddod yn aelodau o gabinet y cyngor]* [maer ei ddewis gan yr etholwyr a phenodir rheolwr y cyngor gan y cynghorwyr]* [y cyngor ei redeg gan fwrdd sy'n wleidyddol gytbwys]*. [Mae arweinydd y cyngor a'r cabinet]* [Mae'r maer etholedig a'r

1. At the moment [*insert name of local authority*] works under "[executive]* [alternative]* arrangements". The [council leader is chosen by the councillors, and the council leader then selects other council members to become members of the council's cabinet]* [council leader and the members of the council's cabinet are chosen by the councillors]* [mayor is chosen by the electorate and the mayor then selects other council members to become members of the council's cabinet]* [mayor is chosen by the electorate and the council manager is appointed by the councillors]* [council is run by a politically balanced board]*. The [council leader and cabinet]* [elected mayor and cabinet]* [elected mayor and council manager]* [Board]* are responsible for making decisions about local council services.

[A]* [An]* [petition has been received making a proposal]* [direction from the Welsh Ministers has been received and it is proposed]* [Order has been made by the Welsh Ministers and it is proposed]* [the council has proposed]* to change this so that, in future, a mayor directly elected by voters in the [county]* [county borough]* would lead the council. The mayor would appoint two or more council members to become members of a cabinet, and the mayor and cabinet would be responsible for making decisions about local council services.

**delete as appropriate*

Question

Do you support the proposal for a directly elected mayor for [*insert name of local authority*]?

2. At the moment [*insert name of local authority*] works under "[executive]* [alternative]* arrangements". The [council leader is chosen by the councillors, and the council leader then selects other council members to become members of the council's cabinet]* [council leader and the members of the council's cabinet are chosen by the councillors]* [mayor is chosen by the electorate and the mayor then selects other council members to become members of the council's cabinet]* [mayor is chosen by the electorate and the council manager is appointed by the councillors]* [council is run by a politically balanced board]*. The [council leader and cabinet]* [elected mayor and cabinet]* [elected mayor and council

cabinet]* [Mae'r maer etholedig a rheolwr y cyngor]* [Mae'r Bwrdd]* yn gyfrifol am wneud penderfyniadau ynghylch gwasanaethau lleol y cyngor.

Cafwyd [deiseb yn gwneud cynnig]* [cyfarwyddyd gan Weinidogion Cymru a chynigir]* [Gorchymyn a wnaed gan Weinidogion Cymru a chynigir]* [mae'r cyngor wedi cynnig] i newid hyn fel y byddai, yn y dyfodol, maer a etholir yn uniongyrchol gan etholwyr yn [sir]* [bwrdeistref sirol]* yn arwain y cyngor. Byddai'r cynghorwyr yn penodi swyddog o [mewnosoder enw'r awdurdod lleol] i weithredu fel rheolwr y cyngor, a byddai'r maer a rheolwr y cyngor yn gyfrifol am wneud penderfyniadau ynghylch gwasanaethau lleol y cyngor.

**dileer fel y bo'n briodol*

.....

Cwestiwn

A ydych o blaid y cynnig i gael maer a etholwyd yn uniongyrchol ar gyfer [mewnosoder enw'r awdurdod lleol]?

3. Ar hyn o bryd mae [mewnosoder enw'r awdurdod lleol] yn gweithio o dan "drefniadau [gweithrediaeth]* [amgen]*". Caiff [arweinydd y cyngor ei ddewis gan y cynghorwyr, ac yna mae arweinydd y cyngor yn dethol aelodau eraill o'r cyngor i ddod yn aelodau o gabinet y cyngor]* [arweinydd y cyngor ac aelodau o gabinet y cyngor eu dewis gan gynghorwyr]* [maer ei ddewis gan yr etholwyr ac yna mae'r maer yn dethol aelodau eraill o'r cyngor i ddod yn aelodau o gabinet y cyngor]* [maer ei ddewis gan yr etholwyr a phenodir rheolwr y cyngor gan y cynghorwyr]* [y cyngor ei redeg gan fwrdd sy'n wleidyddol gytbwys]*. [Mae arweinydd y cyngor a'r cabinet]* [Mae'r maer etholedig a'r cabinet]* [Mae'r maer etholedig a rheolwr y cyngor]* [Mae'r Bwrdd]* yn gyfrifol am wneud penderfyniadau ynghylch gwasanaethau lleol y cyngor.

Cafwyd [cyfarwyddyd gan Weinidogion Cymru]* [Gorchymyn a wnaed gan Weinidogion Cymru]* a chynigir newid hyn fel y byddai, yn y dyfodol, arweinydd y cyngor a etholir gan gynghorwyr [sir]* [bwrdeistref sirol]* yn arwain y cyngor. Byddai arweinydd y cyngor yn dethol aelodau eraill o'r cyngor i ddod yn aelodau o gabinet y cyngor, a byddai arweinydd y cyngor a'r cabinet yn gyfrifol am wneud penderfyniadau ynghylch gwasanaethau lleol y cyngor.

**dileer fel y bo'n briodol*

.....

Cwestiwn

A ydych o blaid y cynnig i gael arweinydd cyngor a ddewisir gan gynghorwyr ar gyfer [mewnosoder enw'r awdurdod lleol]?

manager]* [Board]* are responsible for making decisions about local council services.

[A]* [An]* [petition has been received making a proposal]* [direction from the Welsh Ministers has been received and it is proposed]* [Order has been made by the Welsh Ministers and it is proposed]* [the council has proposed]* to change this so that, in future, a mayor directly elected by voters in the [county]* [county borough]* would lead the council. The councillors would appoint an officer of [insert name of local authority] to act as council manager, and the mayor and council manager would be responsible for making decisions about local council services.

**delete as appropriate*

.....

Question

Do you support the proposal for a directly elected mayor for [insert name of local authority]?

3. At the moment [insert name of local authority] works under "[executive]* [alternative]* arrangements". The [council leader is chosen by the councillors, and the council leader then selects other council members to become members of the council's cabinet]* [council leader and the members of the council's cabinet are chosen by the councillors]* [mayor is chosen by the electorate and the mayor then selects other council members to become members of the council's cabinet]* [mayor is chosen by the electorate and the council manager is appointed by the councillors]* [council is run by a politically balanced board]*. The [council leader and cabinet]* [elected mayor and cabinet]* [elected mayor and council manager]* [Board]* are responsible for making decisions about local council services.

[A]* [An]* [direction from the Welsh Ministers has been received]* [Order has been made by the Welsh Ministers]* and it is proposed to change this so that, in future, a council leader chosen by the councillors of the [county]* [county borough]* would lead the council. The council leader would select other council members to become members of the council's cabinet, and the council leader and cabinet would be responsible for making decisions about local council services.

**delete as appropriate*

.....

Question

Do you support the proposal for a council leader chosen by councillors for [insert name of local authority]?

Rheoliad 6(1)

Regulation 6(1)

Materion sy'n berthnasol i Dreuliau
Refferendwm

Matters relevant to Referendum Expenses

1. Hysbysebion o unrhyw fath (beth bynnag fo'r cyfrwng).

Mae treuliau ar gyfer y cyfryw hysbysebion yn cynnwys ffioedd asiantaethau, costau dylunio, a chostau eraill mewn cysylltiad â pharatoi, cynhyrchu, dosbarthu neu sydd fel arall yn lledaenu'r cyfryw hysbysebion neu unrhyw beth sy'n ymgorffori'r cyfryw hysbysebion hynny ac a fwriedir ei ddsbarthu at y diben o'u lledaenu.

2. Deunydd digymell a gyfeirir at bleidleiswyr (p'un ai wedi ei gyfeirio atynt wrth eu henwau neu wedi ei fwriadu i'w ddanfon i aelwydydd o fewn unrhyw ardal neu ardaloedd penodol).

Mae treuliau mewn perthynas â'r cyfryw ddeunyddiau yn cynnwys y costau dylunio a chostau eraill mewn cysylltiad â pharatoi, cynhyrchu neu ddsbarthu'r cyfryw ddeunyddiau (gan gynnwys cost eu postio).

3. Unrhyw ddeunyddiau o'r math a ddisgrifir yn rheoliad 5(1).

4. Ymchwil y farchnad neu ganfasio a gynhelir at y diben o ganfod bwriadau pleidleisio.

5. Darparu gwasanaethau neu gyfleusterau mewn cysylltiad â chynadleddau i'r wasg neu drafodion eraill gyda'r cyfryngau.

6. Cludo (drwy ba ddull bynnag) pobl i unrhyw le neu leoedd gyda'r bwriad o ennill cyhoeddusrwydd mewn cysylltiad ag ymgyrch refferendwm.

Mae'r treuliau ar gyfer cludo'r cyfryw bobl yn cynnwys y gost o logi math penodol o gludiant ar gyfer y cyfan neu ran o gyfnod y refferendwm.

7. Ralïau a digwyddiadau eraill, gan gynnwys cyfarfodydd cyhoeddus a drefnir i gael cyhoeddusrwydd mewn cysylltiad ag ymgyrch refferendwm neu at ddibenion eraill sy'n ymwneud ag ymgyrch refferendwm.

Mae'r treuliau ar gyfer y cyfryw ddigwyddiadau yn cynnwys costau mewn cysylltiad â phresenoldeb pobl mewn digwyddiadau o'r fath, llogi mangreoedd at ddibenion y cyfryw ddigwyddiadau hynny neu ddarparu nwyddau, gwasanaethau neu gyfleusterau ynddynt.

8. Ni ddylid dehongli unrhyw beth ym mharagraffau 1 i 7 i olygu ei fod a wnelo ag—

- (a) unrhyw dreuliau o ran unrhyw eiddo, gwasanaethau neu gyfleusterau i'r graddau y mae'r treuliau hynny i'w talu o gyllid cyhoeddus;

1. Advertising of any nature (whatever the medium used).

Expenses in respect of such advertising include agency fees, design costs and other costs in connection with preparing, producing, distributing or otherwise disseminating such advertising or anything incorporating such advertising and intended to be distributed for the purpose of disseminating it.

2. Unsolicited material addressed to voters (whether addressed to them by name or intended for delivery to households within any particular area or areas).

Expenses in respect of such material include design costs and other costs in connection with preparing, producing or distributing such material (including the cost of postage).

3. Any material of a description referred to in regulation 5(1).

4. Market research or canvassing conducted for the purposes of ascertaining voting intentions.

5. The provision of any services or facilities in connection with press conferences or other dealings with the media.

6. Transport (by any means) of persons to any place or places with a view to obtaining publicity in connection with a referendum campaign.

Expenses in respect of the transport of such persons include the costs of hiring a particular means of transport for the whole or part of the referendum period.

7. Rallies and other events, including public meetings organised so as to obtain publicity in connection with a referendum campaign or for other purposes connected with a referendum campaign.

Expenses in respect of such events include costs in connection with the attendance of persons at such events, the hire of premises for the purposes of such events or the provision of goods, services or facilities at them.

8. Nothing in paragraphs 1 to 7 is to be taken as extending to—

- (a) any expenses in respect of any property, services or facilities so far as those expenses fall to be met out of public funds;

- (b) unrhyw dreuliau a dynnir o ran tâl neu lwfansau sy'n daladwy i unrhyw aelod o staff trefnydd yr ymgyrch;
- (c) unrhyw dreuliau a dynnir mewn perthynas ag unigolyn o ran costau teithio (ar ba bynnag ddull cludiant) neu o ran darparu llety neu unrhyw anghenion personol eraill ar gyfer yr unigolyn hwnnw i'r graddau y telir y treuliau gan yr unigolyn o'i adnoddau ei hunan heb iddo gael ad-daliad ohonynt.

- (b) any expenses incurred in respect of the remuneration or allowances payable to any member of staff of the campaign organiser;
- (c) any expenses incurred in respect of an individual by way of travelling expenses (by any means of transport) or in providing for the individual's accommodation or other personal needs to the extent that the expenses are paid by the individual from the individual's own resources and are not reimbursed to the individual.

ATODLEN 3

SCHEDULE 3

Rheoliad 8

Regulation 8

Rheolau Refferenda'r Ddeddf Llywodraeth
Leol

The Local Government Act Referendums
Rules

RHAN 1

PART 1

Enwi a Dehongli

Title and Interpretation

1. Enw
2. Dehongli

1. Title
2. Interpretation

RHAN 2

PART 2

Darpariaethau o ran Amser

Provisions as to Time

3. Amserlen
4. Cyfrif amser

3. Timetable
4. Computation of time

RHAN 3

PART 3

Darpariaethau Cyffredinol

General Provisions

5. Hysbysiad o refferendwm
6. Pleidleisio drwy bleidlais gyfrinachol
7. Y papurau pleidleisio
8. Y rhestr rhifau cyfatebol
9. Y nod swyddogol
10. Gwahardd datgelu pleidlais
11. Defnyddio ysgolion ac ystafelloedd cyhoeddus

5. Notice of referendum
6. Poll to be taken by ballot
7. The ballot papers
8. The corresponding number list
9. The official mark
10. Prohibition of disclosure of vote
11. Use of schools and public rooms

RHAN 4

PART 4

Gweithredu sydd i'w Gyflawni cyn y Bleidlais

Action to be Taken Before the Poll

12. Hysbysiad o'r bleidlais
13. Papurau pleidlais bost
14. Darparu gorsafoedd pleidleisio
15. Penodi swyddogion llywyddu a chlercod pleidleisio
16. Dyroddi cardiau pleidleisio swyddogol

12. Notice of poll
13. Postal ballot papers
14. Provision of polling stations
15. Appointment of presiding officers and polling clerks
16. Issue of official poll cards

17. Cyfarpar mewn gorsafoedd pleidleisio
18. Penodi arsylwyr pleidleisio ac arsylwyr cyfrif
19. Hysbysu ynghylch y gofyniad cyfrinachedd
20. Dychwelyd papurau pleidlais bost

17. Equipment of polling stations
18. Appointment of polling observers and counting observers
19. Notification of requirement of secrecy
20. Return of postal ballot papers

RHAN 5

Y Bleidlais

21. Mynediad i orsaf bleidleisio
22. Cadw trefn mewn gorsaf
23. Selio blychau pleidleisio
24. Cwestiynau i'w gofyn i etholwyr a dirprwyon
25. Herio etholwr neu ddirprwy
26. Gweithdrefn bleidleisio
27. Pleidleisiau wedi eu marcio gan y swyddog llywyddu
28. Pleidleisio gan bersonau ag anableddau
29. Papurau pleidleisio wedi eu tendro: yr amgylchiadau pan fônt ar gael
30. Papurau pleidleisio wedi eu tendro: darpariaethau cyffredinol
31. Papurau pleidleisio a ddifethwyd
32. Cywiro gwallau ar ddiwrnod y pleidleisio
33. Gohirio pleidleisio mewn achos o derfysg
34. Gweithdrefn wrth gau'r pleidleisio

PART 5

The Poll

21. Admission to polling station
22. Keeping of order in station
23. Sealing of ballot boxes
24. Questions to be put to voters and proxies
25. Challenge of voter or proxy
26. Voting procedure
27. Votes marked by presiding officer
28. Voting by persons with disabilities
29. Tendered ballot papers: circumstances where available
30. Tendered ballot papers: general provisions
31. Spoilt ballot papers
32. Correction of errors on day of poll
33. Adjournment of poll in case of riot
34. Procedure on close of poll

RHAN 6

Cyfrif Pleidleisiau

35. Presenoldeb ar gyfer cyfrif pleidleisiau
36. Y cyfrif
37. Ailgyfrif
38. Papurau pleidleisio a wrthodir
39. Penderfyniadau ynghylch papurau pleidleisio
40. Pleidleisiau cyfartal

PART 6

Counting of Votes

35. Attendance at counting of votes
36. The count
37. Re-count
38. Rejected ballot papers
39. Decisions on ballot papers
40. Equality of votes

RHAN 7

Cyhoeddi'r Canlyniad a Lleoli'r Dogfennau

41. Cyhoeddi'r canlyniad

PART 7

Declaration of Result and Disposal of Documents

41. Declaration of result

42. Selio'r papurau pleidleisio
43. Trosglwyddo dogfennau i'r swyddog cofrestru perthnasol
44. Gorchmynion i ddangos dogfennau
45. Cadw dogfennau

42. Sealing up of ballot papers
43. Delivery of documents to relevant registration officer
44. Orders for production of documents
45. Retention of documents

RHAN 8

Atodiad o Ffurfiâu

PART 8

Appendix of Forms

RHAN 1

Enwi a Dehongli

PART 1

Title and Interpretation

Enw

1. Enw'r Rheolau hyn yw Rheolau Refferenda'r Ddeddf Llywodraeth Leol.

Title

1. The title of these Rules is the Local Government Act Referendums Rules.

Dehongli

2.—(1) Yn y Rheolau hyn, ystyr "pleidleisiwr" ("voter") yw person sydd â hawl i bleidleisio ar ran y person hwnnw ei hunan.

Interpretation

2.—(1) In these Rules "voter" ("*pleidleisiwr*") means a person entitled to vote on that person's own behalf.

(2) Mae i ymadroddion eraill a ddefnyddir yn y Rheolau hyn yn ogystal ag yn Neddf 1983 (fel y mae'n gymwys i etholiadau llywodraeth leol) yr un ystyr yn y Rheolau hyn ag sydd iddynt yn y Ddeddf honno.

(2) Other expressions used both in these Rules and in the 1983 Act (as it applies to local government elections) have the same meaning in these Rules as they have in that Act.

RHAN 2

Darpariaethau o ran Amser

3. Rhaid cynnal y gweithrediadau yn y refferendwm yn unol â'r Amserlen ganlynol.

PART 2

Provisions as to Time

3. The proceedings at the referendum must be conducted in accordance with the following Timetable.

Amserlen

<i>Gweithrediadau</i>	<i>Amser</i>
Cyhoeddi hysbysiad o refferendwm	Dim hwyrach na'r pumed diwrnod ar hugain cyn diwrnod y refferendwm
Hysbysiad o'r bleidlais	Dim hwyrach na'r chweched diwrnod cyn diwrnod y refferendwm.
Pleidleisio	Rhwng yr oriau o 7 y bore a 10 yr hwyr ar ddiwrnod y refferendwm.

Timetable

<i>Proceedings</i>	<i>Time</i>
Publication of notice of referendum	Not later than the twenty-fifth day before the day of referendum.
Notice of poll	Not later than the sixth day before the day of the referendum.
Polling	Between the hours of 7 in the morning and 10 at night on the day of referendum.

Cyfrif amser

4. Wrth gyfrifo unrhyw gyfnod o amser at ddibenion yr amserlen rhaid anwybyddu'r diwrnodau a grybwyllir yn rheoliad 14(2)(a) i (c), a rhaid peidio â thrin unrhyw un o'r cyfryw ddiwrnodau fel diwrnod at ddiben unrhyw weithrediadau hyd at gwblhau'r bleidlais, ac nid oes rhwymedigaeth ar y swyddog cyfrif ychwaith i fynd ymlaen â chyfrif y pleidleisiau ar un o'r cyfryw ddiwrnodau.

RHAN 3

Darpariaethau Cyffredinol

Hysbysiad o refferendwm

5.—(1) Rhaid i'r swyddog cyfrif gyhoeddi hysbysiad o refferendwm, sy'n datgan dyddiad y pleidleisio.

(2) Rhaid i'r hysbysiad o refferendwm ddatgan erbyn pa ddyddiad y bydd yn rhaid i—

- (a) ceisiadau i bleidleisio drwy'r post neu drwy ddirprwy, a
- (b) ceisiadau a hysbysiadau eraill ynghylch pleidleisio drwy'r post neu drwy ddirprwy,

gyrraedd y swyddog cofrestru er mwyn iddynt fod yn effeithiol ar gyfer y refferendwm.

Pleidleisio drwy bleidlais gyfrinachol

6. Rhaid cymryd pleidlais yn y refferendwm a rhaid i'r pleidleisiau gael eu bwrw mewn pleidlais gyfrinachol.

Y papurau pleidleisio

7.—(1) Rhaid i bleidlais pob person sydd â hawl i bleidleisio yn y refferendwm gael ei bwrw drwy ddefnyddio papur pleidleisio.

(2) Rhaid i bob papur pleidleisio sydd i'w ddefnyddio yn y refferendwm fod yn y ffurf briodol fel yn yr Atodiad (sy'n dibynnu ar y cwestiwn sydd i'w ofyn yn y refferendwm).

(3) Rhaid i bob papur pleidleisio —

- (a) bod yn bapur y gellir ei blygu; a
- (b) bod â rhif a nod adnabod unigryw arall wedi ei argraffu ar ei gefn.

Y rhestr rhifau cyfatebol

8.—(1) Rhaid i'r swyddog cyfrif baratoi rhestr sy'n cynnwys rhifau a nodau adnabod unigryw eraill yr holl bapurau pleidleisio sydd i'w dyroddi gan y swyddog cyfrif yn unol â rheol 13(1) neu eu darparu gan y swyddog cyfrif yn unol â rheol 17(1).

Computation of time

4. In computing any period of time for the purposes of the Timetable the days mentioned in regulation 14(2)(a) to (c) must be disregarded, and any such day must not be treated as a day for the purpose of any proceedings up to the completion of the poll nor is the counting officer obliged to proceed with the counting of the votes on such a day.

PART 3

General Provisions

Notice of referendum

5.—(1) The counting officer must publish notice of the referendum, stating the date of the poll.

(2) The notice of referendum must state the date by which—

- (a) applications to vote by post or by proxy, and
- (b) other applications and notices about postal or proxy voting,

must reach the registration officer in order that they may be effective for the referendum.

Poll to be taken by ballot

6. A poll must be taken at the referendum and the votes at the poll must be given by ballot.

The ballot papers

7.—(1) The ballot of every person entitled to vote at the referendum must consist of a ballot paper.

(2) Every ballot paper to be used in the referendum must be in the appropriate form in the Appendix (depending on the question to be asked in the referendum).

(3) Every ballot paper must—

- (a) be capable of being folded up; and
- (b) have a number and other unique identifying mark printed on the back.

The corresponding number list

8.—(1) The counting officer must prepare a list containing the numbers and other unique identifying marks of all of the ballot papers to be issued by the counting officer in pursuance of rule 13(1) or provided by the counting officer in pursuance of rule 17(1).

(2) Rhaid i'r rhestr fod yn y ffurf briodol fel yn yr Atodiad neu ffurf ag effaith gyffelyb.

Y nod swyddogol

9.—(1) Rhaid i bob papur pleidleisio gynnwys nod diogelwch priodol (y nod swyddogol).

(2) Rhaid cadw'r nod swyddogol yn gyfrinach.

(3) Caiff y swyddog cyfrif ddefnyddio nod swyddogol gwahanol at wahanol ddibenion yn yr un refferendwm.

Gwahardd datgelu pleidlais

10. Nid oes gorfodaeth ar unrhyw berson a bleidleisiodd yn y refferendwm, mewn unrhyw achos cyfreithiol a gynhelir i gwestiynu'r refferendwm, ddatgan dros ba ateb y pleidleisiodd y person hwnnw.

Defnyddio ysgolion ac ystafelloedd cyhoeddus

11.—(1) Caiff y swyddog cyfrif ddefnyddio, yn ddi-dâl, at y diben o gymryd y bleidlais neu gyfrif y pleidleisiau—

- (a) ystafell mewn ysgol a gynhelir neu a gynorthwyir gan awdurdod addysg lleol, neu ysgol y gwneir grantiau mewn perthynas â hi allan o arian a ddarperir gan Weinidogion Cymru i'r person neu'r corff o bersonau sy'n gyfrifol am reolaeth yr ysgol;
- (b) ystafell y mae'r draul o'i chynnal yn daladwy allan o unrhyw dreth.

(2) Rhaid i'r swyddog cyfrif adfer unrhyw ddifrod a achosir i unrhyw ystafell o'r math a grybwyllir uchod, a thalu unrhyw draul a achosir i'r personau sydd â rheolaeth drosti, o ganlyniad i'w defnyddio at y diben o gymryd y bleidlais neu o gyfrif y pleidleisiau.

RHAN 4

Gweithredu i'w Gyflawni cyn y Bleidlais

Hysbysiad o bleidlais

12.—(1) Rhaid i'r swyddog cyfrif gyhoeddi hysbysiad o'r bleidlais sy'n datgan —

- (a) y diwrnod a'r oriau a bennwyd ar gyfer y bleidlais, a
- (b) y datganiad a'r cwestiwn i'w ofyn yn y refferendwm.

(2) Rhaid cyhoeddi'r hysbysiad o bleidlais ddim hwyrach na'r chweched diwrnod cyn dyddiad y refferendwm.

(3) Rhaid i'r swyddog cyfrif, ddim hwyrach na'r adeg

(2) The list must be in the appropriate form in the Appendix or a form to like effect.

The official mark

9.—(1) Every ballot paper must contain an appropriate security marking (the official mark).

(2) The official mark must be kept secret.

(3) The counting officer may use a different official mark for different purposes at the same referendum.

Prohibition of disclosure of vote

10. No person who has voted at the referendum is required, in any legal proceeding to question the referendum, to state for which answer that person has voted.

Use of schools and public rooms

11.—(1) The counting officer may use, free of charge, for the purpose of taking the poll or counting the votes—

- (a) a room in a school maintained or assisted by a local education authority or a school in respect of which grants are made out of moneys provided by the Welsh Ministers to the person or body of persons responsible for the management of the school;
- (b) a room the expense of maintaining which is payable out of any rate.

(2) The counting officer must make good any damage done to, and defray any expense incurred by the persons having control over, any such room as mentioned above by reason of its being used for the purpose of taking the poll or counting the votes.

PART 4

Action to be Taken Before the Poll

Notice of poll

12.—(1) The counting officer must publish notice of the poll stating—

- (a) the day and hours fixed for the poll, and
- (b) the statement and question to be asked in the referendum.

(2) The notice of the poll must be published no later than the sixth day before the date of the referendum.

(3) The counting officer must, not later than the time

y cyhoeddir yr hysbysiad o'r bleidlais, roi hysbysiad cyhoeddus hefyd o—

- (a) lleoliad pob gorsaf bleidleisio; a
- (b) disgrifiad o'r personau sydd a hawl i bleidleisio yno.

Papurau pleidlais bost

13.—(1) Rhaid i'r swyddog cyfrif, yn unol â rheoliadau a wnaed o dan Ddeddf 1983,⁽¹⁾ ddyroddi i'r rhai sydd â hawl i bleidleisio drwy'r post bapur pleidleisio a datganiad pleidlais bost, yn y ffurf briodol fel sydd yn yr Atodiad, neu ffurf ag effaith gyffelyb, ynghyd â pha bynnag amlenni ar gyfer eu dychwelyd a ragnodir gan y cyfryw reoliadau.

(2) Rhaid i'r swyddog cyfrif hefyd ddyroddi i'r rhai sydd â hawl i bleidleisio drwy'r post pa bynnag wybodaeth y mae'r swyddog cyfrif yn ei hystyried yn briodol ynglŷn â sut y gellir cael—

- (a) cyfieithiadau i ieithoedd ac eithrio'r Gymraeg neu'r Saesneg o unrhyw gyfarwyddiadau neu o ganllawiau i bleidleiswyr a dirprwyon a anfonir ynghyd â'r papur pleidleisio;
- (b) cyfieithiad i Braille o'r cyfryw gyfarwyddiadau neu ganllawiau;
- (c) portreadau graffigol o'r cyfryw gyfarwyddiadau neu ganllawiau;
- (ch) y cyfarwyddiadau neu ganllawiau mewn unrhyw ffurf arall (gan gynnwys unrhyw ffurf glywadwy).

(3) Rhaid i'r datganiad pleidlais bost gynnwys darpariaeth ar gyfer llofnodi'r ffurflen ac ar gyfer datgan dyddiad geni'r pleidleisiwr neu'r dirprwy.

(4) Yn achos papur pleidleisio a ddyroddir i berson mewn cyfeiriad yn y Deyrnas Unedig, rhaid i'r swyddog cyfrif sicrhau y gall y pleidleisiwr neu'r dirprwy dychwelyd y papur pleidleisio yn ddi—dâl.

Darparu gorsafedd pleidleisio

14.—(1) Rhaid i'r swyddog cyfrif ddarparu nifer digonol o orsafoedd pleidleisio ac, yn ddarostyngedig i'r darpariaethau canlynol o'r rheol hon, rhaid iddo ddyrannu pleidleiswyr i'r gorsafedd pleidleisio yn y modd y tybia'r swyddog cyfrif yw'r hwylusaf.

(2) Caniateir darparu un neu ragor o orsafoedd pleidleisio yn yr un ystafell.

(3) Rhaid i'r orsaf bleidleisio a ddyrennir i bleidleiswyr o unrhyw ddsbarth etholiadol seneddol, sydd yn gyfan gwbl neu'n rhannol o fewn ardal y

of the publication of the notice of the poll, also give public notice of—

- (a) the situation of each polling station; and
- (b) the description of persons entitled to vote there.

Postal ballot papers

13.—(1) The counting officer must, in accordance with regulations made under the 1983 Act⁽¹⁾, issue to those entitled to vote by post a ballot paper and a postal voting statement in the appropriate form in the Appendix, or a form to like effect, together with such envelopes for their return as may be prescribed by such regulations.

(2) The counting officer must also issue to those entitled to vote by post such information as the counting officer thinks appropriate about how to obtain—

- (a) translations into languages other than English or Welsh of any directions to or guidance for voters and proxies sent with the ballot paper;
- (b) a translation into Braille of such directions or guidance;
- (c) graphical representations of such directions or guidance;
- (d) the directions or guidance in any other form (including any audible form).

(3) The postal voting statement must include provision for the form to be signed and for stating the date of birth of the voter or proxy.

(4) In the case of a ballot paper issued to a person at an address in the United Kingdom, the counting officer must ensure that the return of the ballot paper and postal voting statement is free of charge to the voter or proxy.

Provision of polling stations

14.—(1) The counting officer must provide a sufficient number of polling stations and, subject to the following provisions of this rule, must allot the voters to the polling stations in such manner as the counting officer thinks most convenient.

(2) One or more polling stations may be provided in the same room.

(3) The polling station allotted to voters from any parliamentary polling district wholly or partly within the voting area must, in the absence of special

⁽¹⁾ *Gweler* Rheoliadau Deddf Cynrychiolaeth y Bobl (Cymru a Lloegr) 2001 O.S. 2001/341 (diwygiwyd gan O.S. 2001/1700, 2002/1871, 2004/226, 2006/752 a 2006/2910).

⁽¹⁾ *See* the Representation of the People (England and Wales) Regulations 2001 S.I. 2001/341 (amended by S.I. 2001/1700, 2002/1871, 2004/226, 2006/752 and 2006/2910).

bleidlais, fod yn y man pleidleisio seneddol ar gyfer y dosbarth hwnnw, onid oes amgylchiadau arbennig.

(4) Rhaid i'r swyddog cyfrif, ym mhob gorsaf bleidleisio, ddarparu pa bynnag nifer o fythau y gall fod eu hangen, lle y gall pleidleiswyr a dirprwyon farcio'u pleidleisiau o'r golwg, y tu ôl i sgrîn.

Penodi swyddogion llywyddu a chlercod pleidleisio

15.—(1) Rhaid i'r swyddog cyfrif benodi a thalu i swyddog llywyddu i fod yn bresennol ym mhob gorsaf bleidleisio a'r cyfryw glercod ag y bo'u hangen at ddibenion y refferendwm.

(2) Os gwêl y swyddog cyfrif yn dda, caiff y swyddog cyfrif lywyddu mewn gorsaf bleidleisio, ac y mae'r darpariaethau yn y Rheolau hyn sy'n gymwys i swyddog llywyddu yn gymwys hefyd i swyddog cyfrif sy'n llywyddu felly, gyda'r addasiadau angenrheidiol o ran y pethau sydd i'w gwneud gan y swyddog cyfrif i'r swyddog llywyddu neu gan y swyddog llywyddu i'r swyddog cyfrif.

(3) Caiff swyddog llywyddu wneud, drwy'r clercod a benodir i gynorthwyo'r swyddog llywyddu, unrhyw weithred (gan gynnwys gofyn cwestiynau) yr awdurdodir y swyddog llywyddu i'w gwneud gan y Rheolau hyn, neu y mynnir ei fod yn ei gwneud, mewn gorsaf bleidleisio, ac eithrio gorchymyn i arestio unrhyw berson, neu ei allgáu neu ei symud o'r orsaf bleidleisio.

Dyrodidi cardiau pleidleisio swyddogol

16.—(1) Rhaid i'r swyddog cyfrifo, cyn gynted ag y bo'n ymarferol ar ôl cyhoeddi'r hysbysiad o refferendwm, anfon cerdyn pleidleisio swyddogol at bob pleidleisiwr a dirprwy.

(2) Rhaid i'r cerdyn pleidleisio swyddogol gael ei anfon neu ei ddanfon—

- (a) yn achos pleidleisiwr, i gyfeiriad cymhwyso'r pleidleisiwr, a
- (b) yn achos dirprwy, i gyfeiriad y dirprwy fel y'i dangosir yn y rhestr dirprwyon.

(3) Rhaid i'r cerdyn pleidleisio fod yn y ffurf briodol fel y'i dangosir yn yr Atodiad neu ffurf ag effaith gyffelyb effaith, a rhaid iddo nodi—

- (a) enw'r cyngor ac ardal y bleidlais;
- (b) enw'r pleidleisiwr, cyfeiriad cymwys y pleidleisiwr a'i rif ar y gofrestr;
- (c) dyddiad ac oriau'r bleidlais a lleoliad gorsaf bleidleisio'r pleidleisiwr;
- (ch) pa wybodaeth bynnag arall ag y bo'r swyddog cyfrif yn ei hystyried yn briodol,

a chaniateir darparu gwybodaeth wahanol yn unol ag is-baragraff (ch) i wahanol bleidleiswyr neu i wahanol

circumstances, be in the parliamentary polling place for that district.

(4) The counting officer must provide each polling station with such number of compartments as may be necessary in which the voters and proxies can mark their votes screened from observation.

Appointment of presiding officers and polling clerks

15.—(1) The counting officer must appoint and pay a presiding officer to attend at each polling station and such clerks as may be necessary for the purposes of the referendum.

(2) The counting officer may, if the counting officer thinks fit, preside at a polling station and the provisions of these Rules relating to a presiding officer apply to a counting officer so presiding with the necessary modifications as to things to be done by the counting officer to the presiding officer or by the presiding officer to the counting officer.

(3) A presiding officer may do, by the clerks appointed to assist the presiding officer, any act (including the asking of questions) which the presiding officer is required or authorised by these Rules to do at a polling station except order the arrest, exclusion or removal of any person from the polling station.

Issue of official poll cards

16.—(1) The counting officer must as soon as practicable after the publication of the notice of the referendum send to each voter and proxy an official poll card.

(2) The official poll card must be sent or delivered—

- (a) in the case of a voter, to the voter's qualifying address, and
- (b) in the case of a proxy, to the proxy's address as shown in the list of proxies.

(3) The official poll card must be in the appropriate form in the Appendix, or a form to the like effect, and must set out—

- (a) the name of the council and of the voting area;
- (b) the name of the voter, the voter's qualifying address and number on the register;
- (c) the date and hours of the poll and the situation of the voter's polling station;
- (d) such other information as the counting officer thinks appropriate,

and different information may be provided in pursuance of sub-paragraph (d) to different voters or to

ddisgrifiadau o bleidleiswyr.

(4) Yn achos pleidleisiwr sydd â chofnod dienw yn y gofrestr, yn hytrach na chynnwys y deunydd a grybwyllir ym mharagraff (3)(b), rhaid i'r cerdyn pleidleisio gynnwys y cyfryw ddeunydd a bennir yn y ffurf briodol yn yr Atodiad.

(5) Yn y rheol hon mae cyfeiriadau at bleidleisiwr—

- (a) yn cyfeirio at berson sy'n gofrestredig yn y gofrestr o etholwyr llywodraeth lleol ar gyfer ardal y bleidlais dan sylw ar y diwrnod olaf ar gyfer cyhoeddi hysbysiad o refferendwm; a
- (b) yn cynnwys person a ddangosir yn y gofrestr bryd hynny fel un sydd islaw oedran pleidleisio, os (ond yn unig os) yw'n ymddangos yn ôl y gofrestr y bydd y person hwnnw mewn oedran pleidleisio ar y diwrnod a bennwyd ar gyfer y bleidlais.

Cyfarpar mewn gorsafoddd pleidleisio

17.—(1) Rhaid i'r swyddog cyfrif ddarparu i bob swyddog llywyddu pa bynnag nifer o flychau pleidleisio a phapurau pleidleisio a all fod, ym marn y swyddog cyfrif, yn angenrheidiol.

(2) Rhaid i bob blwch pleidleisio fod o wneuthuriad fel y gellir rhoi papurau pleidleisio i mewn ynddo ond na ellir eu tynnu allan heb ddatgloi'r blwch, neu, os nad oes clo ar y blwch, heb dorri'r sêl.

