



Deddf Llywodraeth Leol (Democratiaeth) (Cymru) 2013

2013 dccc 4

Local Government Democracy (Wales) Act 2013

2013 anaw 4

Lluniwyd Nodiadau Esboniadol yn gymorth i ddeall y Ddeddf hon ac maent ar gael ar wahân.

Explanatory Notes have been produced to assist in the understanding of this Act and are available separately.

£16.00



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Local Government (Democracy) (Wales) Act 2013

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Deddf Llywodraeth Leol (Democratiaeth) (Cymru) 2013

Deddf gan Gynulliad Cenedlaethol Cymru i wneud darpariaeth ynghylch cyfansoddiad a swyddogaethau Comisiwn Ffiniau a Democratiaeth Leol Cymru; i wneud darpariaethau amrywiol sy'n ymwneud â llywodraeth leol; ac at ddibenion cysylltiedig. [30 Gorffennaf 2013]

Gan ei fod wedi ei basio gan Gynulliad Cenedlaethol Cymru a chael cydsyniad Ei Mawrhydi, deddfir fel a ganlyn:-

RHAN 1

CYFLWYNIAD

1 Trosolwg

- (1) Mae'r Rhan hon yn rhoi trosolwg o ddarpariaethau'r Ddeddf hon.
- (2) Mae Rhan 2 yn ailenwi'r Comisiwn Ffiniau Llywodraeth Leol i Gymru yn Gomisiwn Ffiniau a Democratiaeth Leol Cymru ac yn diwygio ei gyfansoddiad a'i swyddogaethau.
- (3) Mae Rhan 3 yn gwneud darpariaeth ynghylch—
 - (a) dyletswyddau'r Comisiwn i fonitro'r trefniadau ar gyfer llywodraeth leol a, lle y bo'n briodol, i gynnal adolygiadau, a dyletswyddau prif gynghorau i fonitro'r trefniadau ar gyfer y cymunedau yn eu hardal a, lle y bo'n briodol, i gynnal adolygiadau (gweler adrannau 21 a 22),
 - (b) y mathau o adolygiadau y gellir eu cynnal, yr ystyriaethau i'r corff adolygu eu hystyried a'r newidiadau y gellir eu hargymell mewn perthynas â phob math o adolygiad (gweler adrannau 23 i 33),
 - (c) y weithdrefn ar gyfer cynnal adolygiadau (gweler adrannau 34 i 36),



Local Government (Democracy) (Wales) Act 2013

An Act of the National Assembly for Wales to make provision about the constitution and functions of the Local Democracy and Boundary Commission for Wales; to make various provisions relating to local government; and for connected purposes. [30 July 2013]

Having been passed by the National Assembly for Wales and having received the assent of Her Majesty, it is enacted as follows:-

PART 1

INTRODUCTION

1 Overview

- (1) This Part provides an overview of the provisions of this Act.
- (2) Part 2 renames the Local Government Boundary Commission for Wales as the Local Democracy and Boundary Commission for Wales and reforms its constitution and functions.
- (3) Part 3 makes provision about—
 - (a) the duties of the Commission to monitor the arrangements for local government and to conduct reviews where appropriate, and the duties of principal councils to monitor the arrangements for the communities in their area and to conduct reviews where appropriate (see sections 21 and 22),
 - (b) the types of reviews that can be conducted, the considerations to be taken into account by the reviewing body and the changes that can be recommended in relation to each type of review (see sections 23 to 33),
 - (c) the procedure for conducting reviews (see sections 34 to 36),

- (d) gweithredu argymhellion yn dilyn adolygiad a materion cysylltiedig (megis trosglwyddo staff neu eiddo rhwng prif gynghorau a chyrrff cyhoeddus eraill) (gweler adrannau 37 i 44).
- (4) Mae Rhan 4 yn gwneud darpariaeth ynghylch adolygu aelodaeth cyrrff cyhoeddus penodol.
- (5) Mae Rhan 5 yn gwneud darpariaeth—
- (a) ynghylch penodi aelod llywyddol prif gyngor;
 - (b) sy'n ailddatgan ac yn ymestyn pwerau awdurdodau lleol mewn perthynas â hyrwyddo a gwrthwynebu Biliau preifat;
 - (c) sy'n ei gwneud yn ofynnol i wybodaeth cynghorau cymuned fod ar gael ar ffurf electronig;
 - (d) ynghylch cyhoeddi cofrestrau o fuddiannau aelodau cyrrff cyhoeddus penodol (gan gynnwys awdurdodau lleol) yn electronig;
 - (e) yn ymwneud â mynychu cyfarfodydd prif gynghorau o bell;
 - (f) yn ymwneud â rôl pwyllgorau gwasanaethau democrataidd;
 - (g) sy'n cymhwyso gofynion o ran cydbwysedd gwleidyddol i bwyllgorau archwilio prif bwyllgorau;
 - (h) yn ymwneud â swyddogaethau Panel Annibynnol Cymru ar Gydabyddiaeth Ariannol a sut y mae'n paratoi adroddiadau;
 - (i) ynghylch sefydlu cyd-bwyllgorau safonau;
 - (j) sy'n galluogi'r pwyllgor safonau neu swyddog monitro awdurdod perthnasol i gyfeirio achosion sy'n ymwneud ag ymddygiad at bwyllgor safonau neu swyddog monitro awdurdod perthnasol arall.
- (6) Mae Rhan 6 yn gwneud darpariaeth gyffredinol ynghylch y Ddeddf hon.

RHAN 2

COMISIWN FFINIAU A DEMOCRATIAETH LEOL CYMRU

Parhad ac enw

2 Comisiwn Ffiniau a Democratiaeth Leol Cymru

- (1) Mae'r corff corfforaethol a enwir yn Gomisiwn Ffiniau Llywodraeth Leol i Gymru (a sefydlwyd o dan adran 53 o Ddeddf 1972) i barhau mewn bodolaeth.
- (2) Ond mae wedi ei ailenwi, ac mae i'w alw'n Gomisiwn Ffiniau a Democratiaeth Leol Cymru (y cyfeirir ato yn y Ddeddf hon fel "y Comisiwn").

Statws

3 Statws

- (1) Nid yw'r Comisiwn i'w ystyried yn was nac yn asiant i'r Goron nac yn un sy'n mwynhau unrhyw statws, imiwnedd neu fraint sydd gan y Goron.

- (d) the implementation of recommendations following a review and associated matters (such as the transfer of staff or property between principal councils and other public bodies) (see sections 37 to 44).
- (4) Part 4 makes provision about the review of the membership of certain public bodies.
- (5) Part 5 makes provision—
 - (a) about the appointment of a presiding member for a principal council;
 - (b) restating and extending the powers of local authorities in relation to promoting and opposing private Bills;
 - (c) requiring community council information to be made available electronically;
 - (d) about the electronic publication of certain public bodies' (including local authorities) registers of members' interests;
 - (e) relating to remote attendance at meetings of principal councils;
 - (f) relating to the role of democratic services committees;
 - (g) applying political balance requirements to the audit committees of principal councils;
 - (h) relating to the functions of the Independent Remuneration Panel for Wales and how it prepares reports;
 - (i) about the establishment of joint standards committees;
 - (j) enabling the standards committee or monitoring officer of a relevant authority to refer cases relating to conduct to the standards committee or monitoring officer of another relevant authority.
- (6) Part 6 makes general provision about this Act.

PART 2

LOCAL DEMOCRACY AND BOUNDARY COMMISSION FOR WALES

Continuation and name

2 Local Democracy and Boundary Commission for Wales

- (1) The body corporate called the Local Government Boundary Commission for Wales (established under section 53 of the 1972 Act) is to continue in existence.
- (2) But it is renamed, and is to be known as, the Local Democracy and Boundary Commission for Wales (referred to in this Act as "the Commission").

Status

3 Status

- (1) The Commission is not to be regarded as a servant or agent of the Crown or as enjoying any status, immunity or privilege of the Crown.

- (2) Nid yw eiddo'r Comisiwn i'w ystyried yn eiddo'r Goron nac yn eiddo sy'n cael ei ddal ar ran y Goron.

Aelodau

4 Aelodaeth

- (1) Yr aelodau a ganlyn fydd aelodau'r Comisiwn—
- (a) aelod i gadeirio'r Comisiwn (yr "aelod cadeirio"),
 - (b) aelod i weithredu fel dirprwy i'r aelod cadeirio, ac
 - (c) dim mwy na 3 aelod arall.
- (2) Mae'r aelodau i'w penodi gan Weinidogion Cymru ar delerau ac amodau a benderfynir gan Weinidogion Cymru (gan gynnwys amodau o ran tâl, lwfansau a threuliau).
- (3) Ni chaiff Gweinidogion Cymru benodi person sydd yn—
- (a) aelod Seneddol;
 - (b) aelod o Gynulliad Cenedlaethol Cymru;
 - (c) aelod o awdurdod lleol yng Nghymru;
 - (d) swyddog i awdurdod lleol yng Nghymru;
 - (e) aelod o awdurdod Parc Cenedlaethol ar gyfer Parc Cenedlaethol yng Nghymru;
 - (f) comisiynydd heddlu a throsedd ar gyfer ardal heddlu yng Nghymru; neu
 - (g) aelod o staff y Comisiwn.

5 Deiliadaeth

Mae aelodau'r Comisiwn yn dal ac yn gadael swydd yn unol â thelerau ac amodau eu penodiad.

Trafodion

6 Trafodion

- (1) 3 yw'r cworwm ar gyfer cyfarfodydd o'r Comisiwn.
- (2) Fel arall, caiff y Comisiwn reoleiddio ei weithdrefn ei hun.
- (3) Nid yw unrhyw ddiffyg ym mhenodiad aelod yn effeithio ar ddilysrwydd unrhyw beth a wneir gan y Comisiwn.

7 Y sêl a dilysrwydd dogfennau

- (1) Caniateir i'r Comisiwn gael sêl.
- (2) Dilysir y weithred o osod y sêl drwy lofnod aelod o'r Comisiwn neu lofnod person arall sydd wedi ei awdurdodi gan y Comisiwn at y diben hwnnw.
- (3) Mae dogfen yr honnir ei bod wedi ei chyflawni'n briodol o dan sêl y Comisiwn, neu ei bod wedi ei llofnodi ar ei ran gan y prif weithredwr neu aelod arall o staff sydd wedi ei awdurdodi i wneud hynny, i gael ei derbyn yn dystiolaeth a rhaid cymryd ei bod wedi ei chyflawni neu wedi ei llofnodi felly oni phrofir i'r gwrthwyneb.

- (2) The Commission's property is not to be regarded as property of, or property held on behalf of, the Crown.

Members

4 Membership

- (1) The Commission consists of—
 - (a) a member to chair the Commission (the "chairing member"),
 - (b) a member to act as deputy to the chairing member, and
 - (c) not more than 3 other members.
- (2) Members are to be appointed by the Welsh Ministers on such terms and conditions as the Welsh Ministers may determine (including conditions as to remuneration, allowances and expenses).
- (3) The Welsh Ministers may not appoint a person who is—
 - (a) a member of Parliament;
 - (b) a member of the National Assembly for Wales;
 - (c) a member of a local authority in Wales;
 - (d) an officer of a local authority in Wales;
 - (e) a member of a National Park authority for a National Park in Wales;
 - (f) a police and crime commissioner for a police area in Wales; or
 - (g) a member of the Commission's staff.

5 Tenure

Members of the Commission hold and vacate office in accordance with their terms and conditions of appointment.

Proceedings

6 Proceedings

- (1) The quorum for meetings of the Commission is 3.
- (2) The Commission may otherwise regulate its own procedure.
- (3) The validity of anything done by the Commission is not affected by any defect in the appointment of a member.

7 Seal and validity of documents

- (1) The Commission may have a seal.
- (2) The application of the seal is authenticated by the signature of a member of the Commission or of another person authorised by the Commission for that purpose.
- (3) A document purporting to be duly executed under the seal of the Commission, or signed on its behalf by the chief executive or another member of staff authorised to do so, is to be received in evidence and taken to be so executed or signed unless the contrary is proved.

*Staff, arbenigwyr a chomisiynwyr cynorthwyol***8 Prif weithredwr**

- (1) Rhaid i'r Comisiwn gyflogi prif weithredwr.
- (2) Mae'r prif weithredwr i'w benodi gan Weinidogion Cymru ar delerau ac amodau a benderfynir ganddynt (gan gynnwys amodau o ran tâl, pensiwn, lwfansau a threuliau).
- (3) Cyn penodi prif weithredwr, rhaid i Weinidogion Cymru ymgynghori â'r Comisiwn.

9 Staff eraill

- (1) Caiff y Comisiwn gyflogi staff.
- (2) Mae'r staff i'w cyflogi ar delerau ac amodau a benderfynir gan y Comisiwn (gan gynnwys amodau o ran tâl, pensiwn, lwfansau a threuliau).
- (3) Rhaid i'r Comisiwn ymgynghori â Gweinidogion Cymru cyn penderfynu ar y symiau sy'n daladwy i'w staff mewn cysylltiad â thâl, pensiynau, lwfansau a threuliau.

10 Arbenigwyr

- (1) Caiff y Comisiwn benodi person ("arbenigwr") i'w gynorthwyo i arfer ei swyddogaethau.
- (2) Cyn penodi arbenigwr rhaid i'r Comisiwn ymgynghori â Gweinidogion Cymru.
- (3) Ni chaniateir i benodiad o dan is-adran (1) gael ei wneud oni bai bod y Comisiwn wedi ei fodloni bod gan yr arbenigwr wybodaeth, profiad neu arbenigedd sy'n berthnasol i'r broses o arfer ei swyddogaethau.
- (4) Caiff y Comisiwn dalu unrhyw dâl, lwfansau neu dreuliau a benderfynir ganddo i'r arbenigwr.
- (5) Rhaid i'r Comisiwn ymgynghori â Gweinidogion Cymru cyn penderfynu ar y tâl neu'r lwfansau sy'n daladwy i arbenigwr.

11 Comisiynwyr cynorthwyol

- (1) Caiff y Comisiwn benodi person ("comisiynydd cynorthwyol") y caiff, at ddibenion adran 13, ddirprwyo swyddogaethau iddo.
- (2) Ond ni chaiff y Comisiwn benodi person sydd yn—
 - (a) aelod Seneddol;
 - (b) aelod o Gynulliad Cenedlaethol Cymru;
 - (c) aelod o awdurdod lleol yng Nghymru;
 - (d) swyddog i awdurdod lleol yng Nghymru;
 - (e) aelod o awdurdod Parc Cenedlaethol ar gyfer Parc Cenedlaethol yng Nghymru;
 - (f) comisiynydd heddlu a throsedd ar gyfer ardal heddlu yng Nghymru; neu
 - (g) aelod o staff y Comisiwn.
- (3) Cyn penodi comisiynydd cynorthwyol rhaid i'r Comisiwn ymgynghori â Gweinidogion Cymru.

Staff, experts and assistant commissioners

8 Chief executive

- (1) The Commission must employ a chief executive.
- (2) The chief executive is to be appointed by the Welsh Ministers on such terms and conditions as they may determine (including conditions as to remuneration, pension, allowances and expenses).
- (3) Before appointing a chief executive the Welsh Ministers must consult the Commission.

9 Other staff

- (1) The Commission may employ staff.
- (2) Staff are to be employed on terms and conditions determined by the Commission (including conditions as to remuneration, pension, allowances and expenses).
- (3) The Commission must consult the Welsh Ministers before determining the amounts payable to its staff in respect of remuneration, pensions, allowances and expenses.

10 Experts

- (1) The Commission may appoint a person (an “expert”) to assist it in the exercise of its functions.
- (2) Before appointing an expert the Commission must consult the Welsh Ministers.
- (3) An appointment under subsection (1) may not be made unless the Commission is satisfied that the expert has knowledge, experience or expertise relevant to the exercise of its functions.
- (4) The Commission may pay the expert such remuneration, allowances or expenses as it may determine.
- (5) The Commission must consult the Welsh Ministers before determining the remuneration or allowances payable to an expert.

11 Assistant commissioners

- (1) The Commission may appoint a person (an “assistant commissioner”) to whom, for the purposes of section 13, it may delegate functions.
- (2) But the Commission may not appoint a person who is –
 - (a) a member of Parliament;
 - (b) a member of the National Assembly for Wales;
 - (c) a member of a local authority in Wales;
 - (d) an officer of a local authority in Wales;
 - (e) a member of a National Park authority for a National Park in Wales;
 - (f) a police and crime commissioner for a police area in Wales; or
 - (g) a member of the Commission’s staff.
- (3) Before appointing an assistant commissioner the Commission must consult the Welsh Ministers.

- (4) Caiff y Comisiwn dalu unrhyw dâl, lwfansau neu dreuliau a benderfynir ganddo i gomisiynydd cynorthwyol.
- (5) Rhaid i'r Comisiwn ymgynghori â Gweinidogion Cymru cyn penderfynu ar y tâl neu'r lwfansau sy'n daladwy i gomisiynydd cynorthwyol.

Pwerau cyffredinol a chyfarwyddiadau

12 Pwerau

- (1) Caiff y Comisiwn wneud unrhyw beth y bwriedir iddo hwyluso'r arferiad o'i swyddogaethau neu sy'n ffafriol i'r arferiad o'i swyddogaethau neu'n gysylltiedig â hynny.
- (2) Ond ni chaiff y Comisiwn –
 - (a) benthyca arian;
 - (b) caffael tir neu eiddo arall heb gydsyniad Gweinidogion Cymru; neu
 - (c) ffurfio a hyrwyddo cwmnïau.

13 Dirprwyo

- (1) Caiff y Comisiwn ddirprwyo i un neu fwy o'i aelodau neu gomisiynydd cynorthwyol y swyddogaethau hynny o dan Benodau 2 i 4, 6 neu 7 o Ran 3 (swyddogaethau ynghylch cynnal adolygiadau o lywodraeth leol neu ymchwiliadau lleol) a benderfynir ganddo i'r graddau y mae wedi eu dirprwyo felly.
- (2) Nid yw is-adran (1) yn effeithio ar –
 - (a) cyfrifoldeb y Comisiwn dros arfer swyddogaethau dirprwyedig, na
 - (b) gallu'r Comisiwn i arfer swyddogaethau dirprwyedig.

14 Cyfarwyddiadau

- (1) Rhaid i'r Comisiwn gydymffurfio ag unrhyw gyfarwyddyd (boed yn gyffredinol neu'n benodol) a roddir iddo gan Weinidogion Cymru.
- (2) Caniateir i gyfarwyddyd a roddir gan Weinidogion Cymru o dan y Ddeddf hon gael ei amrywio neu ei ddirymu drwy gyfarwyddyd dilynol.

Materion ariannol

15 Cyllido

- (1) Caiff Gweinidogion Cymru dalu grantiau i'r Comisiwn o symiau a benderfynir ganddynt.
- (2) Gwneir grant yn ddarostyngedig i unrhyw amodau a bennir gan Weinidogion Cymru (gan gynnwys amodau ynghylch ad-dalu).

16 Swyddog cyfrifyddu

- (1) Rhaid i Weinidogion Cymru ddynodi person i weithredu'n swyddog cyfrifyddu i'r Comisiwn.

- (4) The Commission may pay an assistant commissioner such remuneration, allowances or expenses as it may determine.
- (5) The Commission must consult the Welsh Ministers before determining the remuneration or allowances payable to an assistant commissioner.

General powers and directions

12 Powers

- (1) The Commission may do anything which is calculated to facilitate, or is conducive or incidental to, the exercise of its functions.
- (2) But the Commission may not—
 - (a) borrow money;
 - (b) acquire land or other property without the consent of the Welsh Ministers; or
 - (c) form and promote companies.

13 Delegation

- (1) The Commission may delegate to one or more of its members or an assistant commissioner such of its functions under Chapters 2 to 4, 6 or 7 of Part 3 (functions relating to the conduct of reviews of local government or local inquiries) as it may determine to the extent so delegated.
- (2) Subsection (1) does not affect the Commission's—
 - (a) responsibility for exercise of delegated functions, or
 - (b) ability to exercise delegated functions.

14 Directions

- (1) The Commission must comply with any direction (general or specific) given to it by the Welsh Ministers.
- (2) A direction given by the Welsh Ministers under this Act may be varied or revoked by a subsequent direction.

Financial matters

15 Funding

- (1) The Welsh Ministers may pay grants to the Commission of such amounts as they may determine.
- (2) A grant is made subject to any conditions specified by the Welsh Ministers (including conditions about repayment).

16 Accounting officer

- (1) The Welsh Ministers must designate a person to act as the Commission's accounting officer.

- (2) Mae gan y swyddog cyfrifyddu, mewn perthynas â chyfrifon a chyllid y Comisiwn, y cyfrifoldebau a bennir mewn cyfarwyddyd gan Weinidogion Cymru.
- (3) Ymhlith y cyfrifoldebau y caniateir eu pennu mae—
 - (a) cyfrifoldebau mewn perthynas â llofnodi cyfrifon;
 - (b) cyfrifoldebau am briodoldeb a rheoleidd-dra cyllid y Comisiwn;
 - (c) cyfrifoldebau am ddarbodusrwydd, effeithlonrwydd ac effeithiolrwydd wrth i'r Comisiwn ddefnyddio ei adnoddau;
 - (d) cyfrifoldebau sy'n ddyledus i Weinidogion Cymru, Cynulliad Cenedlaethol Cymru neu Bwyllgor Cyfrifon Cyhoeddus y Cynulliad Cenedlaethol;
 - (e) cyfrifoldebau sy'n ddyledus i Dŷ'r Cyffredin neu Bwyllgor Cyfrifon Cyhoeddus y Tŷ hwnnw.

17 Pwyllgor archwilio

- (1) Rhaid i'r Comisiwn sefydlu pwyllgor ("pwyllgor archwilio") i—
 - (a) adolygu materion ariannol y Comisiwn a chraffu arnynt,
 - (b) adolygu ac asesu trefniadau rheoli risg, rheolaeth fewnol a llywodraethu corfforaethol y Comisiwn,
 - (c) adolygu ac asesu darbodusrwydd, effeithlonrwydd ac effeithiolrwydd defnydd y Comisiwn o'i adnoddau wrth gyflawni ei swyddogaethau, a
 - (d) llunio adroddiadau a gwneud argymhellion i'r Comisiwn mewn perthynas ag adolygiadau a gynhelir o dan baragraffau (a), (b) neu (c).
- (2) Rhaid i'r pwyllgor archwilio anfon copïau o'i adroddiadau a'i argymhellion at Weinidogion Cymru.
- (3) Y pwyllgor archwilio sydd i benderfynu sut i arfer ei swyddogaethau o dan yr adran hon.

18 Pwyllgor archwilio: aelodaeth

- (1) Mae aelodau'r pwyllgor archwilio i fod fel a ganlyn—
 - (a) o leiaf ddau aelod o'r Comisiwn, a
 - (b) o leiaf un aelod lleyg.
- (2) Ni chaiff aelod cadeirio'r Comisiwn fod yn aelod o'r pwyllgor archwilio.
- (3) Caiff y Comisiwn dalu unrhyw dâl, lwfansau a threuliau a benderfynir ganddo i aelod lleyg.
- (4) Rhaid i'r Comisiwn ymgynghori â Gweinidogion Cymru cyn penderfynu ar y tâl neu'r lwfansau sy'n daladwy i aelod lleyg.
- (5) Yn yr adran hon, ystyr "aelod lleyg" yw unrhyw berson ar wahân i—
 - (a) un o aelodau neu gyflogeion y Comisiwn, neu
 - (b) arbenigwr sydd wedi ei benodi o dan adran 10(1) neu gomisiynydd cynorthwyol sydd wedi ei benodi o dan adran 11(1).

- (2) The accounting officer has, in relation to the Commission's accounts and finances, the responsibilities specified in a direction by the Welsh Ministers.
- (3) The responsibilities that may be specified include—
 - (a) responsibilities in relation to the signing of accounts;
 - (b) responsibilities for the propriety and regularity of the Commission's finances;
 - (c) responsibilities for the economy, efficiency and effectiveness with which the Commission uses its resources;
 - (d) responsibilities owed to the Welsh Ministers, the National Assembly for Wales or the Public Accounts Committee of the National Assembly;
 - (e) responsibilities owed to the House of Commons or the Committee of Public Accounts of that House.

17 Audit committee

- (1) The Commission must establish a committee (an "audit committee") to—
 - (a) review and scrutinise the Commission's financial affairs,
 - (b) review and assess the Commission's risk management, internal control and corporate governance arrangements,
 - (c) review and assess the economy, efficiency and effectiveness with which resources have been used in discharging the Commission's functions, and
 - (d) make reports and recommendations to the Commission in relation to reviews conducted under paragraphs (a), (b) or (c).
- (2) The audit committee must send copies of its reports and recommendations to the Welsh Ministers.
- (3) It is for the audit committee to determine how to exercise its functions under this section.

18 Audit committee: membership

- (1) The audit committee is to consist of—
 - (a) at least two members of the Commission, and
 - (b) at least one lay member.
- (2) The Commission's chairing member may not be a member of the audit committee.
- (3) The Commission may pay such remuneration, allowances and expenses to a lay member as it may determine.
- (4) The Commission must consult the Welsh Ministers before determining the remuneration or allowances payable to a lay member.
- (5) In this section "lay member" means any person other than—
 - (a) a member or an employee of the Commission, or
 - (b) an expert appointed under section 10(1) or assistant commissioner appointed under section 11(1).

19 Cyfrifon ac archwilio allanol

- (1) Ar gyfer pob blwyddyn ariannol, rhaid i'r Comisiwn—
 - (a) cadw cyfrifon priodol a chofnodion priodol mewn perthynas â hwy, a
 - (b) llunio datganiad o gyfrifon.
- (2) Rhaid i bob datganiad o gyfrifon gydymffurfio ag unrhyw gyfarwyddiadau a roddir gan Weinidogion Cymru o ran—
 - (a) yr wybodaeth i'w chynnwys ynddo,
 - (b) y modd y mae'r wybodaeth i gael ei chyflwyno,
 - (c) y dulliau a'r egwyddorion y mae'r datganiad i'w lunio yn unol â hwy.
- (3) Heb fod yn hwyrach nag 31 Awst ar ôl diwedd pob blwyddyn ariannol, rhaid i'r Comisiwn gyflwyno ei ddatganiad o gyfrifon i—
 - (a) Gweinidogion Cymru, a
 - (b) Archwilydd Cyffredinol Cymru.
- (4) Rhaid i Archwilydd Cyffredinol Cymru—
 - (a) archwilio ac ardystio'r datganiad o gyfrifon ac adrodd arno, a
 - (b) heb fod yn hwyrach na 4 mis ar ôl i'r datganiad gael ei gyflwyno, gosod copi o'r datganiad ardystiedig a'r adroddiad gerbron Cynulliad Cenedlaethol Cymru.
- (5) Yn yr adran hon, ystyr "blwyddyn ariannol" yw'r cyfnod o 12 mis sy'n dod i ben ar 31 Mawrth.

20 Adroddiadau blynyddol

- (1) Heb fod yn hwyrach na 30 Tachwedd ar ôl diwedd pob blwyddyn ariannol, rhaid i'r Comisiwn gyflwyno adroddiad i Weinidogion Cymru ar y broses o gyflawni ei swyddogaethau yn ystod y flwyddyn honno.
- (2) Rhaid i Weinidogion Cymru gyhoeddi'r adroddiad a gosod copi gerbron Cynulliad Cenedlaethol Cymru.
- (3) Yn yr adran hon, mae i "blwyddyn ariannol" yr un ystyr ag yn adran 19.

RHAN 3**TREFNIADAU AR GYFER LLYWODRAETH LEOL****PENNOD 1****DYLETSWYDDAU I FONITRO TREFNIADAU LLYWODRAETH LEOL***Dyletswydd y Comisiwn***21 Dyletswydd y Comisiwn i fonitro trefniadau ar gyfer llywodraeth leol**

- (1) Rhaid i'r Comisiwn, at ddibenion ystyried a yw'n briodol i wneud neu argymhell newidiadau o dan y Rhan hon, fonitro'r ardaloedd a'r trefniadau etholiadol sy'n berthnasol i lywodraeth leol yng Nghymru.

19 Accounts and external audit

- (1) The Commission must for each financial year –
 - (a) keep proper accounts and proper records in relation to them, and
 - (b) prepare a statement of accounts.
- (2) Each statement of accounts must comply with any directions given by the Welsh Ministers as to –
 - (a) the information to be contained in it,
 - (b) the manner in which the information is to be presented,
 - (c) the methods and principles according to which the statement is to be prepared.
- (3) No later than 31 August after the end of each financial year the Commission must submit its statement of accounts to –
 - (a) the Welsh Ministers, and
 - (b) the Auditor General for Wales.
- (4) The Auditor General for Wales must –
 - (a) examine, certify and report on the statement of accounts, and
 - (b) no later than 4 months after the statement was submitted, lay before the National Assembly for Wales a copy of the certified statement and report.
- (5) In this section, “financial year” means the period of 12 months ending on 31 March.

20 Annual reports

- (1) No later than 30 November after the end of each financial year the Commission must submit a report to the Welsh Ministers on the discharge of its functions during that year.
- (2) The Welsh Ministers must publish the report and lay a copy before the National Assembly for Wales.
- (3) In this section, “financial year” has the same meaning as in section 19.

PART 3

ARRANGEMENTS FOR LOCAL GOVERNMENT

CHAPTER 1

DUTIES TO MONITOR LOCAL GOVERNMENT ARRANGEMENTS

Duty of the Commission

21 Duty of the Commission to monitor arrangements for local government

- (1) The Commission must, for the purpose of considering whether it is appropriate to make or recommend changes under this Part, monitor the areas and electoral arrangements relevant to local government in Wales.

- (2) Yn unol â'r ddyletswydd honno, rhaid i'r Comisiwn gynnal y cyfryw adolygiadau o dan y Rhan hon ag a fo'n ofynnol o dan y deddfiad hwn neu unrhyw ddeddfiad arall, y caiff Gweinidogion Cymru eu cyfarwyddo, neu fel y mae fel arall yn ystyried sy'n briodol.
- (3) Wrth iddo gyflawni ei ddyletswyddau o dan y Rhan hon (ac wrth gynnal unrhyw adolygiad), rhaid i'r Comisiwn geisio sicrhau llywodraeth leol effeithiol a chyfleus.

Dyletswyddau prif gyngor

22 Dyletswyddau prif gynghorau mewn perthynas ag ardal

- (1) Rhaid i brif gyngor, at ddibenion ystyried a yw'n briodol i wneud neu argymhell newidiadau o dan y Rhan hon, fonitro—
 - (a) y cymunedau yn ei ardal, a
 - (b) trefniadau etholiadol y cymunedau hynny.
- (2) Yn unol â'r ddyletswydd honno, rhaid i brif gyngor—
 - (a) rhoi sylw i amserlen y Comisiwn ar gyfer cynnal yr adolygiadau o drefniadau etholiadol prif ardaloedd sy'n ofynnol gan adran 29(1), a
 - (b) cynnal y cyfryw adolygiadau o dan y Rhan hon ag a fo'n ofynnol o dan y deddfiad hwn neu unrhyw ddeddfiad arall, y caiff Gweinidogion Cymru eu cyfarwyddo, neu fel y mae fel arall yn ystyried sy'n briodol.
- (3) Wrth iddo gyflawni ei ddyletswyddau o dan y Rhan hon (ac wrth gynnal unrhyw adolygiad), rhaid i brif gyngor geisio sicrhau llywodraeth leol effeithiol a chyfleus.
- (4) Rhaid i brif gyngor ddarparu i'r Comisiwn yr wybodaeth y gallai yn rhesymol ofyn amdani mewn cysylltiad ag arfer ei swyddogaethau o dan y Rhan hon.
- (5) Rhaid i brif gyngor, mewn cysylltiad â phob cyfnod adrodd, gyhoeddi adroddiad sy'n disgrifio sut y cyflawnodd ei ddyletswydd o dan is-adran (1) ac anfon copi o'r adroddiad at y Comisiwn.
- (6) Yn yr adran hon, ystyr "cyfnod adrodd" yw—
 - (a) y cyfnod o 10 mlynedd sy'n dechrau gyda—
 - (i) y dyddiad pryd y cyhoeddwyd ddiwethaf adroddiad gan y prif gyngor o dan adran 55(2A) neu, os yw'n gynharach, adran 57(4A) o Ddeddf 1972, neu
 - (ii) yn achos prif gyngor nad yw wedi cyhoeddi adroddiad o'r fath cyn y daw'r adran hon i rym, y dyddiad pryd y daw'r adran hon i rym, a
 - (b) pob cyfnod dilynol o 10 mlynedd.

- (2) In pursuance of that duty, the Commission must carry out such reviews under this Part as are required under this or any other enactment, as may be directed by the Welsh Ministers, or as it otherwise considers appropriate.
- (3) In carrying out its duties under this Part (and in conducting any review), the Commission must seek to ensure effective and convenient local government.

Duties of a principal council

22 Duties of principal councils in relation to area

- (1) A principal council must, for the purpose of considering whether it is appropriate to make or recommend changes under this Part, monitor –
 - (a) the communities in its area, and
 - (b) the electoral arrangements of such communities.
- (2) In pursuance of that duty, a principal council must –
 - (a) have regard to the Commission’s timetable for conducting the reviews of principal areas’ electoral arrangements required by section 29(1), and
 - (b) carry out such reviews under this Part as are required under this or any other enactment, as may be directed by the Welsh Ministers, or as it otherwise considers appropriate.
- (3) In carrying out its duties under this Part (and in conducting any review), a principal council must seek to ensure effective and convenient local government.
- (4) A principal council must provide the Commission with such information as it may reasonably require in connection with the exercise of its functions under this Part.
- (5) A principal council must, in respect of each reporting period, publish a report describing how it has discharged its duty under subsection (1) and send a copy of the report to the Commission.
- (6) In this section, “reporting period” means –
 - (a) the period of 10 years beginning with –
 - (i) the date on which the principal council last published a report under section 55(2A) or, if earlier, section 57(4A) of the 1972 Act, or
 - (ii) in the case of a principal council which has not published such a report before coming into force this section, the day on which this section comes into force, and
 - (b) each subsequent period of 10 years.

PENNOD 2**ADOLYGIADAU ARDAL***Prif ardaloedd***23 Adolygu ffiniau prif ardaloedd**

- (1) Caiff y Comisiwn, o'i wirfodd neu ar gais gan awdurdod lleol, gynnal adolygiad o un neu ragor o brif ardaloedd.
- (2) Ond rhaid i'r Comisiwn beidio â chynnal adolygiad o dan is-adran (1) ar gais awdurdod lleol os yw o'r farn y byddai gwneud hynny'n ei rwystro rhag arfer ei swyddogaethau'n briodol.
- (3) Y newidiadau y caiff y Comisiwn eu hargymell mewn perthynas ag adolygiad o dan yr adran hon yw –
 - (a) y newidiadau hynny i ffin prif ardal y mae o'r farn eu bod yn briodol, a
 - (b) o ganlyniad i unrhyw newidiadau i ffin prif ardal, y newidiadau hynny i ffin cymuned, newidiadau i sir wedi ei chadw, newidiadau i gyngor cymuned neu drefniadau etholiadol y mae o'r farn eu bod yn briodol.
- (4) At ddibenion y Rhan hon –
 - (a) mae cyfeiriad at "newid i ffin cymuned" yn gyfeiriad at –
 - (i) newid y ffin i gymuned;
 - (ii) dileu cymuned;
 - (iii) cyfansoddi cymuned newydd;
 - (b) mae cyfeiriad at "newid i gyngor cymuned" yn gyfeiriad at –
 - (i) cyfansoddi cyngor ar gyfer cymuned neu gyngor cyffredin ar gyfer grŵp o gymunedau;
 - (ii) diddymu cyngor cymuned (un ar wahân neu un cyffredin);
 - (iii) gwahanu cymuned o grŵp o gymunedau sydd â chyngor cymuned cyffredin;
 - (iv) ychwanegu cymuned at grŵp o gymunedau sydd â chyngor cymuned cyffredin;
 - (c) mae cyfeiriad at "newid i drefniadau etholiadol" yn gyfeiriad at newid i'r trefniadau etholiadol ar gyfer unrhyw ardal llywodraeth leol;
 - (d) mae cyfeiriad at "newid i sir wedi ei chadw" yn gyfeiriad at newid i ardal sir wedi ei chadw;
 - (e) mae cyfeiriad at "newid i ffin prif ardal" yn gyfeiriad at –
 - (i) newid y ffin i brif ardal;
 - (ii) diddymu prif ardal;
 - (iii) cyfansoddi prif ardal newydd.