(3) Rhaid i'r swyddog cyfrif ddarparu i bob gorsaf bleidleisio—

- (a) deunyddiau i alluogi'r pleidleiswyr a'r dirprwyon i farcio'r papurau pleidleisio;
- (b) copïau o'r gofrestr etholwyr ar gyfer ardal y bleidlais, neu'r cyfryw ran ohoni sy'n cynnwys enwau'r etholwyr a ddyrannwyd i'r orsaf bleidleisio;
- (c) y rhannau o unrhyw restrau arbennig a baratowyd ar gyfer y refferendwm sy'n cyfateb i'r rhestr etholwyr ar gyfer ardal y bleidlais neu'r rhan ohoni a ddarperir o dan is-baragraff (b);
- (ch) rhestr a gyfansoddir o'r rhan honno o'r rhestr a baratowyd o dan reol 8 sy'n cynnwys y rhifau (ond nid y nodau adnabod unigryw eraill) sy'n cyfateb i'r rhifau ar y papurau pleidleisio a ddarparwyd i swyddog llywyddu yr orsaf bleidleisio.

(4) Mae'r cyfeiriad ym mharagraff 3(b) at y copïau o'r gofrestr etholwyr yn cynnwys cyfeiriad at gopïau o unrhyw hysbysiaid a gyhoeddwyd o dan adran 13B(3B) neu (3D) o Ddeddf 1983(1) mewn perthynas â newidiadau yn y gofrestr.

(1) Mewnosodwyd adran 13B o Ddeddf 1983 gan baragraff 6 o Atodlen 1 i Ddeddf Cynrychiolaeth y Bobl 2000 (p.2) a diwygiwyd yr adran honno gan adran 11(3) o Ddeddf Gweinyddu Etholiadau 2006 (p.22). Mewnosodwyd is-adrannau (3B) a (3D) o adran 13B gan adran 11(4) o Ddeddf Gweinyddu Etholiadau 2006 (p.22).

different descriptions of voter.

(4) In the case of a voter who has an anonymous entry in the register, instead of containing the matter mentioned in paragraph (3)(b), the poll card must contain such matter as is specified in the appropriate form in the Appendix.

(5) In this rule references to a voter—

- (a) are to a person who is registered in the register of local government electors for the voting area in question on the last day for the publication of notice of the referendum; and
- (b) include a person then shown in the register as below voting age if (but only if) it appears from the register that the person will be of voting age on the day fixed for the poll.

Equipment of polling stations

17.—(1) The counting officer must provide each presiding officer with such number of ballot boxes and ballot papers as in the counting officer's opinion may be necessary.

(2) Every ballot box must be so constructed that the ballot papers can be put in it, but cannot be withdrawn from it, without the box being unlocked or, where the box has no lock, the seal being broken.

(3) The counting officer must provide each polling station with—

- (a) materials to enable voters and proxies to mark the ballot papers;
- (b) copies of the register of electors for the voting area or such part of it as contains the names of the voters allotted to the station;
- (c) the parts of any special lists prepared for the referendum corresponding to the register of electors for the voting area or the part of it provided under sub-paragraph (b);
- (d) a list consisting of that part of the list prepared under rule 8 which contains the numbers (but not the other unique identifying marks) corresponding to those on the ballot papers provided to the presiding officer of the polling station.

(4) The reference in paragraph (3)(b) to the copies of the register of electors includes a reference to copies of any notices issued under section 13B(3B) or (3D) of the 1983 Act(1) in respect of alterations to the register.

(1) Section 13B of the 1983 Act was inserted by paragraph 6 of Schedule 1 to the Representation of the People Act 2000 (c.2) and amended by section 11(3) of the Electoral Administration Act 2006 (c.22). Subsections (3B) and (3D) of section 13B were inserted by section 11(4) of the Electoral Administration Act 2006 (c.22).

(5) Rhaid i'r swyddog cyfrif ddarparu hefyd i bob gorsaf bleidleisio —

- (a) o leiaf un fersiwn fawr o'r papur pleidleisio, y mae'n rhaid ei arddangos y tu mewn i'r orsaf bleidleisio, i gynorthwyo pleidleiswyr a dirprwyon sy'n gweld yn rhannol; a
- (b) dyfais fel a ddisgrifir ym mharagraff (9) i alluogi pleidleiswyr sy'n ddall neu sy'n gweld yn rhannol i bleidleisio heb fod arnynt angen cymorth gan y swyddog llywyddu nac unrhyw gydymaith (o fewn ystyr rheol 28(1)).

(6) Rhaid argraffu hysbysiad mewn llythrennau amlwg yn y ffurf sydd yn yr Atodiad, i roi cyfarwyddiadau fel canllaw i bleidleiswyr a dirprwyon ynglŷn â phleidleisio, a rhaid ei arddangos y tu mewn a thu allan i bob gorsaf bleidleisio.

(7) Caiff y swyddog cyfrif ddarparu hefyd gopiâu o'r hysbysiad a grybwyllir ym mharagraff (6) mewn Braille, neu ei gyfieithu i ieithoedd ac eithrio'r Gymraeg a'r Saesneg, fel y gwêl y swyddog cyfrif yn briodol, ar yr amod yr atgynhyrchir yr hysbysiad yn fanwl gywir mewn Braille neu yn yr iaith arall.

(8) Ym mhob bwth ym mhob gorsaf bleidleisio rhaid arddangos y hysbysiad

"REFERENDWM [*Noder enw'r cyngor*]. Rhowch groes (X) yn y blwch ar yr ochr dde gyferbyn â'r ateb o'ch dewis. Pleidleisiwch UN WAITH yn unig. Peidiwch â rhoi unrhyw farc arall ar y papur pleidleisio, neu efallai na fydd eich pleidlais yn cael ei chyfrif.

[*Specify name of council*] REFERENDUM. Mark a cross (X) in the box on the right hand side of the answer of your choice. Vote ONCE only. Put no other mark on the ballot paper, or your vote may not be counted."

(9) Rhaid i'r ddyfais y cyfeirir ati ym mharagraff 5(b)—

- (a) ganiatáu i bapur pleidleisio gael ei roi i mewn ynddi a'i dynnu allan ohoni, neu ei gysylltu wrthi a'i ddatgysylltu oddi wrthi, yn rhwydd a hynny heb ddifrodi'r papur;
- (b) dal y papur pleidleisio yn gadarn yn ei le tra defnyddir y ddyfais; ac
- (c) darparu dull addas i bleidleiswyr a dirprwyon—
 - (i) adnabod y bylchau ar y papur pleidleisio lle y gall y pleidleisiwr neu'r dirprwy farcio pleidlais y pleidleisiwr neu'r dirprwy;
 - (ii) canfod i ba ateb y mae pob un o'r cyfryw fylchau yn perthyn; a
 - (iii) marcio pleidlais y pleidleisiwr neu'r dirprwy yn y bwlch a ddewisir gan y pleidleisiwr neu'r dirprwy.

(5) The counting officer must also provide each polling station with—

- (a) at least one large version of the ballot paper which must be displayed inside the polling station for the assistance of voters and proxies who are partially sighted; and
- (b) a device of such description as is set out in paragraph (9) for enabling voters and proxies who are blind or partially sighted to vote without any need for assistance from the presiding officer or any companion (within the meaning of rule 28(1)).

(6) A notice in the form in the Appendix, giving directions for the guidance of voters and proxies in voting, must be printed in conspicuous characters and exhibited inside and outside every polling station.

(7) The counting officer may also provide copies of the notice mentioned in paragraph (6) in Braille or translated into languages other than English or Welsh as the counting officer considers appropriate, provided that these notices are accurate reproductions in Braille or that other language of that notice.

(8) In every compartment of every polling station there must be exhibited the notice

"REFERENDWM [*Noder enw'r cyngor.....*]. Rhowch groes (X) yn y blwch ar yr ochr dde gyferbyn â'r ateb o'ch dewis. Pleidleisiwch UNWAITH yn unig. Peidiwch â rhoi unrhyw farc arall ar y papur pleidleisio, neu efallai na fydd eich pleidlais yn cael ei chyfrif.

[*Specify name of council*] REFERENDUM. Mark a cross (X) in the box on the right hand side of the answer of your choice. Vote ONCE only. Put no other mark on the ballot paper, or your vote may not be counted."

(9) The device referred to in paragraph (5)(b) must—

- (a) allow a ballot paper to be inserted into and removed from, or attached to and detached from, the device easily and without damage to the paper;
- (b) hold the ballot paper firmly in place during use; and
- (c) provide suitable means for the voter or proxy to—
 - (i) identify the spaces on the ballot paper on which the voter or proxy may mark the voter's or proxy's vote;
 - (ii) identify the answer to which each such space refers; and
 - (iii) mark the voter's or proxy's vote on the space the voter or proxy has chosen.

Penodi arsylwyr pleidleisio ac arsylwyr cyfrif

18.—(1) Caiff y swyddog cyfrif benodi personau i fod yn bresennol mewn gorsafoedd pleidleisio at y diben o ddarganfod cambersonadu ("arsylwyr pleidleisio").

(2) Rhaid i'r swyddog cyfrif benodi personau i arsylwi ar gyfrif y pleidleisiau a gwirio'r gyfriflen papurau pleidleisio ("arsylwyr cyfrif").

(3) At y diben o gynorthwyo'r swyddog cyfrif i gyflawni swyddogaethau'r swyddog cyfrif o dan baragraff (2), caiff trefnydd deiseb enwebu personau sydd, ym marn y trefnydd deiseb, yn addas i'w penodi yn arsylwyr cyfrif.

(4) Rhaid gwneud enwebiad o dan baragraff (3) drwy hysbysiad ysgrifenedig i'r swyddog cyfrif, ddim hwyrach na'r pumed diwrnod cyn y bleidlais (gan anwybyddu unrhyw ddiwrnod sydd i'w anwybyddu yn rhinwedd rheol 4) a rhaid i'r hysbysiad gynnwys cyfeiriad pob enwebai.

(5) Yn ddarostyngedig i baragraff (6), rhaid i'r swyddog cyfrif beidio, heb reswm digonol, â gwrthod penodi yn arsylwr cyfrif unrhyw berson a enwebir gan drefnydd deiseb o dan baragraff (3).

(6) Caiff y swyddog cyfrif gyfyngu ar nifer yr arsylwyr cyfrif, fodd bynnag, fel bod—

- (a) rhaid caniatáu yr un nifer yn achos pob trefnydd deiseb, a
- (b) rhaid i'r nifer a ganiateir i drefnydd deiseb (ac eithrio mewn amgylchiadau arbennig) beidio â bod yn llai na'r nifer a gyfrifir drwy rannu nifer y clerod a gyflogir ar gyfer cyfrif y pleidleisiau gan nifer y trefnwyr deisebau.

At ddibenion y cyfrifiadau sy'n ofynnol o dan y paragraff hwn, mae arsylwr cyfrif a benodir ar enwebiad mwy nag un trefnydd deiseb yn arsylwr cyfrif ar wahân ar gyfer pob un o'r trefnwyr deiseb a'i henwebodd.

(7) Os bydd farw arsylwr cyfrif a benodir ar enwebiad trefnydd deiseb, neu os yw'n mynd yn analluog i weithredu, caiff y trefnydd deiseb a wnaeth yr enwebiad enwebu person arall i'w benodi yn arsylwr cyfrif yn lle'r person hwnnw, drwy gyflwyno hysbysiad ysgrifenedig i'r swyddog cyfrif.

(8) Mae'r paragraffau (4) a (5) yn gymwys i enwebiad o dan baragraff (7), os rhoddir "diwrnod olaf" yn lle "pumed diwrnod" ym mharagraff (4).

(9) Yn narpariaethau'r Rheolau hyn sy'n dilyn, mae cyfeiriadau at arsylwyr pleidleisio ac arsylwyr cyfrif i'w dehongli fel cyfeiriadau at arsylwyr sydd eisoes wedi eu penodi.

Appointment of polling observers and counting observers

18.—(1) The counting officer may appoint persons to attend at polling stations for the purpose of detecting personation ("polling observers").

(2) The counting officer must appoint persons to observe the counting of the votes and the verification of the ballot paper account ("counting observers").

(3) For the purpose of assisting the counting officer in the discharge of the counting officer's functions under paragraph (2), a petition organiser may nominate persons who in the opinion of the petition organiser are suitable for appointment as counting observers.

(4) A nomination under paragraph (3) must be made by notice in writing to the counting officer not later than the fifth day before the poll (disregarding any day which is to be disregarded by virtue of rule 4) and the notice must contain the address of each nominee.

(5) Subject to paragraph (6), the counting officer must not, without good cause, decline to appoint as a counting observer a person nominated by a petition organiser under paragraph (3).

(6) The counting officer may limit the number of counting observers, so however that—

- (a) the number must be the same in the case of each petition organiser, and
- (b) the number allowed to a petition organiser must not (except in special circumstances) be fewer than the number obtained by dividing the number of clerks employed on the counting by the number of petition organisers.

For the purposes of the calculations required by this paragraph, a counting observer who has been appointed on the nomination of more than one petition organiser is a separate counting observer for each of the petition organisers by whom the counting observer has been nominated.

(7) Where a counting observer appointed on the nomination of a petition organiser dies or becomes incapable of acting, the petition organiser who made the nomination may nominate another person to be appointed as a counting observer in that person's place by giving notice in writing to the counting officer.

(8) Paragraphs (4) and (5) apply to a nomination under paragraph (7), with the substitution in paragraph (4) for "fifth day" of "final day".

(9) In the following provisions of these Rules references to polling observers and counting observers are to be taken as references to polling observers and counting observers whose appointments have been duly made.

(10) Caniateir i unrhyw hysbysiad y mae'n ofynnol i'r swyddog cyfrif ei roi i arsylwr cyfrif a benodir ar enwebiad trefnydd deiseb gael ei ddanfôn, neu ei anfon drwy'r post, i'r cyfeiriad a nodir yn yr hysbysiad o enwebiad.

(11) Caiff trefnydd deiseb wneud unrhyw weithred neu beth yr awdurdodir arsylwr cyfrif i'w wneud, neu caiff gynorthwyo unrhyw arsylwr cyfrif a benodwyd yn dilyn ei enwebu, i wneud unrhyw weithred neu beth o'r fath.

(12) Pan pan fo'n ofynnol neu pan awdurdodir, o dan y Rheolau hyn, gwneud unrhyw weithred neu beth ym mhresenoldeb yr arsylwyr pleidleisio neu'r arsylwyr cyfrif, ni fydd amhresenoldeb unrhyw berson o'r fath ar yr adeg ac yn y man a bennwyd at y diben hwnnw, os cyflawnir y weithred neu'r peth yn briodol fel arall, yn annilysu'r weithred neu'r peth a wneir.

Hysbysu ynghylch gofyniad cyfrinachedd

19. Rhaid i'r swyddog cyfrif wneud pa bynnag drefniadau y tybia'r swyddog cyfrif sy'n addas i sicrhau —

- (a) bod pob person sy'n bresennol mewn gorsaf bleidleisio (ac eithrio at y diben o bleidleisio neu gynorthwyo pleidleisiwr neu ddirprwy sydd ag anabledau i bleidleisio neu fel cwnstabl ar ddyletswydd yno) wedi cael copi ysgrifenedig o ddarpariaethau is-adrannau (1), (3) a (6) o adran 66 o Ddeddf 1983(1), fel y'u cymhwysir gan Atodlen 4; a
- (b) bod pob person sy'n bresennol yn y cyfrif pleidleisiau (ac eithrio unrhyw gwnstabl ar ddyletswydd yn y cyfrif) wedi cael copi ysgrifenedig o ddarpariaethau is-adrannau (2) a (6) o'r adran honno fel y'u cymhwysir gan Atodlen 4.

Dychwelyd papurau pleidleisio

20.—(1) Pan fo—

- (a) pleidlais bost wedi ei dychwelyd mewn cysylltiad â pherson sydd wedi ei gofnodi ar y rhestr pleidleiswyr post, neu
- (b) pleidlais bost drwy ddirprwy wedi ei dychwelyd mewn perthynas â dirprwy sydd wedi ei gofnodi ar y rhestr o bleidleiswyr post fel dirprwyon,

rhaid i'r swyddog cyfrif farcio'r rhestr yn y modd a ragnodir gan reoliadau a wnaed o dan Ddeddf 1983(2).

(1) Diwygiwyd is-adrannau (1), (2) a (3) o adran 66 o Ddeddf 1983 gan baragraffau 69, 82, 86(a) a (b) a 96 o Atodlen 1 i Ddeddf Gweinyddu Etholiadau 2006 (p.22); diwygiwyd is-adran (6) gan baragraff 3 o Atodlen 3 i Ddeddf Cynrychiolaeth y Bobl 1985 (p.50).

(2) *Gweler* rheoliad 84A o Reoliadau Cynrychiolaeth y Bobl (Cymru a Lloegr) 2001 O.S. 2001/341 fel y'i diwygiwyd gan O.S. 2006/2901.

(10) Any notice required to be given by the counting officer to a counting observer appointed on the nomination of a petition organiser may be delivered at, or sent by post to, the address stated in the notice of nomination.

(11) A petition organiser may do any act or thing which any counting observer is authorised to do, or may assist any counting observer appointed on that person's nomination in doing any such act or thing.

(12) Where by these Rules any act or thing is required or authorised to be done in the presence of the polling observers or counting observers, the non-attendance of any such person at the time and place appointed for the purpose does not, if the act or thing is otherwise duly done, invalidate the act or thing done.

Notification of requirement of secrecy

19. The counting officer must make such arrangements as the counting officer thinks fit to ensure that—

- (a) every person attending at a polling station (otherwise than for the purpose of voting or assisting a voter or proxy with disabilities to vote or as a constable on duty there) has been given a copy in writing of the provisions of subsections (1), (3) and (6) of section 66 of the 1983 Act(1), as applied by Schedule 4; and
- (b) every person attending at the counting of the votes (other than any constable on duty at the counting) has been given a copy in writing of the provisions of subsections (2) and (6) of that section, as applied by Schedule 4.

Return of postal ballot papers

20.—(1) Where—

- (a) a postal vote has been returned in respect of a person who is entered on the postal voters list, or
- (b) a proxy postal vote has been returned in respect of a proxy who is entered on the proxy postal voters list,

the counting officer must mark the list in the manner prescribed by regulations made under the 1983 Act(2).

(1) Subsections (1), (2) and (3) of section 66 of the 1983 Act were amended by paragraphs 69, 82, 86(a) and (b) and 96 of Schedule 1 to the Electoral Administration Act 2006 (c.22); subsection (6) was amended by paragraph 3 of Schedule 3 to the Representation of the People Act 1985 (c.50).

(2) *See* regulation 84A of the Representation of the People (England and Wales) Regulations 2001 S.I. 2001/341 as amended by S.I. 2006/2901.

(2) Nid yw rheol 36(3) yn gymwys at y diben o benderfynu, at ddibenion y rheol hon, a yw pleidlais bost neu bleidlais bost drwy ddirprwy wedi ei dychwelyd.

RHAN 5

Y Bleidlais

Mynediad i orsaf bleidleisio

21.—(1) Rhaid i'r swyddog llywyddu allgáu pob person o'r orsaf bleidleisio ac eithrio—

- (a) pleidleiswyr a dirprwyon;
- (b) personau o dan 18 mlwydd oed sy'n dod gyda phleidleiswyr a dirprwyon i'r orsaf bleidleisio;
- (c) yr arsylwyr pleidleisio a benodwyd i fod yn bresennol yn yr orsaf bleidleisio;
- (ch) y clercod a benodwyd i fod yn bresennol yn yr orsaf bleidleisio;
- (d) personau sydd â hawl i fod yn bresennol o dan unrhyw rai o adrannau 6A i 6D o Ddeddf Pleidiau Gwleidyddol, Etholiadau a Refferenda 2000(1);
- (dd) y cwnstabiaid sydd ar ddyletswydd;
- (e) cymdeithion pleidleiswyr a dirprwyon sydd ag anableddau;
- (f) maer etholedig, os oes un, y cyngor y cynhelir y refferendwm mewn perthynas ag ef; ac
- (ff) unrhyw drefnydd deiseb.

(2) Rhaid i'r swyddog llywyddu reoli nifer cyfanswm y pleidleiswyr, dirprwyon a phersonau o dan 18 mlwydd oed sy'n dod gyda hwy, y caniateir mynediad iddynt i'r orsaf bleidleisio yr un pryd.

(3) Rhaid peidio â chaniatáu mynediad i bleidleisio yn bersonol i gwnstabl neu berson a gyflogir gan y swyddog cyfrif yn unman heblaw'r orsaf bleidleisio a ddyrannwyd i'r cwnstabl neu'r person cyflogedig hwnnw o dan y Rheolau hyn, ac eithrio drwy ddangos ac ildio tystysgrif gyflogaeth y mae'n rhaid iddi fod yn y ffurf yn yr Atodiad neu ffurf ag effaith gyffelyb ac wedi ei llofnodi gan swyddog o'r heddlu o radd arolygydd neu radd uwch, neu gan y swyddog cyfrif, yn ôl y digwydd.

(4) Rhaid i unrhyw dystysgrif a ildir o dan y rheol hon gael ei chanslo ar unwaith.

(2) Rule 36(3) does not apply for the purpose of determining whether, for the purposes of this rule, a postal vote or a proxy postal vote is returned.

PART 5

The Poll

Admission to polling station

21.—(1) The presiding officer must exclude all persons from the polling station except—

- (a) voters and proxies;
- (b) persons under the age of 18 who accompany voters and proxies to the polling station;
- (c) the polling observers appointed to attend at the polling station;
- (d) the clerks appointed to attend at the polling station;
- (e) persons who are entitled to attend by virtue of any of sections 6A to 6D of the Political Parties, Elections and Referendums Act 2000(1);
- (f) the constables on duty;
- (g) the companions of voters and proxies with disabilities;
- (h) the elected mayor, if any, of the council in respect of which the referendum is held; and
- (i) any petition organiser.

(2) The presiding officer must regulate the total number of voters, proxies and persons under the age of 18 who accompany them to be admitted to the polling station at the same time.

(3) A constable or person employed by a counting officer must not be admitted to vote in person elsewhere than at the polling station allotted to that constable or employed person under these Rules, except on production and surrender of a certificate of employment which must be in the form in the Appendix, or a form to the like effect, and signed by an officer of police of or above the rank of inspector or by the counting officer, as the case may be.

(4) Any certificate surrendered under this rule must forthwith be cancelled.

(1) Mewnswyddog adrannau 6A i 6F o Ddeddf Pleidiau Gwleidyddol, Etholiadau a Refferenda 2000 (p.41) gan adran 29 o Ddeddf Gweinyddu Etholiadau 2006 (p.22).

(1) Sections 6A to 6F of the Political Parties, Elections and Referendums Act 2000 (c.41) were inserted by section 29 of the Electoral Administration Act 2006 (c.22).

Cadw trefn mewn gorsaf

22.—(1) Dyletswydd y swyddog llywyddu yw cadw trefn yng ngorsaf bleidleisio'r swyddog llywyddu.

(2) Os yw person yn camymddwyn mewn gorsaf bleidleisio, neu'n gwrthod ufuddhau i orchmynion cyfreithlon y swyddog llywyddu, caniateir symud y person hwnnw ar unwaith, ar orchmyn y swyddog llywyddu, allan o'r orsaf bleidleisio—

- (a) gan gwnstabl sydd yn yr orsaf honno neu gerllaw, neu
- (b) gan unrhyw berson arall a awdurdodir mewn ysgrifen gan y swyddog cyfrif i symud y person hwnnw,

a rhaid i'r person a symudir felly beidio â mynd i mewn drachefn i'r orsaf bleidleisio yn ystod y diwrnod heb ganiatâd y swyddog llywyddu.

(3) Caniateir i unrhyw berson a symudir felly, os y'i cyhuddir o gyflawni tramgwydd yn yr orsaf bleidleisio, gael ei drin fel person a gymerir i'r ddalfa gan gwnstabl am dramgwydd heb warant.

(4) Rhaid peidio ag arfer y pwerau a gyflwynir gan y rheol hon i atal pleidleisiwr neu ddirprwy, sydd fel arall â hawl i bleidleisio mewn gorsaf bleidleisio, rhag cael cyfle i bleidleisio yn yr orsaf honno.

Selio blychau pleidleisio

23. Yn union cyn cychwyn y pleidleisio, rhaid i'r swyddog llywyddu ddangos y blwch pleidleisio yn wag i'r personau hynny, os oes rhai, sy'n bresennol yn yr orsaf bleidleisio, fel y gallant weld ei fod yn wag, ac yna, os oes clo ar y blwch, rhaid iddo ei gloi, a gosod sêl y swyddog llywyddu ar y blwch (p'un a oes clo ar y blwch ai peidio) yn y fath fodd fel na ellir ei agor heb dorri'r sêl, yna rhaid iddo osod y blwch yng ngolwg y swyddog llywyddu, yn barod ar gyfer derbyn papurau pleidleisio, a'i gadw felly dan glo ac wedi ei selio, neu wedi ei selio (yn ôl y digwydd).

Cwestiynau i'w gofyn i etholwyr a dirprwyon

24.—(1) Ar yr adeg pan wneir cais am bapur pleidleisio (ond nid wedyn), mae'r cwestiynau a bennir yn ail golofn y Tabl sy'n dilyn yn rhai —

- (a) y caiff y swyddog llywyddu eu gofyn i berson sy'n gwneud cais am bapur pleidleisio ac a grybwyllir yn y golofn gyntaf, a
- (b) y mae'n rhaid eu gofyn os oes llythyren "R" yn ymddangos ar ôl y cwestiwn a threfnydd deiseb yn mynnu bod y cwestiwn yn cael ei ofyn:

Keeping of order in station

22.—(1) It is the presiding officer's duty to keep order at the presiding officer's polling station.

(2) If a person misconducts themselves in a polling station, or fails to obey the presiding officer's lawful orders, the person may immediately, by the presiding officer's order, be removed from the polling station—

- (a) by a constable in or near that station, or
- (b) by any other person authorised in writing by the counting officer to remove that person,

and the person so removed must not, without the presiding officer's permission, again enter the polling station during the day.

(3) Any person so removed may, if charged with the commission in the polling station of an offence, be dealt with as a person taken into custody by a constable for an offence without a warrant.

(4) The powers conferred by this rule must not be exercised so as to prevent a voter or proxy who is otherwise entitled to vote at a polling station from having an opportunity of voting at that station.

Sealing of ballot boxes

23. Immediately before the commencement of the poll, the presiding officer must show the ballot box empty to such persons, if any, as are present in the polling station, so that they may see that it is empty, and must then lock it up, if it has a lock and (in any case) place the presiding officer's seal on it in such a manner as to prevent its being opened without breaking the seal and must place it in the presiding officer's view for the receipt of ballot papers, and keep it so locked and sealed or sealed (as the case may be).

Questions to be put to voters and proxies

24.—(1) At the time of the application for a ballot paper (but not afterwards), the questions specified in the second column of the following Table—

- (a) may be put by the presiding officer to a person applying for a ballot paper who is mentioned in the first column, and
- (b) must be put if the letter "R" appears after the question and a petition organiser or polling observer requires the question to be put:

<i>Rhif y C.</i>	<i>Person sy'n gwneud cais am bapur pleidleisio</i>	<i>Cwestiwn</i>
1	Person sy'n gwneud cais fel pleidleisiwr	(a)—Ai chi yw'r person sydd wedi ei gofrestru ar y gofrestr o etholwyr llywodraeth leol fel a ganlyn? <i>darllener y cofnod cyfan o'r gofrestr</i> [R] (b)—A ydych eisoes wedi pleidleisio, yma neu yn rhywle arall, yn yr etholiad hwn, ar wahân i fel dirprwy dros berson arall? [R]
2	Person sy'n gwneud cais fel dirprwy	(a)—Ai chi yw'r person y mae eich enw yn ymddangos fel A.B. ar y rhestr o ddirprwyon ar gyfer ardal y bleidlais hon fel rhywun sydd â hawl i fwrw pleidlais ddirprwy ar ran C.D.? [R] (b)—A ydych eisoes wedi pleidleisio, yma neu yn rhywle arall, yn y refferendwm hwn, fel dirprwy ar ran C.D.? [R] (c)—Ai chi yw priod, partner sifil, rhiant, nain (mam-gu) neu daid (tad-cu), brawd, chwaer, plentyn, neu ŵyr neu wyres C.D.? [R]
3	Person sy'n gwneud cais fel dirprwy i bleidleisiwr sydd â chofnod dienw (yn lle'r cwestiynau yng nghofnod 2)	(a)—Ai chi yw'r person sydd â hawl i bleidleisio fel dirprwy ar ran yr etholwr sydd â'r rhif canlynol ar y gofrestr etholwyr ar ei gyfer (<i>darllener y rhif</i>)? [R] (b)—A ydych eisoes wedi pleidleisio, yma neu yn rhywle

<i>Q. No.</i>	<i>Person applying for ballot paper</i>	<i>Question</i>
1	A person applying as a voter	(a)—Are you the person registered in the register of local government electors for this voting area as follows? <i>read the whole entry from the register</i> [R] (b)—Have you already voted here or elsewhere at this referendum, otherwise than as proxy for some other person? [R]
2	A person applying as proxy	(a)—Are you the person whose name appears as A.B. in the list of proxies for this voting area as entitled to vote as proxy on behalf of C.D.? [R] (b)—Have you already voted here or elsewhere at this referendum as proxy on behalf of C.D.? [R] (c)—Are you the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild of C.D.? [R]
3	A person applying as proxy for a voter who has an anonymous entry (instead of the questions at entry 2)	(a)—Are you the person entitled to vote as proxy on behalf of the voter whose number on the register of electors is (<i>read out the number</i>)? [R] (b)—Have you already voted here or elsewhere in this

		<p>arall, yn y refferendwm hwn, fel dirprwy ar ran yr etholwr sydd â'r rhif canlynol ar y gofrestr etholwyr ar ei gyfer (<i>darllener y rhif</i>)? [R]</p> <p>(c)—Ai chi yw priod, partner sifil, rhiant, nain (mam-gu) neu daid (tad-cu), brawd neu chwaer, plentyn, neu ŵyr neu wyres yr etholwr sydd â'r rhif canlynol ar y gofrestr etholwyr (<i>darllener y rhif</i>)? [R]</p>
4	Person sy'n gwneud cais fel dirprwy pan nad atebir y cwestiwn yng nghofnod 2(c) neu 3(c) yn gadarnhaol	A ydych eisoes wedi pleidleisio yn y refferendwm hwn ar ran dau berson a chithau heb fod yn briod, partner sifil, rhiant, nain (mam-gu) neu daid (tad-cu), brawd neu chwaer, plentyn, neu ŵyr neu wyres iddynt? [R]
5	Person sy'n gwneud cais fel pleidleisiwr ac yntau â chofnod ar ei gyfer yn y rhestr pleidleiswyr post.	<p>(a)—A wnaethoch gais i bleidleisio drwy'r post?</p> <p>(b)—Pam na wnaethoch bleidleisio drwy'r post?</p>
6	Person sy'n gwneud cais fel dirprwy ac a enwir ar y rhestr o bleidleiswyr post fel dirprwyon	<p>(a)—A wnaethoch gwneud cais i bleidleisio drwy'r post fel dirprwy?</p> <p>(b)—Pam na wnaethoch bleidleisio drwy'r post fel dirprwy?</p>

(2) Yn achos person y dyroddwyd hysbysiad mewn perthynas ag ef o dan adran 13B(3B) neu (3D) o Ddeddf 1983, mae'r cyfeiriadau at ddarllen o'r gofrestr yn y cwestiynau yng nghofnodion 1(a) a 3(a), (b) ac (c) i'w dehongli fel cyfeiriadau at ddarllen o'r hysbysiad a ddyroddwyd o dan adran 13B(3B) neu (3D) o Ddeddf 1983.

		<p>referendum as proxy on behalf of the voter whose number on the register of electors is (<i>read out the number</i>)? [R]</p> <p>(c)—Are you the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild of the person whose number on the register of electors is (<i>read out the number</i>)? [R]</p>
4	A person applying as proxy if the question at entry 2(c) or 3(c) is not answered in the affirmative	Have you already voted at this referendum on behalf of two persons of whom you are not the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild? [R]
5	A person applying as a voter in relation to whom there is an entry in the postal voters list	<p>(a)—Did you apply to vote by post?</p> <p>(b)—Why have you not voted by post?</p>
6	A person applying as proxy who is named in the proxy postal voters list	<p>(a)—Did you apply to vote by post as proxy?</p> <p>(b)—Why have you not voted by post as proxy?</p>

(2) In the case of a person in respect of whom a notice has been issued under section 13B(3B) or (3D) of the 1983 Act, the references in the questions at entries 1(a) and 3(a), (b) and (c) to reading from the register are to be taken as references to reading from the notice issued under section 13B(3B) or (3D) of the 1983 Act.

(3) Rhaid peidio â chyflwyno papur pleidleisio i unrhyw berson y mae'n ofynnol iddo ateb unrhyw rai o'r cwestiynau uchod oni fydd y person hwnnw wedi ateb pob un o'r cwestiynau yn foddhaol.

(4) Ac eithrio fel a awdurdodir gan y rheol hon, ni chaniateir gwneud unrhyw ymholiad ynghylch hawl person i bleidleisio.

Herio pleidleisiwr neu ddirprwy

25. Rhaid peidio ag atal person rhag pleidleisio oherwydd, yn unig, bod—

- (a) unrhyw drefnydd deiseb neu arsylwr pleidleisio y caniateir iddo fod yn bresennol yn unol â rheol 21(1) yn datgan bod ganddo achos rhesymol dros gredu bod y person dan sylw wedi cyflawni'r tramgwydd o gambersonadu, neu
- (b) bod y person wedi ei arestio ar sail amheuaeth ei fod yn cyflawni neu ar fin cyflawni tramgwydd o'r fath.

Gweithdrefn bleidleisio

26.—(1) Rhaid traddodi papur pleidleisio i bleidleisiwr neu ddirprwy sy'n gwneud cais am un, ac yn union cyn traddodi—

- (a) rhaid dweud yn uchel rhif ac (onid yw paragraff (2) yn gymwys) enw'r pleidleisiwr fel y'i datgenir yn y copi o'r gofrestr etholwyr;
- (b) rhaid marcio rhif y pleidleisiwr, fel y'i datgenir yn y gofrestr, ar y rhestr a grybwyllir yn rheol 17(3) (ch) wrth ochr rhif y papur pleidleisio sydd i'w ddyroddi i'r pleidleisiwr;
- (c) rhaid rhoi marc yn y copi o'r gofrestr etholwyr gyferbyn â rhif y pleidleisiwr i nodi ei fod wedi cael papur pleidleisio, ond heb ddangos pa un oedd y papur pleidleisio penodol a gafodd; ac
- (ch) yn achos person sy'n gwneud cais am bapur pleidleisio fel dirprwy, rhaid rhoi marc hefyd gyferbyn ag enw'r person hwnnw yn y rhestr o ddirprwyon.

(2) Yn achos pleidleisiwr sydd â chofnod dienw, rhaid i'r pleidleisiwr ddangos cerdyn pleidleisio swyddogol y pleidleisiwr i'r swyddog llywyddu, a rhif y pleidleisiwr yn unig y mae'n rhaid ei ddweud yn uchel yn unol â pharagraff (1)(a).

(3) Yn achos pleidleisiwr a ychwanegir at y rhestr yn unol â hysbysiad a ddyroddir o dan adran 13B(3B) neu (3D) o Ddeddf 1983, addesir paragraff (1) fel a ganlyn—

- (a) yn is-baragraff (a), yn lle "copi o'r gofrestr etholwyr" rhodder "copi o'r hysbysiad a ddyroddwyd o dan adran 13B(3B) neu (3D) o Ddeddf 1983";
- (b) yn is-baragraff (b), yn lle "yn y gofrestr"

(3) A ballot paper must not be delivered to any person required to answer any of the above questions unless that person has answered each question satisfactorily.

(4) Except as authorised by this rule, no inquiry is permitted as to the right of any person to vote.

Challenge of voter or proxy

25. A person must not be prevented from voting by reason only that—

- (a) any petition organiser or polling observer permitted to be present in accordance with rule 21(1) declares that they have reasonable cause to believe that the person has committed an offence of personation, or
- (b) the person is arrested on the grounds of being suspected of committing or of being about to commit such an offence.

Voting procedure

26.—(1) A ballot paper must be delivered to a voter or proxy who applies for one, and immediately before delivery—

- (a) the number and (unless paragraph (2) applies) name of the voter as stated in the copy of the register of electors must be called out;
- (b) the number of the voter as stated in the register must be marked on the list mentioned in rule 17(3)(d) beside the number of the ballot paper to be issued to the voter;
- (c) a mark must be placed in the copy of the register of electors against the number of the voter to note that a ballot paper has been received but without showing the particular ballot paper which has been received; and
- (d) in the case of a person applying for a ballot paper as proxy, a mark must also be placed against that person's name in the list of proxies.

(2) In the case of a voter who has an anonymous entry, the voter must show the presiding officer the voter's official poll card and only the voter's number must be called out in pursuance of paragraph (1)(a).

(3) In the case of a voter who is added to the register in pursuance of a notice issued under section 13B(3B) or (3D) of the 1983 Act, paragraph (1) is modified as follows—

- (a) in sub-paragraph (a), for "copy of the register of electors" substitute "copy of the notice issued under section 13B(3B) or (3D) of the 1983 Act";
- (b) in sub-paragraph (b), for "in the register"

rhodder "ar y copi o'r hysbysiad a ddyroddwyd o dan adran 13B(3B) neu (3D) o Ddeddf 1983";

- (c) yn is-baragraff (c), yn lle "yn y copi o'r gofrestr etholwyr" rhodder "ar y copi o'r hysbysiad a ddyroddwyd o dan adran 13B(3B) neu (3D) o Ddeddf 1983".

(4) Rhaid i'r pleidleisiwr neu'r dirprwy, ar ôl cael y papur pleidleisio, fynd yn syth i un o'r bythau yn yr orsaf bleidleisio ac yno, yn gyfrinachol, marcio papur y pleidleisiwr neu'r dirprwy a'i blygu er mwyn cuddio pleidlais y pleidleisiwr neu'r dirprwy, ac yna rhaid iddo ddangos cefn y papur i'r swyddog llywyddu gan ddatgelu'r rhif a'r nod adnabod unigryw arall, a rhoi'r papur pleidleisio, wedi ei blygu felly, i mewn yn y blwch pleidleisio ym mhresenoldeb y swyddog llywyddu.

(5) Rhaid i'r pleidleisiwr neu'r dirprwy bleidleisio heb oedi yn ormodol, a rhaid iddo adael yr orsaf bleidleisio cyn gynted ag y bo'r papur pleidleisio wedi ei roi yn y blwch pleidleisio.

Pleidleisiau wedi eu marcio gan y swyddog llywyddu

27.—(1) Rhaid i'r swyddog llywyddu, ar gais pleidleisiwr neu ddirprwy —

- (a) sy'n analluog oherwydd dallineb neu anabledd arall i bleidleisio yn y modd a gyfarwyddir gan y Rheolau hyn, neu
- (b) sy'n datgan ar lafar na all y pleidleisiwr neu'r dirprwy ddarllen,

ym mhresenoldeb yr arsylwyr pleidleisio (os oes rhai), achosi i bleidlais y person hwnnw gael ei marcio ar bapur pleidleisio yn y modd a gyfarwyddir gan y person hwnnw, ac i'r papur pleidleisio gael ei roi yn y blwch pleidleisio.

(2) Rhaid i enw pob person y caiff ei bleidlais ei marcio yn unol â'r rheol hon, a'i rif ar y rhestr etholwyr ynghyd â'r rheswm pam y'i marciwyd felly, gael eu cofnodi ar restr (a elwir yn y Rheolau hyn "y rhestr o bleidleisiau a farciwyd gan y swyddog llywyddu").

Yn achos person sy'n pleidleisio fel dirprwy ar ran pleidleisiwr, y rhif sydd i'w gofnodi, ynghyd ag enw'r dirprwy, yw'r rhif sydd yn y gofrestr ar gyfer y pleidleisiwr.

(3) Yn achos person y dyroddwyd hysbysiad mewn perthynas ag ef o dan adran 13B(3B) neu (3D) o Ddeddf 1983, mae paragraff (2) yn gymwys fel pe bai'r geiriau "pob person y caiff ei bleidlais ei marcio yn unol â'r rheol hon a'i rif ar y rhestr etholwyr" wedi eu disodli gan "a'r rhif ar gyfer pob person y dyroddwyd hysbysiad mewn perthynas ag ef o dan adran 13B(3B) neu (3D) o Ddeddf 1983 ac y caiff ei bleidlais ei marcio yn unol â'r rheol hon".

substitute "on the copy of the notice issued under section 13B(3B) or (3D) of the 1983 Act";

- (c) in sub-paragraph (c), for "in the copy of the register of electors" substitute "on the copy of the notice issued under section 13B(3B) or (3D) of the 1983 Act".

(4) The voter or proxy, on receiving the ballot paper, must forthwith proceed into one of the compartments in the polling station and there secretly mark the voter's or proxy's paper and fold it up so as to conceal the voter's or proxy's vote, and must then show to the presiding officer the back of the paper, so as to disclose the number and other unique identifying mark, and put the ballot paper so folded up into the ballot box in the presiding officer's presence.

(5) The voter or proxy must vote without undue delay, and must leave the polling station as soon as the ballot paper has been put into the ballot box.

Votes marked by presiding officer

27.—(1) The presiding officer, on the application of a voter or proxy—

- (a) who is incapacitated by blindness or other disability from voting in the manner directed by these Rules, or
- (b) who declares orally that the voter or proxy is unable to read,

must, in the presence of the polling observers (if any), cause that person's vote to be marked on a ballot paper in the manner directed by that person, and the ballot paper to be placed in the ballot box.

(2) The name and number on the register of electors of every person whose vote is marked in pursuance of this rule, and the reason why it is so marked, must be entered on a list (in these Rules called "the list of votes marked by the presiding officer").

In the case of a person voting as proxy for a voter, the number to be entered together with the proxy's name is to be the number in the register of the voter.

(3) In the case of a person in respect of whom a notice has been issued under section 13B(3B) or (3D) of the 1983 Act, paragraph (2) applies as if for "on the register of electors of every person" there were substituted "relating to every person in respect of whom a notice has been issued under section 13B(3B) or (3D) of the 1983 Act".

Pleidleisio gan bersonau ag anableddau

28.—(1) Os yw pleidleisiwr neu ddirprwy yn gwneud cais i'r swyddog llywyddu am ganiatâd ar sail—

- (a) dallineb neu anabledd arall, neu
- (b) anallu i ddarllen,

i bleidleisio gyda chymorth person arall (y cyfeirir ato yn y Rheolau hyn fel "y cydymaith") sy'n dod gyda'r pleidleisiwr neu'r dirprwy, rhaid i'r swyddog llywyddu ei gwneud yn ofynnol i'r pleidleisiwr neu ddirprwy ddatgan, ar lafar neu mewn ysgrifen, a yw'r pleidleisiwr neu'r dirprwy wedi ei analluogi gan ddallineb neu anabledd arall, neu'r anallu i ddarllen, i'r cyfryw raddau fel na all bleidleisio heb gymorth.

(2) Os yw'r swyddog llywyddu—

- (a) yn fodlon bod y pleidleisiwr neu'r dirprwy wedi ei analluogi felly, a
- (b) ei fod hefyd wedi ei fodloni gan ddatganiad ysgrifenedig a wneir gan y cydymaith (y cyfeirir ato yn y Rheolau hyn fel "y datganiad a wneir gan gydymaith pleidleisiwr neu ddirprwy sydd ag anableddau") bod y cydymaith—
 - (i) yn berson cymwys o fewn ystyr y rheol hon; a
 - (ii) nad yw eisoes wedi cynorthwyo mwy nag un pleidleisiwr neu ddirprwy ag anableddau i pleidleisio yn y refferendwm,

rhaid i'r swyddog llywyddu ganiatáu'r cais, ac yna caiff unrhyw beth o dan y Rheolau hyn sy'n ofynnol ei wneud i, neu gan, y pleidleisiwr neu'r dirprwy hwnnw mewn perthynas â bwrw pleidlais y pleidleisiwr neu'r dirprwy, ei wneud i, neu gyda chymorth, y cydymaith.

(3) At ddibenion y Rheolau hyn, mae person yn bleidleisiwr neu ddirprwy ag anableddau os yw'r person hwnnw wedi gwneud y cyfryw ddatganiad fel a grybwyllir ym mharagraff (1), ac y mae person i fod yn gymwys i gynorthwyo pleidleisiwr neu ddirprwy ag anableddau i bleidleisio os yw'r person hwnnw—

- (a) yn berson sydd â hawl i bleidleisio ar ran y person hwnnw ei hunan yn y refferendwm; neu
- (b) yn dad, mam, brawd chwaer, priod, partner sifil, mab neu ferch y pleidleisiwr neu'r dirprwy ac wedi cyrraedd 18 oed.

(4) Rhaid cofnodi enw pob person y bwrir ei bleidlais yn unol â'r rheol hon, ynghyd â'i rif ar y rhestr etholwyr ac enw a chyfeiriad y cydymaith, ar restr (a elwir yn y Rheolau hyn "y rhestr o bleidleiswyr neu ddirprwyon ag anableddau a gynorthwywyd gan gymdeithion").

Yn achos person sy'n pleidleisio fel dirprwy ar ran pleidleisiwr, y rhif sydd i'w gofnodi, ynghyd ag enw'r dirprwy, yw'r rhif sydd yn y gofrestr ar gyfer y pleidleisiwr.

Voting by persons with disabilities

28.—(1) If a voter or proxy makes an application to the presiding officer to be allowed, on the ground of—

- (a) blindness or other disability, or
- (b) inability to read,

to vote with the assistance of another person by whom the voter or proxy is accompanied (in these Rules referred to as "the companion"), the presiding officer must require the voter or proxy to declare, orally or in writing, whether the voter or proxy is so incapacitated by blindness or other disability, or by an inability to read, as to be unable to vote without assistance.

(2) If the presiding officer—

- (a) is satisfied that the voter or proxy is so incapacitated, and
- (b) is also satisfied by a written declaration made by the companion (in these Rules referred to as "the declaration made by the companion of a voter or proxy with disabilities") that the companion—
 - (i) is a qualified person within the meaning of this rule; and
 - (ii) has not previously assisted more than one voter or proxy with disabilities to vote at the referendum,

the presiding officer must grant the application, and then anything which is by these Rules required to be done to or by that voter or proxy in connection with the giving of the voter's or proxy's vote may be done to, or with the assistance of, the companion.

(3) For the purposes of these Rules, a person is a voter or proxy with disabilities if that person has made such a declaration as is mentioned in paragraph (1), and a person is be qualified to assist a voter or proxy with disabilities to vote if that person—

- (a) is a person who is entitled to vote on that person's own behalf at the referendum; or
- (b) is the father, mother, brother, sister, spouse, civil partner, son or daughter of the voter or proxy and has attained the age of 18 years.

(4) The name and number in the register of electors of every person whose vote is given in accordance with this rule and the name and address of the companion must be entered on a list (in these Rules referred to as "the list of voters or proxies with disabilities assisted by companions").

In the case of a person voting as proxy for a voter, the number to be entered together with the proxy's name is the number in the register of the voter.

(5) Yn achos person y dyroddwyd hysbysiad mewn perthynas ag ef o dan adran 13B(3B) neu (3D) o Ddeddf 1983, mae paragraff (4) yn gymwys fel pe bai'r geiriau "pob person y bwir ei bleidlais ei yn unol â'r rheol hon a'i rif ar y rhestr etholwyr" wedi eu hamnewid gan "a'r rhif ar gyfer pob person y dyroddwyd hysbysiad mewn perthynas ag ef o dan adran 13B(3B) neu (3D) o Ddeddf 1983 ac y bwir ei bleidlais yn unol â'r rheol hon".

(6) Rhaid i'r datganiad a wneir gan gydymaith pleidleisiwr neu ddirprwy ag anableddau—

- (a) fod yn y ffurf sydd yn yr Atodiad,
- (b) gael ei wneud gerbron y swyddog llywyddu ar yr adeg y mae'r pleidleisiwr neu'r dirprwy yn gwneud cais i bleidleisio gyda chymorth cydymaith, ac
- (c) gael ei roi yn ddi-oed i'r swyddog llywyddu, a rhaid i'r swyddog llywyddu ei ardystio a'i gadw.

(7) Ni chaniateir codi ffi nac unrhyw dâl arall mewn perthynas â'r datganiad

Papurau pleidleisio wedi eu tendro: yr amgylchiadau pan fônt ar gael

29.—(1) Os yw person, sy'n honni mai ef yw—

- (a) pleidleisiwr penodol a enwir ar y gofrestr ac nad yw ei enw yn y rhestr o bleidleiswyr absennol, neu
- (b) person penodol a enwir yn y rhestr o ddirprwyon fel dirprwy ar gyfer pleidleisiwr ac nad oes hawl ganddo i bleidleisio drwy'r post fel dirprwy,

yn gwneud cais am bapur pleidleisio wedi i berson arall bleidleisio yn bersonol, naill ai fel y pleidleisiwr neu ddirprwy'r pleidleisiwr, mae hawl gan yr ymgeisydd, ar ôl ateb yn foddhaol y cwestiynau y mae'r gyfraith yn caniatáu eu gofyn yn ystod y pleidleisio, yn ddarostyngedig i ddarpariaethau rheol 30, i farcio papur pleidleisio (y cyfeirir ato yn y Rheolau hyn fel "papur pleidleisio sydd wedi ei dendro") yn yr un modd ag unrhyw bleidleisiwr neu ddirprwy arall.

(2) Mae paragraff (4) yn gymwys os yw —

- (a) y person yn gwneud cais am bapur pleidleisio gan honni mai ef yw pleidleiswyr penodol a enwir ar y gofrestr,
- (b) y person wedi ei enwi hefyd yn y rhestr o bleidleiswyr post, ac
- (c) y person yn honni nad yw wedi gwneud cais i bleidleisio drwy'r post yn y refferendwm.

(3) Mae paragraff (4) yn gymwys hefyd os yw —

- (a) y person yn gwneud cais am bapur pleidleisio gan honni mai ef yw person penodol a enwir fel dirprwy yn y rhestr o ddirprwyon,

(5) In the case of a person in respect of whom a notice has been issued under section 13B(3B) or (3D) of the 1983 Act, paragraph (4) applies as if for "in the register of electors of every person" there were substituted "relating to every person in respect of whom a notice has been issued under section 13B(3B) or (3D) of the 1983 Act".

(6) The declaration made by the companion of a voter or proxy with disabilities—

- (a) must be in the form in the Appendix,
- (b) must be made before the presiding officer at the time when the voter or proxy applies to vote with the assistance of a companion, and
- (c) must forthwith be given to the presiding officer who must attest and retain it.

(7) No fee or other payment is to be charged in respect of the declaration.

Tendered ballot papers: circumstances where available

29.—(1) If a person, representing themselves to be—

- (a) a particular voter named on the register and not named in the absent voters list, or
- (b) a particular person named in the list of proxies as proxy for a voter and not entitled to vote by post as proxy,

applies for a ballot paper after another person has voted in person either as the voter or the voter's proxy, the applicant is entitled, on satisfactorily answering the questions permitted by law to be asked at the poll, subject to the provisions of rule 30, to mark a ballot paper (in these Rules referred to as "a tendered ballot paper") in the same manner as any other voter or proxy.

(2) Paragraph (4) applies if—

- (a) a person applies for a ballot paper representing themselves to be a particular voter named on the register,
- (b) the person is also named in the postal voters list, and
- (c) the person claims not to have made an application to vote by post at the referendum.

(3) Paragraph (4) also applies if—

- (a) a person applies for a ballot paper representing themselves to be a particular person named as a proxy in the list of proxies,

- (b) y person wedi ei enwi hefyd yn y rhestr o bleidleiswyr post fel dirprwyon, ac
- (c) y person yn honni nad yw wedi gwneud cais i bleidleisio drwy'r post fel dirprwy.

(4) Mae hawl gan y person, ar ôl ateb yn foddhaol y cwestiynau y mae'r gyfraith yn caniatáu eu gofyn yn ystod y pleidleisio, yn ddarostyngedig i ddarpariaethau rheol 30, i farcio papur pleidleisio (y cyfeirir ato yn y Rheolau hyn fel "papur pleidleisio sydd wedi ei dendro") yn yr un modd ag unrhyw bleidleisiwr neu ddirprwy arall.

(5) Mae paragraff (6) yn gymwys os yw person yn honni, cyn bo'r pleidleisio wedi cau ond ar ôl yr amser olaf y caiff person wneud cais am bapur pleidleisio post arall, mai ef yw—

- (a) pleidleisiwr penodol a enwir ar y gofrestr ac a enwir hefyd yn y rhestr pleidleiswyr post, neu
- (b) person penodol a enwir fel dirprwy yn y rhestr o ddirprwyon ac a enwir hefyd yn y rhestr o bleidleiswyr post fel dirprwyon,

ac yn honni ei fod wedi colli neu heb gael ei bapur pleidlais bost.

(6) Mae hawl gan y person, ar ôl ateb yn foddhaol y cwestiynau y mae'r gyfraith yn caniatáu eu gofyn yn ystod y pleidleisio, yn ddarostyngedig i ddarpariaethau rheol 30, i farcio papur pleidleisio (y cyfeirir ato yn y Rheolau hyn fel "papur pleidleisio sydd wedi ei dendro") yn yr un modd ag unrhyw bleidleisiwr neu ddirprwy arall.

Papurau pleidleisio wedi eu tendro: darpariaethau cyffredinol

30.—(1) Rhaid i bapur pleidleisio sydd wedi ei dendro—

- (a) fod o liw gwahanol i'r papurau pleidleisio eraill;
- (b) yn hytrach na chael ei roi yn y blwch pleidleisio, gael ei roi i'r swyddog llywyddu a'i arnodi gan y swyddog llywyddu ag enw'r person a farciodd bapur pleidleisio wedi ei dendro, ynghyd â rhif y person hwnnw ar y gofrestr etholwyr, a'i roi o'r neilltu mewn pecyn ar wahân.

(2) Rhaid cofnodi enw'r person a farciodd bapur pleidleisio wedi ei dendro, ynghyd â rhif y person hwnnw ar y gofrestr etholwyr, ar restr (a elwir yn y Rheolau hyn "y rhestr pleidleisiau wedi eu tendro").

(3) Yn achos person sy'n pleidleisio fel dirprwy ar ran pleidleisiwr, y rhif y mae'n rhaid ei arnodi neu ei gofnodi, ynghyd ag enw'r dirprwy, yw'r rhif sydd yn y gofrestr ar gyfer y pleidleisiwr.

(4) Yn achos pleidleisiwr sydd â chofnod dienw, mae'r rheol hon a rheol 29 yn gymwys yn ddarostyngedig i'r addasiadau canlynol—

- (b) the person is also named in the proxy postal voters list, and
- (c) the person claims not to have made an application to vote by post as proxy.

(4) The person is entitled, on satisfactorily answering the questions permitted by law to be asked at the poll, subject to the provisions of rule 30, to mark a ballot paper (in these Rules referred to as a "tendered ballot paper") in the same manner as any other voter or proxy.

(5) Paragraph (6) applies if, before the close of the poll but after the last time at which a person may apply for a replacement postal ballot paper, a person represents themselves to be—

- (a) a particular voter named on the register who is also named in the postal voters list, or
- (b) a particular person named as a proxy in the list of proxies and who is also named in the proxy postal voters list,

and claims to have lost or not received their postal ballot paper.

(6) The person is entitled, on satisfactorily answering the questions permitted by law to be asked at the poll, subject to the provisions of rule 30, to mark a ballot paper (in these Rules referred to as a "tendered ballot paper") in the same manner as any other voter or proxy.

Tendered ballot papers: general provisions

30.—(1) A tendered ballot paper must—

- (a) be of a colour differing from that of the other ballot papers;
- (b) instead of being put into the ballot box, be given to the presiding officer and endorsed by the presiding officer with the name of the person who has marked a tendered ballot paper and that person's number in the register of electors, and set aside in a separate packet.

(2) The name of the person who has marked a tendered ballot paper and that person's number in the register of electors must be entered on a list (in these Rules referred to as the "tendered votes list").

(3) In the case of a person voting as proxy for a voter, the number to be endorsed or entered together with the proxy's name must be the number in the register of the voter.

(4) In the case of a voter who has an anonymous entry, this rule and rule 29 apply subject to the following modifications—

- (a) ym mharagraffau (1)(b) a (2) uchod, rhaid anwybyddu'r cyfeiriadau at enw'r person a farciodd bapur pleidleisio wedi ei dendro;
- (b) fel arall, rhaid dehongli cyfeiriad at berson a enwir ar gofrestr neu restr fel cyfeiriad at berson y mae ei rif yn ymddangos yn y gofrestr neu'r rhestr (yn ôl y digwydd).

(5) Yn achos person y dyroddwyd hysbysiad mewn perthynas ag ef o dan adran 13B(3B) neu (3D) o Ddeddf 1983, mae'r rheol hon a rheol 29 yn gymwys fel pe bai—

- (a) yn rheol 29(1)(a), (2)(a) a (5)(a), y geiriau "a enwir ar y gofrestr" wedi eu hamnewid gan "y dyroddwyd hysbysiad mewn perthynas ag ef o dan adran 13B(3B) neu (3D) o Ddeddf 1983";
- (b) ym mharagraff (1)(b) o'r rheol hon, y geiriau "â rhif y person hwnnw ar y gofrestr etholwyr" wedi eu hamnewid gan "â'r rhif mewn perthynas â'r person hwnnw ar hysbysiad a ddyroddwyd o dan adran 13B(3B) neu (3D) o Ddeddf 1983";
- (c) ym mharagraff (2) o'r rheol hon, y geiriau "â'i rif ar y gofrestr etholwyr" wedi eu hamnewid gan "â'r rhif mewn perthynas â'r person hwnnw ar hysbysiad a ddyroddwyd o dan adran 13B(3B) neu (3D) o Ddeddf 1983".

Papurau pleidleisio a ddifethwyd

31. Caniateir i bleidleisiwr neu ddirprwy sydd, oherwydd amryfusedd, wedi trin ei bapur pleidleisio yn y fath fodd fel na ellir ei ddefnyddio yn gyfleus fel papur pleidleisio, drwy gyflwyno'r papur i'r swyddog llywyddu a chynnig prawf digonol o'r amryfusedd i fodloni'r swyddog llywyddu, gael papur pleidleisio arall yn lle'r papur pleidleisio a gyflwynwyd felly (y cyfeirir ato yn y Rheolau hyn fel "papur pleidleisio a ddifethwyd"), a rhaid canslo ar unwaith y papur pleidleisio a ddifethwyd.

Cywiro gwallau ar ddiwrnod y pleidleisio

32. Rhaid i'r swyddog llywyddu gadw rhestr o'r personau y traddodir papurau pleidleisio iddynt o ganlyniad i newid a wneir yn y gofrestr yn rhinwedd adran 13B(3B) neu (3D) o Ddeddf 1983 Act, sy'n cael effaith ar ddiwrnod y pleidleisio.

Gohirio pleidleisio mewn achos o derfysg

33.—(1) Os torrir ar draws neu os rhwystrir y gweithrediadau mewn unrhyw orsaf bleidleisio gan derfysg neu drais agored, rhaid i'r swyddog llywyddu ohirio'r gweithrediadau tan y diwrnod canlynol a rhaid iddo hysbysu'r swyddog cyfrif yn ddi-oed.

(2) Pan ohirir y pleidleisio mewn unrhyw orsaf bleidleisio—

- (a) in paragraphs (1)(b) and (2) above, the references to the name of the person who has marked a tendered ballot paper must be ignored;
- (b) otherwise, a reference to a person named on a register or list is to be construed as a reference to a person whose number appears in the register or list (as the case may be).

(5) In the case of a person in respect of whom a notice has been issued under section 13B(3B) or (3D) of the 1983 Act, this rule and rule 29 apply as if—

- (a) in rule 29(1)(a), (2)(a) and (5)(a), for "named on the register" there were substituted "in respect of whom a notice under section 13B(3B) or (3D) of the 1983 Act has been issued";
- (b) in paragraph (1)(b) of this rule for "that person's number in the register of electors" there were substituted "the number relating to that person on a notice issued under section 13B(3B) or (3D) of the 1983 Act";
- (c) in paragraph (2) of this rule, for "that person's number in the register of electors" there were substituted "the number relating to that person on a notice issued under section 13B(3B) or (3D) of the 1983 Act".

Spoilt ballot papers

31. A voter or proxy who has inadvertently dealt with their ballot paper in such manner that it cannot be conveniently used as a ballot paper may, on delivering it to the presiding officer and proving to the presiding officer's satisfaction the fact of the inadvertence, obtain another ballot paper in the place of the ballot paper so delivered (in these Rules referred to as "a spoilt ballot paper"), and the spoilt ballot paper must be immediately cancelled.

Correction of errors on day of poll

32. The presiding officer must keep a list of persons to whom ballot papers are delivered in consequence of an alteration to the register made by virtue of section 13B(3B) or (3D) of the 1983 Act which takes effect on the day of the poll.

Adjournment of poll in case of riot

33.—(1) Where the proceedings at any polling station are interrupted or obstructed by riot or open violence, the presiding officer must adjourn the proceedings until the following day and must forthwith give notice to the counting officer.

(2) Where the poll is adjourned at any polling station—

- (a) rhaid i'r oriau pleidleisio ar y diwrnod y gohiriwyd iddo fod yr un oriau ag ar y diwrnod gwreiddiol; a
- (b) rhaid dehongli cyfeiriadau yn y Rheolau hyn at gau'r pleidleisio yn unol â hynny.

Gweithdrefn wrth gau'r pleidleisio

34.—(1) Cyn gynted ag y bo'n ymarferol ar ôl cau'r pleidleisio rhaid i'r swyddog llywyddu, ym mhresenoldeb yr arsylwyr pleidleisio (os oes rhai) wneud y canlynol yn becynnau ar wahân, wedi eu selio â sêl y swyddog llywyddu ei hunan a pha bynnag seliau eraill y dymuna'r arsylwyr pleidleisio eu gosod—

- (a) pob blwch pleidleisio a ddefnyddiwyd yn yr orsaf, wedi eu selio mewn ffordd sy'n atal ychwanegu unrhyw bapurau pleidleisio ychwanegol a heb eu hagor, ond gyda'r allwedd, os oes un, ynghlwm,
- (b) y papurau pleidleisio nas defnyddiwyd a'r papurau a ddifethwyd, gyda'i gilydd,
- (c) y papurau pleidleisio a oedd wedi eu tendro,
- (ch) y copïau a farciwyd o'r gofrestr etholwyr (gan gynnwys unrhyw gopïau wedi eu marcio a ddyroddwyd o dan adran 13B (3B) neu (3D) o Ddeddf 1983) a'r rhestr o ddirprwyon,
- (d) y rhestrau a baratowyd o dan reol 8, gan gynnwys y rhannau a gwblhawyd yn unol â rheol 26(1)(b) (y cyfeirir atynt gyda'i gilydd yn y Rheolau hyn fel "y rhestrau rhifau cyfatebol a gwblhawyd"),
- (dd) y tystysgrifau ynglŷn â chyflogaeth ar ddyletswydd ar ddiwrnod y pleidleisio,
- (e) y rhestr o bleidleisiau a oedd wedi eu tendro, y rhestr o bleidleiswyr neu ddirprwyon ag anableddau a gynorthwywyd gan gymdeithion, y rhestr o bleidleisiau a farciwyd gan y swyddog llywyddu, datganiad o nifer y pleidleiswyr a dirprwyon y marciwyd eu pleidleisiau felly gan y swyddog llywyddu o dan y penawdau "anabledd" ac "analluog i ddarllen", y rhestr a wnaed o dan reol 32 (cywiro gwallau ar ddiwrnod y pleidleisio), a'r datganiadau a wnaed gan gymdeithion y pleidleiswyr a'r dirprwyon ag anableddau,

a rhaid iddo ddanfôn y pecynnau, neu achosi iddynt gael eu danfôn, at y swyddog cyfrif, er mwyn i'r swyddog cyfrif fod â gofâl drostynt; ond os na ddanfônir y pecynnau gan y swyddog llywyddu yn bersonol at y swyddog cyfrif, mae'n ofynnol bod y swyddog cyfrif yn cymeradwyo'r trefniadau ar gyfer eu danfôn.

(2) Rhaid i'r copïau sydd wedi eu marcio o'r gofrestr etholwyr ac o'r rhestr o ddirprwyon fod mewn un pecyn, ond rhaid iddynt beidio â bod yn yr un pecyn â'r rhestrau rhifau cyfatebol a gwblhawyd, nac ychwaith yn yr un pecyn â'r tystysgrifau ynglŷn â chyflogaeth ar

- (a) the hours of polling on the day to which it is adjourned must be the same as for the original day; and
- (b) references in these Rules to the close of the poll are to be construed accordingly.

Procedure on close of poll

34.—(1) As soon as practicable after the close of the poll, the presiding officer must, in the presence of the polling observers (if any), make up into separate packets, sealed with the presiding officer's own seal and the seals of such polling observers as desire to affix their seals—

- (a) each ballot box in use at the station, sealed so as to prevent the introduction of additional ballot papers and unopened, but with the key, if any, attached,
- (b) the unused and spoiled ballot papers placed together,
- (c) the tendered ballot papers,
- (d) the marked copies of the register of electors (including any marked copy notices issued under section 13B(3B) or (3D) of the 1983 Act) and of the list of proxies,
- (e) the lists prepared under rule 8 including the parts which were completed in accordance with rule 26(1)(b) (together referred to in these Rules as "the completed corresponding number lists"),
- (f) the certificates as to employment on duty on the day of the poll,
- (g) the tendered votes list, the list of voters and proxies with disabilities assisted by companions, the list of votes marked by the presiding officer, a statement of the number of voters and proxies whose votes are so marked by the presiding officer under the heads "disability" and "unable to read", the list maintained under rule 32 (correction of errors on day of poll), and the declarations made by the companions of voters and proxies with disabilities,

and must deliver the packets or cause them to be delivered to the counting officer to be taken charge of by the counting officer; but if the packets are not delivered by the presiding officer personally to the counting officer, the arrangements for their delivery require the counting officer's approval.

(2) The marked copies of the register of electors and of the list of proxies must be in one packet but must not be in the same packet as the completed corresponding number lists or the certificates as to employment on duty on the day of the poll.

ddyletswydd ar ddiwrnod y pleidleisio.

(3) Rhaid i ddatganiad (y cyfeirir ato yn y Rheolau hyn fel "y gyfriflen papurau pleidleisio") a baratowyd gan y swyddog llywyddu fynd gyda'r pecynnau, gan ddangos nifer y papurau pleidleisio a ymddiriedwyd i'r swyddog llywyddu a rhoi cyfrif amdanynt o dan y penawdau o bapurau pleidleisio a ddyroddwyd ac na chyfrifir amdanynt fel arall, rhai nas defnyddiwyd, a ddifethwyd a phapurau pleidleisio wedi eu tendro.

RHAN 6

Cyfrif Pleidleisiau

Presenoldeb ar gyfer cyfrif pleidleisiau

35.—(1) Rhaid i'r swyddog cyfrif wneud trefniadau i gyfrif y pleidleisiau ym mhresenoldeb yr arsylwyr cyfrif cyn gynted ag y bo'n ymarferol ar ôl cau'r pleidleisio, a rhaid iddo roi hysbysiad ysgrifenedig i'r arsylwyr cyfrif sy'n nodi'r amser a'r lle y bydd y swyddog cyfrif yn cychwyn cyfrif y pleidleisiau.

(2) Ni chaiff neb ac eithrio—

- (a) y swyddog cyfrif a chlercod y swyddog cyfrif,
- (b) yr arsylwyr cyfrif,
- (c) maer etholedig, os oes un, y cyngor y cynhelir y refferendwm mewn perthynas ag ef,
- (ch) y trefnyddion deiseb, a
- (d) personau sydd â hawl i fod yn bresennol yn rhinwedd adrannau 6A i 6D o Ddeddf Pleidiau Gwleidyddol, Etholiadau a Refferenda 2000,

fod yn bresennol yn ystod cyfrif y pleidleisiau, oni chaiff ganiatâd y swyddog cyfrif i fod yn bresennol.

(3) Ni fydd y swyddog cyfrif yn caniatáu i berson nad oes ganddo hawl i fod yn bresennol yn y cyfrif pleidleisiau fod yn bresennol yno, oni fodlonir y swyddog cyfrif na fydd hynny yn rhwystr i gyfrif y pleidleisiau yn effeithiol.

(4) Rhaid i'r swyddog cyfrif roi pa bynnag gyfleusterau rhesymol i'r arsylwyr cyfrif ar gyfer goruchwyllo'r gweithrediadau, a pha bynnag wybodaeth mewn perthynas â'r gweithrediadau, ag y gall y swyddog cyfrif eu rhoi, yn gyson â chynnal y gweithrediadau yn drefnus a chyflawni dyletswyddau'r swyddog cyfrif mewn perthynas â'r gweithrediadau.

(5) Yn benodol, pan fo'r pleidleisiau yn cael eu cyfrif trwy ddiidoli'r papurau pleidleisio yn ôl pa ateb y pleidleisiwyd drosto ac yna cyfrif nifer y papurau pleidleisio ar gyfer bob ateb, mae hawl gan yr arsylwyr cyfrif i fodloni eu hunain bod y papurau pleidleisio wedi eu didoli yn gywir.

(3) The packets must be accompanied by a statement (in these Rules referred to as "the ballot paper account") made by the presiding officer showing the number of ballot papers entrusted to the presiding officer, and accounting for them under the heads of ballot papers issued and not otherwise accounted for, unused, spoilt and tendered ballot papers.

PART 6

Counting of Votes

Attendance at counting of votes

35.—(1) The counting officer must make arrangements for counting the votes in the presence of the counting observers as soon as practicable after the close of the poll, and must give to the counting observers notice in writing of the time and place at which the counting officer will begin to count the votes.

(2) No person other than—

- (a) the counting officer and the counting officer's clerks,
- (b) the counting observers,
- (c) the elected mayor, if any, of the council in respect of which the referendum is held,
- (d) the petition organisers, and
- (e) persons who are entitled to attend by virtue of any of sections 6A to 6D of the Political Parties, Elections and Referendums Act 2000,

may be present at the counting of the votes, unless permitted by the counting officer to attend.

(3) A person not entitled to attend at the counting of the votes is not permitted to do so by the counting officer unless the counting officer is satisfied that the efficient counting of the votes will not be impeded.

(4) The counting officer must give the counting observers all such reasonable facilities for overseeing the proceedings, and all such information with respect to them, as the counting officer can give them consistently with the orderly conduct of the proceedings and the discharge of the counting officer's duties in connection with them.

(5) In particular, where the votes are counted by sorting the ballot papers according to the answer for which the vote is given and then counting the number of ballot papers for each answer, the counting observers are entitled to satisfy themselves that the ballot papers are correctly sorted.

Y cyfrif

36.—(1) Rhaid i'r swyddog cyfrif—

- (a) ym mhresenoldeb yr arsylwyr cyfrif, agor pob blwch pleidleisio a chyfrif a chofnodi nifer y papurau pleidleisio sydd ynddo;
- (b) ym mhresenoldeb yr arsylwyr cyfrif, gwirio pob cyfriflen papurau pleidleisio; ac
- (c) cyfrif nifer y papurau pleidlais bost a ddychwelwyd yn briodol a chofnodi'r nifer a gyfrifwyd.

(2) Rhaid i'r swyddog cyfrif beidio â chyfrif y pleidleisiau a roddwyd ar unrhyw bapurau pleidleisio hyd nes eu bod —

- (a) yn achos papurau pleidlais bost, wedi eu cymysgu â'r papurau pleidleisio o un blwch pleidleisio, o leiaf, a
- (b) yn achos papurau pleidleisio o flwch pleidleisio, wedi eu cymysgu â'r papurau pleidleisio o un blwch pleidleisio arall, o leiaf.

(3) Rhaid peidio â chymryd bod papur pleidlais bost wedi ei ddychwelyd yn briodol oni bai—

- (a) ei fod yn cael ei ddychwelyd yn y modd a bennir ym mharagraff (4) ac yn cyrraedd y swyddog cyfrif neu unrhyw orsaf bleidleisio yn ardal y bleidlais dan sylw cyn bod y pleidleisio'n cau;
- (b) bod y datganiad pleidlais bost, wedi ei lofnodi yn briodol, hefyd yn cael ei ddychwelyd yn y modd a bennir ym mharagraff (4) ac yn cyrraedd y swyddog cyfrif neu'r cyfryw orsaf bleidleisio cyn yr amser hwnnw;
- (c) bod y datganiad pleidlais bost hefyd yn nodi dyddiad geni pleidleisiwr neu ddirprwy; ac
- (ch) mewn achos pan fo'r camau ar gyfer gwirio dyddiad geni a llofnod pleidleisiwr neu ddirprwy wedi eu rhagnodi gan reoliadau a wnaed o dan Ddeddf 1983(1), bod y swyddog cyfrif (ar ôl cymryd y cyfryw gamau) yn gwirio'r dyddiad geni a'r llofnod hwnnw.

(4) Y dull a ganiateir ar gyfer dychwelyd unrhyw bapur pleidlais bost neu ddatganiad pleidlais bost —

- (a) at y swyddog cyfrif, yw â llaw neu drwy'r post;
- (b) i orsaf bleidleisio, yw â llaw.

(5) Rhaid i'r swyddog cyfrif beidio â chyfrif unrhyw bapur pleidleisio sydd wedi ei dendro.

(6) Rhaid i'r swyddog cyfrif, tra'n cyfrif ac yn cofnodi nifer y papurau pleidleisio ac yn cyfrif y

The count

36.—(1) The counting officer must—

- (a) in the presence of the counting observers open each ballot box and count and record the number of ballot papers in it;
- (b) in the presence of the counting observers verify each ballot paper account; and
- (c) count such of the postal ballot papers as have been duly returned and record the number counted.

(2) The counting officer must not count the votes given on any ballot papers until—

- (a) in the case of postal ballot papers, they have been mixed with the ballot papers from at least one ballot box, and
- (b) in the case of ballot papers from a ballot box, they have been mixed with the ballot papers from at least one other ballot box.