CHAPTER 2

AREA REVIEWS

Principal areas

23 Review of principal area boundaries

- (1) The Commission may, of its own initiative or at the request of a local authority, conduct a review of one or more principal areas.
- (2) But the Commission must not conduct a review under subsection (1) at the request of a local authority if it considers that doing so would impede the proper exercise of its functions.
- (3) The changes that the Commission may recommend in relation to a review under this section are –
 - (a) such principal area boundary changes as it considers appropriate, and
 - (b) in consequence of any principal area boundary changes such community boundary changes, preserved county changes, community council changes or electoral arrangements changes as it considers appropriate.
- (4) For the purposes of this Part –
 - (a) a reference to a “community boundary change” is a reference to –
 - (i) altering the boundary of a community;
 - (ii) abolishing a community;
 - (iii) constituting a new community;
 - (b) a reference to “community council change” is a reference to –
 - (i) constituting a council for a community or a common council for a group of communities;
 - (ii) dissolving a community council (separate or common);
 - (iii) separating a community from a group of communities having a common community council;
 - (iv) adding a community to a group of communities having a common community council;
 - (c) a reference to an “electoral arrangements change” is a reference to a change to the electoral arrangements for any local government area;
 - (d) a reference to a “preserved county change” is a reference to a change to the area of a preserved county;
 - (e) a reference to a “principal area boundary change” is a reference to –
 - (i) altering the boundary of a principal area;
 - (ii) abolishing a principal area;
 - (iii) constituting a new principal area.

24 Adolygu prif ardaloedd yn dilyn gorchymyn tref newydd

- (1) Mae'r adran hon yn gymwys –
 - (a) pan fo Gweinidogion Cymru wedi gwneud gorchymyn o dan adran 1 o Ddeddf Trefi Newydd 1981 (p. 64) (dynodi ardaloedd o dir ar gyfer trefi newydd) sy'n dynodi unrhyw ardal o dir yn safle i dref newydd, a
 - (b) pan na fo'r ardal a ddynodwyd felly ar gyfer y dref newydd yn cael ei chynnwys yn ei chyfanrwydd o fewn prif ardal.
- (2) Rhaid i Weinidogion Cymru, cyn gynted ag y mae'n rhesymol ymarferol ar ôl dyddiad gweithredu'r gorchymyn, hysbysu'r Comisiwn gan bennu'r prif ardaloedd y mae'r gorchymyn yn effeithio arnynt.
- (3) Rhaid i'r Comisiwn, pan ddaw hysbysiad i law o dan is-adran (2), gynnal adolygiad o dan adran 23 o unrhyw brif ardaloedd a bennir yn yr hysbysiad.

*Cymunedau***25 Adolygu ffiniau cymuned gan brif gyngor**

- (1) Caiff prif gyngor gynnal adolygiad o un neu ragor o'r cymunedau yn ei ardal –
 - (a) o'i wirfodd, neu
 - (b) ar gais –
 - (i) cyngor cymuned yn ei ardal, neu
 - (ii) cyfarfod cymunedol yn ei ardal.
- (2) Ond rhaid i brif gyngor beidio â chynnal adolygiad o dan is-adran (1) ar gais cyngor cymuned neu gyfarfod cymunedol os yw o'r farn y byddai gwneud hynny'n ei rwystro rhag arfer ei swyddogaethau'n briodol.
- (3) Y newidiadau y caiff prif gyngor eu hargymell mewn perthynas ag adolygiad o dan yr adran hon yw –
 - (a) y newidiadau hynny i ffiniau cymuned y mae o'r farn eu bod yn briodol, a
 - (b) o ganlyniad i unrhyw newidiadau i ffiniau cymuned, y newidiadau hynny i gyngor cymuned a newidiadau cysylltiedig i drefniadau etholiadol –
 - (i) y gymuned neu'r cymunedau sydd o dan adolygiad,
 - (ii) y brif ardal,
 y mae o'r farn eu bod yn briodol.
- (4) At ddibenion is-adran (3)(b)(ii), mae adran 30 yn gymwys i brif gyngor fel y mae'n gymwys i'r Comisiwn.
- (5) Caiff prif gyngor ymrwymo mewn cytundeb gyda'r Comisiwn er mwyn i'r Comisiwn (o dan adran 26) arfer swyddogaethau'r cyngor o dan yr adran hon.
- (6) Caiff y cytundeb fod ar y telerau a'r amodau hynny y mae'r prif gyngor a'r Comisiwn o'r farn eu bod yn briodol.

26 Adolygu ffiniau cymuned gan y Comisiwn

- (1) Caiff y Comisiwn, yn unrhyw un neu ragor o'r amgylchiadau a ddisgrifir yn is-adran (2), gynnal adolygiad o un neu ragor o gymunedau mewn prif ardal.

24 Review of principal areas following new town order

- (1) This section applies where, under section 1 of the New Towns Act 1981 (c. 64) (designation of areas of land for new towns) –
 - (a) the Welsh Ministers have made an order which designates any area of land as the site of a new town, and
 - (b) the area of the new town so designated is not wholly comprised within a principal area.
- (2) The Welsh Ministers must, as soon as reasonably practicable after the date of operation of the order, give notice to the Commission specifying the principal areas affected by the order.
- (3) The Commission must, on receipt of a notice under subsection (2), conduct a review under section 23 of any principal areas specified in the notice.

Communities

25 Review of community boundaries by principal council

- (1) A principal council may conduct a review of one or more communities in its area –
 - (a) of its own initiative, or
 - (b) at the request of –
 - (i) a community council in its area, or
 - (ii) a community meeting in its area.
- (2) But a principal council must not conduct a review under subsection (1) at the request of a community council or a community meeting if it considers that doing so would impede the proper exercise of its functions.
- (3) The changes that a principal council may recommend in relation to a review under this section are –
 - (a) such community boundary changes as it considers appropriate, and
 - (b) in consequence of any community boundary changes, such community council changes and associated changes to the electoral arrangements of –
 - (i) the community or communities under review,
 - (ii) the principal area,as it considers appropriate.
- (4) For the purposes of subsection (3)(b)(ii), section 30 applies to a principal council as it applies to the Commission.
- (5) A principal council may enter into an agreement with the Commission for the Commission (under section 26) to exercise the council's functions under this section.
- (6) The agreement may be on such terms and conditions as the principal council and the Commission consider appropriate.

26 Review of community boundaries by the Commission

- (1) The Commission may, in any of the circumstances described in subsection (2), conduct a review of one or more communities in a principal area.

- (2) Yr amgylchiadau yw –
- (a) pan fo'r Comisiwn wedi cytuno i arfer swyddogaethau prif gyngor o dan adran 25(5),
 - (b) pan fo prif gyngor wedi cyflwyno argymhellion i'r Comisiwn o dan adran 36(5) ac –
 - (i) argymhelliad y cyngor yw na ddylid gwneud unrhyw newidiadau i ffiniau cymuned,
 - (ii) nad yw'r cyngor a'r Comisiwn yn gallu cytuno ar yr addasiadau hynny i'r argymhellion y mae'r Comisiwn o'r farn eu bod yn angenrheidiol iddo eu gweithredu,
 - (iii) nad yw'r Comisiwn o'r farn ei bod yn briodol i weithredu unrhyw un neu ragor o argymhellion y cyngor, neu
 - (iv) bod y Comisiwn o'r farn na chafodd yr adolygiad ei gynnal gan y cyngor yn unol â'r Rhan hon neu fel arall ei fod yn ddiffygiol mewn modd sylweddol,
 - (c) pan na fo prif gyngor wedi cydymffurfio â chyfarwyddyd gan Weinidogion Cymru i gynnal adolygiad o un neu ragor o'i gymunedau.
- (3) Y newidiadau y caiff Comisiwn eu hargymell mewn perthynas ag adolygiad o dan yr adran hon yw –
- (a) y newidiadau hynny i ffiniau cymuned y mae o'r farn eu bod yn briodol, a
 - (b) o ganlyniad i unrhyw newidiadau i ffiniau cymuned, y newidiadau hynny i gyngor cymuned a newidiadau cysylltiedig i drefniadau etholiadol –
 - (i) y gymuned neu'r cymunedau sydd dan adolygiad,
 - (ii) y brif ardal,
 y mae o'r farn eu bod yn briodol.
- (4) Pan fo'r Comisiwn yn cynnal adolygiad yn yr amgylchiadau a ddisgrifir yn is-adran (2)(b)(iv) neu (c), caiff adennill y gost o wneud hynny oddi wrth y prif gyngor.
- (5) Os bydd anghytundeb rhwng y Comisiwn a'r prif gyngor ynghylch y swm sy'n daladwy i'r Comisiwn o dan is-adran (4), caiff Gweinidogion Cymru benderfynu'r swm hwnnw.
- (6) O ran unrhyw swm sy'n daladwy i'r Comisiwn o dan yr adran hon, mae modd ei adennill fel dyled sy'n ddyledus i'r Comisiwn.

*Siroedd wedi eu cadw***27 Adolygu siroedd wedi eu cadw**

- (1) Caiff y Comisiwn gynnal adolygiad o un neu ragor o siroedd wedi eu cadw.
- (2) Caiff y Comisiwn argymell y newidiadau hynny i ardal sir wedi ei chadw y mae o'r farn eu bod yn briodol.
- (3) Wrth ystyried a yw newidiadau i ardal y sir sydd wedi ei chadw yn rhai priodol (p'un ai mewn perthynas ag adolygiad o dan yr adran hon neu fel rhan o unrhyw adolygiad arall) rhaid i'r Comisiwn roi sylw, yn benodol, i'r dibenion dros gadw'r siroedd sydd wedi eu cadw.

- (2) The circumstances are –
- (a) where the Commission has agreed to exercise a principal council’s functions under section 25(5),
 - (b) where a principal council has submitted recommendations to the Commission under section 36(5) and –
 - (i) the council’s recommendation is that no community boundary changes should be made,
 - (ii) the council and the Commission are unable to agree to such modifications to the recommendations as the Commission considers necessary for it to implement them,
 - (iii) the Commission does not consider it appropriate to implement any of the council’s recommendations, or
 - (iv) the Commission considers that the review has not been conducted by the council in accordance with this Part or has otherwise been defective in some material way,
 - (c) where a principal council has not complied with a direction by the Welsh Ministers to conduct a review of one or more of its communities.
- (3) The changes that the Commission may recommend in relation to a review under this section are –
- (a) such community boundary changes as it considers appropriate, and
 - (b) in consequence of any community boundary changes, such community council changes and associated changes to the electoral arrangements of –
 - (i) the community or communities under review,
 - (ii) the principal area,as it considers appropriate.
- (4) Where the Commission conducts a review in the circumstances described in subsection (2)(b)(iv) or (c), it may recover the cost of doing so from the principal council.
- (5) In the event of a disagreement between the Commission and the principal council as to the amount payable to the Commission under subsection (4), the Welsh Ministers may determine that amount.
- (6) Any sum payable to the Commission under this section is recoverable as a debt due to the Commission.

Preserved counties

27 Review of preserved counties

- (1) The Commission may conduct a review of one or more preserved counties.
- (2) The Commission may recommend such changes to the area of a preserved county as it considers appropriate.
- (3) In considering whether changes to the area of the preserved county are appropriate (whether in relation to a review under this section or as part of any other review) the Commission must have regard, in particular, to the purposes for which the preserved counties are retained.

- (4) At ddibenion y Rhan hon, ystyr “sir wedi ei chadw” yw unrhyw sir a grëwyd gan Ddeddf 1972 yn sir yng Nghymru fel yr oedd hi yn union cyn pasio Deddf Llywodraeth Leol (Cymru) 1994 ond yn ddarostyngedig i unrhyw ddarpariaeth yn y Ddeddf honno neu unrhyw ddarpariaeth a wnaed o dan Ddeddf 1972 neu’r Ddeddf hon a bod y ddarpariaeth honno’n ail-lunio ei ffiniau.

Ffiniau tua’r môr

28 Adolygu ffiniau tua’r môr

- (1) Caiff y Comisiwn gynnal adolygiad o gymaint o ffin ardal llywodraeth leol (sy’n cynnwys, at ddibenion yr adran hon, sir wedi ei chadw) –
- sy’n gorwedd o dan farc penllanw pan fo’r llanw’n ganolig, a
 - nad yw’n ffurfio ffin gyffredin ag ardal llywodraeth leol arall.
- (2) Y newidiadau y caiff y Comisiwn eu hargymell mewn perthynas ag adolygiad o dan yr adran hon yw –
- cynnwys o fewn yr ardal llywodraeth leol unrhyw ardal o’r môr nad yw, ar adeg yr adolygiad, yn ffurfio rhan o ardal llywodraeth leol arall, a
 - allgáu unrhyw ardal o’r môr sydd, ar adeg yr adolygiad, yn ffurfio rhan o’r ardal llywodraeth leol.

PENNOD 3

ADOLYGIADAU O DREFNIADAU ETHOLIADOL

Prif ardaloedd

29 Adolygu trefniadau etholiadol ar gyfer prif ardal

- (1) Rhaid i’r Comisiwn gynnal adolygiad o’r trefniadau etholiadol ar gyfer pob prif ardal o leiaf unwaith ym mhob cyfnod adolygu.
- (2) Rhaid i’r Comisiwn, mewn perthynas â phob cyfnod adolygu –
- paratoi a chyhoeddi rhaglen sy’n nodi ei amserlen arfaethedig ar gyfer cynnal yr holl adolygiadau sy’n ofynnol o dan is-adran (1) yn ystod y cyfnod, a
 - anfon copi o’r rhaglen at Weinidogion Cymru.
- (3) At ddibenion is-adrannau (1) a (2) ystyr “cyfnod adolygu” yw –
- y cyfnod o 10 mlynedd sy’n dechrau gyda’r diwrnod pryd y daw’r adran hon i rym, a
 - pob cyfnod dilynol o 10 mlynedd.
- (4) Rhaid i’r Comisiwn gydymffurfio â’i ddyletswyddau yn is-adran (2) –
- mewn perthynas â’r cyfnod adolygu cyntaf, cyn gynted ag y bo modd wedi iddo ddechrau, a
 - mewn perthynas â phob cyfnod adolygu dilynol, cyn i’r cyfnod ddechrau.
- (5) Caiff y Comisiwn hefyd, o’i wirfodd neu ar gais prif gyngor, gynnal adolygiad o’r trefniadau etholiadol ar gyfer prif ardal.

- (4) For the purposes of this Part, “preserved county” means any county created by the 1972 Act as a county in Wales as it stood immediately before the passing of the Local Government (Wales) Act 1994 but subject to any provision of that Act or any provision made under the 1972 Act or this Act redrawing its boundaries.

Seaward boundaries

28 Review of seaward boundaries

- (1) The Commission may conduct a review of so much of the boundary of a local government area (which includes, for the purposes of this section, a preserved county) as—
- (a) lies below the high-water mark of medium tides, and
 - (b) does not form a common boundary with another local government area.
- (2) The changes that the Commission may recommend in relation to a review under this section are—
- (a) the inclusion within the local government area of any area of the sea which, at the time of the review, does not form part of another local government area, and
 - (b) the exclusion of any area of the sea which, at the time of the review, forms part of the local government area.

CHAPTER 3

ELECTORAL ARRANGEMENTS REVIEWS

Principal areas

29 Review of electoral arrangements for principal area

- (1) The Commission must conduct a review of the electoral arrangements for each principal area at least once in every review period.
- (2) The Commission must, in respect of each review period—
- (a) prepare and publish a programme which sets out its proposed timetable for conducting all the reviews required under subsection (1) during the period, and
 - (b) send a copy of the programme to the Welsh Ministers.
- (3) For the purposes of subsections (1) and (2) “review period” means—
- (a) the period of 10 years beginning with the day on which this section comes into force, and
 - (b) each subsequent period of 10 years.
- (4) The Commission must comply with its duties in subsection (2)—
- (a) in respect of the the first review period, as soon as possible after it begins, and
 - (b) in respect of each subsequent review period, before the period begins.
- (5) The Commission may also, of its own initiative or at the request of a principal council, conduct a review of the electoral arrangements for a principal area.