(3) A postal ballot paper must not be taken to be duly returned unless—

- (a) it is returned in the manner set out in paragraph (4) and reaches the counting officer or any polling station in the voting area in question before the close of the poll;
- (b) the postal voting statement, duly signed, is also returned in the manner set out in paragraph (4) and reaches the counting officer or such a polling station before that time;
- (c) the postal voting statement also states the date of birth of a voter or proxy; and
- (d) in a case where steps for verifying the date of birth and signature of a voter or proxy have been prescribed by regulations made under the 1983 Act(1), the counting officer (having taken such steps) verifies that date of birth and that signature.

(4) The manner in which any postal ballot paper or postal voting statement may be returned—

- (a) to the counting officer, is by hand or by post;
- (b) to a polling station, is by hand.

(5) The counting officer must not count any tendered ballot paper.

(6) The counting officer, while counting and recording the number of ballot papers and counting the

(1) *Gweler* rheoliadau 85 ac 85A o Reoliadau Cynrychiolaeth y Bobl (Cymru a Lloegr) 2001 (O.S. 2001/341), a fewnosodwyd gan O.S. 2006/2910.

(1) *See* regulations 85 and 85A of the Representation of the People (England and Wales) Regulations 2001 (S.I. 2001/341), which were inserted by S.I. 2006/2910.

pleidleisiau gadw'r papurau pleidleisio â'u hwynebau tuag i fyny, a chymryd pob rhagofal priodol i atal unrhyw berson rhag gweld y rhifau neu'r nodau adnabod unigryw eraill a argraffwyd ar gefn y papurau.

(7) Rhaid i'r swyddog cyfrif wirio pob cyfriflen papurau pleidleisio drwy ei chymharu â nifer y papurau pleidleisio a gofnodir gan y swyddog cyfrif, a'r papurau pleidleisio nas defnyddiwyd neu a ddifethwyd sydd ym meddiant y swyddog cyfrif a'r rhestr pleidleisiau wedi eu tendro (gan agor ac ail selio'r pecynnau sy'n cynnwys y papurau pleidleisio nas defnyddiwyd ac a ddifethwyd a'r rhestr pleidleisiau wedi eu tendro) a rhaid iddo baratoi datganiad ynglŷn â chanlyniad y gwirio, y caiff unrhyw arsylwr cyfrif ei gopio.

(8) Rhaid i'r swyddog cyfrif, cyn belled ag y bo'n ymarferol, barhau yn ddi-dor i gyfrif y pleidleisiau, gan ganiatáu amser i ffwrdd ar gyfer lluniaeth yn unig, ac eithrio y caniateir i'r swyddog cyfrif hepgor yr oriau rhwng 7 yr hwyr a 9 y bore drannoeth.

(9) Yn ystod y cyfnod a hepgorir felly, rhaid i'r swyddog cyfrif—

- (a) osod y papurau pleidleisio a'r dogfennau eraill sydd a wnelont â'r refferendwm o dan sêl y swyddog cyfrif ei hunan; a
- (b) cymryd rhagofalon priodol fel arall i ddiogelu'r papurau a'r dogfennau.

Ailgyfrif

37.—(1) Caiff trefnydd deiseb, os yw'n bresennol pan gwblheir y cyfrif neu unrhyw ailgyfrif o'r pleidleisiau, ei gwneud yn ofynnol i'r swyddog cyfrif ailgyfrif y pleidleisiau neu eu hailgyfrif drachefn, ond caiff y swyddog cyfrif wrthod gwneud hynny os yw'r cais, ym marn y swyddog cyfrif, yn afresymol.

(2) Rhaid peidio â chymryd unrhyw gam ar ôl cwblhau'r cyfrif neu unrhyw ailgyfrif o'r pleidleisiau cyn bo pa bynnag drefnwyr deiseb sy'n bresennol ar adeg y cwblhau wedi cael cyfle rhesymol i arfer yr hawl a roddir gan y rheol hon.

Papurau pleidleisio a wrthodir

38.—(1) Mae unrhyw bapur pleidleisio—

- (a) nad yw'n dwyn y nod swyddogol, neu
- (b) y rhoddwyd pleidleisiau arno ar gyfer mwy nag un ateb, neu
- (c) sydd ag unrhyw beth wedi ei ysgrifennu neu ei farcio arno a fyddai'n caniatáu adnabod y pleidleisiwr neu ddirprwy, ac eithrio'r rhif printiedig a'r nod adnabod unigryw arall ar y cefn, neu
- (ch) sydd heb ei farcio neu'n ddi-rym oherwydd ansicrwydd,

votes, must keep the ballot papers with their faces upwards and take all proper precautions for preventing any person from seeing the numbers or other unique identifying marks printed on the back of the papers.

(7) The counting officer must verify each ballot paper account by comparing it with the number of ballot papers recorded by the counting officer, and the unused and spoiled ballot papers in the counting officer's possession and the tendered votes list (opening and resealing the packets containing the unused and spoiled ballot papers and the tendered votes list) and must draw up a statement as to the result of the verification, which any counting observer may copy.

(8) The counting officer must so far as practicable proceed continuously with counting the votes, allowing only time for refreshment, except that the counting officer may exclude the hours between 7 in the evening and 9 on the following morning.

(9) During the time so excluded the counting officer must—

- (a) place the ballot papers and other documents relating to the referendum under the counting officer's own seal; and
- (b) otherwise take proper precautions for the security of the papers and documents.

Re-count

37.—(1) A petition organiser, if present when the counting or any re-count of the votes is completed, may require the counting officer to have the votes re-counted or again re-counted but the counting officer may refuse to do so if in the counting officer's opinion the request is unreasonable.

(2) No step must be taken on the completion of the counting or any re-count of votes until such petition organisers as are present at its completion have been given a reasonable opportunity to exercise the right conferred by this rule.

Rejected ballot papers

38.—(1) Any ballot paper—

- (a) which does not bear the official mark, or
- (b) on which votes are given for more than one answer, or
- (c) on which anything is written or marked by which the voter or proxy can be identified except the printed number and other unique identifying mark on the back, or
- (d) which is unmarked or void for uncertainty,

yn ddarostyngedig i baragraff (2), yn ddi-rym, a rhaid peidio â'i gyfrif.

(2) Pan fo pleidlais wedi ei marcio ar bapur pleidleisio—

- (a) mewn man gwahanol i'r man priodol, neu
- (b) mewn dull gwahanol i ddefnyddio croes, neu
- (c) gan ddefnyddio mwy nag un marc,

rhaid peidio â'i ystyried yn ddi-rym os oes bwriad yn ymddangos yn amlwg i bleidleisio dros un ateb neu'r llall, ac os nad yw'r modd y marciwyd y papur yn ei hunan yn datgelu pwy yw'r pleidleisiwr neu ddirprwy, ac os na ddangosir bod modd adnabod y pleidleisiwr neu ddirprwy oddi wrtho.

(3) Rhaid i'r swyddog cyfrif arnodi'r gair "gwrthodwyd" ("*rejected*") ar unrhyw bapur pleidleisio nas cyfrifir oherwydd y rheol hon, a rhaid ychwanegu'r geiriau "gwrthwynebwyd ei wrthod" ("*rejection objected to*") at yr arnodiad os bydd arsylwr cyfrif yn gwneud unrhyw wrthwynebiad i benderfyniad y swyddog cyfrif.

(4) Rhaid i'r swyddog cyfrif baratoi datganiad sy'n dangos nifer y papurau pleidleisio a wrthodwyd o dan y gwahanol benawdau—

- (a) diffyg nod swyddogol;
- (b) pleidleisio dros fwy nag un ateb;
- (c) ysgrifen neu farc a fyddai'n caniatáu adnabod y pleidleisiwr neu ddirprwy;
- (ch) dim marc neu'n ddi-rym oherwydd ansicrwydd.

Penderfyniadau ynghylch papurau pleidleisio

39. Mae penderfyniad y swyddog cyfrif ar unrhyw gwestiwn sy'n codi mewn perthynas â phapur pleidleisio yn derfynol, ond yn ddarostyngedig i'w adolygu drwy ddeiseb refferendwm.

Pleidleisiau cyfartal

40. Os canfyddir, ar ôl gorffen cyfrif y pleidleisiau (gan gynnwys unrhyw ailgyfrif) bod y pleidleisiau yn gyfartal rhwng yr atebion, rhaid i'r swyddog cyfrif benderfynu'r refferendwm yn ddi-oed drwy fwrw coelbren.

RHAN 7

Cyhoeddi'r Canlyniad a Lleoli'r Dogfennau

Cyhoeddi'r canlyniad

41. Pan fod canlyniad y bleidlais wedi ei ganfod rhaid i'r swyddog cyfrif wneud y canlynol yn ddi-oed—

subject to paragraph (2), is void and must not be counted.

(2) A ballot paper on which the vote is marked—

- (a) elsewhere than in the proper place, or
- (b) otherwise than by means of a cross, or
- (c) by more than one mark,

is not for such reason to be deemed to be void if an intention that the vote is for one or the other of the answers clearly appears, and the way the paper is marked does not itself identify the voter or proxy and it is not shown that the voter or proxy can be identified by it.

(3) The counting officer must endorse the word "rejected" ("*gwrthodwyd*") on any ballot paper which under this rule is not to be counted, and must add to the endorsement the words "rejection objected to" ("*gwrthwynebwyd ei wrthod*") if any objection is made by a counting observer to the counting officer's decision.

(4) The counting officer must draw up a statement showing the number of ballot papers rejected under the several heads of—

- (a) want of official mark;
- (b) voting for more than one answer;
- (c) writing or mark by which the voter or proxy could be identified;
- (d) unmarked or void for uncertainty.

Decisions on ballot papers

39. The decision of the counting officer on any question arising in respect of a ballot paper is to be final, but is subject to review on a referendum petition.

Equality of votes

40. Where, after the counting of the votes (including any re-count) is completed, an equality of votes is found to exist between the answers the counting officer must forthwith decide the referendum by lot.

PART 7

Declaration of Result and Disposal of Documents

Declaration of result

41. When the result of the poll has been ascertained, the counting officer must forthwith—

- (a) cyhoeddi canlyniad y refferendwm,
- (b) rhoi gwybod i swyddog priodol yr awdurdod a gynhaliodd y refferendwm, neu y cynhaliwyd y refferendwm mewn perthynas ag ef, o ganlyniad y refferendwm,
- (c) rhoi hysbysiad cyhoeddus o—
 - (i) ganlyniad y refferendwm,
 - (ii) nifer y papurau pleidleisio a gyfrifwyd,
 - (iii) nifer cyfanswm y pleidleisiau a fwriwyd dros bob ateb, a
 - (iv) nifer y papurau pleidleisio a wrthodwyd o dan bob pennawd yn y datganiad o bapurau pleidleisio a wrthodwyd.

- (a) declare the result of the referendum,
- (b) inform the proper officer of the authority by or in respect of which the referendum was held of the result of the referendum,
- (c) give public notice of—
 - (i) the result of the referendum,
 - (ii) the number of ballot papers counted,
 - (iii) the total number of votes cast for each answer, and
 - (iv) the number of rejected ballot papers under each head shown in the statement of rejected ballot papers.

Selio'r papurau pleidleisio

42.—(1) Ar ôl cwblhau'r cyfrif mewn refferendwm, rhaid i'r swyddog cyfrif selio'r papurau pleidleisio a gyfrifwyd ac a wrthodwyd, mewn pecynnau ar wahân.

(2) Rhaid i'r swyddog cyfrif beidio ag agor y pecynnau seliedig o—

- (a) papurau pleidleisio a oedd wedi eu tendro,
- (b) rhestrau rhifau cyfatebol a gwblhawyd,
- (c) tystysgrifau ynglŷn â chyflogaeth ar ddyletswydd ar ddiwrnod y pleidleisio, neu
- (ch) copiâu a farciwyd o'r gofrestr etholwyr (gan gynnwys y copiâu a farciwyd o hysbysiadau a ddyroddwyd o dan adran 13B(3B) neu (3D) o Ddeddf 1983) a rhestrau o ddirprwyon.

Sealing up of ballot papers

42.—(1) On the completion of the counting at a referendum the counting officer must seal up in separate packets the counted and rejected ballot papers.

(2) The counting officer must not open the sealed packets of—

- (a) tendered ballot papers,
- (b) the completed corresponding number lists,
- (c) certificates as to employment on duty on the day of the poll, or
- (d) marked copies of the register of electors (including any marked copy notices issued under section 13B(3B) or (3D) of the 1983 Act) and lists of proxies.

Trosglwyddo dogfennau i'r swyddog cofrestru perthnasol

43.—(1) Rhaid i'r swyddog cyfrif wedyn anfon y dogfennau canlynol ymlaen at y swyddog cofrestru perthnasol—

- (a) y pecynnau o bapurau pleidleisio sydd ym meddiant y swyddog cyfrif,
- (b) y cyfriflenni papurau pleidleisio a'r datganiadau o bapurau pleidleisio a wrthodwyd ac o ganlyniad gwirio'r cyfriflenni papurau pleidleisio,
- (c) y rhestrau o bleidleisiau sydd wedi eu tendro, y rhestrau o bleidleiswyr a dirprwyon ag anableddau a gynorthwywyd gan gymdeithion, y rhestrau o bleidleisiau a farciwyd gan y swyddog llywyddu a'r datganiadau cysylltiedig, y rhestrau a wnaed o dan reol 32, a'r datganiadau a wnaed gan gymdeithion y pleidleiswyr a dirprwyon ag anableddau,
- (ch) y pecynnau o restrau rhifau cyfatebol a gwblhawyd,
- (d) y pecynnau o dystysgrifau ynglŷn â chyflogaeth ar ddyletswydd ar ddiwrnod y pleidleisio, ac

Delivery of documents to relevant registration officer

43.—(1) The counting officer must then forward to the relevant registration officer the following documents—

- (a) the packets of ballot papers in the counting officer's possession,
- (b) the ballot paper accounts and the statements of rejected ballot papers and of the result of the verification of the ballot paper accounts,
- (c) the tendered votes lists, the lists of voters and proxies with disabilities assisted by companions, the lists of votes marked by the presiding officer and the related statements, the lists maintained under rule 32, and the declarations made by the companions of voters and proxies with disabilities,
- (d) the packets of the completed corresponding number lists,
- (e) the packets of certificates as to employment on duty on the day of the poll, and

(dd) y pecynnau sy'n cynnwys copiâu a farciwyd o'r cofrestrau (gan gynnwys unrhyw gopiâu a farciwyd o hysbysiadau a ddyroddwyd o dan adran 13B(3B) neu (3D) o Ddeddf 1983) ac o'r rhestr pleidleiswyr post, o'r rhestrau o ddirprwyon, ac o'r pleidleiswyr drwy'r post fel dirprwyon,

gan arnodi ar bob pecyn disgrifiad o'i gynnwys, dyddiad y refferendwm y mae'n ymwneud ag ef ac enw'r awdurdod lleol a gynhaliodd y refferendwm neu y cynhaliwyd y refferendwm mewn perthynas ag ef.

(2) Yn y rheol hon ac yn rheolau 44 a 45 mae'r cyfeiriadau at y swyddog cofrestru perthnasol yn cyfeirio at swyddog cofrestru'r awdurdod lleol a gynhaliodd y refferendwm neu y cynhaliwyd y refferendwm mewn perthynas ag ef.

Gorchymynion i ddangos dogfennau

44.—(1) Caiff llys sirol wneud gorchymyn—

- (a) ar gyfer archwilio neu ddangos unrhyw bapurau pleidleisio a wrthodwyd sydd ym meddiant y swyddog cofrestru perthnasol, neu
- (b) ar gyfer agor pecyn seliedig o restrau rhifau cyfatebol a gwblhawyd, neu dystysgrifau ynglŷn â chyflogaeth ar ddyletswydd ar ddiwrnod y pleidleisio, neu ar gyfer archwilio unrhyw bapurau pleidleisio a gyfrifwyd sydd ym meddiant y swyddog cofrestru perthnasol,

os bodlonir y llys, gan dystiolaeth a roddir ar lw, bod y gorchymyn yn ofynnol at y diben o gychwyn neu gynnal erlyniad am dramgwydd mewn perthynas â phapurau pleidleisio neu at ddiben deiseb refferendwm.

(2) Caiff llys etholiad wneud gorchymyn ar gyfer agor pecyn seliedig o restrau rhifau cyfatebol a gwblhawyd, neu dystysgrifau ynglŷn â chyflogaeth ar ddyletswydd ar ddiwrnod y pleidleisio, neu ar gyfer archwilio unrhyw bapurau pleidleisio a gyfrifwyd sydd ym meddiant y swyddog cofrestru perthnasol.

(3) Caiff y llys sy'n gwneud gorchymyn o dan y rheol hon wneud y gorchymyn yn ddarostyngedig i amodau o ran—

- (a) personau,
- (b) amser,
- (c) lleoliad a dull yr archwilio,
- (ch) dangos neu agor,

fel y gwêl y llys yn briodol.

(4) Wrth wneud ac wrth weithredu gorchymyn ar gyfer agor pecyn o'r rhestrau rhifau cyfatebol a gwblhawyd, neu dystysgrifau ynglŷn â chyflogaeth ar ddyletswydd ar ddiwrnod y pleidleisio, neu ar gyfer archwilio papurau pleidleisio a gyfrifwyd, rhaid cymryd gofal i beidio â datgelu'r ffordd y pleidleisiodd unrhyw berson penodol hyd nes bo wedi ei brofi bod—

(f) the packets containing marked copies of registers (including any marked copy notices issued under section 13B(3B) or (3D) of the 1983 Act) and of the postal voters list, of the lists of proxies and of the proxy postal voters list,

endorsing on each packet a description of its contents, the date of the referendum to which it relates and the name of the local authority by which or in respect of which the referendum was held.

(2) In this rule and in rules 44 and 45 references to the relevant registration officer are to the registration officer of the local authority by or in respect of which the referendum is held.

Orders for production of documents

44.—(1) An order—

- (a) for the inspection or production of any rejected ballot papers in the custody of the relevant registration officer, or
- (b) for the opening of a sealed packet of the completed corresponding number lists or certificates as to employment on duty on the day of the poll or for the inspection of any counted ballot papers in the relevant registration officer's custody,

may be made by a county court, if the court is satisfied by evidence on oath that the order is required for the purpose of instituting or maintaining a prosecution for an offence in relation to ballot papers, or for the purpose of a referendum petition.

(2) An order for the opening of a sealed packet of the completed corresponding number lists or of certificates as to employment on duty on the day of the poll or for the inspection of any counted ballot papers in the custody of the relevant registration officer may be made by an election court.

(3) An order under this rule may be made subject to such conditions as to—

- (a) persons,
- (b) time,
- (c) place and mode of inspection,
- (d) production or opening,

as the court making the order may think expedient.

(4) In making and carrying into effect an order for the opening of a packet of the completed corresponding number lists or of certificates as to employment on duty on the day of the poll or for the inspection of counted ballot papers, care must be taken that the way in which the vote of any particular person has been given is not disclosed until it has been proved—

- (a) pleidlais y person wedi ei bwrw; a
- (b) bod y bleidlais wedi ei chyhoeddi gan lys cymwys yn bleidlais annilys.

(5) Gwneir unrhyw apêl yn erbyn gorchymyn llys sirol o dan y rheol hon i'r Uchel Lys.

(6) Caniateir i unrhyw bŵer a roddir o dan y rheol hon i lys sirol gael ei arfer gan unrhyw farnwr o'r llys mewn modd gwahanol i'w arfer mewn llys agored.

(7) Pan wneir gorchymyn bod y swyddog cofrestru perthnasol yn dangos unrhyw ddogfen sydd yn ei feddiant mewn perthynas ag unrhyw refferendwm penodedig—

- (a) mae dangos, gan y swyddog cofrestru neu gan asiant y swyddog cofrestru, y ddogfen a orchymynnwyd, mewn modd sy'n unol ag unrhyw gyfarwyddiadau yn y gorchymyn hwnnw, yn dystiolaeth derfynol bod y ddogfen yn ymwneud â'r refferendwm penodedig: a
- (b) mae unrhyw arnodiad ar unrhyw becyn o bapurau pleidleisio a ddangosir felly yn dystiolaeth prima facie mai'r papurau pleidleisio hynny yw'r rhai a ddatgenir yn yr arnodiad.

(8) Mae dangos, ar ôl eu cadw yn briodol—

- (a) papur pleidleisio yr honnir iddo gael ei ddefnyddio mewn unrhyw refferendwm, a
- (b) rhestr rhifau cyfatebol a gwblhawyd, gyda rhif wedi ei farcio mewn ysgrifen wrth ochr rhif y papur pleidleisio,

yn dystiolaeth prima facie mai'r person y bwriwyd ei bleidlais gan y papur pleidleisio hwnnw oedd y person yr oedd ei gofnod yn y rhestr etholwyr neu ar hysbysiad a ddyroddwyd o dan adran 13B(3B) neu (3D) o Ddeddf 1983, ar adeg y refferendwm yn cynnwys yr un rhif â'r rhif ysgrifenedig a grybwyllir yn is-baragraff (b) o'r paragraff hwn.

(9) Ac eithrio fel a ddarperir gan y rheol hon, ni chaniateir i unrhyw berson archwilio unrhyw bapurau pleidleisio a wrthodwyd neu a gyfrifwyd, sydd ym meddiant y swyddog cofrestru perthnasol, nac agor unrhyw becynnau seiliedig o'r rhestrau rhifau cyfatebol a gwblhawyd, neu dystysgrifau ynglŷn â chyflogaeth ar ddyletswydd ar ddiwrnod y pleidleisio.

Cadw dogfennau

45. Rhaid i'r swyddog cofrestru perthnasol gadw am un flwyddyn yr holl ddogfennau mewn perthynas â refferendwm, a anfonwyd ymlaen at y swyddog cofrestru yn unol â'r Rheolau hyn gan swyddog cyfrif, ac yna, oni chyfarwyddir yn wahanol gan orchymyn o lys sirol, Llys y Goron, llys ynadon neu lys etholiad, rhaid iddo achosi iddynt gael eu dinistrio.

- (a) that the person's vote was given; and
- (b) that the vote has been declared by a competent court to be invalid.

(5) An appeal lies to the High Court from any order of a county court under this rule.

(6) Any power given under this rule to a county court may be exercised by any judge of the court otherwise than in open court.

(7) Where an order is made for the production by the relevant registration officer of any document in his possession relating to any specified referendum—

- (a) the production by the registration officer or the registration officer's agent of the document ordered in such manner as may be directed by that order is conclusive evidence that the document relates to the specified referendum; and
- (b) any endorsement on any packet of ballot papers so produced is prima facie evidence that the ballot papers are what they are stated to be by the endorsement.

(8) The production from proper custody of—

- (a) a ballot paper purporting to have been used at any referendum, and
- (b) a completed corresponding number list with a number marked in writing beside the number of the ballot paper,

are prima facie evidence that the person whose vote was given by that ballot paper was the person whose entry in the register of electors or on a notice issued under section 13B(3B) or (3D) of the 1983 Act at the time of the referendum contained the same number as the number written as mentioned in sub-paragraph (b) of this paragraph.

(9) Save as by this rule provided, no person is allowed to inspect any rejected or counted ballot papers in the possession of the relevant registration officer or open any sealed packets of the completed corresponding number lists or of certificates as to employment on duty on the day of the poll.

Retention of documents

45. The relevant registration officer must retain for one year all documents relating to a referendum forwarded to the registration officer in pursuance of these Rules by a counting officer, and then, unless otherwise directed by an order of a county court, the Crown Court, a magistrates' court or an election court, must cause them to be destroyed.

RHAN 8

Atodiad o Ffurfiâu

Noder:— Caniateir addasu'r ffurfiâu a gynhwysir yn yr Atodiad hwn cyn belled ag y bo amgylchiadau'n ei gwneud yn ofynnol i wneud hynny

Ffurf y Papur Pleidleisio: Datganiad a Chwestiwn yn y refferendwm fel a bennir ym mharagraff 1 o Atodlen 1

Ffurf y Papur Pleidleisio: Datganiad a Chwestiwn yn y refferendwm fel a bennir ym mharagraff 2 o Atodlen 1

Ffurf y Papur Pleidleisio: Datganiad a Chwestiwn yn y refferendwm fel a bennir ym mharagraff 3 o Atodlen 1

Rhestr Rhifau Cyfatebol L1

Rhestr Rhifau Cyfatebol L2

Ffurf y Datganiad Pleidlais Bost

Cerdyn Pleidleisio Swyddogol (i'w anfon at bleidleisiwr sy'n pleidleisio yn bersonol)

Cerdyn Swyddogol Pleidlais Bost (i'w anfon at bleidleisiwr sy'n pleidleisio drwy'r post)

Cerdyn Swyddogol Pleidleisio drwy Ddirprwy (i'w anfon at ddirprwy penodedig sy'n pleidleisio yn bersonol)

Cerdyn Swyddogol Pleidlais Bost drwy Ddirprwy (i'w anfon at ddirprwy penodedig sy'n pleidleisio drwy'r post)

Ffurf y cyfarwyddiadau fel canllawiau i bleidleiswyr a dirprwyon wrth bleidleisio

Ffurf Tystysgrif Cyflogaeth

Ffurf y datganiad sydd i'w wneud gan gydymaith pleidleisiwr neu ddirprwy ag anabledau

PART 8

Appendix of Forms

Note:— The forms contained in this Appendix may be adapted so far as circumstances require.

Form of Ballot Paper: Statement and Question in referendum as specified in paragraph 1 of Schedule 1

Form of Ballot Paper: Statement and Question in referendum as specified in paragraph 2 of Schedule 1

Form of Ballot Paper: Statement and Question in referendum as specified in paragraph 3 of Schedule 1

Corresponding Number List L1

Corresponding Number List L2

Form of Postal Voting Statement

Official Poll Card (to be sent to a voter voting in person)

Official Postal Poll Card (to be sent to a voter voting by post)

Official Proxy Poll Card (to be sent to an appointed proxy voting in person)

Official Proxy Postal Poll Card (to be sent to an appointed proxy voting by post)

Form of directions for the guidance of the voters and proxies in voting

Form of Certificate of Employment

Form of declaration to be made by the companion of a voter or proxy with disabilities

FFURF Y PAPUR PLEIDLEISIO

FORM OF BALLOT PAPER

**FFURF Y PAPUR PLEIDLEISIO: DATGANIAD A CHWESTIWN YN Y REFFERENDWM
FEL A BENNIR YM MHARAGRAFF 1 O ATODLEN 1**

BLAEN Y PAPUR PLEIDLEISIO

**FORM OF BALLOT PAPER: STATEMENT AND QUESTION IN REFERENDUM AS
SPECIFIED IN PARAGRAPH 1 OF SCHEDULE 1**

FRONT OF BALLOT PAPER

<p><i>[mewnosoder testun priodol y datganiad a'r cwestiwn fel a bennir ym mharagraff 1 o Atodlen 1 i'r Rheoliadau hyn]</i></p> <p>Rhowch groes (X) yn y blwch ar yr ochr dde gyferbyn â'r ateb o'ch dewis. Peidiwch â rhoi unrhyw farc arall ar y papur neu efallai na chaiff eich pleidlais ei chyfrif.</p>	<p><i>[insert appropriate text of statement and question as specified in paragraph 1 of Schedule 1 to these Regulations]</i></p> <p>Mark a cross (X) in the box on the right hand side of the answer of your choice. Do not mark the ballot paper in any other way or your vote may not be counted.</p>
Pleidleisiwch UNWAITH yn unig	Vote ONCE only
YDW	YES
NAC YDW	NO

CEFN Y PAPUR PLEIDLEISIO

BACK OF BALLOT PAPER

Rhif y Papur Pleidleisio
Nod Adnabod Unigryw Arall

Ballot Paper Number
Other Unique Identifying Mark

Refferendwm y cyngor ar *[mewnosoder y dyddiad]*:
[mewnosoder enw ardal y bleidlais]

Council referendum on *[insert date]*:
[insert name of voting area]

**FFURF Y PAPUR PLEIDLEISIO: DATGANIAD A CHWESTIWN YN Y REFFERENDWM
FEL A BENNIR YM MHARAGRAFF 2 O ATODLEN 1**

BLAEN Y PAPUR PLEIDLEISIO

**FORM OF BALLOT PAPER: STATEMENT AND QUESTION IN REFERENDUM AS
SPECIFIED IN PARAGRAPH 2 OF SCHEDULE 1**

FRONT OF BALLOT PAPER

<p><i>[mewnosoder testun priodol y datganiad a'r cwestiwn fel a bennir ym mharagraff 2 o Atodlen 1 i'r Rheoliadau hyn]</i></p> <p>Rhowch groes (X) yn y blwch ar yr ochr dde gyferbyn â'r ateb o'ch dewis. Peidiwch â rhoi unrhyw farc arall ar y papur neu efallai na chaiff eich pleidlais ei ch yfrif.</p> <p>Pleidleisiwch UNWAITH yn unig</p>		<p><i>[insert appropriate text of statement and question as specified in paragraph 2 of Schedule 1 to these Regulations]</i></p> <p>Mark a cross (X) in the box on the right hand side of the answer of your choice. Do not mark the ballot paper in any other way or your vote may not be counted.</p> <p>Vote ONCE only</p>	
YDW		YES	
NAC YDW		NO	

CEFN Y PAPUR PLEIDLEISIO

BACK OF BALLOT PAPER

Rhif y Papur Pleidleisio
Nod Adnabod Unigryw Arall

Ballot Paper Number
Other Unique Identifying Mark

Refferendwm y cyngor ar *[mewnosoder y dyddiad]*:
[mewnosoder enw ardal y bleidlais]

Council referendum on *[insert date]*:
[insert name of voting area]

**FFURF Y PAPUR PLEIDLEISIO: DATGANIAD A CHWESTIWN YN Y REFFERENDWM
FEL A BENNIR YM MHARAGRAFF 3 O ATODLEN 1**

BLAEN Y PAPUR PLEIDLEISIO

**FORM OF BALLOT PAPER: STATEMENT AND QUESTION IN REFERENDUM AS
SPECIFIED IN PARAGRAPH 3 OF SCHEDULE 1**

FRONT OF BALLOT PAPER

<p><i>[mewnosoder testun priodol y datganiad a'r cwestiwn fel a bennir ym mharagraff 3 o Atodlen 1 i'r Rheoliadau hyn]</i></p> <p>Rhowch groes (X) yn y blwch ar yr ochr dde gyferbyn â'r ateb o'ch dewis. Peidiwch â rhoi unrhyw farc arall ar y papur neu efallai na chaiff eich pleidlais ei ch yfrif.</p> <p>Pleidleisiwch UNWAITH yn unig</p>		<p><i>[insert appropriate text of statement and question as specified in paragraph 3 of Schedule 1 to these Regulations]</i></p> <p>Mark a cross (X) in the box on the right hand side of the answer of your choice. Do not mark the ballot paper in any other way or your vote may not be counted.</p> <p>Vote ONCE only</p>	
YDW		YES	
NAC YDW		NO	

CEFN Y PAPUR PLEIDLEISIO

BACK OF BALLOT PAPER

Rhif y Papur Pleidleisio
Nod Adnabod Unigryw Arall

Ballot Paper Number
Other Unique Identifying Mark

Refferendwm y cyngor ar *[mewnosoder y dyddiad]*:
[mewnosoder enw ardal y bleidlais]

Council referendum on *[insert date]*:
[insert name of voting area]

Rhestr Rhifau Cyfatebol - L1
i'w defnyddio ar gyfer pleidleisiau post mewn refferendwm

Corresponding Number List - L1
to be used for postal votes at a referendum

Ardal y Bleidlais.....Voting Area

Dyddiad y Bleidlais.....Date of Poll

Rhif y Ddalen.....Sheet No

Rhif y Papur Pleidleisio Ballot Paper Number	Nod Adnabod Unigryw Unique Identifying Mark	Rhif ar y gofrestr etholwyr <i>(Llanwer yn unig ar gyfer papurau pleidleisio a ddsbarthwyd i bleidleiswyr a dirprwyon sy'n pleidleisio drwy'r post)</i> Number on electoral register <i>(To be completed only in respect of ballot papers issued to voters and proxies voting by post)</i>

Rhestr Rhifau Cyfatebol - L2

i'w defnyddio mewn gorsafoedd pleidleisio mewn refferendwm

Corresponding Number List - L2

to be used in polling stations at a referendum

Ardal y Bleidlais.....Voting Area

Dyddiad y Bleidlais.....Date of Poll

Gorsaf Bleidleisio.....Polling Station

Rhif y Ddalen.....Sheet No.

Rhif y Papur Pleidleisio Ballot Paper Number	Rhif ar y gofrestr etholwyr Number on electoral register

**Ffurf y Datganiad Pleidlais Bost
(i'w ddefnyddio mewn refferendwm)**

**Form of Postal Voting Statement
(for use at a referendum)**

Datganiad Pleidlais Bost	Postal Voting Statement
<p>*Enw'r person sy'n pleidleisio drwy'r post:</p>	<p>*Name of person voting by post</p>
<p>Rhif y Papur Pleidleisio:.....</p>	<p>Ballot Paper No:.....</p>
<p><i>*(Y Swyddog Cyfrif i lenwi'r enw, ond ei hepgor pan anfonir papurau pleidleisio at berson â chofnod dienw yn y gofrestr) [nod adnabod arall]</i></p>	<p><i>*(Counting Officer to insert name but omit where ballot papers sent to a person with an anonymous entry in the register) [other identifying mark]</i></p>
<p>Rhaid ichi ddarparu eich [*llofnod a'ch] dyddiad geni. Os na wnewch hynny, ni fydd y datganiad pleidlais bost yn ddilys ac ni fydd eich pleidlais yn cael ei chyfrif</p>	<p>You must provide your [*signature and] date of birth. If you do not, the postal voting statement will be invalid and your vote will not be counted</p>
<p>FI YW'R PERSON YR ANFONWYD Y PAPUR PLEIDLEISIO SYDD Â'R RHIF UCHOD ATO</p>	<p>I AM THE PERSON THE BALLOT PAPER NUMBERED ABOVE WAS SENT TO</p>
<p>Dyddiad geni <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/></p> <p>(Dyddiad geni'r person sy'n pleidleisio)</p>	<p>Date of birth <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/></p> <p>(Date of birth of person voting)</p>
<p>Llofnod</p> <div data-bbox="311 1176 686 1299" style="border: 1px solid black; height: 55px; width: 235px; margin: 10px auto;"></div> <p>(Llofnod y person sy'n pleidleisio)</p> <p>PWYSIG - Llofnodwch o fewn y border</p>	<p>Signature</p> <div data-bbox="805 1176 1181 1299" style="border: 1px solid black; height: 55px; width: 235px; margin: 10px auto;"></div> <p>(Signature of person voting)</p> <p>IMPORTANT - Keep Signature within border</p>
<p><i>*(Y Swyddog Cyfrif i'w hepgor pan fo person wedi cael hepgoriad)</i></p>	<p><i>*(Counting Officer to omit where a person has been granted a waiver)</i></p>
<p>Mae twyllo wrth bleidleisio yn drosedd. Rhaid ichi beidio â phleidleisio drwy ddefnyddio papur pleidleisio nad yw wedi ei gyfeirio atoch chi, nac ymyrryd â phapur pleidleisio neb arall</p>	<p>Voting fraud is a crime. You must not vote using a ballot paper that is not addressed to you or interfere with another person's ballot paper</p>
<p>DARLLENWCH Y CYFARWYDDIADAU I'R PERSON SY'N PLEIDLEISIO</p> <p>Cyhoeddwyd gan y Swyddog Cyfrif</p> <p>CYFARWYDDIADAU I'R PERSON SY'N PLEIDLEISIO</p>	<p>PLEASE READ INSTRUCTIONS TO THE PERSON VOTING</p> <p>Issued by the Counting Officer</p> <p>INSTRUCTIONS TO THE PERSON VOTING</p>

Llenwch y papur pleidleisio eich hunan, ac yn breifat. Os oes angen help arnoch, cysylltwch â staff y Swyddog Cyfrif fel a ddangosir isod

[manyllion cyswllt ar gyfer cymorth, gan gynnwys cyfeiriad fel y bo'n briodol]

1. Rhaid ichi ddarparu eich [*llofnod a'ch] dyddiad geni. Os na wnewch hynny, ni fydd y datganiad pleidlais bost yn ddilys ac ni fydd eich pleidlais yn cael ei chyfrif.
 2. Pleidleisiwch UNWAITH yn unig. Peidiwch â rhoi unrhyw farc arall ar y papur neu efallai na chaiff eich pleidlais ei chyfrif.
 3. Rhowch groes (X) yn y blwch ar yr ochr dde gyferbyn â'r ateb o'ch dewis.
 4. Os oes angen help arnoch i bleidleisio, rhaid i'r person sy'n eich helpu beidio â dweud wrth neb sut y pleidleisioch.
 5. Rhowch y papur pleidleisio yn yr amlen fach a farciwyd **A** a seliwch yr amlen.
 6. Llenwch y datganiad pleidlais bost, drwy [*ei lofnodi, a] nodi eich dyddiad geni.
 7. Yna rhowch yr amlen a farciwyd **A** ynghyd â'r datganiad pleidlais bost i mewn yn yr amlen fwy, a farciwyd **B**. Anfonwch hi yn ôl ar unwaith.
 8. Ar ôl cael y bleidlais bost hon, ni fyddwch yn cael pleidleisio yn bersonol mewn gorsaf bleidleisio yn y refferendwm hwn.
 9. Os digwydd ichi ddifetha eich papur pleidleisio yn ddamweiniol, gallwch wneud cais i'r Swyddog Cyfrif am bapur pleidleisio arall yn ei le, cyn 5.00pm ar [*diwrnod/ dyddiad y pleidleisio*]. Bydd yn rhaid ichi ddychwelyd y papur pleidleisio a ddifethwyd, y datganiad pleidlais bost a'r amlenni a farciwyd **A** a **B**. Gwnewch yn siŵr eich bod yn cysylltu â'r Swyddog Cyfrif cyn gynted ag y bo modd
- ! Rhaid i'ch papur pleidleisio a'r datganiad pleidlais bost gyrraedd y Swyddog Cyfrif erbyn 10.00am ar [*diwrnod/ dyddiad y pleidleisio*]. Cewch ddanfon eich pleidlais bost gyflawn i unrhyw orsaf bleidleisio yn ardal y bleidlais ar ddiwrnod y bleidlais.