- (6) Ond rhaid i'r Comisiwn beidio â chynnal adolygiad o dan is-adran (5) ar gais prif gyngor os yw o'r farn y byddai gwneud hynny'n ei rwystro rhag arfer ei swyddogaethau'n briodol.
- (7) Y newidiadau y caiff y Comisiwn eu hargymhell mewn perthynas ag adolygiad o dan yr adran hon yw –
- (a) y newidiadau hynny i'r trefniadau etholiadol ar gyfer y brif ardal sydd dan adolygiad y mae o'r farn eu bod yn briodol, a
 - (b) o ganlyniad i newid o'r fath –
 - (i) y newidiadau hynny i ffiniau cymuned y mae o'r farn eu bod yn briodol mewn perthynas ag unrhyw gymuned yn y brif ardal,
 - (ii) y newidiadau hynny i gyngor cymuned a newidiadau i'r trefniadau etholiadol ar gyfer cymuned o'r fath y mae o'r farn eu bod yn briodol,
 - (iii) y newidiadau hynny i sir wedi ei chadw y mae o'r farn eu bod yn briodol.
- (8) Rhaid i'r Comisiwn beidio â gwneud neu gyhoeddi, yn unrhyw gyfnod o 9 mis cyn diwrnod etholiad arferol cyngor o dan adran 26 o Ddeddf 1972 (ethol cynghorwyr), unrhyw argymhellion sy'n ymwneud â threfniadau etholiadol prif ardal.
- (9) Yn y Rhan hon, mae cyfeiriad at drefniadau etholiadol prif ardal yn gyfeiriad at y canlynol –
- (a) nifer aelodau'r cyngor ar gyfer y brif ardal,
 - (b) nifer, math a ffiniau'r wardiau etholiadol y rhennir y brif ardal iddynt am y tro at ddibenion ethol aelodau,
 - (c) nifer yr aelodau sydd i'w hethol ar gyfer unrhyw ward etholiadol yn y brif ardal honno, a
 - (d) enw unrhyw ward etholiadol.
- (10) At ddibenion is-adran (9)(b), mae cyfeiriad at y math o ward etholiadol yn gyfeiriad at a yw'r ward yn ward un aelod neu'n ward amlaelod.
- (11) Yn y Rhan hon –
- ystyr "ward amlaelod" yw unrhyw ward etholiadol y mae nifer penodedig (mwy nag un) o aelodau i'w hethol ar gyfer y ward honno,
 - ystyr "ward etholiadol" yw unrhyw ardal yr etholir aelodau i awdurdod lleol ar ei chyfer, ac
 - ystyr "ward un aelod" yw ward etholiadol y mae un aelod yn unig i'w ethol ar ei chyfer.

30 Ystyriaethau ar gyfer adolygiad o drefniadau etholiadol prif ardal

- (1) Rhaid i'r Comisiwn, wrth ystyried a fydd yn gwneud argymhellion ynghylch newidiadau i'r trefniadau etholiadol ar gyfer prif ardal –
- (a) ceisio sicrhau bod yr un gymhareb o etholwyr llywodraeth leol i nifer aelodau'r cyngor sydd i'w hethol ym mhob ward etholiadol o'r brif ardal, neu'n agos at fod felly,
 - (b) rhoi sylw i'r canlynol –

- (6) But the Commission must not conduct a review under subsection (5) at the request of a principal council if it considers that doing so would impede the proper exercise of its functions.
- (7) The changes that the Commission may recommend in relation to a review under this section are –
 - (a) such changes to the electoral arrangements for the principal area under review as appears to it appropriate, and
 - (b) in consequence of such change –
 - (i) such community boundary changes as it considers appropriate in relation to any community in the principal area,
 - (ii) such community council changes and changes to the electoral arrangements for such a community as it considers appropriate,
 - (iii) such preserved county changes as it considers appropriate.
- (8) The Commission must not, in any period of 9 months preceding the day of an ordinary council election under section 26 of the 1972 Act (elections of councillors), make or publish any recommendations relating to the electoral arrangements of a principal area.
- (9) In this Part, a reference to the electoral arrangements of a principal area is a reference to –
 - (a) the number of members of the council for the principal area,
 - (b) the number, type and boundaries of the electoral wards into which the principal area is for the time being divided for the purpose of the election of members,
 - (c) the number of members to be elected for any electoral ward in the principal area, and
 - (d) the name of any electoral ward.
- (10) For the purposes of subsection (9)(b), a reference to the type of an electoral ward is a reference to whether the ward is a single or multiple member ward.
- (11) In this Part –

“electoral ward” means any area for which members are elected to a local authority,

“multiple member ward” means an electoral ward in respect of which a specified number (greater than one) of members are to be elected for that ward, and

“single member ward” means an electoral ward in respect of which only one member is to be elected.

30 Considerations for a review of principal area electoral arrangements

- (1) The Commission, in considering whether to make recommendations for changes to the electoral arrangements for a principal area, must –
 - (a) seek to ensure that the ratio of local government electors to the number of members of the council to be elected is, as nearly as may be, the same in every electoral ward of the principal area,
 - (b) have regard to –

- (i) dymunoldeb pennu ffiniau ar gyfer wardiau etholiadol sydd yn hawdd eu hadnabod ac a fyddant yn parhau felly,
 - (ii) dymunoldeb peidio â thorri'r cwlwm lleol wrth bennu ffiniau ar gyfer wardiau etholiadol.
- (2) At ddibenion is-adran (1)(a), rhaid rhoi sylw i'r canlynol –
- (a) unrhyw anghysondeb rhwng nifer etholwyr llywodraeth leol a nifer y personau sydd yn gymwys i fod yn etholwyr llywodraeth leol (fel a welir mewn ystadegau swyddogol perthnasol), a
 - (b) unrhyw newid yn nifer neu yn nosbarthiad etholwyr llywodraeth leol yn y brif ardal sy'n debygol o ddigwydd yn y cyfnod o bum mlynedd yn union ar ôl gwneud unrhyw argymhelliad.
- (3) Yn yr adran hon, ystyr "ystadegau swyddogol perthnasol" yw'r ystadegau swyddogol hynny o fewn yr ystyr a roddir i "official statistics" yn adran 6 o Ddeddf y Gwasanaeth Ystadegau a Chofrestru 2007 (p. 18) y mae'r Comisiwn o'r farn eu bod yn briodol.
- (4) Yn y Rhan hon, ystyr "etholwr llywodraeth leol" yw person sydd wedi ei gofrestru'n etholwr llywodraeth leol yn y gofrestr etholwyr yn unol â darpariaethau Deddfau Cynrychiolaeth y Bobl.

Cymunedau

31 Adolygu trefniadau etholiadol i gymuned gan brif gyngor

- (1) Caiff prif gyngor gynnal adolygiad o'r trefniadau etholiadol ar gyfer cymuned yn ei ardal –
- (a) o'i wirfodd, neu
 - (b) ar gais –
 - (i) y cyngor cymuned ar gyfer y gymuned, neu
 - (ii) dim llai na 30 o etholwyr llywodraeth leol sydd wedi eu cofrestru yn y gymuned.
- (2) Ond rhaid i brif gyngor beidio â chynnal adolygiad o dan is-adran (1) ar gais y cyngor cymuned neu etholwyr llywodraeth leol os yw o'r farn y byddai gwneud hynny'n ei rwystro rhag arfer ei swyddogaethau'n briodol.
- (3) Y newidiadau y caiff prif gyngor eu cynnig a'u gwneud mewn perthynas ag adolygiad o dan yr adran hon –
- (a) yw'r newidiadau hynny i'r trefniadau etholiadol ar gyfer y gymuned y mae'r prif gyngor o'r farn eu bod yn briodol, a
 - (b) o ganlyniad i unrhyw newid i'r trefniadau etholiadol ar gyfer y gymuned, y newidiadau hynny i drefniadau etholiadol y brif ardal y mae o'r farn eu bod yn briodol.
- (4) At ddibenion is-adran (3)(b), mae adran 30 yn gymwys i brif gyngor fel y mae'n gymwys i'r Comisiwn.
- (5) Caiff prif gyngor ymrwymo mewn cytundeb gyda'r Comisiwn er mwyn i'r Comisiwn (o dan adran 32) arfer swyddogaeth y cyngor o gynnal adolygiadau o dan yr adran hon.

- (i) the desirability of fixing boundaries for electoral wards which are and will remain easily identifiable,
 - (ii) the desirability of not breaking local ties when fixing boundaries for electoral wards.
- (2) For the purposes of subsection (1)(a), account is to be taken of—
- (a) any discrepancy between the number of local government electors and the number of persons that are eligible to be local government electors (as indicated by relevant official statistics), and
 - (b) any change to the number or distribution of local government electors in the principal area which is likely to take place in the period of five years immediately following the making of any recommendation.
- (3) In this section, “relevant official statistics” means such official statistics within the meaning of section 6 of the Statistics and Registration Service Act 2007 (c. 18) as the Commission considers appropriate.
- (4) In this Part, “local government elector” means a person registered as a local government elector in the register of electors in accordance with the provisions of the Representation of the People Acts.

Communities

31 Review of electoral arrangements for community by principal council

- (1) A principal council may conduct a review of the electoral arrangements for a community in its area—
- (a) of its own initiative, or
 - (b) at the request of—
 - (i) the community council for the community, or
 - (ii) not less than 30 local government electors registered in the community.
- (2) But a principal council must not conduct a review under subsection (1) at the request of the community council or local government electors if it considers that doing so would impede the proper exercise of its functions.
- (3) The changes that a principal council may propose and make in relation to a review under this section are—
- (a) such changes to the electoral arrangements for the community as the principal council considers appropriate, and
 - (b) in consequence of any change to the electoral arrangements for the community, such changes to the electoral arrangements of the principal area as it considers appropriate.
- (4) For the purposes of subsection (3)(b), section 30 applies to a principal council as it applies to the Commission.
- (5) A principal council may enter into an agreement with the Commission for the Commission (under section 32) to exercise the council’s function of conducting reviews under this section.

- (6) Caiff y cytundeb fod ar y telerau a'r amodau hynny y mae'r prif gyngor a'r Comisiwn o'r farn eu bod yn briodol.
- (7) Yn y Rhan hon, mae cyfeiriad at drefniadau etholiadol cymuned yn gyfeiriad at y canlynol—
 - (a) nifer aelodau'r cyngor ar gyfer y gymuned;
 - (b) ei rhaniad yn wardiau (os yw'n briodol) at ddibenion ethol cyngorwyr;
 - (c) nifer a ffiniau unrhyw wardiau;
 - (d) nifer yr aelodau sydd i'w hethol ar gyfer unrhyw ward;
 - (e) enw unrhyw ward.

32 Adolygu trefniadau etholiadol cymuned gan y Comisiwn

- (1) Caiff y Comisiwn, yn unrhyw un neu ragor o'r amgylchiadau a ddisgrifir yn is-adran (2), gynnal adolygiad o'r trefniadau etholiadol ar gyfer cymuned.
- (2) Yr amgylchiadau yw—
 - (a) pan fo'r Comisiwn wedi cytuno i arfer swyddogaeth prif gyngor o gynnal adolygiadau o dan adran 31(5);
 - (b) pan ofynnwyd i'r Comisiwn gynnal adolygiad o gymuned gan—
 - (i) y cyngor cymuned, neu
 - (ii) dim llai na 30 o etholwyr llywodraeth leol o'r gymuned;
 - (c) pan na fo prif gyngor wedi cydymffurfio â chyfarwyddyd gan Weinidogion Cymru i gynnal adolygiad o'r trefniadau etholiadol ar gyfer un neu ragor o'i gymunedau.
- (3) Ond rhaid i'r Comisiwn beidio â chynnal adolygiad o dan is-adran (1) yn dilyn cais gan gyngor cymuned neu etholwyr llywodraeth leol os yw o'r farn y byddai gwneud hynny'n ei rwystro rhag arfer ei swyddogaethau'n briodol.
- (4) Y newidiadau y caiff y Comisiwn eu hargymell mewn perthynas ag unrhyw adolygiad o dan yr adran hon—
 - (a) yw'r newidiadau hynny i'r trefniadau etholiadol ar gyfer y gymuned y mae'r Comisiwn o'r farn eu bod yn briodol, a
 - (b) o ganlyniad i unrhyw newid i'r trefniadau etholiadol ar gyfer y gymuned, y newidiadau hynny i drefniadau etholiadol y brif ardal y mae o'r farn eu bod yn briodol.
- (5) Pan fo'r Comisiwn yn cynnal adolygiad yn yr amgylchiadau a ddisgrifir yn is-adran (2) (c), caiff adennill y gost am wneud hynny oddi wrth y prif gyngor.
- (6) Os bydd anghytundeb rhwng y Comisiwn a'r prif gyngor ynghylch y swm sy'n daladwy i'r Comisiwn o dan is-adran (5), caiff Gweinidogion Cymru benderfynu'r swm hwnnw.
- (7) O ran unrhyw swm sy'n daladwy i'r Comisiwn o dan yr adran hon, mae modd ei adennill fel dyled sy'n ddyledus i'r Comisiwn.

- (6) The agreement may be on such terms and conditions as the principal council and the Commission consider appropriate.
- (7) In this Part, a reference to the electoral arrangements of a community is a reference to—
 - (a) the number of members of the council for the community;
 - (b) its division into wards (if appropriate) for the purposes of the election of councillors;
 - (c) the number and boundaries of any wards;
 - (d) the number of members to be elected for any ward;
 - (e) the name of any ward.

32 Review of electoral arrangements for community by the Commission

- (1) The Commission may, in any of the circumstances described in subsection (2), conduct a review of the electoral arrangements for a community.
- (2) The circumstances are—
 - (a) where the Commission has agreed to exercise a principal council's function of conducting reviews under section 31(5);
 - (b) where the Commission has been requested to conduct a review of a community by—
 - (i) the community council, or
 - (ii) not less than 30 local government electors from the community;
 - (c) where a principal council has not complied with a direction by the Welsh Ministers to conduct a review of the electoral arrangements for one or more of its communities.
- (3) But the Commission must not conduct a review under subsection (1) following a request by a community council or local government electors if it considers that doing so would impede the proper exercise of its functions.
- (4) The changes that the Commission may recommend in relation to any review under this section are—
 - (a) such changes to the electoral arrangements for the community that the Commission considers appropriate, and
 - (b) in consequence of any change to the electoral arrangements for the community, such changes to the electoral arrangements of the principal area, as it considers appropriate.
- (5) Where the Commission conducts a review in the circumstances described in subsection (2)(c), it may recover the cost of doing so from the principal council.
- (6) In the event of a disagreement between the Commission and the principal council as to the amount payable to the Commission under subsection (5), the Welsh Ministers may determine that amount.
- (7) Any sum payable to the Commission under this section is recoverable as a debt due to the Commission.

33 Ystyriaethau ar gyfer adolygiad o drefniadau etholiadol cymuned

- (1) Mae'r adran hon yn gymwys pan fo prif gyngor yn ystyried gwneud neu, yn ôl y digwydd, pan fo'r Comisiwn yn ystyried argymhell, newidiadau i'r trefniadau etholiadol ar gyfer cymuned.
- (2) Wrth ystyried a ddylid rhannu cymuned yn wardiau cymuned, rhaid rhoi sylw i'r canlynol—
 - (a) a yw nifer neu ddsbarthiad yr etholwyr llywodraeth leol ar gyfer y gymuned yn y fath fodd sy'n gwneud un etholiad o gynghorwyr cyngor cymuned yn anymarferol neu'n anghyfleus, a
 - (b) a yw'n ddymunol y dylai unrhyw ardal o'r gymuned gael cynrychiolaeth ar wahân ar y cyngor cymuned.
- (3) Pan benderfynir rhannu cymuned yn wardiau cymuned, wrth ystyried maint a ffiniau'r wardiau ac wrth bennu nifer y cynghorwyr cymuned sydd i'w hethol ar gyfer pob ward, dylid rhoi sylw i'r canlynol—
 - (a) unrhyw newid yn nifer neu yn nosbarthiad etholwyr llywodraeth leol yn y gymuned sy'n debygol o ddigwydd yn y cyfnod o bum mlynedd yn union ar ôl unrhyw argymhelliad,
 - (b) dymunoldeb pennu ffiniau sydd yn hawdd eu hadnabod ac a fyddant yn parhau felly, ac
 - (c) unrhyw gwlwm lleol a fydd yn cael ei dorri wrth bennu ffiniau penodol.
- (4) Pan benderfynir peidio â rhannu cymuned yn wardiau cymuned, wrth bennu nifer y cynghorwyr sydd i'w hethol ar gyfer pob cymuned, dylid rhoi sylw i'r canlynol—
 - (a) nifer a dosbarthiad yr etholwyr llywodraeth leol yn y gymuned, a
 - (b) unrhyw newid yn y nifer neu'r dosbarthiad hwnnw sy'n debygol o ddigwydd yn y cyfnod o bum mlynedd yn union ar ôl pennu nifer y cynghorwyr cymuned.
- (5) At ddibenion yr adran hon, rhaid rhoi sylw i unrhyw anghysondeb rhwng nifer etholwyr llywodraeth leol a nifer y personau sydd yn gymwys i fod yn etholwyr llywodraeth leol (fel a welir mewn ystadegau swyddogol perthnasol).
- (6) Yn yr adran hon, ystyr "ystadegau swyddogol perthnasol" yw'r ystadegau swyddogol hynny (o fewn yr ystyr a roddir i "official statistics" yn adran 6 o Ddeddf y Gwasanaeth Ystadegau a Chofrestru 2007 (p. 18)) y mae'r Comisiwn, neu yn ôl y digwydd, y prif gyngor o'r farn eu bod yn briodol.

PENNOD 4**Y WEITHDREFN AR GYFER ADOLYGIADAU LLYWODRAETH LEOL***Y weithdrefn ar gyfer adolygiadau***34 Y weithdrefn ragadolygu**

- (1) Cyn cynnal adolygiad o dan y Rhan hon, rhaid i'r Comisiwn neu, yn ôl y digwydd, brif gyngor gymryd y camau hynny y mae o'r farn eu bod yn briodol er mwyn—
 - (a) dod â'r adolygiad i sylw ymgyngoreion gorfodol ac unrhyw berson arall y mae o'r farn ei bod yn debygol y bydd ganddynt fuddiant yn yr adolygiad, a

33 Considerations for a review of community electoral arrangements

- (1) This section applies where a principal council is considering making or, as the case may be, the Commission is considering recommending, changes to the electoral arrangements for a community.
- (2) In considering whether a community should be divided into community wards, regard is to be had to—
 - (a) whether the number or distribution of the local government electors for the community is such as to make a single election of community councillors impractical or inconvenient, and
 - (b) whether it is desirable that any area of the community should be separately represented on the community council.
- (3) Where it is decided to divide a community into community wards, in considering the size and boundaries of the wards and in fixing the number of community councillors to be elected for each ward, regard is to be had to—
 - (a) any change in the number or distribution of local government electors of the community which is likely to take place within the period of five years immediately following any recommendation,
 - (b) the desirability of fixing boundaries which are and will remain easily identifiable, and
 - (c) any local ties which will be broken by the fixing of any particular boundaries.
- (4) Where it is decided not to divide a community into community wards, in fixing the number of councillors to be elected for each community, regard is to be had to—
 - (a) the number and distribution of local government electors in the community, and
 - (b) any change in such number or distribution which is likely to take place within the period of five years immediately following the fixing of the number of community councillors.
- (5) For the purposes of this section, account is to be taken of any discrepancy between the number of local government electors and number of persons that are eligible to be local government electors (as indicated by relevant official statistics).
- (6) In this section, “relevant official statistics” means such official statistics (within the meaning of section 6 of the Statistics and Registration Service Act 2007 (c. 18)) as the Commission, or as the case may be, principal council considers appropriate.

CHAPTER 4

PROCEDURE FOR LOCAL GOVERNMENT REVIEWS

Procedure for reviews

34 Pre-review procedure

- (1) Before conducting a review under this Part, the Commission or, as the case may be, a principal council must take such steps as it considers appropriate to—
 - (a) bring the review to the attention of the mandatory consultees and any other person it considers likely to be interested in the review, and

- (b) gwneud yr ymgynghoreion gorfodol a'r personau eraill hynny y mae ganddynt fuddiant yn ymwybodol o unrhyw gyfarwyddiadau a roddir gan Weinidogion Cymru sy'n berthnasol i'r adolygiad.
- (2) O ran adolygiad sydd i'w gynnal o dan adran 29, cyn cynnal yr adolygiad, rhaid i'r Comisiwn hefyd ymgynghori â'r ymgynghoreion gorfodol ynghylch y weithdrefn a'r fethodoleg a fwriedir ar gyfer yr adolygiad ac, yn benodol, sut y mae'n bwriadu penderfynu nifer priodol yr aelodau ar gyfer unrhyw brif gyngor yn y brif ardal neu'r ardaloedd sydd dan adolygiad.
- (3) At ddibenion y Rhan hon, yr "ymgynghoreion gorfodol" yw –
 - (a) unrhyw awdurdod lleol y mae'r adolygiad yn effeithio arno,
 - (b) ac eithrio mewn perthynas ag adolygiad o dan adran 28 (adolygu ffiniau tua'r môr), comisiynydd heddlu a throsedd ar gyfer unrhyw ardal heddlu y gall yr adolygiad effeithio arni,
 - (c) ac eithrio pan fo'r adolygiad yn cael ei gynnal (neu i'w gynnal) ganddo ef, y Comisiwn,
 - (d) unrhyw gorff sy'n cynrychioli'r staff a gyflogir gan awdurdodau lleol sydd wedi gofyn am ymgynghoriad â hwy, a
 - (e) unrhyw bersonau eraill a bennir drwy orchymyn a wneir gan Weinidogion Cymru.
- (4) Nid yw is-adran (1) yn gymwys i adolygiad a gynhelir gan y Comisiwn yn yr amgylchiadau a ddisgrifir yn adran 26(2)(b)(ii) neu (iii).

35 Ymgynghori ac ymchwilio

- (1) Wrth gynnal adolygiad o dan y Rhan hon, rhaid i'r Comisiwn neu, yn ôl y digwydd, brif gyngor ("y corff adolygu") –
 - (a) ymgynghori â'r ymgynghoreion gorfodol a'r personau eraill hynny y mae o'r farn eu bod yn briodol, a
 - (b) cynnal yr ymchwiliadau hynny y mae o'r farn eu bod yn briodol.
- (2) Ar ôl cynnal yr ymgynghoriad a'r ymchwiliadau o dan is-adran (1), rhaid i'r corff adolygu lunio adroddiad sy'n cynnwys –
 - (a) unrhyw gynigion ar gyfer newid y mae o'r farn eu bod yn briodol neu, os yw o'r farn nad oes unrhyw newid yn briodol, cynnig i'r diben hwnnw,
 - (b) manylion o'r adolygiad y mae wedi ei gynnal.
- (3) Rhaid i'r corff adolygu –
 - (a) cyhoeddi'r adroddiad yn electronig,
 - (b) sicrhau bod yr adroddiad ar gael i edrych arno (yn ddi-dâl) yn swyddfeydd unrhyw brif gyngor sydd â buddiant yn yr adolygiad ar hyd y cyfnod ar gyfer sylwadau,
 - (c) anfon copiâu o'r adroddiad at Weinidogion Cymru a'r ymgynghoreion gorfodol,
 - (d) hysbysu unrhyw berson arall a gyflwynodd dystiolaeth i'r corff adolygu sut i gael copi o'r adroddiad, ac

- (b) make the mandatory consultees and such other interested person aware of any directions given by the Welsh Ministers which are relevant to the review.
- (2) In relation to a review to be conducted under section 29, before conducting the review, the Commission must also consult the mandatory consultees on its intended procedure and methodology for the review and, in particular, on how it proposes to determine the appropriate number of members for any principal council in the principal area or areas under review.
- (3) For the purposes of this Part, the “mandatory consultees” are –
 - (a) any local authority affected by the review,
 - (b) except in relation to a review under section 28 (reviews of seaward boundaries), the police and crime commissioner for any police area which may be affected by the review,
 - (c) except where the review is (or is to be) conducted by it, the Commission,
 - (d) any organisation representing the staff employed by local authorities which has asked to be consulted, and
 - (e) such other persons as may be specified by order made by the Welsh Ministers.
- (4) Subsection (1) does not apply to a review conducted by the Commission in the circumstances described in section 26(2)(b)(ii) or (iii).

35 Consultation and investigation

- (1) In conducting a review under this Part, the Commission or, as the case may be, a principal council (“the reviewing body”) must –
 - (a) consult the mandatory consultees and such other persons as it considers appropriate, and
 - (b) conduct such investigations as it considers appropriate.
- (2) After carrying out the consultation and investigations under subsection (1), the reviewing body must prepare a report containing –
 - (a) any proposals for change it considers appropriate or, if it does not consider any change appropriate, a proposal to that effect,
 - (b) details of the review it conducted.
- (3) The reviewing body must –
 - (a) publish the report electronically,
 - (b) secure that the report is available for inspection (without charge) at the offices of any principal council with an interest in the review for the duration of the period for representations,
 - (c) send copies of the report to the Welsh Ministers and the mandatory consultees,
 - (d) inform any other person who submitted evidence to the reviewing body how to obtain a copy of the report, and

- (e) gwahodd sylwadau a hysbysu'r personau a grybwyllir yn (c) a (d) am y cyfnod ar gyfer sylwadau.
- (4) At ddibenion is-adran (3), y "cyfnod ar gyfer sylwadau" yw cyfnod nad yw'n llai na 6 wythnos, nac yn hwy na 12 wythnos (fel a benderfynir gan y corff adolygu) yn dechrau dim cynt nag un wythnos ar ôl rhoi hysbysiad am y cyfnod.
- (5) At ddibenion yr adran hon, mae gan brif gyngor fuddiant mewn adolygiad –
 - (a) os ef yw'r corff adolygu,
 - (b) os yw ei ardal dan adolygiad,
 - (c) os yw cymuned yn ei ardal (neu os yw'r trefniadau etholiadol ar gyfer y gymuned honno) dan adolygiad.
- (6) Yn yr adran hon ac yn adran 36 mae cyfeiriad at gynnig newid yn gyfeiriad at unrhyw newid y caiff y corff adolygu ei argymhell neu ei wneud (gan gynnwys newid canlyniadol) mewn perthynas â'r math o adolygiad sy'n cael ei gynnal.

36 Adrodd ar yr adolygiad

- (1) Rhaid i'r Comisiwn neu, yn ôl y digwydd, brif gyngor ("y corff adolygu"), ar ôl i'r cyfnod ar gyfer sylwadau o dan adran 35(3) ddod i ben, ystyried ei gynigion i newid gan roi sylw i unrhyw sylwadau a gafwyd ganddo yn ystod y cyfnod.
- (2) Yna rhaid i'r corff adolygu lunio adroddiad pellach.
- (3) Ac eithrio mewn perthynas ag adolygiad o dan adran 31, rhaid i'r adroddiad gynnwys –
 - (a) unrhyw argymhelliad i newid y mae'r corff adolygu o'r farn ei fod yn briodol, neu os yw o'r farn nad oes unrhyw newid yn briodol, argymhelliad i'r diben hwnnw,
 - (b) manylion yr adolygiad a'r ymgynghoriad a gynhaliwyd mewn cysylltiad â'r cynigion, ac
 - (c) manylion unrhyw newidiadau i'r cynigion a wnaed yng ngoleuni'r sylwadau a gafwyd ac esboniad paham y gwnaed y newidiadau hynny.
- (4) Pan fo adolygiad o dan adran 31, rhaid i'r adroddiad gynnwys –
 - (a) y newidiadau y mae'r corff adolygu yn bwriadu eu gwneud i'r trefniadau etholiadol ar gyfer y gymuned dan adolygiad, neu os yw o'r farn nad yw newid o'r fath yn briodol, ddatganiad i'r diben hwnnw,
 - (b) manylion yr adolygiad a'r ymgynghoriad a gynhaliwyd mewn cysylltiad â'r cynigion, ac
 - (c) manylion unrhyw newidiadau i'r cynigion a wnaed yng ngoleuni'r sylwadau a gafodd ac esboniad paham y gwnaed y newidiadau hynny.
- (5) Rhaid i'r corff adolygu –
 - (a) cyflwyno'r adroddiad a'i argymhellion i'r awdurdod gweithredu priodol (ac eithrio pan ef yw'r awdurdod gweithredu),
 - (b) cyhoeddi'r adroddiad yn electronig a sicrhau ei fod ar gael i edrych arno (yn ddi-dâl) yn swyddfeydd unrhyw brif gyngor sydd â buddiant am gyfnod sydd o leiaf yn 6 wythnos yn dechrau ar ddyddiad y cyhoeddi,
 - (c) anfon copi o'r adroddiad at yr ymgynghoreion gorfodol, yr Arolwg Ordnans ac (onid hwy yw'r awdurdod gweithredu) at Weinidogion Cymru,

- (e) invite representations and notify the persons mentioned in (c) and (d) of the period for representations.
- (4) For the purpose of subsection (3), the “period for representations” is a period of not less than 6, nor more than 12, weeks (as determined by the reviewing body) beginning no earlier than one week after notice of the period is given.
- (5) For the purposes of this section, a principal council has an interest in a review if—
 - (a) it is the reviewing body,
 - (b) its area is under review,
 - (c) a community in its area (or the electoral arrangements of such a community) is under review.
- (6) In this section and section 36 a reference to a proposal for change is a reference to any change that the reviewing body may recommend or make (including consequential change) in relation to the type of review being conducted.

36 Reporting on review

- (1) The Commission or, as the case may be, a principal council (“the reviewing body”) must, after the period for representations under section 35(3) has ended, consider its proposals for change having regard to any representations received by it during the period.
- (2) The reviewing body must then prepare a further report.
- (3) Except in relation to a review under section 31, the report must contain—
 - (a) any recommendation for change which the reviewing body considers appropriate or, if it does not consider any change appropriate, a recommendation to that effect,
 - (b) details of the review conducted and the consultation carried out in respect of the proposals, and
 - (c) details of any changes to the proposals made in light of the representations received and an explanation of why those changes have been made.
- (4) Where the review is under section 31, the report must contain—
 - (a) the changes the reviewing body intends to make to the electoral arrangements for the community under review, or if it does not consider that any such change is appropriate, a statement to that effect,
 - (b) details of the review conducted and the consultation carried out in respect of the proposals, and
 - (c) details of any changes to the proposals made in light of the representations it received and an explanation of why those changes have been made.
- (5) The reviewing body must—
 - (a) submit the report and its recommendations to the appropriate implementing authority (except where it is the implementing authority),
 - (b) publish the report electronically and secure that it is available for inspection (without charge) at the offices of any principal council with an interest for a period of at least 6 weeks beginning with the date of publication,
 - (c) send a copy of the report to the mandatory consultees, Ordnance Survey and (unless they are the implementing authority) the Welsh Ministers,

- (d) hysbysu unrhyw berson arall a gyflwynodd dystiolaeth neu a wnaeth sylwadau mewn perthynas â'r adroddiad a gyhoeddwyd o dan adran 35 sut i gael copi o'r adroddiad.
- (6) At ddibenion is-adran (5), yr "awdurdod gweithredu priodol" yw –
 - (a) mewn perthynas ag adolygiad o dan adran 23, Gweinidogion Cymru ac, mewn achos pan fo'r Comisiwn yn argymhell newid i ardal heddlu, yr Ysgrifennydd Gwladol (i'r graddau y mae'n ymwneud â'r newid hwnnw);
 - (b) mewn perthynas ag adolygiad o dan adran 25, y Comisiwn;
 - (c) mewn perthynas ag adolygiad o dan adran 26, 27, 28 neu 29, Gweinidogion Cymru;
 - (d) mewn perthynas ag adolygiad o dan adran 32, prif gyngor y gymuned a fu'n destun yr adolygiad.
- (7) Pan fo prif gyngor yn cyflwyno adroddiad i'r Comisiwn mewn perthynas ag adolygiad o dan adran 25, nid yw'r Comisiwn i gael ei drin fel ymgynghorai gorfodol at ddibenion is-adran (5)(c).
- (8) At ddibenion yr adran hon mae gan brif gyngor fuddiant mewn adolygiad –
 - (a) os ef yw'r corff adolygu;
 - (b) os yw ei ardal dan adolygiad;
 - (c) os yw cymuned yn ei ardal (neu os yw'r trefniadau etholiadol ar gyfer y gymuned honno) dan adolygiad.
- (9) Yn yr adran hon mae cyfeiriad at argymhelliad i newid yn gyfeiriad at unrhyw newid y caiff y corff adolygu ei argymhell neu ei wneud (gan gynnwys newid canlyniadol) mewn perthynas â'r math o adolygiad sy'n cael ei gynnal.

PENNOD 5

GWEITHREDU YN DILYN ADOLYGIAD

Gweithredu gan Weinidogion Cymru

37 **Gweithredu gan Weinidogion Cymru**

- (1) Caiff Gweinidogion Cymru, ar ôl iddynt gael adroddiad sy'n cynnwys argymhellion oddi wrth y Comisiwn mewn perthynas ag adolygiad a gynhaliwyd o dan adran 23, 26, 27, 28 neu 29, neu gais am weithredu ei argymhellion o dan adran 39(7) –
 - (a) drwy orchymyn weithredu unrhyw argymhelliad, gydag addasiadau neu hebddynt, neu
 - (b) penderfynu peidio â gweithredu.
- (2) Er hynny, ni chaiff Gweinidogion Cymru weithredu argymhelliad gydag addasiadau oni bai ei fod –
 - (a) mewn achos sy'n ymwneud ag argymhellion i newid trefniadau etholiadol ar gyfer prif ardal, os ydynt wedi ystyried y materion a ddisgrifir yn adran 30 ac wedi eu bodloni ei bod yn briodol i wneud yr addasiad,

- (d) inform any other person who submitted evidence or made representations in relation to the report published under section 35 how to obtain a copy of the report.
- (6) For the purposes of subsection (5), the “appropriate implementing authority” is—
 - (a) in relation to a review under section 23, the Welsh Ministers and, in a case where the Commission are making a recommendation for change to a police area, the Secretary of State (in so far as relating to that change);
 - (b) in relation to a review under section 25, the Commission;
 - (c) in relation to a review under section 26, 27, 28 or 29, the Welsh Ministers;
 - (d) in relation to a review under section 32, the principal council of the community which has been the subject of the review.
- (7) Where the principal council submits a report to the Commission in relation to a review under section 25, the Commission is not to be treated as a mandatory consultee for the purposes of subsection (5)(c).
- (8) For the purposes of this section a principal council has an interest in a review if—
 - (a) it is the reviewing body;
 - (b) its area is under review;
 - (c) a community in its area (or the electoral arrangements of such a community) is under review.
- (9) In this section, a reference to a recommendation for change is a reference to any change that the reviewing body may recommend or make (including consequential change) in relation to the type of review being conducted.

CHAPTER 5

IMPLEMENTATION FOLLOWING REVIEW

Implementation by the Welsh Ministers

37 Implementation by the Welsh Ministers

- (1) The Welsh Ministers may, after receiving a report containing recommendations from the Commission in relation to a review conducted under section 23, 26, 27, 28 or 29, or a request for implementation of its recommendations under section 39(7) —
 - (a) by order implement any recommendation, with or without modification, or
 - (b) decide to take no action.
- (2) But the Welsh Ministers may only implement a recommendation with modification if —
 - (a) in a case involving recommendations for change to electoral arrangements for a principal area, they have considered the matters described in section 30 and are satisfied that it is appropriate to make the modification,

- (b) mewn achos sy'n ymwneud ag argymhellion i newid trefniadau etholiadol ar gyfer cymuned, os ydynt wedi ystyried y materion a ddisgrifir yn adran 33 ac wedi eu bodloni ei bod yn briodol i wneud yr addasiad, ac
 - (c) mewn unrhyw achos, os ydynt wedi eu bodloni bod yr addasiad er lles llywodraeth leol effeithiol a chyfleus.
- (3) Ni chaniateir gwneud gorchymyn o dan is-adran (1)(a) nes bod y cyfnod o 6 wythnos sy'n dechrau ar y dyddiad y cafodd Gweinidogion Cymru yr argymhellion wedi dod i ben.
- (4) Rhaid i'r Comisiwn roi'r wybodaeth bellach honno i Weiniogion Cymru mewn perthynas â'i argymhellion fel y bo Gweinidogion Cymru yn ei gwneud yn rhesymol ofynnol.

Gweithredu anweinidogol

38 Gweithredu newid i ffin cymuned

- (1) Caiff y Comisiwn, ar ôl iddo gael adroddiad yn cynnwys argymhellion i newid oddi wrth brif gyngor mewn perthynas ag adolygiad a gynhaliwyd o dan adran 25 –
- (a) drwy orchymyn weithredu'r argymhellion heb addasiadau,
 - (b) drwy orchymyn weithredu'r argymhellion gyda'r addasiadau hynny y mae'r prif gyngor yn cytuno arnynt, neu
 - (c) yn yr amgylchiadau a ddisgrifir yn adran 26(2)(b)(ii) neu (iii), gynnal ei adolygiad ei hun.
- (2) Ni chaniateir gwneud gorchymyn o dan is-adran (1) nes bod y cyfnod o 6 wythnos sy'n dechrau ar y dyddiad y cafodd y Comisiwn argymhellion y prif gyngor wedi dod i ben.
- (3) Dim ond gyda chydysyniad Gweinidogion Cymru y caniateir gwneud gorchymyn o dan is-adran (1) sy'n cynnwys newidiadau i drefniadau etholiadol prif ardal.
- (4) Rhaid i'r prif gyngor a wnaeth yr argymhellion roi i'r Comisiwn yr wybodaeth bellach honno mewn perthynas â'r argymhellion neu'r weithdrefn a ddilynwyd fel y bo Gweinidogion Cymru yn ei gwneud yn rhesymol ofynnol.