Mae twyllo wrth bleidleisio yn drosedd. Rhaid ichi beidio â phleidleisio drwy ddefnyddio papur pleidleisio nad yw wedi ei gyfeirio atoch chi, nac ymyrryd â phapur pleidleisio neb arall

Mae'n anghyfreithlon pleidleisio fwy nag unwaith yn yr un refferendwm (oni chwsoch eich penodi yn ddirprwy i berson arall sydd â hawl i bleidleisio yn y refferendwm)

**(Y Swyddog Cyfrif i'w hepgor pan fo person wedi cael hepgoriad)*

Complete the ballot paper yourself and in private. If you need help contact the Counting Officer's staff as shown below

[contact details for assistance include address as appropriate]

1. You must provide [*signature and] date of birth. If you do not, the postal voting statement will be invalid and your vote will not be counted.
 2. Vote ONCE only. Do not mark the ballot paper in any other way, or your vote may not be counted.
 3. Mark a cross (X) in the box on the right hand side of the answer of your choice.
 4. If you need help voting, the person helping you must not tell anyone how you voted.
 5. Put the ballot paper in the small envelope marked **A** and seal it.
 6. Complete the postal voting statement by [*signing it, and] providing your date of birth.
 7. Then put the envelope marked **A** together with the postal voting statement in the larger envelope marked **B**. Return it straightaway.
 8. After receiving this postal vote, you cannot vote in person at a polling station at this referendum.
 9. If you accidentally spoil your ballot paper, you can apply to the Counting Officer for a replacement before 5.00pm on [*day/date of poll*]. You must return the spoiled ballot paper, the postal voting statement and the envelopes marked **A** and **B**. Make sure you contact the Counting Officer as soon as possible.
- ! Your ballot paper and the postal voting statement must be received by the Counting Officer by 10.00am on [*day/date of poll*]. You can deliver your completed postal vote to any polling station in your voting area on polling day.

Voting fraud is a crime. You must not vote using a ballot paper that is not addressed to you or interfere with another person's ballot paper

It is illegal to vote more than once at the same referendum (unless you are appointed as a proxy for another person entitled to vote at the referendum)

**(Counting Officer to omit where a person has been granted a waiver)*

CERDYN PLEIDLEISIO SWYDDOGOL

(i'w anfon at bleidleisiwr sy'n pleidleisio yn bersonol)
Blaen y cerdyn

CERDYN PLEIDLEISIO SWYDDOGOL

Cyngor: Rhif ar y Gofrestr:
Ardal y Bleidlais: **Enw*
Diwrnod Pleidleisio:
**Cyfeiriad*

Oriau pleidleisio:
7 a.m. tan 10 p.m.

Eich gorsaf bleidleisio fydd: *(*Y Swyddog Cyfrif i'w hepgor pan anfonir cerdyn pleidleisio at berson â chofnod dienw yn y gofrestr. Rhaid anfon cerdyn pleidleisio at berson o'r fath mewn amlen seliedig*)

***Cerdyn er gwybodaeth yn unig yw hwn. Gallwch bleidleisio hebddo, ond bydd yn arbed amser os ewch â'r cerdyn gyda chi i'r orsaf bleidleisio a'i ddangos i'r clerc yno**

GWELER YR WYBODAETH YCHWANEGOL
AR GEFN Y CERDYN HWN

Cefn y Cerdyn

REFERENDWM [*mewn osoder enw'r awdurdod lleol*]

*Pan ewch i'r orsaf bleidleisio, dywedwch eich enw a'ch cyfeiriad wrth y clerc, fel y'u dangosir ar wyneb y cerdyn.

***Bydd y clerc yn cadarnhau eich manylion ar y gofrestr.**

Pan roddir eich papur pleidleisio ichi, ewch i mewn i un o'r bythau pleidleisio. Rhowch groes (X) yn y blwch ar yr ochr dde gyferbyn â'r ateb o'ch dewis.

Pleidleiswch UNWAITH yn unig. Peidiwch â rhoi unrhyw farc arall ar y papur pleidleisio neu efallai na chaiff eich pleidlais ei chyfrif.

OFFICIAL POLL CARD

(to be sent to a voter voting in person)
Front of card

OFFICIAL POLL CARD

Council: Number on Register:
Voting Area: **Name*
Polling Day:
**Address*

Polling hours:
7 a.m. to 10 p.m.

Your polling station will be: *(*Counting Officer to omit where polling card sent to a person with an anonymous entry in the register. Poll card to such a person must be delivered in a sealed envelope*)

***This card is for information only. You can vote without it, but it will save you time if you take it to the polling station and show it to the clerk there**

SEE FURTHER INFORMATION ON THE
BACK OF THIS CARD

Back of Card

[*insert name of local authority*] REFERENDUM

*When you go to the polling station tell the clerk your name and address, as shown on the front of the card.

***The clerk will confirm your details on the register.**

When you are given your ballot paper, go to one of the polling booths. Mark a cross (X) in the box on the right hand side of the answer of your choice.

Vote ONCE only. Do not put any other mark on the ballot paper, or your vote may not be counted.

Os gwnewch gamgymeriad a difetha eich papur pleidleisio, dangoswch y papur i'r swyddog llywyddu a gofynnwch am un yn ei le.

Plygwch y papur pleidleisio yn ddau. Dangoswch y rhif a'r nod adnabod unigryw arall sydd ar gefn y papur i'r swyddog llywyddu, ond peidiwch â gadael i neb weld eich pleidlais. Rhowch y papur yn y blwch pleidleisio ac ewch allan o'r orsaf bleidleisio.

Os byddwch i ffwrdd ar ddyddiad y pleidleisio—

- Gallwch wneud cais i bleidleisio drwy'r post. Rhaid i'ch ffurflen ddod i law cyn 5 p.m. ar *[dyddiad cau -11 diwrnod]*. Os rhoddir pleidlais bost ichi, ni fydd hawl gennych i bleidleisio yn bersonol yn y refferendwm hwn.
- Gallwch wneud cais i bleidleisio drwy ddirprwy (hynny yw, gall rhywun arall bleidleisio ar eich rhan). Rhaid i'ch cais ddod i law cyn 5 p.m. ar *[dyddiad cau -6 diwrnod]*. Os penodwch ddirprwy bydd yn dal yn bosibl ichi bleidleisio yn bersonol yn y refferendwm hwn os gwnewch hynny cyn i'ch dirprwy bleidleisio ar eich rhan. *[dyddiad cau -6 diwrnod]*.
- Mewn amgylchiadau penodol, gall fod yn bosibl gwneud cais i bleidleisio drwy ddirprwy ar ôl *[dyddiad cau -6 diwrnod]*

Er mwyn newid unrhyw drefniadau pleidleisio, dylech gysylltu â *[rhif llinell gymorth]* cyn gynted ag y bo modd.

Cyhoeddwyd gan y Swyddog Cyfrif

*[Pan anfonir cerdyn pleidleisio at berson sydd â chofnod dienw yn y gofrestr, rhowch y canlynol yn lle'r paragraffau a farciwyd â * uchod:-*

Rhaid ichi fynd â'r cerdyn hwn gyda chi i bleidleisio. Ni chewch bleidleisio hebdo.

Pan gyrhaeddwch yr orsaf bleidleisio, gofynnwch am gael siarad â'r swyddog llywyddu, a dangoswch y cerdyn hwn iddo.

Bydd y swyddog llywyddu yn cadarnhau eich cofnod ar y gofrestr].

If you spoil your ballot paper by mistake, show it to the presiding officer and ask for a replacement.

Fold the ballot paper in two. Show the presiding officer the number and other unique identifying mark on the back of the ballot paper, but do not let anyone see your vote. Put the ballot paper in the ballot box and leave the polling station.

If you will be away on the date of the poll—

- You can apply to vote by post. Your application form must be received before 5 p.m. on *[-11 day/date deadline]*. If you are given a postal vote, you will not be entitled to vote in person at this referendum.
- You can apply to vote by proxy (this means someone else can vote on your behalf). Your application must be received before 5 p.m. on *[-6 day/date deadline]*. If you appoint a proxy you can still vote in this referendum yourself if you do so before your proxy has voted for you. *[-6 day/date deadline]*.
- In certain circumstances it may be possible to apply to vote by proxy after *[-6 day/date deadline]*

To change any of your voting arrangements please contact *[helpline number]* as soon as possible.

Issued by the Counting Officer

*[Where poll card sent to a person with an anonymous entry in the register substitute for the paragraphs marked with * above:-*

You must have this card with you when you vote. You cannot vote without it.

When you go to the polling station, ask to speak to the presiding officer and show them this card.

The presiding officer will confirm your entry on the register].

<p>CERDYN SWYDDOGOL PLEIDLAIS BOST (i'w anfon at bleidleisiwr sy'n pleidleisio drwy'r post) <i>Blaen y cerdyn</i></p>	<p>OFFICIAL POSTAL POLL CARD (to be sent to a voter voting by post) <i>Front of card</i></p>
<p>CERDYN SWYDDOGOL PLEIDLAIS BOST</p> <p>Cyngor: Diben yr hysbysiad hwn yw dweud wrthyhych eich bod wedi gwneud cais i bleidleisio drwy'r post ar gyfer y refferendwm hwn, ac na fydd modd ichi bleidleisio mewn gorsaf bleidleisio. Os ydych yn dymuno canslo eich pleidlais bost, ffoniwch y rhif llinell gymorth isod cyn 5 p.m. ar <i>[dyddiad cau - 11 diwrnod]</i>.</p> <p>Ardal y Bleidlais: Byddwn yn anfon eich papurau pleidlais bost atoch tua <i>[diwrnod/ dyddiad]</i>.</p> <p>Ar gyfer y refferendwm ar <i>[diwrnod/ dyddiad]</i></p> <p>Rhif ar y Gofrestr</p> <p>*Enw a Chyfeiriad *(<i>Y Swyddog Cyfrif i'w hepgor pan anfonir cerdyn pleidleisio at berson â chofnod dienw yn y gofrestr. Rhaid danfon cerdyn pleidleisio at berson o'r fath mewn amlen seliedig.</i>)</p> <p style="text-align: center;">Cyfeiriwyd at: (<i>Enw a Chyfeiriad</i>)</p> <p>Os na fydd eich papurau pleidlais bost wedi cyrraedd erbyn <i>[diwrnod/ dyddiad]</i> ffoniwch <i>[rhif llinell gymorth]</i> a gofynnwch am help.</p> <p>Os digwydd ichi golli eich papur pleidleisio neu ei ddifetha yn ddamweiniol, ffoniwch y rhif llinell gymorth uchod, cyn gynted ag y bo modd. Gellir rhoi papurau pleidleisio arall cyn 5 p.m. ar <i>[diwrnod/ dyddiad y pleidleisio]</i>.</p> <p style="text-align: center;">Diben y cerdyn hwn yw rhoi gwybodaeth ichi am bleidleisio drwy'r post</p> <p style="text-align: center;"><i>GWELER YR WYBODAETH AR GEFN Y CERDYN</i></p>	<p>OFFICIAL POSTAL POLL CARD</p> <p>Council: This notice is to tell you that you have asked to vote by post for this referendum, and you will not be able to vote in a polling station. If you want to cancel your postal vote please call the helpline number shown below before 5 p.m on <i>[-11day/date deadline]</i>.</p> <p>Voting Area: For the referendum on <i>[day/date]</i></p> <p>Number on Register</p> <p>*Name and Address *(<i>Counting Officer to omit where poll card sent to a person with an anonymous entry in the register. Poll card to such a person must be delivered in a sealed envelope.</i>)</p> <p style="text-align: center;">We will send your postal voting papers around <i>[day/date]</i>.</p> <p style="text-align: center;">Addressed to: (<i>Name and Address</i>)</p> <p style="text-align: center;">If your postal voting papers have not arrived by <i>[day/date]</i> call <i>[helpline number]</i> and ask for help.</p> <p>If you lose or accidentally spoil your postal ballot paper, please call the helpline number shown above as soon as possible. Replacement ballot papers can be issued before 5 p.m. on <i>[day/date of poll]</i>.</p> <p style="text-align: center;">This card is to provide you with information about voting by post</p> <p style="text-align: center;"><i>SEE INFORMATION ON BACK OF THIS CARD</i></p>
<p style="text-align: center;"><i>Cefn y Cerdyn</i></p>	<p style="text-align: center;"><i>Back of card</i></p>
<p>REFERENDWM <i>[mewnoder enw'r awdurdod lleol]</i></p> <p>Os gwelwch yn dda, pan gewch eich pecyn pleidlais bost, darllenwch y cyfarwyddiadau yn ofalus cyn llenwi eich papur pleidlais bost.</p>	<p><i>[insert name of local authority]</i> REFERENDUM</p> <p>When you receive your postal voting pack, please read the instructions with it carefully before completing your postal ballot paper.</p>

Peidiwch â gadael i neb weld eich pleidlais. Os oes angen help arnoch i bleidleisio, rhaid i'r person sy'n eich helpu beidio â dweud wrth neb sut y pleidleisioch. Mae cymorth annibynnol i'w gael gan y Swyddog Cyfrif; ffoniwch y rhif llinell gymorth a ddangosir isod.

Rhaid ichi lofnodi'r datganiad pleidlais bost (heblaw eich bod wedi cael hepgoriad drwy drefniant ymlaen llaw gyda'r Swyddog Cyfrif) a darparu eich dyddiad geni. Mesur diogelwch yw hwn. Ni fydd yn effeithio ar eich pleidlais nac yn golygu y bydd modd ei hadnabod. Heb eich llofnod chi (heblaw i chi gael hepgoriad) a'ch dyddiad geni, ni fydd y datganiad yn ddilys ac ni fydd eich pleidlais yn cael ei chyfrif. Gall y Swyddog Cyfrif wirio eich llofnod gyferbyn â chofnodion eraill a gedwir ganddo.

Os digwydd ichi golli eich papur pleidleisio neu ei ddifetha yn ddamweiniol, ffoniwch y rhif llinell gymorth cyn gynted ag y bo modd. Dim ond cyn 5p.m. ar [diwrnod/ dyddiad y pleidleisio] y gallwn roi papur pleidlais bost arall i chi.

Llenwch a dychwelwch eich pleidlais bost cyn gynted ag y bo modd. Rhaid i'r Swyddog Cyfrif gael eich pleidlais bost erbyn 10 p.m. ar [diwrnod/ dyddiad y pleidleisio]. Cewch ddanfôn eich papurau pleidleisio ar ôl eu llenwi i unrhyw orsaf bleidleisio yn ardal y bleidlais.

Os oes arnoch eisiau pleidleisio yn bersonol yn y refferendwm hwn, rhaid ichi ganslo eich pleidlais bost cyn 5 p.m. ar [dyddiad cau -11 diwrnod].

Os oes angen unrhyw gymorth arnoch, ffoniwch ein llinell gymorth ar: [rhif y llinell gymorth]

Mae pleidleisio ar bapur pleidleisio nad yw wedi ei gyfeirio atoch chi yn dramgwydd

Cyhoeddwyd gan y Swyddog Cyfrif

Do not let anyone see your vote. If you need help voting, the person helping you must not tell anyone how you have voted. You can get independent help from the Counting Officer; please call the helpline number shown below.

You must sign the postal voting statement (unless you have been granted a waiver by prior arrangement with the Counting Officer) and provide your date of birth. This is a security measure. It will not affect your vote or mean it can be identified. Without your signature (unless a waiver has been granted) and date of birth, the statement will not be valid and your vote will not be counted. The Counting Officer can cross check your signature against other records that they hold.

If you lose or accidentally spoil your ballot paper, please call the helpline number shown below as soon as possible. We can only issue replacement postal ballot papers before 5 p.m. on [day/date of poll].

Complete and return your postal vote as soon as possible. The Counting Officer must receive your postal vote by 10 p.m. on [day/date of poll]. You can deliver your completed voting papers to any polling station in the voting area.

If you want to vote in person at this referendum, you must cancel your postal vote before 5 p.m. on [-11 day/date deadline].

If you need any assistance, please call our helpline on: [helpline number]

It is an offence to vote using a ballot paper that was not addressed to you

Issued by the Counting Officer

<p style="text-align: center;">CERDYN SWYDDOGOL PLEIDLEISIO DRWY DDIRPRWY</p> <p style="text-align: center;">(i'w anfon at ddirprwy penodedig sy'n pleidleisio yn bersonol)</p> <p style="text-align: center;"><i>Blaen y cerdyn</i></p>	<p style="text-align: center;">OFFICIAL PROXY POLL CARD</p> <p style="text-align: center;">(to be sent to an appointed proxy voting in person)</p> <p style="text-align: center;"><i>Front of card</i></p>
<p style="text-align: center;">CERDYN SWYDDOGOL PLEIDLEISIO DRWY DDIRPRWY</p> <p>Cyngor: *<i>Diben y cerdyn pleidleisio hwn yw dweud wrthyfch bod y person a enwir ar gefn y cerdyn wedi eich penodi chi yn ddirprwy iddo ar gyfer y refferendwm hwn.</i></p> <p>Ardal y Bleidlais: </p> <p>Diwrnod Pleidleisio: *<i>Enw'r dirprwy</i></p> <p>Oriau pleidleisio: 7 a.m. tan 10 p.m.</p> <p>Yr orsaf bleidleisio lle y cewch bleidleisio ar ran y person y'ch penododd chi yn ddirprwy fydd: *<i>Cyfeiriad y dirprwy</i></p> <p>.....</p> <p style="text-align: center;"><i>*(Y Swyddog Cyfrif i'w hegor pan anfonir cerdyn pleidleisio at ddirprwy person â chofnod dienw yn y gofrestr. Rhaid anfon cerdyn pleidleisio at ddirprwy o'r fath mewn amlen seliedig)</i></p> <p>*Cerdyn er gwybodaeth yn unig yw hwn. Gallwch bleidleisio hebdo, ond bydd yn arbed amser os ewch â'r cerdyn gyda chi i'r orsaf bleidleisio a'i ddangos i'r clerc yno</p> <p style="text-align: center;"><i>GWELER YR WYBODAETH YCHWANEGOL AR GEFN Y CERDYN HWN</i></p>	<p style="text-align: center;">OFFICIAL PROXY POLL CARD</p> <p>Council: *<i>This poll card is to tell you that for this referendum the person named on the back of the card has appointed you as their proxy.</i></p> <p>Voting Area: </p> <p>Polling Day: </p> <p>Polling hours: 7 a.m. to 10 p.m. *<i>Proxy's name</i></p> <p>The polling station at which you may vote on behalf of the person who has appointed you proxy will be: *<i>Proxy's address</i></p> <p>.....</p> <p style="text-align: center;"><i>*(Counting Officer to omit where poll card sent to the proxy of a person with an anonymous entry in the register. Poll card to such a proxy should be delivered in a sealed envelope).</i></p> <p>*This card is for information only. You can vote without it, but it will save you time if you take it to the polling station and show it to the clerk there</p> <p style="text-align: center;"><i>SEE FURTHER INFORMATION ON BACK OF THIS CARD</i></p>
<p style="text-align: center;"><i>Cefn y Cerdyn</i></p>	<p style="text-align: center;"><i>Back of card</i></p>
<p style="text-align: center;">REFERENDWM [<i>mewnoder enw'r awdurdod lleol</i>]</p>	<p style="text-align: center;"><i>[insert name of local authority]</i> REFERENDUM</p>

*Diben y cerdyn pleidleisio hwn yw dweud wrthyh eich bod, ar gyfer y refferendwm hwn, wedi eich penodi yn ddirprwy dros

.....

*(Enw'r person)

.....

.....

*(Cyfeiriad y person)

.....

*(Rhif y person ar y gofrestr)

*Pan ewch i'r orsaf bleidleisio, dywedwch wrth y clerc eich bod yn dymuno pleidleisio fel dirprwy ar ran y person a ddangosir uchod.

Bydd y clerc yn cadarnhau y manylion ar y gofrestr.

Pan roddir eich papur pleidleisio ichi, ewch i mewn i un o'r bythau pleidleisio. Rhowch groes (X) yn y blwch ar yr ochr dde gyferbyn â'r ateb y mae'r person yn pleidleisio drosto.

Pleidleiswch UNWAITH yn unig. Peidiwch â rhoi unrhyw farc arall ar y papur neu efallai na chaiff eich pleidlais ei chyfrif.

Os gwnewch gamgymeriad a difetha eich papur pleidleisio, dangoswch y papur i'r swyddog llywyddu a gofynnwch am un arall yn ei le.

Plygwch y papur pleidleisio yn ddau. Dangoswch y rhif a'r nod adnabod unigryw arall sydd ar gefn y papur pleidleisio i'r swyddog llywyddu, ond peidiwch â gadael i neb weld y bleidlais. Rhowch y papur yn y blwch pleidleisio ac ewch allan o'r orsaf bleidleisio.

Os byddwch i ffwrdd ar ddyddiad y pleidleisio, gallwch wneud cais cyn 5 p.m. ar [*dyddiad cau -11 diwrnod*] i gael pleidleisio drwy'r post. Os rhoddir pleidlais bost ichi, *ni* fydd hawl gennych chi, na'r person y'ch penododd yn ddirprwy iddo, i bleidleisio yn bersonol yn y refferendwm hwn.

Caiff y person y'ch penododd chi yn ddirprwy bleidleisio yn y refferendwm hwn. Os yw'n dymuno gwneud hynny, rhaid iddo bleidleisio yn bersonol cyn eich bod chi wedi pleidleisio ar ei ran.

Mae'n anghyfreithlon gwneud unrhyw un o'r canlynol:

*This poll card is to tell you that for this referendum you are appointed as proxy for

.....

*(Person's name)

.....

.....

*(Person's address)

.....

*(Person's number on register)

*When you go to the polling station, tell the clerk that you wish to vote as proxy on behalf of the person shown above.

The clerk will confirm the details on the register.

When you are given the ballot paper, go to one of the polling booths. Mark a cross (X) in the box on the right hand side of the answer the person is voting for.

Vote ONCE only. Do not put any other mark on the ballot paper, or the vote may not be counted.

If you spoil the ballot paper by mistake, show it to the presiding officer and ask for a replacement.

Fold the ballot paper in two. Show the presiding officer the number and other unique identifying mark on the back of the ballot paper, but do not let anyone see the vote. Put the ballot paper in the ballot box and leave the polling station.

If you will be away on the date of the poll, you can apply before 5 p.m. on [*-11 day/date deadline*] to vote by post. If you are given a postal vote, you or the person who appointed you as proxy will *not* be entitled to vote in person at this referendum.

The person who appointed you as proxy may vote at this referendum. If they wish to do so they must vote in person before you vote on their behalf.

It is illegal to do any of the following:

- Pleidleisio fwy nag unwaith (heblaw i chi gael eich penodi yn ddirprwy dros berson arall) yn yr un refferendwm.
- Pleidleisio fel dirprwy yn yr un refferendwm dros fwy na dau berson onid ydych yn briod, partner sifil, rhiant, taid (tad-cu), nain (mam-gu), brawd, chwaer, mab, merch, wyr neu wyres iddynt.
- Pleidleisio fel dirprwy dros berson gan wybod bod y person hwnnw yn anghymwys yn gyfreithiol i bleidleisio.

Os oes angen unrhyw gymorth arnoch, ffoniwch ein llinell gymorth ar: *[rhif y llinell gymorth]*

Cyhoeddwyd gan y Swyddog Cyfrif

*[Pan anfonir cerdyn pleidleisio at ddirprwy person sydd â chofnod dienw yn y gofrestr, rhowch y canlynol yn lle'r paragraffau a farciwyd â * uchod:-*

Rhaid ichi fynd â'r cerdyn hwn gyda chi i bleidleisio. Ni chewch bleidleisio fel dirprwy hebdo.

Mae hawl gennych i bleidleisio fel dirprwy dros y person y dangosir isod ei rif ar y gofrestr

.....

(Rhif y person ar y gofrestr)

I bleidleisio fel dirprwy, rhaid ichi fynd i'r orsaf bleidleisio a ddangosir ar flaen y cerdyn hwn. Gofynnwch am gael siarad â'r swyddog llywyddu a dangoswch y cerdyn hwn iddo .]

- Vote more than once (unless you are appointed as a proxy for another person) at the same referendum.
- Vote as a proxy at the same referendum for more than two persons unless you are their spouse, civil partner, parent, grandparent, brother, sister, child or grandchild.
- Vote as a proxy for a person if you know that the person is subject to a legal incapacity to vote.

If you need any assistance, please call our helpline number on: *[helpline number]*.

Issued by the Counting Officer

*[Where poll card is sent to the proxy of a person with an anonymous entry in the register substitute for the text marked * above:-*

You must have this card with you when you vote, you cannot vote as proxy without it.

You are entitled to vote as proxy for the person whose number on the register is shown below

.....

(Person's number on register)

To vote as proxy you must go to the polling station shown on the front of this card. Ask to speak to the presiding officer and show them this card.]

CERDYN SWYDDOGOL PLEIDLAIS BOST
DRWY DDIRPRWY

(i'w anfon at ddirprwy penodedig sy'n pleidleisio
drwy'r post)

Blaen y cerdyn

OFFICIAL PROXY POSTAL
POLL CARD

(to be sent to an appointed
proxy voting by post)

Front of card

CERDYN SWYDDOGOL PLEIDLAIS BOST
DRWY DDIRPRWY

Cyngor: Diben y cerdyn
pleidleisio hwn yw
Ardal y Bleidlais: dweud wrthyhch bod y
person a enwir ar gefn y
Ar gyfer y refferendwm cerdyn wedi eich penodi
ar [diwrnod/ dyddiad] chi yn ddirprwy iddo ar
gyfer y refferendwm
Enw a Chyfeiriad hwn, a'ch bod chi wedi
(Dirprwy) penderfynu pleidleisio
drwy'r post. **Ni fydd
modd ichi bleidleisio ar
ran y person y'ch
penododd yn ddirprwy
mewn gorsaf
bleidleisio.**
Os ydych yn dymuno
canslo'r bleidlais bost
hon a phleidleisio yn
bersonol ar ddiwrnod y
bleidlais, ffoniwch y rhif
llynell gymorth isod cyn
5 p.m. ar [dyddiad cau -
11 diwrnod].

**Byddwn yn anfon y
papurau pleidlais bost
drwy ddirprwy atoch
tua**
[diwrnod/ dyddiad].

**Os na fydd y papurau
pleidlais bost wedi
cyrraedd erbyn**
[diwrnod/ dyddiad]
**ffoniwch [rhif llynell
gymorth] a gofynnwch
am gymorth.**

Os digwydd ichi golli papur pleidleisio'r person y'ch
penododd chi yn ddirprwy, neu ei ddifetha yn
ddamweiniol, ffoniwch y rhif llynell gymorth uchod,
cyn gynted ag y bo modd. Dim ond cyn 5 p.m. ar
[diwrnod/ dyddiad y pleidleisio] y gallwn roi papur
pleidlais bost arall i chi.

OFFICIAL PROXY POSTAL
POLL CARD

Council: This poll card is to tell you
that for this referendum,
Voting Area: the person named on the
back of this card has
For the referendum appointed you as their
on:[day/date] proxy and you have
decided to vote by post.
Name and Address **You will not be able to
(Proxy): vote on behalf of the
person who appointed
you as proxy in a polling
station.** If you want to
cancel this postal vote and
vote in person on polling
day, please call the
helpline number shown
below before 5 p.m. on [-
11 day/date deadline].

**We will send the proxy
postal voting papers
around [day/date].**

**If the postal voting
papers have not arrived
by [day/date] call:
[helpline number] and ask
for help.**

If you lose or accidentally spoil the ballot paper of the
person who appointed you as proxy, please call the
helpline number shown above as soon as possible.
Replacement postal ballot papers can only be issued
before 5 p.m. on [day/date of poll].

**Diben y cerdyn hwn yw rhoi gwybodaeth ichi
ynghŷn â phleidleisio drwy'r post.**

*GWELER YR WYBODAETH YCHWANEGOL AR
GEFN Y CERDYN HWN*

**This card is to provide you with information
about voting by post.**

*SEE FURTHER INFORMATION ON BACK OF
THIS CARD*

Cefn y Cerdyn

Back of card

REFERENDWM [*mewnoder enw'r
awdurdod lleol*]

[*insert name of local authority*]
REFERENDUM

***Diben y cerdyn pleidleisio hwn yw dweud wrthyh
eich bod, ar gyfer y refferendwm hwn, wedi eich
penodi yn ddirprwy dros y person a enwir isod a'ch
bod wedi penderfynu pleidleisio drwy'r post**

***This poll card is to tell you that for this
referendum you are appointed as proxy for the
person named below and you have decided to vote
by post**

.....
**(Enw'r person)*

.....
**(Person's name)*

.....
**(Cyfeiriad y person)*

.....
**(Person's address)*

Os gwelwch yn dda, pan gewch y pecyn pleidlais bost,
darllenwch y cyfarwyddiadau yn ofalus cyn llenwi'r
papur pleidlais bost.

When you receive the postal voting pack, please read
the instructions with it carefully before completing the
postal ballot paper.

Peidiwch â gadael i neb weld eich pleidlais. Os oes
angen help arnoch i bleidleisio, rhaid i'r person sy'n
eich helpu beidio â dweud wrth neb sut y pleidleisioch.

Do not let anyone see your vote. If you need help
voting, the person helping you must not tell anyone
how you have voted.

Rhaid ichi lofnodi'r datganiad pleidlais bost (heblaw
eich bod wedi cael hepgoriad drwy drefniant ymlaen
llaw gyda'r Swyddog Cyfrif) a darparu eich dyddiad
geni. Mesur diogelwch yw hwn. Ni fydd yn effeithio
ar eich pleidlais nac yn golygu y bydd modd ei
hadnabod. Heb eich llofnod chi (heblaw i chi gael
hepgoriad) a'ch dyddiad geni, ni fydd y datganiad yn
ddilys ac ni fydd eich pleidlais yn cael ei chyfrif. Gall
y Swyddog Cyfrif wirio eich llofnod gyferbyn â
chofnodion eraill a gedwir ganddo.

You must sign the postal voting statement (unless you
have been granted a waiver by prior arrangement with
the Counting Officer) and provide your date of birth.
This is a security measure. It will not affect your vote
or mean that it can be identified. Without your
signature (unless a waiver has been granted) and date
of birth the statement will not be valid and your vote
will not be counted. The Counting Officer can cross
check your signature against other records they hold.

Os digwydd ichi gollu'r papur pleidleisio neu ei
ddifetha yn ddamweiniol, ffoniwch y rhif llinell
gymorth cyn gynted ag y bo modd. Dim ond cyn 5 p.m.
ar [*diwrnod/ dyddiad y pleidleisio*] y gallwn roi
papurau pleidleisio arall i chi.

If you lose or accidentally spoil the postal ballot papers
please call the helpline number below as soon as
possible. We can only issue replacement postal ballot
papers before 5 p.m. on [*day/date of poll*].

Llenwch a dychwelwch y bleidlais bost cyn gynted ag
y bo modd. Rhaid i'r Swyddog Cyfrif gael eich
pleidlais bost erbyn 10 a.m. ar [*diwrnod/ dyddiad y
pleidleisio*]]. Cewch ddanfôn eich papurau pleidleisio
ar ôl eu llenwi i unrhyw orsaf bleidleisio yn ardal y
bleidlais.

Complete and return the postal vote as soon as
possible. The Counting Officer must receive the postal
vote by 10 a.m. on [*day/date of poll*]]. You can deliver
your completed voting papers to any polling station in
your voting area.

Os oes arnoch eisiau pleidleisio yn bersonol fel dirprwy yn y refferendwm hwn, rhaid ichi ganslo eich pleidlais bost cyn 5 p.m. ar *[dyddiad cau -11 diwrnod]*.

Mae'n anghyfreithlon gwneud unrhyw un o'r canlynol:

- Pleidleisio fwy nag unwaith (heblaw i chi gael eich penodi yn ddirprwy dros berson arall) yn yr un refferendwm.
- Pleidleisio fel dirprwy yn yr un refferendwm dros fwy na dau berson, heblaw eich bod yn briod, partner sifil, rhiant, taid (tad-cu), nain (mam-gu), brawd, chwaer, mab, merch, wyr neu wyres iddynt.
- Pleidleisio fel dirprwy dros berson gan wybod bod y person hwnnw yn anghymwys yn gyfreithiol i bleidleisio.

Os oes angen unrhyw gymorth arnoch, ffoniwch ein llinell gymorth ar: *[rhif y llinell gymorth]*

Cyhoeddwyd gan y Swyddog Cyfrif

*[Pan anfonir cerdyn pleidleisio at ddirprwy person sydd â chofnod dienw yn y gofrestr, rhowch y canlynol yn lle'r paragraffau a farciwyd â * uchod:-*

Diben y cerdyn pleidleisio hwn yw dweud wrthych eich bod, ar gyfer y refferendwm hwn, wedi eich penodi yn ddirprwy dros y person y dangosir isod ei rif ar y gofrestr, a'ch bod wedi penderfynu pleidleisio drwy'r post.

Mae hawl gennych i bleidleisio fel dirprwy dros pleidleisiwr y dangosir isod ei rif ar y gofrestr

.....

(Rhif y person ar y gofrestr)

If you want to vote in person as a proxy at this referendum, you must cancel your postal vote before 5 p.m. on *[-11 day/date deadline]*.

It is illegal to do any of the following:

- Vote more than once (unless you are appointed as a proxy for another person) at the same referendum.
- Vote as a proxy as the same referendum for more than two persons unless you are their spouse, civil partner, parent, grandparent, brother, sister, child or grandchild.
- Vote as a proxy for a person if you know that the person is subject to a legal incapacity to vote.

If you need any assistance, please call our helpline number on: *[helpline number]*.

Issued by the Counting Officer

*[Where poll card is sent to the proxy of a person with an anonymous entry in the register substitute for the text marked * above:-*

This poll card is to tell you that for this referendum you are appointed as proxy for the person whose number on the register is shown below and you have decided to vote by post.

You are entitled to vote as proxy for the voter whose number on the register is shown below

.....

(Person's number on register)

Ffurf y cyfarwyddiadau fel canllawiau i bleidleiswyr a dirpwyon wrth bleidleisio

Form of directions for the guidance of the voters and proxies in voting

CANLLAWIAU I BLEIDLEISWYR A DIRPRWYON

GUIDANCE FOR VOTERS AND PROXIES

1. Pan roddir eich papur pleidleisio ichi, ewch i un o'r blychau pleidleisio
 2. Rhowch groes (X) yn y blwch ar yr ochr dde gyferbyn â'r ateb o'ch dewis.
 3. Pleidleisiwch UNWAITH yn unig. Peidiwch â rhoi unrhyw farc arall ar y papur neu efallai na chaiff eich pleidlais ei chyfrif.
 4. Plygwch y papur pleidleisio yn ddau. Dangoswch y rhif a'r nod adnabod unigryw arall sydd ar gefn y papur i'r swyddog llywyddu, ond peidiwch â gadael i neb weld eich pleidlais.
 5. Rhowch y papur pleidleisio yn y blwch pleidleisio ac ewch allan o'r orsaf bleidleisio.
 6. Os gwnewch gamgymeriad a difetha eich papur pleidleisio, dangoswch ef i'r swyddog llywyddu a gofynnwch am un arall yn ei le.
1. When you are given your ballot paper go to one of the polling booths.
 2. Mark a cross (X) in the box on the right hand side of the answer of your choice.
 3. Vote ONCE only. Put no other mark on the ballot paper, or your vote may not be counted.
 4. Fold the ballot paper in two. Show the presiding officer the number and other unique identifying mark on the back of the ballot paper, but do not let anyone see your vote.
 5. Put the ballot paper in the ballot box and leave the polling station.
 6. If you spoil your ballot paper by mistake, show it to the presiding officer and ask for a replacement.

Ffurf Tystysgrif Cyflogaeth
Form of Certificate of Employment

**REFERENDWM DEDDF LLYWODRAETH
LEOL**

ARDAL Y BLEIDLAIS.....