39 Gweithredu newid i drefniadau etholiadol cymuned

- (1) Caiff prif gyngor, drwy orchymyn, weithredu'r newidiadau a ddisgrifir mewn adroddiad a luniwyd gan y cyngor o dan adran 36(4).
- (2) Ni chaniateir gwneud gorchymyn o dan is-adran (1) tan ddiwedd cyfnod o 6 wythnos sy'n dechrau ar y dyddiad y cyhoeddodd y prif gyngor ei adroddiad.
- (3) Caiff prif gyngor, ar ôl cael adroddiad sy'n cynnwys yr argymhellion ar gyfer newid oddi wrth y Comisiwn mewn perthynas ag adolygiad o dan adran 32 –
- (a) drwy orchymyn weithredu'r argymhellion heb addasiadau,
 - (b) drwy orchymyn weithredu'r argymhellion gyda'r addasiadau hynny y cytunir arnynt â'r Comisiwn,
 - (c) penderfynu peidio â gweithredu a hysbysu'r Comisiwn yn unol â hynny.
- (4) Ni chaniateir gwneud gorchymyn o dan is-adran (3) tan ddiwedd cyfnod o 6 wythnos sy'n dechrau ar y dyddiad y mae'r cyngor yn cael yr adroddiad.

- (b) in a case involving recommendations for change to electoral arrangements for a community, they have considered the matters described in section 33 and are satisfied that it is appropriate to make the modification, and
 - (c) in any case, they are satisfied that the modification is in the interests of effective and convenient local government.
- (3) No order may be made under subsection (1)(a) until the expiry of a period of 6 weeks beginning with the date on which the Welsh Ministers receive the recommendations.
 - (4) The Commission must provide the Welsh Ministers with such further information in relation to its recommendations as the Welsh Ministers may reasonably require.

Non-ministerial implementation

38 Implementation of community boundary change

- (1) The Commission may, after receiving a report containing recommendations for change from a principal council in relation to a review conducted under section 25 –
 - (a) by order implement the recommendations without modification,
 - (b) by order implement the recommendations with such modification as may be agreed with the principal council, or
 - (c) in the circumstances described in section 26(2)(b)(ii) or (iii), conduct its own review.
- (2) No order may be made under subsection (1) until the expiry of a period of 6 weeks beginning with the date on which the Commission receives the principal council's recommendations.
- (3) An order under subsection (1) which contains changes to the electoral arrangements of a principal area may be made only with the consent of the Welsh Ministers.
- (4) The principal council which made the recommendations must provide the Commission with such further information in relation to the recommendations or the procedure followed as it may reasonably require.

39 Implementation of community electoral arrangements change

- (1) A principal council may by order implement the changes described in a report prepared by the council under section 36(4).
- (2) No order may be made under subsection (1) until the expiry of a period of 6 weeks beginning with the date on which the principal council published its report.
- (3) A principal council may, after receiving a report containing recommendations for change from the Commission in relation to a review under section 32 –
 - (a) by order implement the recommendations without modification,
 - (b) by order implement the recommendations with such modification as may be agreed with the Commission,
 - (c) decide to take no action and notify the Commission accordingly.
- (4) No order may be made under subsection (3) until the expiry of a period of 6 weeks beginning with the date on which the council receives the report.

- (5) Dim ond gyda chydysyniad Gweinidogion Cymru y caniateir gwneud gorchymyn o dan is-adran (1) neu (3) sy'n cynnwys newidiadau i drefniadau etholiadol prif ardal.
- (6) Mae is-adran (7) yn gymwys—
 - (a) pan fo'r prif gyngor wedi hysbysu'r Comisiwn nad yw'n bwriadu gweithredu mewn cysylltiad â'r argymhellion, neu
 - (b) pan na fo'r prif gyngor wedi gwneud gorchymyn (gydag addasiadau neu hebddynt) o fewn y cyfnod o 6 mis sy'n dechrau ar y dyddiad y cafodd y cyngor argymhellion y Comisiwn.
- (7) Caiff y Comisiwn ofyn i Weinidogion Cymru weithredu'r argymhellion o dan adran 37.

Darpariaeth bellach ynghylch gweithredu a gorchmynion gweithredu

40 Gorchmynion gweithredu: darpariaeth ganlyniadol

- (1) Caniateir i orchymyn a wneir gan Weinidogion Cymru, y Comisiwn neu brif gyngor o dan adran 37, 38, 39 neu 43 wneud unrhyw ddarpariaeth gysylltiedig, ganlyniadol, atodol neu drosiannol sy'n angenrheidiol neu'n hwylus yn eu barn hwy neu ei farn ef.
- (2) Caniateir i'r gorchmynion hynny, yn benodol, wneud darpariaeth ynghylch—
 - (a) enw unrhyw ardal neu ward etholiadol sydd wedi ei newid;
 - (b) cyfanswm nifer y cynghorwyr, dosraniad cynghorwyr ymhlith wardiau etholiadol, neilltuo cynghorwyr presennol i wardiau etholiadol newydd neu wardiau etholiadol sydd wedi eu newid ac etholiad cyntaf cynghorwyr i unrhyw ward etholiadol newydd neu unrhyw ward etholiadol sydd wedi ei newid;
 - (c) cynnal etholiad newydd i gynghorwyr ar gyfer pob ward etholiadol yn yr ardal llywodraeth leol dan sylw;
 - (d) y drefn ar gyfer ymddeoliad cynghorwyr ar gyfer ward etholiadol;
 - (e) cyfansoddiad unrhyw gorff cyhoeddus mewn unrhyw ardal neu ward etholiadol y mae'r gorchymyn yn effeithio arni, etholiad iddo ac aelodaeth ohono;
 - (f) unrhyw un neu ragor o'r materion a ddisgrifir yn adran 41(2).
- (3) Dim ond o ganlyniad i newid i'r trefniadau etholiadol ar gyfer ardal a wnaed yn dilyn adolygiad o dan Bennod 3 y caniateir gwneud darpariaeth o'r math a ddisgrifir yn is-adran (2)(c).
- (4) Caiff gorchymyn a wneir gan Weinidogion Cymru o dan adran 37 neu 43 gymhwyso neu addasu unrhyw ddeddfiad neu siarter.
- (5) Nid oes dim yn yr adran hon yn rhagfarnu cyffredinolrwydd adran 71 (gorchmynion a rheoliadau).
- (6) Yn yr adran hon—

mae "corff cyhoeddus" yn cynnwys—

 - (a) awdurdod lleol,

- (5) An order under subsection (1) or (3) which contains changes to the electoral arrangements of a principal area may be made only with the consent of the Welsh Ministers.
- (6) Subsection (7) applies where—
 - (a) the principal council has notified the Commission that it does not intend to take any action in respect of the recommendations, or
 - (b) the principal council has not made an order (with or without modification) within the period of 6 months beginning with the date on which the council received the Commission's recommendations.
- (7) The Commission may request the Welsh Ministers implement the recommendations under section 37.

Further provision about implementation and implementation orders

40 Implementation orders: consequential provision

- (1) An order made by the Welsh Ministers, the Commission or a principal council under section 37, 38, 39 or 43 may make such incidental, consequential, supplemental or transitional provision as they consider necessary or expedient.
- (2) Such orders may, in particular, make provision about—
 - (a) the name of any altered area or electoral ward;
 - (b) the total number of councillors, the apportionment of councillors among electoral wards, the assignment of existing councillors to new or altered electoral wards and the first election of councillors for any new or altered electoral ward;
 - (c) the holding of a fresh election of councillors for all electoral wards in the local government area in question;
 - (d) the order of retirement of councillors for an electoral ward;
 - (e) the constitution, election to and membership of any public body in any area or electoral ward affected by the order;
 - (f) any of the matters described in section 41(2).
- (3) Provision of the type described in subsection (2)(c) may only be made in consequence of a change to the electoral arrangements for an area made following a review under Chapter 3.
- (4) An order made by the Welsh Ministers under section 37 or 43 may apply or modify any enactment or charter.
- (5) Nothing in this section prejudices the generality of section 71 (orders and regulations).
- (6) In this section—

“councillor” means an elected member of a local authority;

“public body” includes—

 - (a) a local authority,

- (b) unrhyw ymddiriedolwyr, comisiynwyr neu bersonau eraill sydd, at ddibenion cyhoeddus ac nid er eu budd eu hunain, yn gweithredu o dan unrhyw ddeddfiad neu offeryn er mwyn gwella unrhyw fan, cyflenwi dŵr i unrhyw fan, neu ddarparu neu gynnal mynwent neu farchnad mewn unrhyw fan, ac
 - (c) unrhyw awdurdod arall a chanddo bwerau i godi neu ddyroddi praesept ar gyfer unrhyw ardreth at ddibenion cyhoeddus,
- ystyr “cynghorydd” yw aelod etholedig awdurdod lleol.

41 Darpariaeth ganlyniadol a throsiannol gyffredinol

- (1) Caiff Gweinidogion Cymru drwy reoliadau wneud unrhyw ddarpariaeth gysylltiedig, ganlyniadol, atodol neu drosiannol sy'n angenrheidiol neu'n hwylus yn eu barn hwy at ddibenion rhoi effaith lawn i orchmynion a wneir o dan adran 37, 38, 39 neu 43 neu mewn cysylltiad â hynny.
- (2) Caiff rheoliadau o dan yr adran hon, yn benodol, wneud darpariaeth ynghylch—
 - (a) swyddogaethau, ardal neu awdurdodaeth mewn neu dros ardal (neu ran o ardal) unrhyw gorff cyhoeddus neu swydd gyhoeddus o fewn ardal (neu ward etholiadol) y mae gorchymyn a wneir o dan y Rhan hon yn effeithio arni;
 - (b) costau a threuliau corff cyhoeddus neu swydd gyhoeddus y mae'r cyfryw orchymyn yn effeithio arnynt;
 - (c) trosglwyddo staff cyrff cyhoeddus neu swyddi cyhoeddus yr effeithir arnynt;
 - (d) trosglwyddo, rheoli neu warchod eiddo (boed yn eiddo tirol neu'n eiddo personol) a throsglwyddo hawliau a rhwymedigaethau;
 - (e) trosglwyddo achosion cyfreithiol.
- (3) Caniateir i'r rheoliadau o dan yr adran hon gymhwyso neu addasu unrhyw ddeddfiad neu siarter.
- (4) Nid oes dim yn yr adran hon yn rhagfarnu cyffredinolrwydd adran 71 (gorchmynion a rheoliadau).
- (5) Yn yr adran hon, mae i “corff cyhoeddus” yr un ystyr ag yn adran 40(6).

42 Trosglwyddo staff

Rhaid i orchymyn o dan adran 37, 38, 39 neu 43 neu, yn ôl y digwydd, reoliadau o dan adran 41 sy'n gwneud darpariaeth ynghylch trosglwyddo staff gynnwys darpariaeth i sicrhau—

- (a) bod person a drosglwyddir i gyflogwr newydd yn aros ar delerau ac amodau nad ydynt yn llai ffafriol na'r rhai yr oedd y person yn ddarostyngedig iddynt cyn iddo drosglwyddo hyd nes bod y person—
 - (i) yn gadael cyflogaeth y cyflogwr newydd, neu
 - (ii) yn cael datganiad ysgrifenedig sy'n cyfeirio at y gorchymyn neu'r rheoliadau ac sy'n pennu telerau ac amodau cyflogaeth newydd, a

- (b) any trustees, commissioners or other persons who, for public purposes and not for their own profit, act under any enactment or instrument for the improvement of any place, for the supply of water to any place, or for providing or maintaining a cemetery or market in any place, and
- (c) any other authority having powers of levying or issuing a precept for any rate for public purposes.

41 General consequential and transitional provision

- (1) The Welsh Ministers may by regulations make such incidental, consequential, supplemental or transitional provision as they consider necessary or expedient for the purposes of, or in connection with, giving full effect to orders made under section 37, 38, 39 or 43.
- (2) Regulations under this section may, in particular, make provision about –
 - (a) the functions, area or jurisdiction in or over an area (or part of an area), of any public body or office within an area (or electoral ward) affected by an order made under this Part;
 - (b) the costs and expenses of a public body or office affected by such an order;
 - (c) the transfer of staff of affected public bodies or offices;
 - (d) the transfer, management or custody of property (whether real or personal) and the transfer of rights and liabilities;
 - (e) the transfer of legal proceedings.
- (3) Regulations under this section may apply or modify any enactment or charter.
- (4) Nothing in this section prejudices the generality of section 71 (orders and regulations).
- (5) In this section, “public body” has the same meaning as it has in section 40(6).

42 Transfers of staff

An order under section 37, 38, 39 or 43 or, as the case may be, regulations under section 41 which makes provision about the transfer of staff must include provision to secure that –

- (a) a person who is transferred to a new employer remains on terms and conditions not less favourable than those to which the person was subject prior to the transfer until such time as the person –
 - (i) leaves the employment of the new employer, or
 - (ii) is served with a statement in writing referring to the order or regulations and specifying new terms and conditions of employment, and

- (b) ar yr amod bod y person yn cyflawni dyletswyddau sy'n rhesymol debyg i'r rhai yr oedd yn eu cyflawni yn union cyn y trosglwyddo, nad yw unrhyw delerau ac amodau newydd a bennir mewn hysbysiad o dan baragraff (a)(ii) yn llai ffafriol na'r rhai a oedd gan y person cyn y trosglwyddo.

43 Amrywio a dirymu gorchymynion

- (1) Ac eithrio fel y mae'r adran hon yn darparu ar ei gyfer, ni chaniateir amrywio na dirymu gorchymynion a wneir o dan yr adran hon neu adran 37, 38 neu 39.
- (2) Caiff Gweinidogion Cymru, y Comisiwn neu, yn ôl y digwydd, brif gyngor drwy orchymyn amrywio neu ddirymu –
 - (a) unrhyw ddarpariaeth mewn gorchymyn a wneir o dan yr adran hon neu adran 37, 38 neu 39 y disgrifir ei math yn adran 40(2);
 - (b) unrhyw ddarpariaeth debyg mewn gorchymyn a wneir o dan adran 67 (trefniadau canlyniadol a throsiannol) neu a wneir yn rhinwedd adran 255 (trosglwyddo swyddogion) yn Neddf 1972.
- (3) Ac eithrio fel y darperir yn is-adrannau (4) a (5), dim ond y personau neu'r corff a wnaeth y gorchymyn sy'n cynnwys y ddarpariaeth sydd i'w hamrywio neu i'w dirymu ("y gorchymyn gwreiddiol") a gaiff wneud gorchymyn i amrywio neu ddirymu darpariaeth o'r math a ddisgrifir yn is-adran (2).
- (4) Caiff Gweinidogion Cymru wneud gorchymyn o dan yr adran hon pan fo'r gorchymyn gwreiddiol –
 - (a) wedi ei wneud gan yr Ysgrifennydd Gwladol ac y bo'n ymwneud â Chymru, neu
 - (b) wedi ei wneud gan Gynulliad Cenedlaethol Cymru (fel y'i cyfansoddwyd o dan Ddeddf Llywodraeth Cymru 1998).
- (5) Caiff prif gyngor wneud gorchymyn o dan yr adran hon pan fo'r gorchymyn gwreiddiol wedi ei wneud gan gyngor a'i rhagflaenodd ac nad yw'n bodoli mwyach.
- (6) Ond dim ond i'r graddau y mae'n ymwneud ag ardal y prif gyngor y caiff gorchymyn a wneir yn unol ag is-adran (5) amrywio neu ddirymu darpariaeth yn y gorchymyn gwreiddiol.
- (7) Cyn gwneud gorchymyn o dan is-adran (2), rhaid i Weinidogion Cymru, y Comisiwn neu, yn ôl y digwydd, y prif gyngor gydymffurfio ag is-adrannau (8) a (9).
- (8) Rhaid i Weinidogion Cymru, y Comisiwn neu, yn ôl y digwydd, y prif gyngor –
 - (a) anfon copi o'r drafft o'r gorchymyn i unrhyw awdurdod lleol neu gorff cyhoeddus y mae'r gorchymyn yn debygol o effeithio arno yn eu barn hwy neu yn ei farn ef,
 - (b) cyhoeddi'r gorchymyn drafft mewn modd sy'n debygol, yn eu barn hwy neu yn ei farn ef, o'i ddwyn i sylw personau a chanddynt fuddiant yn y gorchymyn o bosibl,
 - (c) sicrhau bod copi o'r gorchymyn drafft ar gael i bersonau a chanddynt fuddiant edrych arno yn y manau hynny sy'n briodol yn eu barn hwy neu yn ei farn ef, a
 - (d) gwahodd sylwadau mewn perthynas â'r gorchymyn drafft o fewn y cyfnod o 2 fis sy'n dechrau ar y dyddiad cyhoeddi o dan baragraff (b).

- (b) provided the person is engaged in duties reasonably similar to those held immediately prior to the transfer, any new terms and conditions that are specified in a notice under paragraph (a)(ii) are not less favourable than those the person had prior to the transfer.

43 Variation and revocation of orders

- (1) Other than as provided for by this section, orders made under this section or section 37, 38 or 39 may not be varied or revoked.
- (2) The Welsh Ministers, the Commission or, as the case may be, a principal council may by order vary or revoke—
 - (a) any provision contained in an order made under this section or section 37, 38 or 39 which is of a type described in section 40(2);
 - (b) any similar provision contained in an order made under section 67 (consequential and transitional arrangements) or made by virtue of section 255 (transfer of officers) of the 1972 Act.
- (3) Except as provided for in subsections (4) and (5), an order to vary or revoke provisions of the type described in subsection (2) may be made only by the persons who, or body which, made the order containing the provision to be varied or revoked (“the original order”).
- (4) The Welsh Ministers make make an order under this section where the original order—
 - (a) was made by the Secretary of State and relates to Wales, or
 - (b) was made by the National Assembly for Wales (as constituted under the Government of Wales Act 1998).
- (5) A principal council may make an order under this section where the original order was made by a predecessor council which no longer exists.
- (6) But an order made in pursuance of subsection (5) may vary or revoke provision in the original order only in so far as it relates to the principal council’s area.
- (7) Before making an order under subsection (2) the Welsh Ministers, the Commission or, as the case may be, the principal council must comply with subsections (8) and (9).
- (8) The Welsh Ministers, the Commission or, as the case may be, the principal council must—
 - (a) send a copy of a draft of the order to any local authority or public body they or it consider likely to be affected by the order,
 - (b) publish the draft order in such manner as they or it consider likely to bring it to the attention of persons who may have an interest in the order,
 - (c) secure that a copy of the draft order is available for inspection by interested persons at such places as they or it consider appropriate, and
 - (d) invite representations in relation to the draft order within the period of 2 months beginning on the date of publication under paragraph (b).

- (9) Rhaid i Weinidogion Cymru, y Comisiwn neu, yn ôl y digwydd, y prif gyngor ystyried unrhyw sylwadau sy'n dod i law o fewn y cyfnod o 2 fis a chânt addasu'r gorchymyn yng ngoleuni'r sylwadau hynny.
- (10) Pan fo Gweinidogion Cymru, y Comisiwn neu, yn ôl y digwydd, brif gyngor yn fodlon bod camgymeriad wedi digwydd wrth lunio gorchymyn o dan yr adran hon neu adran 37, 38 neu 39 caiff Gweinidogion Cymru, y Comisiwn neu'r prif gyngor, drwy orchymyn, wneud unrhyw ddarpariaeth y maent hwy neu y mae ef o'r farn ei bod yn angenrheidiol neu'n hwylus er mwyn cywiro'r camgymeriad hwnnw.
- (11) Yn is-adran (10) mae "camgymeriad", mewn perthynas â gorchymyn, yn cynnwys darpariaeth a gynhwysir yn y gorchymyn neu a hepgorir ohono gan ddibynnu ar wybodaeth anghywir neu anghyflawn a roddir gan unrhyw gorff cyhoeddus.
- (12) Ni chaiff Gweinidogion Cymru, y Comisiwn neu, yn ôl y digwydd, brif gyngor arfer y pŵer yn is-adran (10) mewn perthynas â gorchymyn a wneir gan rywun arall.
- (13) Yn yr adran hon, mae i "corff cyhoeddus" yr un ystyr ag yn adran 40(6).

Cytundebau rhwng cyrff cyhoeddus i ymdrin â newid

44 Cytundebau trosiannol o ran eiddo a chyllid

- (1) Caniateir i unrhyw gorff cyhoeddus y mae newid ardal, diddymu neu gyfansoddi ardal neu ward etholiadol drwy orchymyn o dan adran 37, 38, 39 neu 43 neu drwy orchymyn o dan adran 162 o Fesur 2011 (pŵer i wneud gorchymyn cyfuno) yn effeithio arno, ymrwymo mewn cytundeb â chorff cyhoeddus arall yr effeithir arno ynghylch—
 - (a) unrhyw eiddo, incwm, hawliau neu rwymedigaethau y mae'r newid yn effeithio arnynt;
 - (b) unrhyw berthynas ariannol rhwng y partïon i'r cytundeb;
 - (c) unrhyw dreuliau y mae'r partïon yn mynd iddynt sy'n codi o ganlyniad i'r newid.
- (2) Caiff cytundeb o dan yr adran hon ddarparu—
 - (a) ar gyfer trosglwyddo neu gadw unrhyw eiddo, hawliau a rhwymedigaethau, gydag amodau neu hebddynt, ac ar gyfer defnyddio unrhyw eiddo ar y cyd;
 - (b) ar gyfer gwneud taliadau mewn cysylltiad ag unrhyw eiddo, hawliau neu rwymedigaethau a drosglwyddir neu a gedwir, neu ar gyfer y defnydd hwnnw ar y cyd, ac mewn cysylltiad â'r tâl neu'r digollediad sy'n daladwy i unrhyw berson;
 - (c) ar gyfer gwneud unrhyw daliad o'r fath drwy swm cyfalaf neu flwydd-dal terfynadwy.
- (3) Pan na fo partïon yn gallu dod i gytundeb ar unrhyw fater, rhaid cyfeirio'r mater i gael ei gymrodeddu gan un cymrodeddwr y cytunir arno gan y partïon neu, os na cheir y cyfryw gytundeb, a benodir gan Weinidogion Cymru.
- (4) Caiff dyfarniad y cymrodeddwr ddarparu ar gyfer unrhyw fater y caiff cytundeb o dan yr adran hon ddarparu ar ei gyfer.
- (5) Caniateir i unrhyw swm y mae'n ofynnol i gorff cyhoeddus ei dalu gael ei dalu—
 - (a) o'r gronfa neu'r ardreth y telir treuliau cyffredinol y corff cyhoeddus ohoni, neu
 - (b) o unrhyw gronfa neu ardreth arall y caiff y corff cyhoeddus benderfynu arni.
- (6) Yn yr adran hon, mae i "corff cyhoeddus" yr un ystyr ag yn adran 40(6).

- (9) The Welsh Ministers, the Commission or, as the case may be, the principal council must consider any representations received within the 2 month period and may modify the order in light of such representations.
- (10) Where the Welsh Ministers, the Commission or, as the case may be, a principal council is satisfied that a mistake has occurred in the preparation of an order under this section or sections 37, 38 or 39 the Welsh Ministers, the Commission or the principal council may by order make such provision as they or it consider necessary or expedient to rectify the mistake.
- (11) In subsection (10), “mistake”, in relation to an order, includes a provision contained in or omitted from the order in reliance on information supplied by any public body which is inaccurate or incomplete.
- (12) The Welsh Ministers, the Commission or, as the case may be, a principal council may not exercise the power in subsection (10) in relation to an order made by someone else.
- (13) In this section, “public body” has the same meaning as it has in section 40(6).

Agreements between public bodies to deal with change

44 Transitional agreements as to property and finance

- (1) Any public body affected by the alteration, abolition or constitution of an area or electoral ward by an order under section 37, 38, 39 or 43 or by an order under section 162 of the 2011 Measure (power to make amalgamation order) may enter into an agreement with another affected public body about –
 - (a) any property, income, rights or liabilities affected by the change;
 - (b) any financial relationships between the parties to the agreement;
 - (c) any expenses of the parties arising in consequence of the change.
- (2) An agreement under this section may provide –
 - (a) for the transfer or retention of any property, rights and liabilities, with or without conditions, and for the joint use of any property;
 - (b) for the making of payments in respect of any property, rights or liabilities transferred or retained, or of such joint use, and in respect of the remuneration or compensation payable to any person;
 - (c) for the making of any such payment by way of a capital sum or terminable annuity.
- (3) Where the parties cannot reach agreement on any matter, the matter is to be referred to the arbitration of a single arbitrator agreed on by the parties or, failing such agreement, appointed by the Welsh Ministers.
- (4) The arbitrator’s award may provide for any matter for which an agreement under this section may provide.
- (5) Any sum which requires to be paid by a public body may be paid –
 - (a) out of the fund or rate from which the general expenses of the public body are paid, or
 - (b) out of such other fund or rate as the public body may determine.
- (6) In this section, “public body” has the same meaning as it has in section 40(6).

PENNOD 6**DARPARIAETH ARALL SY'N BERTHNASOL I FFINIAU AWDURDODAU LLEOL****45 Newid ardal heddlu**

- (1) Mae'r adran hon yn gymwys pan fo'r Comisiwn yn cynnal adolygiad o un neu ragor o brif ardaloedd o dan adran 23.
- (2) Yn ogystal â'r newidiadau y caniateir eu hargymell o dan adran 23(3) caiff y Comisiwn, mewn cysylltiad ag unrhyw newid i ffin prif ardal, argymell unrhyw newidiadau i ardal neu ardaloedd heddlu (gan gynnwys newidiadau sy'n arwain at leihad neu gynydd yn nifer ardaloedd heddlu) sy'n briodol yn ei farn ef.
- (3) Caiff yr Ysgrifennydd Gwladol, ar ôl cael adroddiad sy'n cynnwys argymhellion gan y Comisiwn mewn perthynas ag adolygiad a gynhelir o dan adran 23—
 - (a) drwy orchymyn a wneir drwy offeryn statudol, weithredu unrhyw argymhellion i newid ardal heddlu, gydag addasiadau neu hebddynt,
 - (b) os yw'n bwriadu gweithredu'r argymhellion gydag addasiadau, gyfarwyddo'r Comisiwn i gynnal adolygiad pellach o dan adran 23 o'r prif ardaloedd hynny y mae'r argymhellion yn effeithio arnynt a bennir yn y cyfarwyddyd, neu
 - (c) penderfynu peidio â gweithredu mewn cysylltiad â'r argymhellion.
- (4) Rhaid i'r Comisiwn gydymffurfio â chyfarwyddyd o dan is-adran (3)(b).
- (5) Caniateir i orchymyn a wneir o dan yr adran hon gynnwys—
 - (a) darpariaeth i gomisiynydd heddlu a throstedd ar gyfer ardal heddlu y mae'r gorchymyn yn effeithio arni ddod yn gomisiynydd heddlu a throstedd ar gyfer ardal heddlu sy'n deillio o'r gorchymyn,
 - (b) darpariaeth i gynnal etholiad am gomisiynydd heddlu a throstedd ar gyfer unrhyw ardal heddlu sy'n deillio o'r gorchymyn,
 - (c) unrhyw ddarpariaeth gysylltiedig, ganlyniadol, atodol neu drosiannol sy'n angenrheidiol neu'n hwylus ym marn yr Ysgrifennydd Gwladol.
- (6) Caiff gorchymyn sy'n cynnwys darpariaeth o'r math a grybwyllir yn is-adran (5)(b) ei gwneud yn ofynnol i'r etholiad dan sylw gael ei gynnal cyn i'r newid i ardaloedd heddlu gael effaith.
- (7) Caiff gorchymyn o dan yr adran hon gymhwyso neu addasu unrhyw ddeddfiad neu siarter.
- (8) Ni chaiff gorchymyn a wneir o dan yr adran hon ddarparu i brif ardal gael ei rhannu rhwng 2 neu ragor o ardaloedd heddlu.
- (9) Ni chaniateir gwneud gorchymyn o dan y adran hon nes bod y cyfnod o 6 wythnos sy'n dechrau ar y dyddiad y cafodd yr Ysgrifennydd Gwladol yr argymhellion wedi dod i ben.

46 Rhychwant ffiniau tua'r môr

- (1) Mae unrhyw ran o lannau'r môr i farc y distyll yn ffurfio rhan o'r gymuned neu'r cymunedau y mae'n cydffinio â hi neu â hwy gan gyfateb i gyfran rhychwant y ffin gyffredin.

CHAPTER 6

OTHER PROVISION RELEVANT TO LOCAL AUTHORITY BOUNDARIES

45 Police area change

- (1) This section applies where the Commission is conducting a review of one or more principal areas under section 23.
- (2) In addition to the changes which may be recommended under section 23(3) the Commission may, in connection with any principal area boundary change, recommend such changes to a police area or areas (including changes resulting in a reduction or increase in the number of police areas) as it considers appropriate.
- (3) The Secretary of State may, after receiving a report containing recommendations from the Commission in relation to a review conducted under section 23—
 - (a) by order made by statutory instrument implement any recommendations for change to a police area, with or without modification,
 - (b) if proposing to implement the recommendations with modification, direct the Commission to carry out a further review under section 23 of such principal areas affected by the recommendations as may be specified in the direction, or
 - (c) decide to take no action in respect of the recommendations.
- (4) The Commission must comply with a direction under subsection (3)(b).
- (5) An order made under this section may include—
 - (a) provision for the police and crime commissioner for a police area affected by the order to become the police and crime commissioner for a police area resulting from the order,
 - (b) provision for the holding of an election for the police and crime commissioner for any police area resulting from the order,
 - (c) such incidental, consequential, supplemental or transitional provision as the Secretary of State considers necessary or expedient.
- (6) An order including provision of the kind mentioned in subsection (5)(b) may require the election in question to be held before the alteration of the police areas takes effect.
- (7) An order under this section may apply or modify any enactment or charter.
- (8) An order made under this section may not provide for a principal area to be divided between 2 or more police areas.
- (9) No order may be made under this section until the expiry of a period of 6 weeks beginning with the date on which the Secretary of State receives the recommendations.

46 Extent of seaward boundaries

- (1) Any part of the sea-shore to the low water-mark forms part of the community or communities which it adjoins in proportion to the extent of the common boundary.

- (2) Mae pob croniant o'r môr (boed yn naturiol neu'n artiffisial) yn ffurfio rhan o'r gymuned neu'r cymunedau y mae'n cydffinio â hi neu â hwy gan gyfateb i gyfran rhychwant y ffin gyffredin.
- (3) Mae pob croniant neu ran o lannau'r môr sy'n ffurfio rhan o gymuned o dan yr adran hon hefyd yn ffurfio rhan o'r brif ardal a'r sir wedi ei chadw lle y mae'r gymuned.

47 Newid ffin yn dilyn newid cwrs dŵr

- (1) Mae'r adran hon yn gymwys pan fo cwrs dŵr yn ffurfio llinell ffin rhwng dwy neu ragor o ardaloedd llywodraeth leol.
- (2) Os newidir y cwrs dŵr, drwy arfer unrhyw bŵer a roddwyd gan Ddeddf Adnoddau Dŵr 1991 (p. 57), Deddf Draenio Tir 1991 (p. 59) neu unrhyw ddeddfiad arall, mewn unrhyw ffordd sy'n effeithio ar ei gymeriad fel llinell ffin, rhaid i'r person y gwneir y newid o dan ei awdurdod hysbysu Gweinidogion Cymru am y newid cyn gynted ag y bo'n rhesymol ymarferol.
- (3) Caiff Gweinidogion Cymru, drwy orchymyn, amrywio llinell ffin y mae hysbysiad a roddir o dan is-adran (2) yn ymwneud â hi drwy roi llinell ffin newydd (boed a yw'n cynnwys yn gyfan gwbl neu'n rhannol linell y cwrs dŵr fel y'i newidiwyd) yn lle cymaint o linell y ffin honno ag a oedd ar linell y cwrs dŵr cyn y newid.
- (4) Rhaid i Weinidogion Cymru ymgynghori â'r Comisiwn cyn gwneud gorchymyn o dan is-adran (3).
- (5) Rhaid i Weinidogion Cymru, yn y modd sy'n briodol yn eu barn hwy, gyhoeddi hysbysiad o unrhyw orchymyn a wneir o dan yr adran hon.
- (6) At ddibenion yr adran hon, mae cyfeiriad at ardal lywodraeth leol yn cynnwys cyfeiriad at sir wedi ei chadw.

PENNOD 7

DARPARIAETH AMRYWIOL

48 Cyfarwyddiadau a chanllawiau ynghylch Rhan 3

- (1) Caiff Gweinidogion Cymru roi cyfarwyddiadau i'r Comisiwn sy'n ymwneud ag arfer ei swyddogaethau o dan y Rhan hon.
- (2) Yn benodol, caiff Gweinidogion Cymru gyfarwyddo'r Comisiwn –
 - (a) i gynnal adolygiad o dan y Rhan hon (gan gynnwys, pan fo'r Comisiwn wedi gwneud argymhellion neu gynigion iddynt, adolygiadau pellach),
 - (b) i beidio â chynnal adolygiad o dan adran 28 yn ystod cyfnod a bennir yn y cyfarwyddyd,
 - (c) i gynnal adolygiad o dan adran 29 ar gyfer ardal llywodraeth leol newydd (o fewn ystyr adran 171 o Fesur 2011) fel pe bai'n ardal llywodraeth leol,
 - (d) i gynnal yr adolygiadau sy'n ofynnol o dan adran 29(1) mewn trefn wahanol i'r hyn a gynigir gan y Comisiwn mewn unrhyw raglen gyfredol ar gyfer adolygiadau o drefniadau etholiadol a lunnir yn unol â'r adran honno,
 - (e) i roi sylw i unrhyw faterion penodol a bennir yn y cyfarwyddyd wrth gynnal adolygiad.

- (2) Every accretion from the sea (whether natural or artificial) forms part of the community or communities which it adjoins in proportion to the extent of the common boundary.
- (3) Every accretion or part of the sea-shore forming a part of a community under this section also forms part of the principal area and preserved county in which the community is situated.

47 Boundary change following alteration of water-course

- (1) This section applies where a water-course forms a boundary line between two or more local government areas.
- (2) If, in the exercise of any power conferred by the Water Resources Act 1991 (c. 57), the Land Drainage Act 1991 (c. 59) or any other enactment, the water-course is altered in any way which affects its character as a boundary line, the person under whose authority the alteration is made must as soon as reasonably practicable give the Welsh Ministers notice of the alteration.
- (3) The Welsh Ministers may, by order, vary a boundary line to which a notice given under subsection (2) relates by substituting a new boundary line (whether or not consisting wholly or in part of the line of the water-course as altered) for so much of that boundary line as, before the alteration, lay along the line of the water-course.
- (4) The Welsh Ministers must consult the Commission before making an order under subsection (3).
- (5) The Welsh Ministers must, in such manner as they consider appropriate, publish notice of any order made under this section.
- (6) For the purposes of this section, a reference to local government area includes a reference to a preserved county.