Rwy'n ardystio na ellir, yn rhesymol, ddisgwyl i (enw) sydd â'r rhif yn y gofrestr etholwyr ar gyfer ardal y bleidlais a enwir uchod fynd yn bersonol i'r orsaf bleidleisio a ddyrannwyd *[iddo] *[iddi] yn y refferendwm ar [dyddiad y pleidleisio] oherwydd amgylchiadau penodol ei *[gyflogi] *[chyflogi] ar y dyddiad hwnnw at bwmpas sy'n gysylltiedig â'r refferendwm —

*(a) fel cwnstabl

*(b) gennyf i

Llofnod

*Swyddog Cyfrif, Swyddog o'r Heddlu (Arolygydd neu uwch)

Dyddiad

*Dileer pa un bynnag sy'n amhriodol

Noder: Mae hawl gan y person a enwir uchod i bleidleisio mewn unrhyw orsaf bleidleisio yn yr ardal bleidlais uchod drwy ddangos ac ildio'r dystysgrif hon i'r swyddog llywyddu.

LOCAL GOVERNMENT ACT REFERENDUM

VOTING AREA

I certify that (name) who is numbered in the register of electors for the voting area named above cannot reasonably be expected to go in person to the polling station allotted to him or her at the referendum [*date of poll*] by reason of the particular circumstances of his or her employment on that date for a purpose connected with the referendum—

*(a) as a constable

*(b) by me

Signature.....

*Counting Officer, Police Officer (Inspector or above)

Date:

*Delete whichever is inappropriate

Note: The person named above is entitled to vote at any polling station of the above voting area on production and surrender of this certificate to the presiding officer.

Ffurf y datganiad sydd i'w wneud gan gydymaith pleidleisiwr neu ddirprwy ag anableddau

Form of declaration to be made by the companion of a voter or proxy with disabilities

<p>Yr wyf i, (enw'r cydymaith)</p> <p>o (cyfeiriad y cydymaith)</p> <p>y gofynnwyd imi gynorthwyo..... (enw'r pleidleisiwr neu ddirprwy)</p> <p>[<i>yn achos dirprwy ag anableddau ychwaneger sy'n pleidleisio fel dirprwy dros.</i> (enw'r pleidleisiwr)] sydd â'i rif ar y gofrestr yn.....i fwrw ei bleidlais yn y refferendwm a gynhelir yn awr yn ardal y bleidlais hon, drwy hyn yn datgan</p> <ul style="list-style-type: none"> • bod hawl gennyf i bleidleisio ar fy rhan fy hunan yn y refferendwm dywededig, • fy mod yn *..... i'r pleidleisiwr neu ddirprwy dywededig ac fy mod dros 18 mlwydd oed, ac • nad wyf eisoes wedi cynorthwyo unrhyw bleidleisiwr ag anableddau [heblaw am..... (enw'r pleidleisiwr neu ddirprwy arall)], o (cyfeiriad y pleidleisiwr neu ddirprwy arall)] i bleidleisio yn y refferendwm dywededig. <p><i>*noder perthynas y cydymaith â'r pleidleisiwr neu ddirprwy</i></p> <p>Llofnod..... (Cydymaith)</p> <p>Dyddiad.....</p> <p>Yr wyf i, sydd â'm llofnod isod, sef y swyddog llywyddu ar gyfer (gorsaf bleidleisio) ar gyfer yr ardal bleidlais..... yn ardystio drwy hyn bod y datganiad uchod, a ddarllenwyd yn uchel yn gyntaf i'r cydymaith a enwir uchod, wedi ei lofnodi gan y cydymaith yn fy mhresenoldeb i.</p> <p>Llofnod(Swyddog Llywyddu)</p> <p>Dyddiad</p> <p>Amser (a.m./p.m.)</p>	<p>I, (name of companion)</p> <p>of..... (address of companion)</p> <p>having been requested to assist..... (name of voter or proxy)</p> <p>[<i>in the case of a proxy with disabilities, adding voting by proxy for.</i>..... (name of voter)] whose number on the register is.....to record their vote at the referendum now being held in this voting area, hereby declare that</p> <ul style="list-style-type: none"> • I am entitled to vote on my own behalf at the said referendum • I am the *..... of the said voter or proxy and have attained the age of 18 years and • I have not previously assisted any voter with disabilities [except..... (name of other voter or proxy)], of..... (address of other voter or proxy)] to vote at the said referendum. <p><i>*state the relationship of the companion to the voter or proxy</i></p> <p>Signed..... (Companion)</p> <p>Date.....</p> <p>I, the undersigned being the presiding officer for..... (polling station) for the..... voting area of..... hereby certify that the above declaration, having been first read to the above-named companion, was signed by the companion in my presence.</p> <p>Signed (Presiding Officer)</p> <p>Date</p> <p>Time (a.m./p.m.)</p>
--	--

NODER:

1. Os yw'r person sy'n gwneud y datganiad uchod yn fwriadol a chan wybod hynny, yn gwneud datganiad sy'n ffug mewn manylyn o bwys, bydd yn euog o dramgwydd.
2. Pleidleisiwr neu ddirprwy ag anableddau yw person a wnaeth ddatganiad o dan Rheolau Refferenda'r Ddeddf Llywodraeth Leol bod y person hwnnw wedi ei analluogi i'r fath raddau gan ddallineb neu anabledd arall, neu gan anallu i ddarllen, fel nad yw'n gallu pleidleisio heb gymorth.

NOTE:

1. If the person making the above declaration knowingly and wilfully makes therein a statement false in a material particular, that person will be guilty of an offence.
2. A voter or proxy with disabilities is a person who has made a declaration under the Local Government Act Referendum Rules that that person is so incapacitated by blindness or other disability, or by an inability to read, as to be unable to vote without assistance.

Cymhwyso, gydag Addasiadau, Deddfau ac Is-ddeddfwriaeth

Application, with Modifications, of Acts and Subordinate Legislation

Dehongli

1.—(1) Mae'r darpariaethau a nodir yng nghlofn gyntaf Tablau 1 i 5 yn cael effaith yn ddarostyngedig i—

- (a) unrhyw addasiadau a grybwyllir yn ail golofn y Tablau hynny, a
- (b) onid yw'r cyd-destun yn mynnu fel arall, yr addasiadau a grybwyllir yn is-baragraff (2).

(2) Yr addasiadau a grybwyllir yn y paragraff hwn yw—

- (a) rhaid dehongli cyfeiriad at etholiad fel cyfeiriad at y refferendwm ;
- (b) rhaid dehongli cyfeiriad at swyddog canlyniadau fel cyfeiriad at y swyddog cyfrif;
- (c) rhaid dehongli cyfeiriad at etholaeth neu adran etholiadol fel cyfeiriad at ardal y bleidlais;
- (ch) rhaid dehongli cyfeiriad at bleidleisio dros ymgeisydd neu bleidlais dros ymgeisydd fel cyfeiriad at bleidleisio dros ateb, neu bleidlais dros ateb;
- (d) rhaid dehongli cyfeiriad at hyrwyddo neu beri ethol ymgeisydd, neu hybu ymgeisyddiaeth person, fel cyfeiriad at hyrwyddo neu beri canlyniad penodol yn y refferendwm;
- (dd) rhaid anwybyddu cyfeiriadau at bapurau enwebu ac anwybyddu cyfeiriadau at ymgeiswyr ac eithrio fel a grybwyllir yn is-baragraffau (ch) a (d);
- (e) rhaid dehongli cyfeiriad at ethol person fel cyfeiriad at ganlyniad penodol yn y refferendwm;
- (f) rhaid dehongli cyfeiriad at berson yn pleidleisio fel etholwr fel person yn pleidleisio ar ei ran ei hunan;
- (ff) rhaid dehongli cyfeiriad at a hawl person fel etholwr i gael pleidlais absennol fel cyfeiriad at hawl person i bleidleisio drwy'r post ar ei ran ei hunan neu drwy ddirprwy;
- (g) pan fo'n ofynnol gwneud unrhyw beth ym mhresenoldeb asiantwyr etholiad, asiantwyr cyfrif, asiantwyr pleidleisio neu asiantwyr eraill rhaid anwybyddu'r cyfeiriad at bresenoldeb asiantwyr;
- (ng) rhaid dehongli cyfeiriad i'r perwyl bod unrhyw beth wedi ei ragnodi fel cyfeiriad i'r perwyl y

Interpretation

1.—(1) The provisions set out in the first column of Tables 1 to 5 have effect subject to—

- (a) any modification mentioned in the second column of those Tables, and
- (b) unless the context otherwise requires, the modifications mentioned in sub-paragraph (2).

(2) The modifications mentioned in this paragraph are—

- (a) a reference to an election must be construed as a reference to the referendum;
- (b) a reference to a returning officer must be construed as a reference to the counting officer;
- (c) a reference to a constituency or an electoral division must be construed as a reference to a voting area;
- (d) a reference to voting for, or a vote for, a candidate must be construed as a reference to voting for, or a vote for, an answer;
- (e) a reference to promoting or procuring the election of a candidate, or furthering a person's candidature, must be construed as a reference to promoting or procuring a particular result in the referendum;
- (f) references to nomination papers and, except as mentioned in sub-paragraphs (d) and (e), references to candidates, must be ignored;
- (g) a reference to the return of a person must be construed as a reference to a particular result in the referendum;
- (h) a reference to a person voting as an elector must be construed as a person voting on that person's own behalf;
- (i) a reference to a person's entitlement as an elector to an absent vote must be construed as a reference to a person's entitlement to vote by post on that person's own behalf or to vote by proxy;
- (j) where anything is required to be done in the presence of election, polling, counting or other agents, the reference to the presence of agents must be ignored;
- (k) a reference to anything having been prescribed must be construed as a reference to its being

darparwyd ar ei gyfer gan ddarpariaeth mewn is-ddeddfwriaeth a gymhwysir gan y Rheoliadau hyn;

- (h) ceir defnyddio ffurf y mae'n ofynnol ei defnyddio gyda pha bynnag amrywiadau ag y bo'n ofynnol o dan yr amgylchiadau;
- (i) mae cyfeiriad at y swyddog cofrestru, mewn perthynas ag awdurdod lleol, yn gyfeiriad at y swyddog cofrestru perthnasol a benodwyd o dan adran 8 o Ddeddf 1983(1); ac at y diben o arfer swyddogaethau swyddog cofrestru mewn perthynas â'r refferendwm, mae adran 52(1) i (4)(2) (cyflawni swyddogaethau cofrestru) ac adran 54(1), (3) a (4)(3) (talw treuliau cofrestru) o'r Ddeddf honno yn effeithiol;
- (j) rhaid dehongli cyfeiriad at ddeiseb etholiad ("election petition") fel cyfeiriad at ddeiseb refferendwm;
- (l) rhaid dehongli unrhyw gyfeiriad at ddeddfiad neu offeryn a wnaed o dan ddeddfiad fel cyfeiriad at y deddfiad neu offeryn hwnnw fel y'i cymhwysir gan y Rheoliadau hyn;
- (ll) rhaid anwybyddu cymaint o unrhyw ddarpariaeth ag sy'n gymwys yn unig o ran yr Alban, Lloegr neu Ogledd Iwerddon.

provided for by a provision of subordinate legislation applied by these Regulations;

- (l) a form which is required to be used may be used with such variations as the circumstances require;
- (m) a reference to the registration officer, in relation to a local authority, is a reference to the relevant registration officer appointed under section 8 of the 1983 Act(1); and for the purpose of the exercise of a registration officer's functions in relation to the referendum, section 52(1) to (4)(2) (discharge of registration duties) and section 54(1), (3) and (4)(3) (payment of expenses of registration) of that Act have effect;
- (n) a reference to an election petition must be construed as a reference to a referendum petition;
- (o) any reference to an enactment or instrument made under an enactment must be construed as a reference to that enactment or instrument as applied by these Regulations;
- (p) so much of any provision as applies only in Scotland, England or Northern Ireland is to be ignored.

(1) 1983 p.2.

(2) Fel y'i diwygiwyd gan baragraff 12 o Atodlen 4 i Ddeddf Cynrychiolaeth y Bobl 1985 (p.50), paragraff 68 o Atodlen 16, ac Atodlen 18, i Ddeddf Llywodraeth Leol (Cymru) 1994 (p.19) a pharagraff 6 o Atodlen 21 i Ddeddf Pleidiau Gwleidyddol, Etholiadau a Refferenda 2000 (p.41).

(3) Fel y'i diwygiwyd gan baragraff 14 o Atodlen 4 i Ddeddf Cynrychiolaeth y Bobl 1985 (p.50).

(1) 1983 c.2.

(2) As amended by paragraph 12 of Schedule 4 to the Representation of the People Act 1985 (c.50), paragraph 68 of Schedule 16, and Schedule 18 to, the Local Government (Wales) Act 1994 (c.19) and paragraph 6 of Schedule 21 to the Political Parties, Elections and Referendums Act 2000 (c.41).

(3) As amended by paragraph 14 of Schedule 4 to the Representation of the People Act 1985 (c.50).

Tabl 1 Deddf Cynrychiolaeth y Bobl 1983(1)

<i>(1) Darpariaeth</i>	<i>(2) Addasiad</i>
Adran 13B (newid cofrestrau: ar gyfer etholiadau sydd ar ddigwydd) (2)	Ar ôl "election", ym mhob lle, mewnosoder "or referendum". Ar ôl is-adran(4) rhodder— "(4A) This section also applies to referendums."
Adran 31 (dosbarthau a gorsafodd pleidleisio mewn etholiadau llywodraeth leol)(3)	Yn is-adran (1A) yn lle "elections of county councillors" rhodder "referendums by or in respect of a county or county borough". Yn is-adran (3) yn lle "local government elections" rhodder "referendums".
Adran 35(4) (penodiadau gan swyddogion canlyniadau)	
Adran 36(4) a (6) (gwariant y swyddog canlyniadau mewn etholiad lleol)(4)	Yn is-adran (4) yn lle'r geiriau o "by a returning officer" hyd at "London borough" rhodder "by a counting officer for a voting area in relation to the holding of a referendum". Yn is-adran (6) yn lle'r geiriau o'r dechrau hyd at "councillor, the council" rhodder "Before a poll is taken at such a referendum as is referred to in subsection (4), the authority". Nid yw paragraff 1(2)(b) o'r Atodlen hon yn cael effaith mewn perthynas â'r cyfeiriad cyntaf yn is-adran (6) at y swyddog canlyniadau.
Adran 47 (benthg cyfarpar ar gyfer etholiadau lleol)(5)	Yn is-adran (1) yn lle "the returning officer at a local government election" rhodder "the counting officer at a referendum". Yn is-adran (2)— (j) dileer y geiriau o ", or" ar ddiwedd paragraff (a) hyd at "as the case may be"; (k) yn lle "an election held under those Acts" rhodder "a referendum".

(1) 1983 p.2.

(2) Rhoddwyd Adran 13B (ynghyd ag adrannau 13 ac 13A) yn lle adran 13 fel y'i deddfwyd yn wreiddiol gan baragraff 6 o Atodlen 1 i Ddeddf Cynrychiolaeth y Bobl 2000 (p.2); diwygiwyd adran 13B gan adran 11 o Ddeddf Gweinyddu Etholiadau 2006 (p.22).

(3) Diwygiwyd adran 31 gan Atodlen 17 i Ddeddf Llywodraeth Leol 1985 (p.50), adran 66(6) o Ddeddf Llywodraeth Leol (Cymru) 1994 a pharagraff 68 o Atodlen 16 i'r Ddeddf honno, adran 237 o Ddeddf Diwygio Addysg 1988 (p.40) a Rhan I o Atodlen 13 iddi, paragraff 2 o Atodlen 3 i Ddeddf Awdurdod Llundain Fwyaf 1999 (p.29) a pharagraff 108 o Atodlen 1 i Ddeddf Gweinyddu Etholiadau 2006 (p.22).

(4) Diwygiwyd is-adran (4) gan Atodlen 17 i Ddeddf Llywodraeth Leol 1985 (p.51) a chan adran 66 o Ddeddf Llywodraeth Leol (Cymru) 1994 a pharagraff 68(9) o Atodlen 16 i'r Ddeddf honno.

(5) Diwygiwyd adran 47 gan O.S. 1991/1728 a pharagraff 6 o Atodlen 21 i Ddeddf Pleidiau Gwleidyddol, Etholiadau a Refferenda 2000 (p.41).

Adran 49(4) a (5) (effaith cofrestrau)(1)	Yn is-adran (5) hepgorer "prevent the rejection of the vote on a scrutiny or".
Adran 60 (cambersonadu)	Yn is-adran (2) hepgorer "parliamentary or".
Adran 61 (tramgwyddau eraill sy'n ymwneud â phleidleisio)(2)	<p>Yn is-adran (1) ar ôl "local government election" a "local government elections", ym mhob lle, mewnosoder "or referendum" or "or referendums" yn eu trefn.</p> <p>Yn lle is-adrannau (2) i (4) rhodder—</p> <p>"(2) A person shall be guilty of an offence if—</p> <ul style="list-style-type: none"> (a) that person votes on their own behalf otherwise than by proxy— <ul style="list-style-type: none"> (i) more than once in the same voting area, (ii) in more than one voting area, or (iii) in any voting area where there is in force an appointment of a person to vote as that person's proxy in the referendum in another voting area, or (b) that person votes on their own behalf in person and is entitled to vote by post, or (c) that person votes on their own behalf in person knowing that a person appointed to vote as their proxy has already voted in person or is entitled to vote by post, or (d) that person applies for a person to be appointed as their proxy to vote for them without applying for the cancellation of a previous appointment of a third party then in force or without withdrawing a pending application for such an appointment. <p>(3) A person shall be guilty of an offence if—</p> <ul style="list-style-type: none"> (a) that person votes as proxy for the same person either— <ul style="list-style-type: none"> (i) more than once in the same voting area, or (ii) in more than one voting area, or (b) that person votes in person as proxy for a person and is entitled to vote by post as proxy for that person, or

(1) Mewnosodwyd is-adran (4A) gan baragraff 7 o Atodlen 1 i Ddeddf Gweinyddu Etholiadau 2006 (p.22); amnewidiwyd is-adran (5) gan O.S. 1995/1948 a'i diwygio gan baragraff 12 o Atodlen 1 i Ddeddf Cynrychiolaeth y Bobl 2000 (p.2).

(2) Diwygiwyd adran 61 gan baragraff 2 of Atodlen 2, ac Atodlen 5, i Ddeddf Cynrychiolaeth y Bobl 1985 (p.50), paragraff 10 o Atodlen 3 i Ddeddf Awdurdod Llundain Fwyaf 1999 (p.29), paragraff 83 o Atodlen 27 i Ddeddf Partneriaethau Sifil 2004 (p.33) ac adran 38(3) o Ddeddf Gweinyddu Etholiadau 2006 (p.22).

	<p>(c) that person votes in person as proxy for someone whom that person knows already to have voted in person.</p> <p>(4) A person shall also be guilty of an offence if that person votes as proxy in any voting area for more than two persons of whom that person is not the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild."</p> <p>Yn lle is-adran (6A) rhodder-</p> <p>"(6A) A person is not guilty of an offence under subsection (2)(b) only by reason of that person having marked a tendered ballot paper in pursuance of rule 29 of the Local Government Act Referendums Rules within the meaning of the Local Authorities (Conduct of Referendums) (Wales) Regulations 2008."</p>
Adran 62A (tramgwyddau mewn perthynas â cheisiadau am bleidleisiau post a phleidleisiau drwy ddirprwy)(1)	Yn is-adran (1)(a) ar ôl "election" mewnosoder "or referendum".
Adran 63 (tor-ddyletswydd swyddogol)(2)	Yn is-adran (3) ar ôl "local government election" yn y ddau le mewnosoder "or referendum". Yn is-adran (4)(a) ar ôl "election" rhodder "or referendum".
Adran 65 (ymyrryd â phapurau pleidleisio, etc.)(3)	Yn is-adran (1)— (a) ar ôl "election", lle mae'n digwydd gyntaf, rhodder "or referendum", a (b) hepgorer paragraff (a). Yn is-adran (3) yn lle "clerk" rhodder "person".
Adran 66 (gofyniad am gyfrinachedd)(4)	Yn lle is-adran (1)(b) rhodder— "(b) every polling observer, so attending,".
Adran 66A (gwahardd cyhoeddi polau ymadael)(5)	Yn is-adran (2) hepgorer yr "and" sy'n rhagflaenu paragraff (b) ac ar ôl y paragraff hwnnw mewnosoder— "; and (c) any referendum".

(1) Mewnosodwyd adran 62A gan adran 40 o Ddeddf Gweinyddu Etholiadau 2006 (p.22).

(2) Amnewidiwyd adran 63 gan baragraff 19 o Atodlen 4 i Ddeddf Cynrychiolaeth y Bobl 1985 (p.50) fel y'i diwygiwyd gan O.S. 2001/1149 ac adrannau 7, 41(8) a 46(6) o Ddeddf Gweinyddu Etholiadau 2006 (p.22).

(3) Diwygiwyd adran 65 gan baragraff 2 o Atodlen 3 i Ddeddf Cynrychiolaeth y Bobl 1985 (p.50) a pharagraffau 72 a 96 o Atodlen 1 i Ddeddf Gweinyddu Etholiadau 2006 (p.22).

(4) Diwygiwyd adran 66 gan baragraff 3 o Atodlen 3 i Ddeddf Cynrychiolaeth y Bobl 1985 (p.50), paragraff 11 o Atodlen 3 i Ddeddf Awdurdod Llundain Fwyaf 1999 (p.29) a pharagraffau 82, 86 a 96 o Atodlen 1 i Ddeddf Gweinyddu Etholiadau 2006 (p.22).

(5) Mewnosodwyd adran 66A gan baragraffau 3 a 6 o Atodlen 6 i Ddeddf Cynrychiolaeth y Bobl 2000 (p.2).

Adran 92 (darlledu o'r tu allan i'r Deyrnas Unedig)(1)	Yn is-adran (1) ar ôl "local government election" mewnosoder "or referendum".
Adran 94 (cardiau pleidleisio ffug)(2)	Yn is-adran (2)- (a) ar ôl "section 36" mewnosoder "above, or regulations made under section 45 of the Local Government Act 2000", a (b) ar ôl "the rules", mewnosoder "or, as the case may be, the regulations".
Adran 96 (ysgolion ac ystafelloedd ar gyfer cyfarfodydd etholiadau lleol)(3)	Yn lle is-adran (1) rhodder- "(1) Subject to the provisions of this section, any person is entitled, for the purpose of holding a public meeting to promote a particular result in the referendum, to use free of charge at reasonable times during the campaign period any meeting room to which this section applies. (1A) In subsection (1), "the campaign period" means the period of 25 days ending with the day before the date of the referendum. Hepgorer is-adran (2). Yn is-adran (3)— (a) yn lle'r geiriau o "electoral area for which" hyd at "that electoral area" rhodder "voting area", a (b) hepgorer paragraff (b). Yn is-adran (4)— (a) hepgorer y geiriau "and paragraph 1(1) of Schedule 5 to this Act", (b) ar ôl y geiriau "that section" mewnosoder "subject to the substitution in subsection (5) of that section, for the word "candidate" of the word "person", ac (c) hepgorer y geiriau o "and any person" hyd y diwedd. Ar ôl is-adran (4) mewnosoder- "(5) The lists maintained by a county or county borough council of meeting rooms which candidates at a parliamentary election in any constituency are entitled to use shall have effect for the purposes of the referendum; and any person shall, before the referendum, be entitled at all reasonable hours to inspect those lists or a copy of them."

(1) Diwygiwyd adran 92 gan baragraff 35 o Atodlen 20 i Ddeddf Darlledu 1990 (p.42) a pharagraff 61 o Atodlen 17 i Ddeddf Cyfathrebu 2003 (p.21).

(2) Diwygiwyd 94 gan baragraff 36 o Atodlen 4 i Ddeddf Cynrychiolaeth y Bobl 1985 (p.50).

(3) Rhoddwyd adran 96 yn lle adran 96 fel y'i deddfwyd yn wreiddiol, gan baragraff 38 o Atodlen 4 i Ddeddf Cynrychiolaeth y Bobl 1985 (p.50), a diwygiwyd hi gan baragraff 11 o Atodlen 30 i Ddeddf Safonau a Fframwaith Ysgolion 1998 (p.31) a pharagraff 29 o Atodlen 3 i Ddeddf Awdurdod Llundain Fwyaf 1999 (p.29).

Adran 97 (terfysgoedd mewn cyfarfodydd etholiad)(1)	Yn lle is-adran (2) rhodder— "(2) This section applies to a meeting in connection with a referendum held during the campaign period. (2A) In subsection (2) "the campaign period" means the period of 25 days ending with the day before the date of the referendum."
Adran 100(1) and (2) (canfasio anghyfreithlon gan swyddogion yr heddlu)(2)	Yn is-adran (1) Yn lle'r geiriau o " from giving his vote" hyd y diwedd rhodder "from giving his vote in the referendum in a voting area wholly or partly within the police area".
Adran 109 (taliadau am arddangos hysbysiadau etholiad)	
Adran 110 (manylion sydd i ymddangos ar gyhoeddiadau etholiad)(3)	
Adran 111 (gwahardd talu canfaswyr)	
Adran 112 (darparu arian at ddibenion anghyfreithlon)	
Adran 113 (llwgrwobrwyo)(4)	
Adran 114 (tretio)	
Adran 115 (dylanwad gormodol)(5)	
Adran 116 (hawliau credydwy'r)	Hepgorer paragraffau (b) ac (c).
Adran 118 (dehongli Rhan 2)(6)	
Adran 119 (cyfrif amser at ddibenion Rhan 2)(7)	Yn is-adran (1)(b) ar ôl "disregarded" mewnosoder- "; and (c) in computing any period referred to in section 96(1A) or 97(2A), as applied for the purposes of a referendum, any of the days so mentioned shall be disregarded."

(1) Diwygiwyd adran 97 gan baragraff 39 o Atodlen 4 i Ddeddf Cynrychiolaeth y Bobl 1985 (p.50) a Rhan 1 o Atodlen 7 i Ddeddf yr Heddlu a Thystiolaeth Droseddol 1984 (p.60).

(2) Diwygiwyd is-adran (2) gan baragraff 5 o Atodlen 3 i Ddeddf Cynrychiolaeth y Bobl 1985 (p.50).

(3) Rhoddwyd adran 110 yn lle adran 110 fel y'i deddfwyd yn wreiddiol, gan baragraff 14 of Atodlen 18 i Ddeddf Pleidiau Gwleidyddol, Etholiadau a Refferenda 2000 (p.41).

(4) Diwygiwyd adran 113 gan baragraff 30 of Atodlen 3 i Ddeddf Awdurdod Llundain Fwyaf 1999 (p.29).

(5) Diwygiwyd adran 115 gan adran 39(1) o Ddeddf Gweinyddu Etholiadau 2006 (p.22).

(6) Diwygiwyd adran 118 gan baragraff 43 o Atodlen 4 i Ddeddf Cynrychiolaeth y Bobl 1985 (p.50), adran 135 o Ddeddf Pleidiau Gwleidyddol, Etholiadau a Refferenda 2000 (p.41) a pharagraff 15 o Atodlen 18 i'r Ddeddf honno, a pharagraffau 119 a 133 o Atodlen 1 i Ddeddf Gweinyddu Etholiadau 2006 (p.22).

(7) Diwygiwyd adran 119 gan adran 19(4) o Ddeddf Cynrychiolaeth y Bobl 1985 (p.50) a pharagraffau 49 a 51(1) o Atodlen 1 i Ddeddf Gweinyddu Etholiadau 2006 (p.22).

Adran 167 (cais am ryddhad)(1)	
Adran 168 (erlyniadau am arferion llwgr)(2)	
Adran 169 (erlyniadau am arferion anghyfreithlon)(3)	
Adran 170 (collfarn am arfer anghyfreithlon ar gyhuddiad o arfer llwgr, etc.	
Adran 173(1)(a)(i), (2) a (3) (analluoedd yn dilyn collfarn o arfer llwgr neu anghyfreithlon) (4)	Yn is-adran (1)(a)(i) ar ôl "Great Britain" mewnosoder "or at any referendum".
Adran 174 (lliniaru a dileu etc.)(5)	
Adran 175 (taliadau anghyfreithlon etc.)(6)	Hepgorer is-adran (2).
Adran 176 (terfyn amser ar gyfer erlyniadau)	
Adran 177 (treial diannod)	Yn lle "the local government Act" rhodder "the Local Authority (Conduct of Referendums) (Wales) Regulations 2008". Yn is-adran (1)(a) yn lle'r geiriau o "in the county" hyd at "adjoins", rhodder "for the voting area in which the offence is alleged to have been committed".
Adran 178 (erlyn am dramgwyddau a gyflawnir y tu allan i'r Deyrnas Unedig)(7)	
Adran 179 (tramgwyddau gan gymdeithasau)	
Adran 181(1) (Cyfarwyddwr Erlyniadau Cyhoeddus)(8)	
Adran 185 (dehongli Rhan 3)(9)	

(1) Diwygiwyd adran 167 gan baragraff 56 o Atodlen 4 i Ddeddf Cynrychiolaeth y Bobl 1985 (p.50) a pharagraff 18 o Atodlen 18 i Ddeddf Pleidiau Gwleidyddol, Etholiadau a Refferenda 2000 (p.41).

(2) Diwygiwyd adran 168 gan baragraff 8 o Atodlen 3 a pharagraff 57 o Atodlen 4 ac Atodlen 5 i Ddeddf Cynrychiolaeth y Bobl 1985 (p.50) a pharagraff 121 o Atodlen 1 i Ddeddf Gweinyddu Etholiadau 2006 (p.22).

(3) Diwygiwyd adran 169 gan baragraff 9 o Atodlen 3 i Ddeddf Cynrychiolaeth y Bobl 1985 (p.50).

(4) Rhoddwyd adran 173 yn lle'r adran 173 fel y'i deddfwyd yn wreiddiol, gan adran 136 o Ddeddf Pleidiau Gwleidyddol, Etholiadau a Refferenda 2000 (p.41), a diwygiwyd hi gan baragraff 122 o Atodlen 1 i Ddeddf Gweinyddu Etholiadau 2006 (p.22).

(5) Diwygiwyd adran 174 gan baragraff 18 o Atodlen 18 i Ddeddf Pleidiau Gwleidyddol, Etholiadau a Refferenda 2000 (p.41).

(6) Diwygiwyd adran 175 gan baragraff 10 o Atodlen 3 i Ddeddf Cynrychiolaeth y Bobl 1985 (p.50) a pharagraff 6 o Atodlen 21 i Ddeddf Pleidiau Gwleidyddol, Etholiadau a Refferenda 2000 (p.41).

(7) Rhoddwyd adran 178 yn lle adran 178 fel y'i deddfwyd yn wreiddiol, gan baragraff 62 o Atodlen 4 i Ddeddf Cynrychiolaeth y Bobl 1985 (p.50).

(8) Diwygiwyd is-adran (1) gan baragraff 63 o Atodlen 4 i Ddeddf Cynrychiolaeth y Bobl 1985 (p.50).

(9) Diwygiwyd adran 185 gan baragraff 10 o Atodlen 17 i Ddeddf Pleidiau Gwleidyddol, Etholiadau a Refferenda 2000 (p.41) a pharagraffau 86 ac 87 o Atodlen 6 i Ddeddf Trwyddedu 2003 (p.17).

Adran 199B (cyfieithiadau o ddogfennau penodol)(1)	Yn is-adrannau (1), (5) a (7) ar ôl "local government election" rhodder "or referendum". Hepgorer is-adran (4)(a).
Adran 200(1A) and (2) (hysbysiadau cyhoeddus, a datganiadau)(2)	
Adran 202 (dehongli)(3)	

Tabl 2 Deddf Cynrychiolaeth y Bobl 2000(4)

(1) <i>Darpariaeth</i>	(2) <i>Addasiad</i>
Adran 10 (cynlluniau peilot ar gyfer etholiadau lleol yng Nghymru a Lloegr)(5)	Yn is-adran (2)— (a) ar ôl "Representation of the People Acts", mewnosoder "or the Local Government Act 2000", a (b) ym mharagraff (c) yn lle "candidates" rhodder "any campaign organiser within the meaning of regulation 6 of the Local Authorities (Conduct of Referendums) (Wales) Regulations 2008". Yn is-adran (3)— (a) ym mharagraff (b) yn lle "candidates" rhodder "campaign organisers", a (b) yn lle "section 75(1) of the 1983 Act (restriction on third party election expenditure)" rhodder "regulation 6 of the Local Authorities (Conduct of Referendums) (Wales) Regulations 2008". Hepgorer is-adran (4). Ar ddiwedd is-adran (7)(a) mewnosoder "or the Local Government Act 2000". Yn is-adran (11) yn lle'r geiriau ar ôl "means", rhodder "a county or county borough council."
Adran 12 (newidiadau mewn perthynas â phleidleisio absennol mewn etholiadau ym Mhrydain Fawr)	Yn is-adran (1) ar y diwedd mewnosoder "; and as regards referendums".

(1) Mewnosodwyd adran 199B gan adran 36 o Ddeddf Gweinyddu Etholiadau 2006 (p.22).

(2) Rhoddwyd is-adran (1A), ynghyd ag is-adran (1) yn lle is-adran (1) fel y'i deddfwyd yn wreiddiol, gan baragraff 68 o Atodlen 4 i Ddeddf Cynrychiolaeth y Bobl 1985 (p.50).

(3) Diwygiwyd adran 202 gan Ran 1 o Atodlen 2 a pharagraff 70 o Atodlen 4 i Ddeddf Cynrychiolaeth y Bobl 1985 (p.50), Deddf Cyfraith Statud (Diddymiadau) 1993 (p.50), O.S. 1995/1948, yr Atodlen i Ddeddf Swyddogion y Gyfraith 1997 (p.60), paragraff 38 o Atodlen 3 i Ddeddf Awdurdod Llundain Fwyaf 1999 (p.29), paragraff 22 o Atodlen 1 a pharagraffau 3 a 9 o Atodlen 6 i Ddeddf Cynrychiolaeth y Bobl 2000 (p.2), paragraff 19 o Atodlen 18 a pharagraff 6 o Atodlen 21 i Ddeddf Pleidiau Gwleidyddol, Etholiadau a Refferenda 2000 (p.41), O.S. 2001/1149 ac adran 73 a pharagraffau 13, 76 ac 128 o Atodlen 1 i Ddeddf Gweinyddu Etholiadau 2006 (p.22).

(4) 2000 p.2.

(5) Diwygiwyd adran 10 gan baragraff 16 o Atodlen 21 i Ddeddf Pleidiau Gwleidyddol, Etholiadau a Refferenda 2000 (p.41).

<p>Atodlen 4 (pleidleisio absennol ym Mhrydain Fawr)(1)</p>	<p>Ym mharagraff 1(1), yn y diffiniad o "the appropriate rules" ar ddiwedd paragraff (b), mewnosoder—</p> <p style="text-align: center;">", and</p> <p style="text-align: center;">(c) in the case of a referendum, the Local Government Act Referendums Rules within the meaning of the Local Authorities (Conduct of Referendums) (Wales) Regulations 2008".</p> <p>Ym mharagraffau 2 i 7, 7C a 7D, ac eithrio ym mharagraffau 3(1), 3(2), 3(4)(a)(i), 6(7), 7(4)(a) a 7(6)(a)(i), ar ôl "local government election", "local government elections", "elections" ac "election", mewnosoder, fel y bo'r cyd-destun yn mynnu, "or a referendum", "or referendums", neu "or the referendum".</p> <p>Ym mharagraffau 3(1) a 3(2) yn lle "or at both" rhodder "or at referendums".</p> <p>Ym mharagraffau 3(4)(a)(i) a 7(6)(a)(i) yn lle "or both" rhodder "or referendums".</p> <p>Ym mharagraffau 6(7) a 7(4)(a) yn lle "or at both" rhodder "or at referendums".</p>
---	---

Tabl 3 Deddf Pleidiau Gwleidyddol, Etholiadau a Refferenda 2000(2)

<i>(1) Darpariaeth</i>	<i>(2) Addasiad</i>
<p>Adran 6A (presenoldeb cynrychiolwyr y Comisiwn mewn etholiadau etc.)</p>	<p>Ar ôl is-adran (1)(b) mewnosoder—</p> <p style="text-align: center;">";</p> <p style="text-align: center;">(c) proceedings relating to a referendum under the Local Authorities (Conduct of Referendums) (Wales) Regulations 2008 which are the responsibility of the counting officer."</p>
<p>Adran 6B (arsylwi ar arferion gwaith gan gynrychiolwyr y Comisiwn)</p>	<p>Ar ôl is-adran (2) mewnosoder—</p> <p style="text-align: center;">"(2A) A representative of the Commission may also observe the working practices of a counting officer at a referendum under the Local Authorities (Conduct of Referendums) (Wales) Regulations 2008, and any person acting under the counting officer's direction."</p>
<p>Adran 6C (arsylwyr achrededig: unigolion)</p>	<p>Yn is-adran (1) ar ôl "applies" mewnosoder "or which is held under the Local Authorities (Conduct of Referendums) (Wales) Regulations 2008".</p>

(1) Diwygiwyd Atodlen 4 gan baragraff 164 o Atodlen 27 i Ddeddf Partneriaethau Sifil 2004 (p.33), ac adrannau 5, 14, 35 a 38 o Ddeddf Gweinyddu Etholiadau 2006 (p.22) a pharagraffau 19, 20 ac 137 o Atodlen 1 i'r Ddeddf honno

(2) 2000 p.41. Mewnosodwyd yr holl ddarpariaethau a grybwyllir yn y Tabl hwn gan adran 29 o Ddeddf Gweinyddu Etholiadau 2006 (p.22).

Adran 6D (arsylwyr achrededig: sefydliadau)	Yn is-adran (1) ar ôl "applies" mewnosoder "or which is held under the Local Authorities (Conduct of Referendums) (Wales) Regulations 2008".
Adran 6E (presenoldeb ac ymddygiad arsylwyr)	Yn lle is-adran (4)(c) rhodder— "(c) in the case of any other proceedings at a referendum to which Part 7 applies, the relevant counting officer (within the meaning of section 6A); (ca) in the case of any other proceedings at a referendum under the Local Authorities (Conduct of Referendums) (Wales) Regulations 2008, the counting officer;" Yn is-adran (4) yn lle "or (c)" rhodder ", (c) or (ca)".

Tabl 4 Deddf Gweinyddu Etholiadau 2006(1)

<i>(1) Darpariaeth</i>	<i>(2) Addasiad</i>
Adran 42 (mynediad at ddogfennau etholiad eraill)	
Adran 43 (mynediad at ddogfennau etholiad eraill: torri rheoliadau)	Yn is-adran (1)(a) ar ôl "section 42" mewnosoder "as applied by the Local Authorities (Conduct of Referendums) (Wales) Regulations 2008".
Adran 44 (mynediad at ddogfennau etholiad eraill: atodol)	Yn is-adran (5) yn lle'r geiriau o "election documents" hyd at "Northern Ireland)" rhodder "referendum documents are such documents relating to a referendum". Ar ôl is-adran (7)(e) mewnosoder— "; (f) in relation to a referendum, a voting area within the meaning of the Local Authorities (Conduct of Referendums) (Wales) Regulations 2008."
Adran 46 (swyddogion canlyniadau: cywiro gwallau gweithdrefnol)	Ar ôl is-adran (3)(b) mewnosoder— "; (c) a referendum."Hepgorer is-adran (6).
Adran 69 (annog cyfranogi etholiadol)	Ar ôl is-adran (8)(b) mewnosoder— "; (c) a counting officer at a referendum."

Tabl 5 Rheoliadau Cynrychiolaeth y Bobl (Cymru a Lloegr) 2001(1)

<i>(1) Darpariaeth</i>	<i>(2) Addasiad</i>
Rheoliad 3 (dehongli)(2)	Ar ddiwedd paragraff (2)(b) mewnosoder— ", or (c) in the case of a referendum, the corresponding rule in the Local Government Act Referendums Rules within the meaning of the Local Authorities (Conduct of Referendums) (Wales) Regulations 2008."
Rheoliad 4(1)(b) (ffurfiau) ac, i'r graddau â Ffurflen E yn Atodlen 3, (2)	
Rheoliad 5 (cyfathrebu ceisiadau, hysbysiadau, etc.)(3)	
Rheoliad 6 (llofnodion electronig a thystysgrifau cysylltiedig)(4)	
Rheoliad 7 (copïau o ddogfennau)(5)	
Rheoliad 8 (amser)(6)	
Rheoliad 11 (ymyrryd â hysbysiadau)	
Rheoliad 50 (dehongli Rhan 4)(7)	
Rheoliad 51 (gofynion cyffredinol ar gyfer pleidlais absennol)(8)	Yn lle paragraff (4)(b) rhodder— "(b) whether it is made for all or any of parliamentary elections, local government elections or referendums." Ym mharagraff (5)— (a) ar ôl "election", ym mhob lle, mewnosoder "or referendum", a (b) hepgorer "elections".
Rheoliad 51A (darpariaeth ychwanegol ynglŷn â'r gofyniad bod rhaid i gais am bleidlais absennol gael ei lofnodi gan yr ymgeisydd)(9)	

(1) O.S. 2001/341 fel y'i diwygiwyd gan O.S. 2001/1700, 2002/1871, 2004/226, 2005/2114, 2006/752 a 2006/2910.

(2) Fel y'i diwygiwyd gan O.S. 2001/1700, 2002/1871 a 2006/2910.

(3) Fel y'i diwygiwyd gan O.S. 2006/2910.

(4) Fel y'i diwygiwyd gan O.S. 2006/2910.

(5) Fel y'i diwygiwyd gan O.S. 2002/1871 a 2006/2910.

(6) Fel y'i diwygiwyd gan O.S. 2006/2910.

(7) Fel y'i diwygiwyd gan O.S. 2006/2910.

(8) Fel y'i diwygiwyd gan O.S. 2006/752 a 2006/2910.

(9) Mewnosodwyd gan O.S. 2006/752 a diwygiwyd gan O.S. 2006/2910.

Rheoliad 51AA (gofyniad ychwanegol ar gyfer ceisiadau i bapurau pleidleisio gael eu hanfon i gyfeiriad gwahanol i'r un a nodir yn y cais)(1)	
Rheoliad 51B (gofyniad ychwanegol ar gyfer ceisiadau i bapurau pleidleisio gael eu hanfon i gyfeiriad gwahanol i'r un a ddangosir yn y cofnod a gadwyd o dan baragraff 3(4) neu 7(6) o Atodlen 4)(2)	
Rheoliad 52 (gofynion ychwanegol ar gyfer ceisiadau i benodi dirprwy)	
Rheoliad 55 (gofynion ychwanegol ar gyfer ceisiadau am bleidlais drwy ddirprwy mewn perthynas ag etholiad penodol)(3)	
Rheoliad 56 (dyddiadau cau ar gyfer ceisiadau)(4)	Ym mharagraffau (1) i (5) a (7)(b) ar ôl "election", ym mhob lle, mewnosoder "or referendum".
Rheoliad 57 (caniatáu neu wrthod ceisiadau)(5)	Ym mharagraff (5) ar ôl "election" mewnosoder "or referendum".
Rheoliad 58 (hysbysiad o apêl)	
Rheoliad 59 (canslo penodiad dirprwy) Rheoliad 61B (cofnod dulliau adnabod personol) (6)	Ym mharagraff (3)(a) yn lle "any candidate or agent" rhodder "those".
Rheoliad 62 (cofrestr a farciwyd ar gyfer gorsafoedd pleidleisio)(7)	
Rheoliad 64 (dehongli Rhan 5)(8)	Hepgorer y diffiniad o "agent".
Rheoliad 66 (ffurf y datganiad pleidlais bost)	Hepgorer paragraff (a).
Rheoliad 67 (personau sydd â hawl i fod yn bresennol mewn gweithrediadau pan ddyroddir papurau pleidlais bost)(9)	

(1) Mewnosodwyd gan O.S. 2006/2910.

(2) Mewnosodwyd gan O.S. 2006.752 a diwygiwyd gan O.S. 2006/2910.

(3) Amnewidiwyd gan O.S. 2006/752 a diwygiwyd gan O.S. 2006/2910.

(4) Diwygiwyd gan O.S. 2006/752 a 2006/2910.

(5) Diwygiwyd gan O.S. 2006/752 a 2006/2910.

(6) Mewnosodwyd gan O.S. 2006/2910.

(7) Diwygiwyd gan O.S. 2006/2910.

(8) Diwygiwyd gan O.S. 2006/2910.

(9) Diwygiwyd gan O.S. 2006/2910.

Rheoliad 68 (personau sydd â hawl i fod yn bresennol mewn gweithrediadau pan dderbynnir papurau pleidlais bost)(1)	<p><i>Pan nad yw'r gweithrediadau ar gyfer pan ddyroddir pleidleisiau post a phan ddeuant i law yn cael eu cynnal ar y cyd rhwng rhagor nag un pól yn unol â rheoliad 65 o Reoliadau Cynrychiolaeth y Bobl fel y'i cymhwysir gan y Rheoliadau hyn:</i></p> <p>Yn lle paragraffau (a) i (d) rhodder:</p> <p>"(a) the counting officer and his clerks, (b) persons who by virtue of rule 35(2)(a) to (e) of the Local Government Referendums Rules within the meaning of the Local Authorities (Conduct of Referendum) (Wales) Regulations 2008 are entitled to attend at the counting of the votes."</p>
Rheoliad 69 (asiantau ymgeiswyr y caniateir iddynt fod yn bresennol mewn gweithrediadau pan dderbynnir papurau pleidlais bost)	<p>Ym mharagraff (8) yn lle "candidates or their agents" rhodder "persons entitled to be present by virtue of regulation 68".</p> <p><i>Pan nad yw'r gweithrediadau ar gyfer pan ddyroddir pleidleisiau post a phan ddeuant i law yn cael eu cynnal ar y cyd rhwng rhagor nag un pól yn unol â rheoliad 65 o Reoliadau Cynrychiolaeth y Bobl fel y'i cymhwysir gan y Rheoliadau hyn:</i></p> <p>Hepgorer paragraffau (1) i (7).</p>
Rheoliad 70 (hysbysu'r gofyniad am gyfrinachedd)	
Rheoliad 71 (amser pan ddyroddir papurau pleidlais bost)	
Rheoliad 72 (y weithdrefn pan ddyroddir papur pleidlais bost)(2)	
Rheoliad 73 (gwrthod dyroddi papur pleidlais bost)(3)	
Rheoliad 74 (amlenni)(4)	
Rheoliad 75 (selio'r rhestrau rhifau cyfatebol a gwblhawyd, a diogelwch y rhestrau arbennig)(5)	
Rheoliad 76 (Danfon allan y papurau pleidlais bost)	
Rheoliad 77 (papurau pleidlais bost a ddifethir)(6)	
Rheoliad 78 (papurau pleidlais bost a gollir)(7)	
Rheoliad 79(3) i (5) (dulliau amgen o ddychwelyd y papurau pleidlais bost neu'r datganiad pleidlais bost)(8)	<p>Ym mharagraff (5) yn lle "polling agents" rhodder "polling observers (if any)".</p>

(1) Diwygiwyd gan O.S. 2006/2910.

(2) Diwygiwyd gan O.S. 2002/1871, 2006/752 a 2006/2910.

(3) Diwygiwyd gan O.S. 2006/2910.

(4) Diwygiwyd gan O.S. 2006/2910.

(5) Diwygiwyd gan O.S. 2006/2910.

(6) Diwygiwyd gan O.S. 2006/752 a 2006/2910.

(7) Diwygiwyd gan O.S. 2006/752 a 2006/2910.

(8) Diwygiwyd gan O.S. 2006/752 a 2006/2910.

Rheoliad 80 (hysbysiad o agor amlenni papurau pleidlais bost)	<i>Pan nad yw'r gweithrediadau ar gyfer pan ddyroddir pleidleisiau post a phan ddeuant i law yn cael eu cynnal ar y cyd rhwng rhagor nag un pól yn unol â rheoliad 65 o Reoliadau Cynrychiolaeth y Bobl fel y'i cymhwysir gan y Rheoliadau hyn:</i> Ym mharagraff (1) yn lle "each candidate" rhodder "those persons who by virtue of rule 35(2)(a) to (e) of the Local Government Act Referendums Rules within the meaning of the Local Authorities (Conduct of Referendums) (Wales) Regulations 2008 are entitled to attend at the counting of the votes". Hepgorer paragraff (2)(b).
Rheoliad 81 (blychau a chynwysyddion pleidleisiau post)(1)	Ym mharagraffau (3) a (4) yn lle "the agents" rhodder "those".
Rheoliad 82 (derbyn y prif amlenni)	
Rheoliad 83 (agor blwch pleidleisio y pleidleiswyr drwy'r post)	Ym mharagraff (1) yn lle "the agents" rhodder "such of those who are entitled to attend as are present".
Rheoliad 84 (agor y prif amlenni)(2)	
Rheoliad 84A (cadarnhau bod y datganiadau pleidlais bost wedi dod i law)(3)	
Rheoliad 85 (gweithdrefn mewn perthynas â datganiadau pleidlais bost)(4)	Ym mharagraff (3) yn lle "agents" rhodder "counting observers or agents or both (as the case may be)".
Rheoliad 85A (gweithdrefn mewn perthynas â datganiadau pleidlais bost: gwirio'r moddion adnabod personol)(5)	Ym mharagraff (4) yn lle "agents" rhodder "counting observers or agents or both (as the case may be)".
Rheoliad 85B (Datganiadau Pleidlais Bost: gwirio moddion adnabod personol ychwanegol)(6)	Ym mharagraffau (3)(a) ac (c) a (4) yn lle "agents" rhodder "counting observers or agents or both (as the case may be)".
Rheoliad 86 (agor yr amlenni papurau pleidleisio)	
Rheoliad 86A (adfer y papurau pleidlais bost sydd wedi eu canslo)(7)	Ym mharagraff (2)(b) ac (f) yn lle "agents" rhodder "counting observers or agents or both (as the case may be)".
Rheoliad 87 (rhestrau o'r papurau pleidlais bost a wrthodwyd)	
Rheoliad 88 (gwirio'r rhestrau a gedwir o dan reoliad 87)	
Rheoliad 89 (selio cynwysyddion)(8)	

(1) Diwygiwyd gan O.S. 2006/2910.

(2) Diwygiwyd gan O.S. 2006/2910.

(3) Mewnosodwyd gan O.S. 2006/2910.

(4) Diwygiwyd gan O.S. 2002/1871 a 2006/2910.

(5) Mewnosodwyd gan O.S. 2006/2910.

(6) Mewnosodwyd gan O.S. 2006/2910.

(7) Mewnosodwyd gan O.S. 2006/2910.

(8) Mewnosodwyd gan O.S. 2006/2910.

Rheoliad 91 (anfon dogfennau ymlaen)(1)	Ar ôl paragraff (2) mewnosoder— "(2A) In the case of a referendum, the documents to be forwarded under paragraph (1) are to be forwarded to the registration officer of the local authority by or in respect of which the referendum is held."
Rheoliad 116 (dehongli Rhan 7)(2)	
Rheoliad 118 (archwilio dogfennau sy'n agored i'w harchwilio gan y cyhoedd)(3)	
Rheoliad 119 (amodau ar ddefnyddio, cyflenwi a datgelu dogfennau sy'n agored i'w harchwilio gan y cyhoedd)(4)	
Yn Atodlen 3, Ffur E(5)	Yn lle "REPRESENTATION OF THE PEOPLE ACTS" rhodder "[insert name of council] REFERENDUM". Hepgorer "Constituency" a "Polling District". Yn lle "European Parliamentary electoral region" rhodder "Referendum voting area". Yn lle'r geiriau o "[who qualifies" hyd at "electoral region]", rhodder "to vote for that person at the referendum on (insert date)". Hepgorer "This proxy appointment is not valid until..." a "[This proxy appointment remains valid until...]". Yn lle paragraff 2 o'r nodyn rhodder— "2. Your appointment as proxy will be for the referendum only. You have the right to vote as proxy only at the referendum specified in the proxy paper."

(1) Diwygiwyd gan O.S. 2006/752 a 2006/2910.

(2) Mewnosodwyd gan O.S. 2006/2910 a diwygiwyd gan O.S. 2007/1025.

(3) Mewnosodwyd gan O.S. 2006/2910.

(4) Mewnosodwyd gan O.S. 2006/2910.

(5) Diwygiwyd gan O.S. 2005/2114.

Table 1 Representation of the People Act 1983(1)

<i>(1) Provision</i>	<i>(2) Modification</i>
Section 13B (alteration of registers: pending elections)(2)	After "election", in each place, insert "or referendum". After subsection (4) insert— "(4A) This section also applies to referendums."
Section 31 (polling districts and stations at local government elections)(3)	In subsection (1A) for "elections of county councillors" substitute "referendums by or in respect of a county or county borough". In subsection (3) for "local government elections" substitute "referendums".
Section 35(4) (appointments by returning officers)	
Section 36(4) and (6) (returning officer's expenditure at local elections)(4)	In subsection (4) for the words from "by a returning officer" to "London borough)" substitute "by a counting officer for a voting area in relation to the holding of a referendum". In subsection (6) for the words from the beginning to "councillor, the council" substitute "Before a poll is taken at such a referendum as is referred to in subsection (4), the authority". Paragraph 1(2)(b) of this Schedule does not have effect in relation to the first reference in subsection (6) to the returning officer.
Section 47 (loan of equipment for local elections)(5)	In subsection (1) for "the returning officer at a local government election" substitute "the counting officer at a referendum". In subsection (2)— (a) omit the words from ", or" at the end of paragraph (a) to "as the case may be"; (b) for "an election held under those Acts" substitute "a referendum".

(1) 1983 c.2.

(2) Section 13B was substituted (together with sections 13 and 13A) for section 13 as originally enacted by paragraph 6 of Schedule 1 to the Representation of the People Act 2000 (c.2); section 13B was amended by the section 11 of the Electoral Administration Act 2006 (c.22).

(3) Section 31 was amended by Schedule 17 to the Local Government Act 1985 (c.50), section 66(6) of and paragraph 68 of Schedule 16 to the Local Government (Wales) Act 1994, section 237 of and Part I of Schedule 13 to the Education Reform Act 1988 (c.40), paragraph 2 of Schedule 3 to the Greater London Authority Act 1999 (c.29) and paragraph 108 of Schedule 1 to the Electoral Administration Act 2006 (c.22).

(4) Subsection (4) was amended by Schedule 17 to the Local Government Act 1985 (c.51) and by section 66 of and paragraph 68(9) of Schedule 16 to the Local Government (Wales) Act 1994..

(5) Section 47 was amended by S.I. 1991/1728 and paragraph 6 of Schedule 21 to the Political Parties, Elections and Referendums Act 2000 (c.41).

Section 49(4) and (5) (effect of registers)(1)	In subsection (5) omit "prevent the rejection of the vote on a scrutiny or".
Section 60 (personation)	In subsection (2) omit "parliamentary or".
Section 61 (other voting offences)(2)	<p>In subsection (1) after "local government election" and "local government elections", in each place, insert "or referendum" or "or referendums" respectively.</p> <p>For subsections (2) to (4) substitute—</p> <p style="padding-left: 40px;">"(2) A person shall be guilty of an offence if—</p> <ul style="list-style-type: none"> (a) that person votes on their own behalf otherwise than by proxy— <ul style="list-style-type: none"> (i) more than once in the same voting area, (ii) in more than one voting area, or (iii) in any voting area where there is in force an appointment of a person to vote as that person's proxy in the referendum in another voting area, or (b) that person votes on their own behalf in person and is entitled to vote by post, or (c) that person votes on their own behalf in person knowing that a person appointed to vote as their proxy has already voted in person or is entitled to vote by post, or (d) that person applies for a person to be appointed as their proxy to vote for them without applying for the cancellation of a previous appointment of a third party then in force or without withdrawing a pending application for such an appointment. <p style="padding-left: 40px;">(3) A person shall be guilty of an offence if—</p> <ul style="list-style-type: none"> (a) that person votes as proxy for the same person either— <ul style="list-style-type: none"> (i) more than once in the same voting area, or (ii) in more than one voting area, or (b) that person votes in person as proxy for a person and is entitled to vote by post as proxy for that person, or (c) that person votes in person as proxy for someone whom that person knows already to have voted in person.

(1) Subsection (4A) was inserted by paragraph 7 of Schedule 1 to the Electoral Administration Act 2006 (c.22); subsection (5) was substituted by S.I. 1995/1948 and amended by paragraph 12 of Schedule 1 to the Representation of the People Act 2000 (c.2).

(2) Section 61 was amended by paragraph 2 of Schedule 2, and Schedule 5, to the Representation of the People Act 1985 (c.50), paragraph 10 of Schedule 3 to the Greater London Authority Act 1999 (c.29), paragraph 83 of Schedule 27 to the Civil Partnership Act 2004 (c.33) and section 38(3) of the Electoral Administration Act 2006 (c.22).

	<p>(4) A person shall also be guilty of an offence if that person votes as proxy in any voting area for more than two persons of whom that person is not the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild."</p> <p>For subsection (6A) substitute—</p> <p>"(6A) A person is not guilty of an offence under subsection (2)(b) only by reason of that person having marked a tendered ballot paper in pursuance of rule 29 of the Local Government Act Referendums Rules within the meaning of the Local Authorities (Conduct of Referendums) (Wales) Regulations 2008."</p>
Section 62A (offences relating to applications for postal and proxy votes)(1)	In subsection (1)(a) after "election" insert "or referendum".
Section 63 (breach of official duty)(2)	<p>In subsection (3) after "local government election" in both places insert "or referendum".</p> <p>In subsection (4)(a) after "election" insert "or referendum".</p>
Section 65 (tampering with ballot papers, etc.)(3)	<p>In subsection (1)—</p> <p>(a) after "election", in the first place it occurs, insert "or referendum", and</p> <p>(b) omit paragraph (a).</p> <p>In subsection (3) for "clerk" substitute "person".</p>
Section 66 (requirement of secrecy)(4)	<p>For subsection (1)(b) substitute—</p> <p>"(b) every polling observer, so attending,".</p>
Section 66A (prohibition of publication of exit polls)(5)	<p>In subsection (2) omit the "and" preceding paragraph (b) and after that paragraph insert—</p> <p>"; and</p> <p>(c) any referendum".</p>
Section 92 (broadcasting from outside the United Kingdom)(6)	In subsection (1) after "local government election" insert "or referendum".
Section 94 (imitation poll cards)(7)	<p>In subsection (2)—</p> <p>(a) after "section 36" insert "above, or regulations made under section 45 of the Local Government Act 2000", and</p> <p>(b) after "the rules", insert "or, as the case may be, the regulations".</p>

(1) Section 62A was inserted by section 40 of the Electoral Administration Act 2006 (c.22).

(2) Section 63 was substituted by paragraph 19 of Schedule 4 to the Representation of the People Act 1985 (c.50) and amended by S.I. 2001/1149 and sections 7, 41(8) and 46(6) of the Electoral Administration Act 2006 (c.22).

(3) Section 65 was amended by paragraph 2 of Schedule 3 to the Representation of the People Act 1985 (c.50) and paragraphs 72 and 96 of Schedule 1 to the Electoral Administration Act 2006 (c.22).

(4) Section 66 was amended by paragraph 3 of Schedule 3 to the Representation of the People Act 1985 (c.50), paragraph 11 of Schedule 3 to the Greater London Authority Act 1999 (c.29) and paragraphs 82, 86 and 96 of Schedule 1 to the Electoral Administration Act 2006 (c.22).

(5) Section 66A was inserted by paragraphs 3 and 6 of Schedule 6 to the Representation of the People Act 2000 (c.2).

(6) Section 92 was amended by paragraph 35 of Schedule 20 to the Broadcasting Act 1990 (c.42) and paragraph 61 of Schedule 17 to the Communications Act 2003 (c.21).

(7) Section 94 was amended by paragraph 36 of Schedule 4 to the Representation of the People Act 1985 (c.50).

<p>Section 96 (schools and rooms for local election meetings)(1)</p>	<p>For subsection (1) substitute—</p> <p>"(1) Subject to the provisions of this section, any person is entitled, for the purpose of holding a public meeting to promote a particular result in the referendum, to use free of charge at reasonable times during the campaign period any meeting room to which this section applies.</p> <p>(1A) In subsection (1), "the campaign period" means the period of 25 days ending with the day before the date of the referendum."</p> <p>Omit subsection (2).</p> <p>In subsection (3)—</p> <p>(a) for the words from "electoral area for which" to "that electoral area" substitute "voting area", and</p> <p>(b) omit paragraph (b).</p> <p>In subsection (4)—</p> <p>(a) omit the words "and paragraph 1(1) of Schedule 5 to this Act",</p> <p>(b) after the words "that section" insert "subject to the substitution in subsection (5) of that section, for the word "candidate" of the word "person", and</p> <p>(c) omit the words from "and any person" to the end.</p> <p>After subsection (4) insert—</p> <p>"(5) The lists maintained by a county or county borough council of meeting rooms which candidates at a parliamentary election in any constituency are entitled to use shall have effect for the purposes of the referendum; and any person shall, before the referendum, be entitled at all reasonable hours to inspect those lists or a copy of them."</p>
<p>Section 97 (disturbances at election meetings)(2)</p>	<p>For subsection (2) substitute—</p> <p>"(2) This section applies to a meeting in connection with a referendum held during the campaign period.</p> <p>(2A) In subsection (2) "the campaign period" means the period of 25 days ending with the day before the date of the referendum."</p>

(1) Section 96 was substituted for section 96 as originally enacted by paragraph 38 of Schedule 4 to the Representation of the People Act 1985 (c.50) and amended by paragraph 11 of Schedule 30 to the School Standards and Framework Act 1998 (c.31) and paragraph 29 of Schedule 3 to the Greater London Authority Act 1999 (c.29).

(2) Section 97 was amended by paragraph 39 of Schedule 4 to the Representation of the People Act 1985 (c.50) and Part 1 of Schedule 7 to the Police and Criminal Evidence Act 1984 (c.60).

Section 100(1) and (2) (illegal canvassing by police officers)(1)	In subsection (1) for the words from "from giving his vote" to the end substitute "from giving his vote in the referendum in a voting area wholly or partly within the police area".
Section 109 (payments for the exhibition of election notices)	
Section 110 (details to appear on election publications)(2)	
Section 111 (prohibition of paid canvassers)	
Section 112 (providing money for illegal purposes)	
Section 113 (bribery)(3)	
Section 114 (treating)	
Section 115 (undue influence)(4)	
Section 116 (rights of creditors)	Omit paragraphs (b) and (c).
Section 118 (interpretation of Part 2)(5)	
Section 119 (computation of time for purposes of Part 2)(6)	In subsection (1)(b) after "disregarded" insert— "; and (c) in computing any period referred to in section 96(1A) or 97(2A), as applied for the purposes of a referendum, any of the days so mentioned shall be disregarded."
Section 167 (application for relief)(7)	
Section 168 (prosecutions for corrupt practices)(8)	
Section 169 (prosecutions for illegal practices)(9)	
Section 170 (conviction of illegal practice on charge of corrupt practice etc)	

(1) Subsection (2) was amended by paragraph 5 of Schedule 3 to the Representation of the People Act 1985 (c.50).

(2) Section 110 was substituted for section 110 as originally enacted by paragraph 14 of Schedule 18 to the Political Parties, Elections and Referendums Act 2000 (c.41).

(3) Section 113 was amended by paragraph 30 of Schedule 3 to the Greater London Authority Act 1999 (c.29).

(4) Section 115 was amended by section 39(1) of the Electoral Administration Act 2006 (c.22).

(5) Section 118 was amended by paragraph 43 of Schedule 4 to the Representation of the People Act 1985 (c.50), section 135 of and paragraph 15 of Schedule 18 to the Political Parties, Elections and Referendums Act 2000 (c.41) and paragraphs 119 and 133 of Schedule 1 to the Electoral Administration Act 2006 (c.22).

(6) Section 119 was amended by section 19(4) of the Representation of the People Act 1985 (c.50) and paragraphs 49 and 51(1) of Schedule 1 to the Electoral Administration Act 2006 (c.22).

(7) Section 167 was amended by paragraph 56 of Schedule 4 to the Representation of the People Act 1985 (c.50) and paragraph 18 of Schedule 18 to the Political Parties, Elections and Referendums Act 2000 (c.41).

(8) Section 168 was amended by paragraph 8 of Schedule 3 and paragraph 57 of Schedule 4 and Schedule 5 to the Representation of the People Act 1985 (c.50) and paragraph 121 of Schedule 1 to the Electoral Administration Act 2006 (c.22).

(9) Section 169 was amended by paragraph 9 of Schedule 3 to the Representation of the People Act 1985 (c.50).

Section 173(1)(a)(i), (2) and (3) (incapacities on conviction of corrupt or illegal practice)(1)	In subsection (1)(a)(i) after "Great Britain" insert "or at any referendum".
Section 174 (mitigation and remission etc.)(2)	
Section 175 (illegal payments etc.)(3)	Omit subsection (2).
Section 176 (time limit for prosecutions)	
Section 177 (summary trial)	For "the local government Act" substitute "the Local Authority (Conduct of Referendums) (Wales) Regulations 2008". In subsection (1)(a) for the words from "in the county" to "adjoins", substitute "for the voting area in which the offence is alleged to have been committed".
Section 178 (prosecution of offences committed outside the United Kingdom)(4)	
Section 179 (offences by associations)	
Section 181(1) (Director of Public Prosecutions)(5)	
Section 185 (interpretation of Part 3)(6)	
Section 199B (translations of certain documents)(7)	In subsections (1), (5) and (7) after "local government election" insert "or referendum". Omit subsection (4)(a).
Section 200(1A) and (2) (public notices, and declarations)(8)	
Section 202 (interpretation)(9)	

(1) Section 173 was substituted for section 173 as originally enacted by section 136 of the Political Parties, Elections and Referendums Act 2000 (c.41) and amended by paragraph 122 of Schedule 1 to the Electoral Administration Act 2006 (c.22).

(2) Section 174 was amended by paragraph 18 of Schedule 18 to the Political Parties, Elections and Referendums Act 2000 (c.41).

(3) Section 175 was amended by paragraph 10 of Schedule 3 to the Representation of the People Act 1985 (c.50) and paragraph 6 of Schedule 21 to the Political Parties, Elections and Referendums Act 2000 (c.41).

(4) Section 178 was substituted for section 178 as originally enacted by paragraph 62 of Schedule 4 to the Representation of the People Act 1985 (c.50).

(5) Subsection (1) was amended by paragraph 63 of Schedule 4 to the Representation of the People Act 1985 (c.50).

(6) Section 185 was amended by paragraph 10 of Schedule 17 to the Political Parties, Elections and Referendums Act 2000 (c.41) and paragraphs 86 and 87 of Schedule 6 to the Licensing Act 2003 (c.17).

(7) Section 199B was inserted by section 36 of the Electoral Administration Act 2006 (c.22).

(8) Subsection (1A), together with the existing subsection (1), were substituted for subsection (1) as originally enacted by paragraph 68 of Schedule 4 to the Representation of the People Act 1985 (c.50).

(9) Section 202 was amended by Part 1 of Schedule 2 and paragraph 70 of Schedule 4 to the Representation of the People Act 1985 (c.50), the Statute Law (Repeals) Act 1993 (c.50), S.I. 1995/1948, the Schedule to the Law Officers Act 1997 (c.60), paragraph 38 of Schedule 3 to the Greater London Authority Act 1999 (c.29), paragraph 22 of Schedule 1 and paragraphs 3 and 9 of Schedule 6 to the Representation of the People Act 2000 (c.2), paragraph 19 of Schedule 18 and paragraph 6 of Schedule 21 to the Political Parties, Elections and Referendums Act 2000 (c.41), S.I. 2001/1149 and section 73 and paragraphs 13, 76 and 128 of Schedule 1 to the Electoral Administration Act 2006 (c.22).

Table 2 Representation of the People Act 2000(1)

<i>(1) Provision</i>	<i>(2) Modification</i>
<p>Section 10 (pilot schemes for local elections in England and Wales)(2)</p>	<p>In subsection (2)—</p> <ul style="list-style-type: none"> (a) after "Representation of the People Acts", insert "or the Local Government Act 2000", and (b) in paragraph (c) for "candidates" substitute "any campaign organiser within the meaning of regulation 6 of the Local Authorities (Conduct of Referendums) (Wales) Regulations 2008". <p>In subsection (3)—</p> <ul style="list-style-type: none"> (a) in paragraph (b) for "candidates" substitute "campaign organisers", and (b) for "section 75(1) of the 1983 Act (restriction on third party election expenditure)" substitute "regulation 6 of the Local Authorities (Conduct of Referendums) (Wales) Regulations 2008". <p>Omit subsection (4).</p> <p>At the end of subsection (7)(a) insert "or the Local Government Act 2000".</p> <p>In subsection (11) for the words after "means", substitute "a county or county borough council."</p>
<p>Section 12 (changes relating to absent voting at elections in Great Britain)</p>	<p>In subsection (1) at the end insert "; and as regards referendums".</p>
<p>Schedule 4 (absent voting in Great Britain)(3)</p>	<p>In paragraph 1(1), in the definition of "the appropriate rules" at the end of paragraph (b), insert—</p> <p style="padding-left: 40px;">", and</p> <ul style="list-style-type: none"> (c) in the case of a referendum, the Local Government Act Referendums Rules within the meaning of the Local Authorities (Conduct of Referendums) (Wales) Regulations 2008". <p>In paragraphs 2 to 7, 7C and 7D, except in paragraphs 3(1), 3(2), 3(4)(a)(i), 6(7), 7(4)(a) and 7(6)(a)(i), after "local government election", "local government elections", "elections" and "election", insert, as the context requires, "or a referendum", "or referendums", or "or the referendum".</p> <p>In paragraphs 3(1) and 3(2) for "or at both" substitute "or at referendums".</p>

(1) 2000 c.2.

(2) Section 10 was amended by paragraph 16 of Schedule 21 to the Political Parties, Elections and Referendums Act 2000 (c.41).

(3) Schedule 4 was amended by paragraph 164 of Schedule 27 to the Civil Partnerships Act 2004 (c.33), and sections 5, 14, 35 and 38 of, and paragraphs 19, 20 and 137 of Schedule 1 to, the Electoral Administration Act 2006 (c.22).

	<p>In paragraphs 3(4)(a)(i) and 7(6)(a)(i) for "or both" substitute "or referendums".</p> <p>In paragraphs 6(7) and 7(4)(a) for "or at both" substitute "or at referendums".</p>
--	--

Table 3 Political Parties, Elections and Referendums Act 2000(1)

<i>(1) Provision</i>	<i>(2) Modification</i>
Section 6A (attendance of representatives of Commission at elections etc.)	<p>After subsection (1)(b) insert—</p> <p>”;</p> <p>(c) proceedings relating to a referendum under the Local Authorities (Conduct of Referendums) (Wales) Regulations 2008 which are the responsibility of the counting officer.”</p>
Section 6B (observation of working practices by representatives of Commission)	<p>After subsection (2) insert—</p> <p>”(2A) A representative of the Commission may also observe the working practices of a counting officer at a referendum under the Local Authorities (Conduct of Referendums) (Wales) Regulations 2008, and any person acting under the counting officer's direction.”</p>
Section 6C (accredited observers: individuals)	<p>In subsection (1) after "applies" insert "or which is held under the Local Authorities (Conduct of Referendums) (Wales) Regulations 2008".</p>
Section 6D (accredited observers: organisations)	<p>In subsection (1) after "applies" insert "or which is held under the Local Authorities (Conduct of Referendums) (Wales) Regulations 2008".</p>
Section 6E (attendance and conduct of observers)	<p>For subsection (4)(c) substitute—</p> <p>”(c) in the case of any other proceedings at a referendum to which Part 7 applies, the relevant counting officer (within the meaning of section 6A);</p> <p>(ca) in the case of any other proceedings at a referendum under the Local Authorities (Conduct of Referendums) (Wales) Regulations 2008, the counting officer;”</p> <p>In subsection (4) for "or (c)" substitute ", (c) or (ca)".</p>

(1) 2000 c.41. All the provisions mentioned in this Table were inserted by section 29 of the Electoral Administration Act 2006 (c.22).

Table 4 Electoral Administration Act 2006(1)

<i>(1) Provision</i>	<i>(2) Modification</i>
Section 42 (access to other election documents)	
Section 43 (access to other election documents: contravention of regulations)	In subsection (1)(a) after "section 42" insert "as applied by the Local Authorities (Conduct of Referendums) (Wales) Regulations 2008".
Section 44 (access to other election documents: supplementary)	In subsection (5) for the words from "election documents" to "Northern Ireland)" substitute "referendum documents are such documents relating to a referendum". After subsection (7)(e) insert— "; (f) in relation to a referendum, a voting area within the meaning of the Local Authorities (Conduct of Referendums) (Wales) Regulations 2008."
Section 46 (returning officers: correction of procedural errors)	After subsection (3)(b) insert— "; (c) a referendum." Omit subsection (6).
Section 69 (encouraging electoral participation)	After subsection (8)(b) insert— "; (c) a counting officer at a referendum."

Table 5 The Representation of the People (England and Wales) Regulations 2001(2)

<i>(1) Provision</i>	<i>(2) Modification</i>
Regulation 3 (interpretation)(3)	At the end of paragraph (2)(b) insert— ", or (c) in the case of a referendum, the corresponding rule in the Local Government Act Referendums Rules within the meaning of the Local Authorities (Conduct of Referendums) (Wales) Regulations 2008."

(1) 2006 c.22.

(2) S.I. 2001/341; as amended by S.I. 2001/1700, 2002/1871, 2004/226, 2005/2114, 2006/752 and 2006/2910.

(3) As amended by S.I. 2001/1700, 2002/1871 and 2006/2910.

Regulation 4(1)(b) (forms) and, to the extent of Form E in Schedule 3, (2)	
Regulation 5 (communication of applications, notices, etc)(1)	
Regulation 6 (electronic signatures and related certificates)(2)	
Regulation 7 (copies of documents)(3)	
Regulation 8 (time)(4)	
Regulation 11 (interference with notices)	
Regulation 50 (interpretation of Part 4)(5)	
Regulation 51 (general requirements for an absent vote)(6)	<p>For paragraph (4)(b) substitute—</p> <p style="text-align: center;">"(b) whether it is made for all or any of parliamentary elections, local government elections or referendums."</p> <p>In paragraph (5)—</p> <p>(a) after "election", in each place, insert "or referendum", and</p> <p>(b) omit "elections".</p>
Regulation 51A (additional provision concerning the requirement that an application for an absent vote must be signed by the applicant)(7)	
Regulation 51AA (additional requirement for applications for ballot papers to be sent to different address from that stated in application)(8)	
Regulation 51B (additional requirements for applications for ballot papers to be sent to different address from that shown in the record kept under paragraph 3(4) or 7(6) of Schedule 4)(9)	
Regulation 52 (additional requirements for applications for the appointment of a proxy)	
Regulation 55 (additional requirements for applications for a proxy vote in respect of a particular election)(10)	

(1) As amended by S.I. 2006/2910.

(2) As amended by S.I. 2006/2910.

(3) As amended by S.I. 2002/1871 and 2006/2910.

(4) As amended by S.I. 2006/2910.

(5) As amended by S.I. 2006/2910.

(6) As amended by S.I. 2006/752 and 2006/2910.

(7) Inserted by S.I. 2006/752 and amended by S.I. 2006/2910.

(8) Inserted by S.I. 2006/2910.

(9) Inserted by S.I. 2006/752 and amended by S.I. 2006/2910.

(10) Substituted by S.I. 2006/752 and amended by S.I. 2006/2910.

Regulation 56 (closing dates for applications)(1)	In paragraphs (1) to (5) and (7)(b) after "election", in each place, insert "or referendum".
Regulation 57 (grant or refusal of applications)(2)	In paragraph (5) after "election" insert "or referendum".
Regulation 58 (notice of appeal)	
Regulation 59 (cancellation of proxy appointment)	
Regulation 61B (personal identifiers record) (3)	In paragraph (3)(a) for "any candidate or agent" substitute "those".
Regulation 62 (marked register for polling stations)(4)	
Regulation 64 (interpretation of Part 5)(5)	Omit the definition of "agent".
Regulation 66 (form of postal voting statement)	Omit paragraph (a).
Regulation 67 (persons entitled to be present at proceedings on issue of postal ballot papers)(6)	
Regulation 68 (persons entitled to be present at proceedings on the receipt of postal ballot papers)(7)	<p><i>Where the issue and receipt of postal votes are not taken together at more than one poll in accordance with regulation 65 of the Representation of the People Regulations as applied by these Regulations:</i></p> <p>For paragraphs (a) to (d) substitute:</p> <p>" (a) the counting officer and his clerks,</p> <p>(b) persons who by virtue of rule 35(2)(a) to (e) of the Local Government Referendums Rules within the meaning of the Local Authorities (Conduct of Referendum) (Wales) Regulations 2008 are entitled to attend at the counting of the votes."</p>
Regulation 69 (agents of candidates who may attend proceedings on receipt of postal ballot papers)	<p>In paragraph (8) for "candidates or their agents" substitute "persons entitled to be present by virtue of regulation 68".</p> <p><i>Where the issue and receipt of postal votes are not taken together at more than one poll in accordance with regulation 65 of the Representation of the People Regulations as applied by these Regulations:</i></p> <p>Omit paragraphs (1) to (7).</p>
Regulation 70 (notification of requirement of secrecy)	
Regulation 71 (time when postal ballot papers are to be issued)	

(1) Amended by S.I. 2006/752 and 2006/2910.

(2) Amended by S.I. 2006/752 and 2006/2910.

(3) Inserted by S.I. 2006/2910.

(4) Amended by S.I. 2006/2910.

(5) Amended by S.I. 2006/2910.

(6) Amended by S.I. 2006/2910.

(7) Amended by S.I. 2006/2910.

Regulation 72 (procedure on issue of postal ballot paper)(1)	
Regulation 73 (refusal to issue postal ballot paper)(2)	
Regulation 74 (envelopes)(3)	
Regulation 75 (sealing up of completed corresponding number lists and security of special lists)(4)	
Regulation 76 (delivery of postal ballot papers)	
Regulation 77 (spoilt postal ballot papers)(5)	
Regulation 78 (lost postal ballot papers)(6)	
Regulation 79(3) to (5) (alternative means of returning postal ballot paper or postal voting statement)(7)	In paragraph (5) for "polling agents" substitute "polling observers (if any)".
Regulation 80 (notice of opening of postal ballot paper envelopes)	<i>Where the issue and receipt of postal votes are not taken together at more than one poll in accordance with regulation 65 of the Representation of the People Regulations as applied by these Regulations:</i> In paragraph (1) for "each candidate" substitute "those persons who by virtue of rule 35(2)(a) to (e) of the Local Government Act Referendums Rules within the meaning of the Local Authorities (Conduct of Referendums) (Wales) Regulations 2008 are entitled to attend at the counting of the votes". Omit paragraph (2)(b).
Regulation 81 (postal ballot boxes and receptacles)(8)	In paragraphs (3) and (4) for "the agents" substitute "those".
Regulation 82 (receipt of covering envelopes)	
Regulation 83 (opening of postal voters' ballot box)	In paragraph (1) for "the agents" substitute "such of those who are entitled to attend as are present".
Regulation 84 (opening of covering envelopes)(9)	
Regulation 84A (confirming receipt of postal voting statements)(10)	
Regulation 85 (procedure in relation to postal voting statements)(11)	In paragraph (3) for "agents" substitute "counting observers or agents or both (as the case may be)".

(1) Amended by S.I. 2002/1871, 2006/752 and 2006/2910.

(2) Amended by S.I. 2006/2910.

(3) Amended by S.I. 2006/2910.

(4) Amended by S.I. 2006/2910.

(5) Amended by S.I. 2006/752 and 2006/2910.

(6) Amended by S.I. 2006/752 and 2006/2910.

(7) Amended by S.I. 2006/752 and 2006/2910.

(8) Amended by S.I. 2006/2910.

(9) Amended by S.I. 2006/2910.

(10) Inserted by S.I. 2006/2910.

(11) Amended by S.I. 2002/1871 and 2006/2910.

Regulation 85A (procedure in relation to postal voting statements: personal identifier verification)(1)	In paragraph (4) for "agents" substitute "counting observers or agents or both (as the case may be)".
Regulation 85B (Postal Voting Statements: additional personal identifier verification)(2)	In paragraphs (3)(a) and (c) and (4) for "agents" substitute "counting observers or agents or both (as the case may be)".
Regulation 86 (opening of ballot paper envelopes)	
Regulation 86A (retrieval of cancelled postal ballot papers)(3)	In paragraph (2)(b) and (f) for "agents" substitute "counting observers or agents or both (as the case may be)".
Regulation 87 (lists of rejected postal ballot papers)	
Regulation 88 (checking of lists kept under regulation 87)	
Regulation 89 (sealing of receptacles)(4)	
Regulation 91 (forwarding of documents)(5)	After paragraph (2) insert— "(2A) In the case of a referendum, the documents to be forwarded under paragraph (1) are to be forwarded to the registration officer of the local authority by or in respect of which the referendum is held."
Regulation 116 (interpretation of Part 7)(6)	
Regulation 118 (inspection of documents open to public inspection)(7)	
Regulation 119 (conditions on the use, supply and disclosure of documents open to public inspection)(8)	

(1) Inserted by S.I. 2006/2910.

(2) Inserted by S.I. 2006/2910.

(3) Inserted by S.I. 2006/2910.

(4) Inserted by S.I. 2006/2910.

(5) Amended by S.I. 2006/752 and 2006/2910.

(6) Inserted by S.I. 2006/2910 and amended by S.I. 2007/1025.

(7) Inserted by S.I. 2006/2910.

(8) Inserted by S.I. 2006/2910.

<p>In Schedule 3, Form E(1)</p>	<p>For "REPRESENTATION OF THE PEOPLE ACTS" substitute "*[[<i>insert name of council</i>]] REFERENDUM".</p> <p>Omit "Constituency" and "Polling District".</p> <p>For "European Parliamentary electoral region" substitute "Referendum voting area".</p> <p>For the words from "*[who qualifies" to "electoral region]", substitute "to vote for that person at the referendum on (<i>insert date</i>)".</p> <p>Omit "*[This proxy appointment is not valid until ...]" and "*[This proxy appointment remains valid until ...]".</p> <p>For paragraph 2 of the note substitute —</p> <p style="padding-left: 40px;">"2. Your appointment as proxy will be for the referendum only. You have the right to vote as proxy only at the referendum specified in the proxy paper."</p>
---------------------------------	---

(1) Amended by S.I. 2005/2114.

ATODLEN 5

Rheoliad 11

Cymhwyso, gydag addasiadau pellach, Deddf Cynrychiolaeth y Bobl 1983 mewn perthynas â Deisebau Refferendwm

<i>(1) Darpariaeth</i>	<i>(2) Addasiadau pellach</i>
Adran 128 (cyflwyno deiseb sy'n cwestiynu etholiad lleol)(1)	<p>Yn is-adran (1)—</p> <p>(a) yn lle "under the local government Act" rhodder "under the Local Authorities (Conduct of Referendums) (Wales) Regulations 2008", a</p> <p>(b) hepgorer "either" a'r geiriau o ", or by a person" hyd y diwedd.</p> <p>Yn is-adran (2), yn lle'r geiriau o'r dechrau hyd at "any" rhodder "Any".</p>
Adran 129 (amser ar gyfer cyflwyno neu ddiwygio deiseb sy'n cwestiynu etholiad lleol)	<p>Yn is-adran (1) yn lle "under the local government Act" rhodder "under the Local Authorities (Conduct of Referendums) (Wales) Regulations 2008".</p> <p>Yn is-adran (2)(b) yn lle "a candidate elected at the election" rhodder "any person".</p> <p>Yn is-adran (3)(b) yn lle "the candidate elected at the election, or by an agent of the candidate or with the privity of the candidate or his election agent" rhodder "any person".</p> <p>Hepgorer is-adrannau (4) a (5).</p> <p>Yn lle is-adran (7) rhodder—</p> <p>"(7) Subsections (3) and (6) apply notwithstanding that the act constituting the alleged illegal practice amounted to a corrupt practice."</p> <p>Hepgorer is-adran (9).</p>
Adran 130 (llys etholiad ar gyfer etholiad lleol yng Nghymru a Lloegr, a man cynnal prawf)(2)	<p>Yn is-adran (1) yn lle "in England and Wales under the local government Act" rhodder "in Wales under the Local Authorities (Conduct of Referendums) (Wales) Regulations 2008".</p> <p>Yn is-adran (3)(a) yn lle "in England and Wales under the local government Act" rhodder "in Wales under the Local Authorities (Conduct of Referendums) (Wales) Regulations 2008".</p>
Adran 131 (llety ar gyfer y llys a phresenoldeb yn y llys)	

(1) 1983 p.2; diwygiwyd adran 128 gan baragraff 12 o Atodlen 1 i Ddeddf Gweinyddu Etholiadau 2006 (p.22).

(2) Diwygiwyd adran 130 gan baragraff 50 o Atodlen 10 i Ddeddf y Llysoedd a Gwasanaethau Cyfreithiol 1990 (p.41) a pharagraff 2 o Atodlen 17 i Ddeddf Pleidiau Gwleidyddol, Etholiadau a Refferenda 2000 (p.41).

Adran 132 (tâl a lwfansau)	
Adran 133 (ad-daliadau o dan adrannau 131 a 132)	
Adran 136 (sicrwydd ar gyfer costau)(1)	Yn is-adran (2)(b) yn lle "petition questioning an election under the local government Act" rhodder "referendum petition within the meaning of regulation 11 of the Local Authorities (Conduct of Referendums) (Wales) Regulations 2008".
Adran 137 (deiseb yn bwnc dadl)(2)	
Adran 138 (rhestr o ddeisebau)(3)	<p>Yn is-adran (1)(a) yn lle "all election petitions" rhodder "all referendum petitions within the meaning of regulation 11 of the Local Authorities (Conduct of Referendums) (Wales) Regulations 2008.</p> <p>Yn is-adran (3) yn lle'r geiriau o'r dechrau hyd at "candidates" rhodder "Two or more persons".</p> <p>Yn is-adran (4)—</p> <p>(a) yn lle "the same election or to elections under the local government Act" rhodder "the same referendum or referendums under the Local Authorities (Conduct of Referendums) (Wales) Regulations 2008", a</p> <p>(b) yn lle "the election list", yn y ddau le, rhodder "the list made out under subsection (1)".</p>
Adran 139 (profi deiseb)	<p>Yn is-adran (1) hepgorer ", in the case of a parliamentary election petition, 14 days and in any other case,".</p> <p>Hepgorer is-adran (3).</p> <p>Yn lle is-adran (5) rhodder—</p> <p>"(5) On the trial of a petition, the respondent may give evidence in the same manner as if he had presented a petition against the referendum."</p> <p>Yn lle is-adran (6) rhodder—</p> <p>"(6) Where the petition relates to a referendum as regards which, by reason of an equality of votes found at the count, the result was determined by lot, that determination is to be effective also for the purposes of the petition unless subsection (6A) applies.</p> <p>(6A) This subsection applies where the court disallows any vote cast in the referendum; and in any such case—</p>

(1) Diwygiwyd adran 136 gan baragraff 48 o Atodlen 4 i Ddeddf Cynrychiolaeth y Bobl 1985 (p.50) a pharagraff 19 o Atodlen 18 i Ddeddf Pleidiau Gwleidyddol, Etholiadau a Refferenda 2000 (p.41).

(2) Rhoddwyd adran 137 yn lle adran 137 fel y'i deddfwyd yn wreiddiol, gan baragraff 3 o Atodlen 17 i Ddeddf Pleidiau Gwleidyddol, Etholiadau a Refferenda 2000 (p.41).

(3) Diwygiwyd adran 138 gan baragraff 4 o Atodlen 17 i Ddeddf Pleidiau Gwleidyddol, Etholiadau a Refferenda 2000 (p.41).

	<p>(a) the determination referred to in subsection (6) is to have no effect, and</p> <p>(b) the court is to declare the result of the referendum.</p> <p>(6B) Where—</p> <p>(a) the petition relates to a referendum at which no equality of votes was found at the count, and</p> <p>(b) the court—</p> <p>(i) disallows any vote cast in the referendum, and</p> <p>(ii) determines that an equality of votes was cast in the referendum,</p> <p>the result of the referendum is to be determined by the court by lot."</p>
Adran 140 (tystion)(1)	
Adran 141 (dyletswydd i ateb cwestiynau perthnasol)(2)	
Adran 143 (treuliau tystion)	
Adran 145 (cau treial deiseb etholiad lleol)(3)	<p>Yn lle is-adran (1) rhodder—</p> <p>"(1) At the conclusion of the trial of a petition questioning a referendum under the Local Authorities (Conduct of Referendums) (Wales) Regulations 2008 the election court is to determine—</p> <p>(a) in the case of a petition presented on the ground mentioned in regulation 11(1)(a) of those Regulations, whether the result of the referendum was or was not in accordance with the votes cast in the referendum,</p> <p>(b) in the case of a petition presented on the ground mentioned in regulation 11(1)(b) or (c) of those Regulations, whether the referendum was void.</p> <p>(1A) Following a determination under subsection (1)(a), the election court must, as the circumstances require, confirm or reverse the result of the referendum."</p>

(1) Diwygiwyd adran 140 gan baragraff 49 o Atodlen 4 i Ddeddf Cynrychiolaeth y Bobl 1985 (p.50).

(2) Diwygiwyd adran 141 gan baragraff 50 o Atodlen 4 i Ddeddf Cynrychiolaeth y Bobl 1985 (p.50) a pharagraff 84 o Atodlen 27 i Ddeddf Partneriaethau Sifil 2004 (p.33).

(3) Diwygiwyd adran 145 gan baragraff 33 o Atodlen 3 i Ddeddf Awdurdod Llundain Fwyaf 1999 (p.29).

	<p>Yn is-adran (3)—</p> <p>(a) yn lle "sections 158 and" rhodder "section", a</p> <p>(b) yn lle'r geiriau o "for which" hyd y diwedd rhodder "by which or in respect of which the referendum was held".</p> <p>Yn is-adran (6) yn lle "for which the election was held" rhodder "by which or in respect of which the referendum was held".</p>
Adran 146 (achos arbennig i'w benderfynu gan yr Uchel Lys)	<p>Hepgorer is-adran (2).</p> <p>Yn is-adran (3) yn lle'r geiriau o'r dechrau hyd at "local government Act" rhodder—</p> <p>"(3) In the case of a referendum petition under the Local Authorities (Conduct of Referendums) (Wales) Regulations 2008,".</p>
Adran 147 (tynnu deiseb yn ôl)	
Adran 154 (costau deiseb)	
Adran 155 (esgeuluso neu wrthod talu costau)	
Adran 156 (darpariaeth bellach ynghylch costau)(1)	
Adran 157 (apeliadau ac awdurdodaeth)(2)	Hepgorer is-adran (4).
Adran 160(1) a (3) (personau yr adroddir eu bod yn euog yn bersonol o arferion llwgr)(3)	Hepgorer is-adran (1)(b).
Adran 161 (Ynadon Heddwch)(4)	
Adran 162 (aelod o'r proffesiwn cyfreithiol a phroffesiynau penodol eraill)(5)	
Adran 163 (deiliad trwydded neu dystysgrif o dan y Deddfau Trwyddedu)(6)	
Adran 164(1) and (2) (dirymu etholiad oherwydd llygredd cyffredinol etc.)	<p>Yn is-adran (1)—</p> <p>(a) yn lle "election", yn y ddau le cyntaf y mae'r gair hwnnw yn ymddangos, rhodder "referendum",</p> <p>(b) yn lle "the election of any person at that election" rhodder "a particular outcome in relation to the question asked in the referendum", ac</p> <p>(c) ym mharagraffau (a) a (b) mewnosoder ", the referendum, if that outcome was achieved, is void".</p>

(1) Diwygiwyd adran 156 gan baragraff 51 o Atodlen 4 i Ddeddf Cynrychiolaeth y Bobl 1985 (p.50).

(2) Diwygiwyd adran 157 gan baragraff 6 o Atodlen 17 i Ddeddf Pleidiau Gwleidyddol, Etholiadau a Refferenda 2000 (p.41) a pharagraff 28 o Atodlen 11 i Ddeddf Diwygio Cyfansoddiadol 2005 (p.4).

(3) Diwygiwyd is-adran (1) gan baragraff 52 o Atodlen 4 i Ddeddf Cynrychiolaeth y Bobl 1985 (p.50), a rhoddwyd is-adran (3) bresennol yn lle is-adran (3) fel y'i deddfwyd yn wreiddiol, gan y paragraff hwnnw.

(4) Diwygiwyd adran 161 gan baragraff 53 o Atodlen 4, ac Atodlen 5, i Ddeddf Cynrychiolaeth y Bobl 1985 (p.50) a pharagraff 149 o Atodlen 4 i Ddeddf Diwygio Cyfansoddiadol 2005 (p.4).

(5) Diwygiwyd adran 162 gan baragraff 54 o Atodlen 4 i Ddeddf Cynrychiolaeth y Bobl 1985 (p.50).

(6) Diwygiwyd adran 163 gan baragraff 55 o Atodlen 4 i Ddeddf Cynrychiolaeth y Bobl 1985 (p.50).

	Yn is-adran (2) yn lle "An election" rhodder "A referendum".
Adran 167 (cais am ryddhad)(1)	
Adran 180 (tystiolaeth drwy dystysgrif o gynnal etholiad)	Hepgorer is-baragraff (ii) a'r gair yn union o'i flaen.
Adran 183 (costau)(2)	
Adran 184 (cyflwyno hysbysiadau)(3)	
Adran 185 (dehongli Rhan 3)(4)	

(1) Diwygiwyd adran 167 gan baragraff 56 o Atodlen 4 i Ddeddf Cynrychiolaeth y Bobl 1985 (p.50) a pharagraff 18 o Atodlen 18 i Ddeddf Pleidiau Gwleidyddol, Etholiadau a Refferenda 2000 (p.41).

(2) Diwygiwyd adran 183 gan baragraff 28 o Atodlen 11 i Ddeddf Diwygio Cyfansoddiadol 2005 (p.4).

(3) Diwygiwyd adran 184 gan baragraff 19 o Atodlen 18 o Ddeddf Pleidiau Gwleidyddol, Etholiadau a Refferenda 2000 (p.41) ac O.S. 2001/1149.

(4) Diwygiwyd adrannau 185 gan baragraff 10 o Atodlen 17 i Ddeddf Pleidiau Gwleidyddol, Etholiadau a Refferenda 2000 (p.41) a pharagraffau 86 a 87 o Atodlen 6 i Ddeddf Trwyddedu 2003 (p.17).

SCHEDULE 5

Regulation 11

Application, with further modifications, of the Representation of the People Act 1983 in relation to Referendum Petitions

<i>(1) Provision</i>	<i>(2) Further modifications</i>
Section 128 (presentation of petition questioning local election)(1)	<p>In subsection (1)—</p> <p>(a) for "under the local government Act" substitute "under the Local Authorities (Conduct of Referendums) (Wales) Regulations 2008", and</p> <p>(b) omit "either" and the words from ", or by a person" to the end.</p> <p>In subsection (2), for the words from the beginning to "any" substitute "Any".</p>
Section 129 (time for presentation or amendment of petition questioning local election)	<p>In subsection (1) for "under the local government Act" substitute "under the Local Authorities (Conduct of Referendums) (Wales) Regulations 2008".</p> <p>In subsection (2)(b) for "a candidate elected at the election" substitute "any person".</p> <p>In subsection (3)(b) for "the candidate elected at the election, or by an agent of the candidate or with the privity of the candidate or his election agent" substitute "any person".</p> <p>Omit subsections (4) and (5). For subsection (7) substitute—</p> <p>"(7) Subsections (3) and (6) apply notwithstanding that the act constituting the alleged illegal practice amounted to a corrupt practice."</p> <p>Omit subsection (9).</p>
Section 130 (election court for local election in England and Wales, and place of trial)(2)	<p>In subsection (1) for "in England and Wales under the local government Act" substitute "in Wales under the Local Authorities (Conduct of Referendums) (Wales) Regulations 2008".</p> <p>In subsection (3)(a) for "in England and Wales under the local government Act" substitute "in Wales under the Local Authorities (Conduct of Referendums) (Wales) Regulations 2008".</p>
Section 131 (accommodation of and attendance on court)	
Section 132 (remuneration and allowances)	
Section 133 (repayments under section 131 and 132)	

(1) 1983 c.2; section 128 was amended by paragraph 12 of Schedule 1 to the Electoral Administration Act 2006 (c.22).

(2) Section 130 was amended by paragraph 50 of Schedule 10 to the Courts and Legal Services Act 1990 (c.41) and paragraph 2 of Schedule 17 to the Political Parties, Elections and Referendums Act 2000 (c.41).

Section 136 (security for costs)(1)	In subsection (2)(b) for "petition questioning an election under the local government Act" substitute "referendum petition within the meaning of regulation 11 of the Local Authorities (Conduct of Referendums) (Wales) Regulations 2008".
Section 137 (petition at issue)(2)	
Section 138 (list of petitions)(3)	<p>In subsection (1)(a) for "all election petitions" substitute "all referendum petitions within the meaning of regulation 11 of the Local Authorities (Conduct of Referendums) (Wales) Regulations 2008.</p> <p>In subsection (3) for the words from the beginning to "candidates" substitute "Two or more persons".</p> <p>In subsection (4)—</p> <p>(a) for "the same election or to elections under the local government Act" substitute "the same referendum or referendums under the Local Authorities (Conduct of Referendums) (Wales) Regulations 2008", and</p> <p>(b) for "the election list", in both places, substitute "the list made out under subsection (1)".</p>
Section 139 (trial of petition)	<p>In subsection (1) omit ", in the case of a parliamentary election petition, 14 days and in any other case,".</p> <p>Omit subsection (3).</p> <p>For subsection (5) substitute—</p> <p>"(5) On the trial of a petition, the respondent may give evidence in the same manner as if he had presented a petition against the referendum."</p> <p>For subsection (6) substitute—</p> <p>"(6) Where the petition relates to a referendum as regards which, by reason of an equality of votes found at the count, the result was determined by lot, that determination is to be effective also for the purposes of the petition unless subsection (6A) applies.</p> <p>(6A) This subsection applies where the court disallows any vote cast in the referendum; and in any such case—</p> <p>(a) the determination referred to in subsection (6) is to have no effect, and</p> <p>(b) the court is to declare the result of the referendum.</p>

(1) Section 136 was amended by paragraph 48 of Schedule 4 to the Representation of the People Act 1985 (c.50) and paragraph 19 of Schedule 18 to the Political Parties, Elections and Referendums Act 2000 (c.41).

(2) Section 137 was substituted for section 137 as originally enacted by paragraph 3 of Schedule 17 to the Political Parties, Elections and Referendums Act 2000 (c.41).

(3) Section 138 was amended by paragraph 4 of Schedule 17 to the Political Parties, Elections and Referendums Act 2000 (c.41).

	<p>(6B) Where—</p> <p>(a) the petition relates to a referendum at which no equality of votes was found at the count, and</p> <p>(b) the court—</p> <p>(i) disallows any vote cast in the referendum, and</p> <p>(ii) determines that an equality of votes was cast in the referendum, the result of the referendum is to be determined by the court by lot."</p>
Section 140 (witnesses)(1)	
Section 141 (duty to answer relevant questions)(2)	
Section 143 (expenses of witnesses)	
Section 145 (conclusion of trial of local election petition)(3)	<p>For subsection (1) substitute—</p> <p>"(1) At the conclusion of the trial of a petition questioning a referendum under the Local Authorities (Conduct of Referendums) (Wales) Regulations 2008 the election court is to determine—</p> <p>(a) in the case of a petition presented on the ground mentioned in regulation 11(1)(a) of those Regulations, whether the result of the referendum was or was not in accordance with the votes cast in the referendum,</p> <p>(b) in the case of a petition presented on the ground mentioned in regulation 11(1)(b) or (c) of those Regulations, whether the referendum was void.</p> <p>(1A) Following a determination under subsection (1)(a), the election court must, as the circumstances require, confirm or reverse the result of the referendum."</p> <p>In subsection (3)—</p> <p>(a) for "sections 158 and" substitute "section", and</p> <p>(b) for the words from "for which" to the end substitute "by which or in respect of which the referendum was held".</p> <p>In subsection (6) for "for which the election was held" substitute "by which or in respect of which the referendum was held".</p>
Section 146 (special case for determination of High Court)	Omit subsection (2).

(1) Section 140 was amended by paragraph 49 of Schedule 4 to the Representation of the People Act 1985 (c.50).

(2) Section 141 was amended by paragraph 50 of Schedule 4 to the Representation of the People Act 1985 (c.50) and paragraph 84 of Schedule 27 to the Civil Partnership Act 2004 (c.33).

(3) Section 145 was amended by paragraph 33 of Schedule 3 to the Greater London Authority Act 1999 (c.29).

	In subsection (3) for the words from the beginning to "local government Act" substitute— "(3) In the case of a referendum petition under the Local Authorities (Conduct of Referendums) (Wales) Regulations 2008,".
Section 147 (withdrawal of petition)	
Section 154 (costs of petition)	
Section 155 (neglect or refusal to pay costs)	
Section 156 (further provision as to costs)(1)	
Section 157 (appeals and jurisdiction)(2)	Omit subsection (4).
Section 160(1) and (3) (persons reported personally guilty of corrupt practices)(3)	Omit subsection (1)(b).
Section 161 (Justices of the Peace)(4)	
Section 162 (member of legal and certain other professions)(5)	
Section 163 (holder of licence or certificate under Licensing Acts)(6)	
Section 164(1) and (2) (avoidance of election for general corruption etc.)	In subsection (1)— (a) for "election", in the first two places where that word appears, substitute "referendum", (b) for "the election of any person at that election" substitute "a particular outcome in relation to the question asked in the referendum", and (c) for paragraphs (a) and (b) substitute ", the referendum, if that outcome was achieved, is void". In subsection (2) for "An election" substitute "A referendum".

(1) Section 156 was amended by paragraph 51 of Schedule 4 to the Representation of the People Act 1985 (c.50).

(2) Section 157 was amended by paragraph 6 of Schedule 17 to the Political Parties, Elections and Referendums Act 2000 (c.41) and paragraph 28 of Schedule 11 to the Constitutional Reform Act 2005 (c.4).

(3) Subsection (1) was amended by paragraph 52 of Schedule 4 to the Representation of the People Act 1985 (c.50), and subsection (3) was substituted for subsection (3) as originally enacted by that paragraph.

(4) Section 161 was amended by paragraph 53 of Schedule 4, and Schedule 5, to the Representation of the People Act 1985 (c.50) and paragraph 149 of Schedule 4 to the Constitutional Reform Act 2005 (c.4).

(5) Section 162 was amended by paragraph 54 of Schedule 4 to the Representation of the People Act 1985 (c.50).

(6) Section 163 was amended by paragraph 55 of Schedule 4 to the Representation of the People Act 1985 (c.50).

Section 167 (application for relief)(1)	
Section 180 (evidence by certificate of holding of election)	Omit sub-paragraph (ii) and the word immediately preceding it.
Section 183 (costs)(2)	
Section 184 (service of notices)(3)	
Section 185 (interpretation of Part 3)(4)	

(1) Section 167 was amended by paragraph 56 of Schedule 4 to the Representation of the People Act 1985 (c.50) and paragraph 18 of Schedule 18 to the Political Parties, Elections and Referendums Act 2000 (c.41).

(2) Section 183 was amended by paragraph 28 of Schedule 11 to the Constitutional Reform Act 2005 (c.4).

(3) Section 184 was amended by paragraph 19 of Schedule 18 of the Political Parties, Elections and Referendums Act 2000 (c.41) and S.I. 2001/1149.

(4) Section 185 was amended by paragraph 10 of Schedule 17 to the Political Parties, Elections and Referendums Act 2000 (c.41) and paragraphs 86 and 87 of Schedule 6 to the Licensing Act 2003 (c.17).

Addasiadau i'r Rheolau Deisebau Etholiadau 1960

<i>(1) darpariaeth a addesir</i>	<i>(2) Addasiad</i>
Rheol 2(2)(1)	<p>Ar ôl y diffiniad o "the Act" mewnosoder—</p> <p>""the 2008 Regulations" means the Local Authorities (Conduct of Referendums) (Wales) Regulations 2008;".</p> <p>Ar ôl y diffiniad o "local election petition" mewnosoder—</p> <p>""referendum petition" means a petition under the 2008 Regulations;".</p> <p>Yn y diffiniad o "petition" ar y diwedd mewnosoder "or a referendum petition".</p> <p>Yn lle'r diffiniad o "constituency" rhodder—</p> <p>""constituency" in relation to—</p> <ul style="list-style-type: none"> (a) a local election petition, means the local government area to which the petition relates; (b) a referendum petition, means the local government area in which the referendum is held;". <p>Ar ôl y diffiniad o "returning officer" mewnosoder "and, in relation to a referendum petition, any reference to a provision of the Act must be construed as a reference to that provision as applied by the 2008 Regulations."</p>
Rheol 2(3)(2)	Ar ôl "local government Act" mewnosoder "and referendums under the 2008 Regulations".
Rheol 4(1)(3)	<p>Hepgorer is-baragraff (a).</p> <p>Yn lle is-baragraff (b) rhodder—</p> <p>""(b) the date and result of the referendum to which the petition relates;".</p> <p>Yn is-baragraff (c) yn lle'r geiriau o "petition" hyd at "the Act" rhodder "referendum petition".</p>

(1) Diwygiwyd gan O.S. 1985/1278.

(2) Diwygiwyd gan O.S. 1985/1278.

(3) Diwygiwyd gan O.S. 1985/1278.

Rheol 10(1)	Hepgorer.
Rheol 12(3)(2)	Yn lle "the election" rhodder "the referendum".
Rheol 14(2)(3)	Yn lle "the election may" rhodder "the referendum may".
Rheol 16(3)(4)	Yn lle "the election may" rhodder "the referendum may".
Rheol 18(5)	Ar ôl "local election petition" mewnosoder "or a referendum petition".
Yr Atodlen(6)	<p>Yn lle "a Parliamentary (or Local Government) Election for (<i>state place</i>)" rhodder "a referendum in (<i>state area</i>)".</p> <p>Ym mharagraff 1—</p> <p>(a) yn lle "election", yn y man cyntaf y mae'r gair hwnnw yn digwydd, rhodder "referendum",</p> <p>(b) hepgorer "(or was a candidate at the above election) (or in the case of a parliamentary election claims to have had a right to be elected or returned at the above election)".</p> <p>Yn lle paragraff 2 rhodder—</p> <p>"2. That referendum was held on the [<i>insert day</i>] day of [<i>insert month</i>] [<i>insert year</i>"].</p> <p>Ym mharagraff 4 hepgorer "in the case of a petition mentioned in section 122(2) or (3) or".</p> <p>Yn lle paragraff (1) o'r Deisyfiad rhodder—</p> <p>"(1) That it may be determined [that the result of the referendum was not in accordance with the votes cast]* [that the referendum is avoided]* [that the referendum is tainted as mentioned in regulation 13(3) of the 2008 Regulations]*.</p> <p>* <i>Include or omit as the circumstances require</i>".</p>

(1) Diwygiwyd gan O.S. 1985/1278.

(2) Diwygiwyd gan O.S. 1999/1352.

(3) Diwygiwyd gan O.S. 1999/1352.

(4) Diwygiwyd gan O.S. 1999/1352.

(5) Diwygiwyd gan O.S. 1985/1278.

(6) Diwygiwyd gan O.S. 1985/1278.

SCHEDULE 6

Regulation 11

Modifications of the Election Petition Rules 1960

<i>(1) Provision modified</i>	<i>(2) Modification</i>
Rule 2(2)(1)	<p>After the definition of "the Act" insert—</p> <p style="padding-left: 40px;">""the 2008 Regulations" means the Local Authorities (Conduct of Referendums) (Wales) Regulations 2008;"</p> <p>After the definition of "local election petition" insert—</p> <p style="padding-left: 40px;">""referendum petition" means a petition under the 2008 Regulations;"</p> <p>In the definition of "petition" insert at the end "or a referendum petition".</p> <p>For the definition of "constituency" substitute—</p> <p style="padding-left: 40px;">""constituency" in relation to—</p> <p style="padding-left: 80px;">(a) a local election petition, means the local government area to which the petition relates;</p> <p style="padding-left: 80px;">(b) a referendum petition, means the local government area in which the referendum is held;"</p> <p>After the definition of "returning officer" insert "and, in relation to a referendum petition, any reference to a provision of the Act must be construed as a reference to that provision as applied by the 2008 Regulations."</p>
Rule 2(3)(2)	<p>After "local government Act" insert "and referendums under the 2008 Regulations".</p>
Rule 4(1)(3)	<p>Omit sub-paragraph (a).</p> <p>For sub-paragraph (b) substitute—</p> <p style="padding-left: 40px;">"(b) the date and result of the referendum to which the petition relates;"</p> <p>In sub-paragraph (c) for the words from "petition" to "the Act" substitute "referendum petition".</p>

(1) Amended by S.I. 1985/1278.

(2) Amended by S.I. 1985/1278.

(3) Amended by S.I. 1985/1278.

Rule 10(1)	Omit.
Rule 12(3)(2)	For "the election" substitute "the referendum".
Rule 14(2)(3)	For "the election may" substitute "the referendum may".
Rule 16(3)(4)	For "the election may" substitute "the referendum may".
Rule 18(5)	After "local election petition" insert "or a referendum petition".
The Schedule(6)	<p>For "a Parliamentary (or Local Government) Election for (<i>state place</i>)" substitute "a referendum in (<i>state area</i>)".</p> <p>In paragraph 1—</p> <p>(a) for "election", in the first place where that word occurs, substitute "referendum",</p> <p>(b) omit "(or was a candidate at the above election) (or in the case of a parliamentary election claims to have had a right to be elected or returned at the above election)".</p> <p>For paragraph 2 substitute—</p> <p>"2. That referendum was held on the [<i>insert day</i>] day of [<i>insert month</i>] [<i>insert year</i>]."</p> <p>In paragraph 4 omit "in the case of a petition mentioned in section 122(2) or (3) or".</p> <p>For paragraph (1) of the Prayer substitute—</p> <p>"(1) That it may be determined [that the result of the referendum was not in accordance with the votes cast]* [that the referendum is avoided]* [that the referendum is tainted as mentioned in regulation 13(3) of the 2008 Regulations]*.</p> <p>* <i>Include or omit as the circumstances require</i>"</p>

(1) Amended by S.I. 1999/1352.

(2) Amended by S.I. 1999/1352.

(3) Amended by S.I. 1999/1352.

(4) Amended by S.I. 1985/1278.

(5) Amended by S.I. 1985/1278.

(6) Amended by S.I. 1985/1278.