CHAPTER 7

MISCELLANEOUS PROVISION

48 Directions and guidance relating to Part 3

- (1) The Welsh Ministers may give the Commission directions relating to the exercise of its functions under this Part.
- (2) In particular, the Welsh Ministers may direct the Commission—
 - (a) to conduct a review under this Part (including, where the Commission has made recommendations or proposals to them, further reviews),
 - (b) not to conduct a review under section 28 during a period specified in the direction,
 - (c) to conduct a review under section 29 for a new local government area (within the meaning of section 171 of the 2011 Measure) as if it were a local government area,
 - (d) to conduct the reviews required under section 29(1) in a different order from that proposed by the Commission in any current programme for electoral arrangements reviews prepared in accordance that section,
 - (e) to have regard to such particular matters as may be specified in the direction when conducting a review.

- (3) Nid yw is-adran (1) yn cyfyngu ar y pŵer cyfarwyddo cyffredinol o dan adran 14.
- (4) Caiff Gweinidogion Cymru roi cyfarwyddiadau i brif gyngor sy'n ymwneud ag arfer ei swyddogaethau o dan y Rhan hon.
- (5) Yn benodol, caiff Gweinidogion Cymru gyfarwyddo prif gyngor –
 - (a) i gynnal adolygiad o dan adran 25 neu 31,
 - (b) i roi sylw i unrhyw faterion penodol a bennir yn y cyfarwyddyd wrth gynnal adolygiad.
- (6) Rhaid i brif gyngor gydymffurfio â chyfarwyddyd a roddir gan Weinidogion Cymru o dan is-adran (4).
- (7) Caniateir i gyfarwyddiadau o dan yr adran hon ymwneud ag adolygiad penodol, math o adolygiad neu bob adolygiad.
- (8) Ond cyn rhoi cyfarwyddyd o dan yr adran hon mewn perthynas ag adolygiad o brif ardal neu ei threfniadau etholiadol (neu adolygiadau o brif ardaloedd neu eu trefniadau etholiadol yn gyffredinol), rhaid i Weinidogion Cymru ymgynghori â'r Comisiwn ac unrhyw gymdeithas yr ymddengys iddynt eu bod yn cynrychioli awdurdodau lleol.
- (9) Wrth arfer unrhyw swyddogaeth o dan y Rhan hon, rhaid i'r Comisiwn neu brif gyngor roi sylw i unrhyw ganllawiau a ddyroddir gan Weinidogion Cymru.

49 Ymchwiliadau lleol

- (1) Caiff y Comisiwn neu, yn ôl y digwydd, brif gyngor, beri i ymchwiliad lleol gael ei gynnal mewn cysylltiad ag unrhyw adolygiad a gynhelir ganddo o dan y Rhan hon.
- (2) Caiff Gweinidogion Cymru, y Comisiwn neu, yn ôl y digwydd, brif gyngor beri i ymchwiliad lleol gael ei gynnal mewn cysylltiad â gorchymyn drafft a lunnir o dan adran 43.
- (3) Caiff person a benodir i gynnal ymchwiliad drwy wŷs ei gwneud yn ofynnol i berson fod yn bresennol ar adeg ac mewn man a bennir yn y wŷs –
 - (a) i roi tystiolaeth, neu
 - (b) i gyflwyno unrhyw wybodaeth yn ymwneud ag unrhyw fater dan sylw a ddelir gan y person neu sydd o dan reolaeth y person.
- (4) Caiff person a benodir i gynnal ymchwiliad gymryd tystiolaeth ar lw ac at y diben hwnnw caiff weinyddu llwon.
- (5) Rhaid talu unrhyw dreuliau yr eir iddynt yn rhesymol i berson y mae'n ofynnol iddo fod yn bresennol o dan is-adran (3).
- (6) Er gwaethaf is-adran (3)(b), ni chaniateir ei gwneud yn ofynnol i berson gyflwyno teitl (neu unrhyw offeryn sy'n ymwneud â theitl) unrhyw dir nad yw'n perthyn i awdurdod lleol.
- (7) Mae person yn cyflawni trosedd os bydd y person –
 - (a) yn gwrthod cydymffurfio â gofyniad gwŷs a gyflwynir i'r person o dan is-adran (3) neu'n methu'n fwriadol â chydymffurfio â gofyniad o'r fath,
 - (b) yn newid, atal, cuddio neu ddinistrio'n fwriadol unrhyw wybodaeth y mae'n ofynnol i'r person ei chyflwyno o dan yr adran hon.

- (3) Subsection (1) does not limit the general power of direction under section 14.
- (4) The Welsh Ministers may give a principal council directions relating to the exercise of its functions under this Part.
- (5) In particular, the Welsh Ministers may direct a principal council to—
 - (a) conduct a review under section 25 or 31,
 - (b) have regard to such particular matters as may be specified in the direction when conducting a review.
- (6) A principal council must comply with a direction given by the Welsh Ministers under subsection (4).
- (7) Directions under this section may relate to a particular review, a type of review or to all reviews.
- (8) But before making a direction under this section relating to the review of a principal area or its electoral arrangements (or reviews of principal areas or their electoral arrangements generally), the Welsh Ministers must consult the Commission and any association appearing to them to be representative of local authorities.
- (9) In exercising any function under this Part, the Commission or a principal council must have regard to any guidance issued by the Welsh Ministers.

49 Local inquiries

- (1) The Commission or, as the case may be, a principal council, may cause a local inquiry to be held with respect to any review carried out by it under this Part.
- (2) The Welsh Ministers, the Commission or, as the case may be, a principal council may cause a local inquiry to be held in respect of a draft order prepared under section 43.
- (3) A person appointed to hold an inquiry may by summons require a person to attend at a time and place specified in the summons—
 - (a) to give evidence, or
 - (b) to produce any information relating to any matter in question which is held by, or is under the control of, the person.
- (4) A person appointed to hold an inquiry may take evidence on oath and for that purpose may administer oaths.
- (5) A person required to attend under subsection (3) must be paid any reasonably incurred expenses.
- (6) Despite subsection (3)(b), a person may not be required to produce the title (or any instrument relating to the title) of any land which does not belong to a local authority.
- (7) A person commits an offence if the person—
 - (a) refuses or deliberately fails to comply with a requirement of a summons served on the person under subsection (3),
 - (b) deliberately alters, suppresses, conceals or destroys any information which the person is required to produce under this section.

- (8) Mae person sy'n euog o drosedd o dan is-adran (7) yn agored ar gollfarn ddiannod i ddirwy nad yw'n uwch na lefel 3 ar y raddfa safonol neu'r carchar am dymor nad yw'n hwy na 6 mis, neu'r ddau.
- (9) Caiff y person neu'r corff sy'n peri i ymchwiliad gael ei gynnal o dan yr adran hon wneud gorchmynion o ran—
 - (a) costau'r partion yn yr ymchwiliad, a
 - (b) y partion y mae'r costau i'w talu ganddynt.
- (10) Caniateir i orchymyn o dan is-adran (9) gael ei wneud yn un o reolau'r Uchel Lys ar gais parti a enwir yn y gorchymyn.

RHAN 4

ADOLYGIADAU O AELODAETH CYRFF CYHOEDDUS

50 Adolygiadau o gyrff cyhoeddus cymwys

- (1) Caiff Gweinidogion Cymru gyfarwyddo'r Comisiwn i gynnal adolygiad o aelodaeth un neu ragor o gyrff cyhoeddus cymwys penodedig.
- (2) Pan fo'r Comisiwn wedi cynnal adolygiad o dan yr adran hon rhaid iddo gyflwyno adroddiad i Weinidogion Cymru sy'n nodi a yw'n argymhell y dylid newid aelodaeth y corff cyhoeddus.
- (3) Caniateir, yn benodol, i gyfarwyddyd o dan yr adran hon ei gwneud yn ofynnol i'r Comisiwn—
 - (a) ystyried nifer aelodau'r corff (neu'r cyrff),
 - (b) ystyried unrhyw gategoriâu aelodaeth (gan gynnwys aelodaeth leyg) a nifer yr aelodau ym mhob categori,
 - (c) ystyried y priodolddau, y profiadau, y sgiliau neu'r cymwysterau y dylai'r aelodau feddu arnynt,
 - (d) ystyried unrhyw faterion eraill a bennir sy'n berthnasol i'r aelodaeth,
 - (e) dilyn unrhyw brosesau a bennir wrth gynnal adolygiad,
 - (f) llunio ei adroddiad ar ffurf ac mewn modd a bennir,
 - (g) rhoi sylw i unrhyw ffactorau neu faterion a bennir.
- (4) Cyn rhoi cyfarwyddyd o dan yr adran hon rhaid i Weinidogion Cymru ymgynghori ag unrhyw bersonau sy'n briodol yn eu barn hwy.
- (5) At ddibenion yr adran hon mae corff yn "corff cyhoeddus cymwys"—
 - (a) os nad yw'n awdurdod lleol,
 - (b) os yw'n ofynnol o dan unrhyw ddeddfiad i'w aelodaeth gynnwys—
 - (i) aelod o awdurdod lleol, neu
 - (ii) person a benodir gan awdurdod lleol, ac
 - (c) os yw'n arfer swyddogaethau—
 - (i) sydd wedi eu rhoi gan Ddeddf neu Fesur Cynulliad Cenedlaethol Cymru, neu

- (8) A person guilty of an offence under subsection (7) is liable on summary conviction to a fine not exceeding level 3 on the standard scale or to imprisonment for a term not exceeding 6 months, or to both.
- (9) The persons or body causing an inquiry to be held under this section may make orders as to—
 - (a) the costs of the parties at the inquiry, and
 - (b) the parties by whom the costs are to be paid.
- (10) An order under subsection (9) may be made a rule of the High Court on the application of a party named in the order.

PART 4

REVIEWS OF PUBLIC BODY MEMBERSHIP

50 **Reviews of qualifying public bodies**

- (1) The Welsh Ministers may direct the Commission to conduct a review of the membership of one or more specified qualifying public bodies.
- (2) Where the Commission has conducted a review under this section it must report to the Welsh Ministers on whether it recommends that changes should be made to the public body's membership.
- (3) A direction under this section may, in particular, require the Commission to—
 - (a) consider the number of members of the body (or bodies),
 - (b) consider any categories of membership (including lay membership) and the number of members in each category,
 - (c) consider the attributes, experiences, skills or qualifications which members should possess,
 - (d) consider such other matters relevant to the membership as may be specified,
 - (e) follow such process as may be specified when conducting a review,
 - (f) prepare its report in such form and manner as may be specified,
 - (g) have regard to such factors or matters as may be specified.
- (4) Before giving a direction under this section the Welsh Ministers must consult such persons as they consider appropriate.
- (5) For the purposes of this section a body is a “qualifying public body” if—
 - (a) it is not a local authority,
 - (b) its membership is required under any enactment to include—
 - (i) a member of a local authority, or
 - (ii) a person appointed by a local authority, and
 - (c) it exercises functions that—
 - (i) have been conferred by an Act or Measure of the National Assembly for Wales, or

- (ii) a allai gael eu rhoi gan Ddeddf Cynulliad Cenedlaethol Cymru.
- (6) Nid yw'r adran hon yn cyfyngu ar y pŵer cyfarwyddo cyffredinol o dan adran 14.

RHAN 5

NEWIDIADAU ERAILL I LYWODRAETH LEOL

Aelodau llywyddol

51 **Aelod llywyddol prif gyngor**

- (1) Mae Deddf 1972 wedi ei diwygio fel a ganlyn.
- (2) Ar ôl adran 24 (is-gadeirydd) mewnosoder –

“24A Presiding member

- (1) A principal council may determine to have a presiding member.
- (2) A presiding member is elected by the principal council from among the councillors.
- (3) The principal council may determine –
- (a) the functions of the presiding member, and
 - (b) the term of office of the member (subject to the limits in subsection (6)).
- (4) The functions of the presiding member may, in particular, include any function of the chairman of the principal council in relation to its meetings and proceedings.
- (5) A member of the executive of a principal council may not be elected as its presiding member.
- (6) A presiding member is to continue in office until the occurrence of –
- (a) the presiding member's resignation or disqualification,
 - (b) a successor becoming entitled to act as presiding member,
 - (c) the principal council determining not to have an office of presiding member, or
 - (d) an ordinary council election under section 26.

24B Deputy presiding member

- (1) The section applies where a principal council have determined to have a presiding member.
- (2) The principal council must appoint a member of the council to act as deputy to the presiding member (“the deputy presiding member”).
- (3) A member of the executive of a principal council may not be appointed as the deputy presiding member.
- (4) A deputy presiding member is to continue in office until the occurrence of –

- (ii) could be conferred by an Act of the National Assembly for Wales.
- (6) This section does not limit the general power of direction under section 14.

PART 5

OTHER CHANGES TO LOCAL GOVERNMENT

Presiding members

51 Presiding member of principal council

- (1) The 1972 Act is amended as follows.
- (2) After section 24 (vice-chairman) insert—

“24A Presiding member

- (1) A principal council may determine to have a presiding member.
- (2) A presiding member is elected by the principal council from among the councillors.
- (3) The principal council may determine—
 - (a) the functions of the presiding member, and
 - (b) the term of office of the member (subject to the limits in subsection (6)).
- (4) The functions of the presiding member may, in particular, include any function of the chairman of the principal council in relation to its meetings and proceedings.
- (5) A member of the executive of a principal council may not be elected as its presiding member.
- (6) A presiding member is to continue in office until the occurrence of—
 - (a) the presiding member’s resignation or disqualification,
 - (b) a successor becoming entitled to act as presiding member,
 - (c) the principal council determining not to have an office of presiding member, or
 - (d) an ordinary council election under section 26.

24B Deputy presiding member

- (1) The section applies where a principal council have determined to have a presiding member.
- (2) The principal council must appoint a member of the council to act as deputy to the presiding member (“the deputy presiding member”).
- (3) A member of the executive of a principal council may not be appointed as the deputy presiding member.
- (4) A deputy presiding member is to continue in office until the occurrence of—

- (a) the deputy presiding member's resignation or disqualification,
 - (b) a successor becoming entitled to act as deputy presiding member,
 - (c) the council determining not to have an office of presiding member, or
 - (d) an ordinary council election under section 26.
- (5) A deputy presiding member may do anything authorised or required to be done by the presiding member.”.
- (3) Ar ôl adran 25A mewnosoder –

“25B Title of civic chair

- (1) This section applies where –
 - (a) a principal council have determined to have a presiding member under section 24A, and
 - (b) the chairman of the council is not entitled to the style of “mayor” or “maer”.
 - (2) The chairman of the council is entitled to the style of “civic chair” or “cadeirydd dinesig”.
 - (3) The vice-chairman of the council is entitled to the style of “civic vice-chair” or “dirprwy gadeirydd dinesig”.
- (4) Yn adran 80(1) (anghymhwyso rhag etholiad a dal swydd fel aelod o awdurdod lleol), ym mharagraff (a), yn lle “or deputy chairman” rhodder “, deputy chairman, presiding member or deputy presiding member”.
- (5) Yn adran 83(1) (datgan derbyn swydd) ar ôl “vice-chairman,” mewnosoder “presiding member, deputy presiding member,”.

Biliau preifat

52 Hyrwyddo Biliau preifat

- (1) Caiff prif gyngor, yn unol â'r adran hon, hyrwyddo Bil preifat –
 - (a) yn Senedd y Deyrnas Unedig;
 - (b) yng Nghynulliad Cenedlaethol Cymru.
- (2) Dim ond os yw wedi ei fodloni ei bod yn hwylus gwneud hynny y caiff prif gyngor hyrwyddo Bil.
- (3) Ond ni chaiff prif gyngor hyrwyddo Bil (p'un ai o dan yr adran hon neu fel arall) ar gyfer –
 - (a) ffurfio, newid neu ddileu unrhyw ardal llywodraeth leol,
 - (b) newid statws unrhyw ardal llywodraeth leol,
 - (c) newid y trefniadau etholiadol ar gyfer unrhyw ardal llywodraeth leol,
 - (d) ffurfio, newid neu ddileu trefniadau gweithrediaeth, neu

- (a) the deputy presiding member's resignation or disqualification,
 - (b) a successor becoming entitled to act as deputy presiding member,
 - (c) the council determining not to have an office of presiding member, or
 - (d) an ordinary council election under section 26.
- (5) A deputy presiding member may do anything authorised or required to be done by the presiding member."
- (3) After section 25A insert –

"25B Title of civic chair

- (1) This section applies where –
 - (a) a principal council have determined to have a presiding member under section 24A, and
 - (b) the chairman of the council is not entitled to the style of "mayor" or "maer".
 - (2) The chairman of the council is entitled to the style of "civic chair" or "cadeirydd dinesig".
 - (3) The vice-chairman of the council is entitled to the style of "civic vice-chair" or "dirprwy gadeirydd dinesig".
- (4) In section 80(1) (disqualification for election and holding office as member of local authority), in paragraph (a), for "or deputy chairman" substitute ", deputy chairman, presiding member or deputy presiding member".
- (5) In section 83(1) (declaration of acceptance of office) after "vice-chairman," insert "presiding member, deputy presiding member,".

Private Bills

52 Promoting private Bills

- (1) A principal council may, in accordance with this section, promote a private Bill –
 - (a) in Parliament;
 - (b) in the National Assembly for Wales.
- (2) A principal council may promote a Bill only if satisfied that it is expedient to do so.
- (3) But a principal council may not promote a Bill (whether under this section or otherwise) for –
 - (a) the formation, alteration or abolition of any local government area,
 - (b) the alteration of the status of any local government area,
 - (c) the alteration of the electoral arrangements for any local government area,
 - (d) the formation, alteration or abolition of executive arrangements, or

- (e) newid y trefniadau ar gyfer ethol maer etholedig.
- (4) Rhaid i benderfyniad prif gyngor i hyrwyddo Bil o dan yr adran hon—
 - (a) cael ei basio mewn cyfarfod o'r prif gyngor gan fwyafrif o gyfanswm ei aelodau, a
 - (b) cael ei gadarnhau gan fwyafrif cyffelyb mewn cyfarfod pellach o'r fath a gynhelir cyn gynted ag y bo ar ôl 14 diwrnod wedi i'r Bil gael ei adneuo yn Senedd y Deyrnas Unedig neu, yn ôl y digwydd, ei gyflwyno yng Nghynulliad Cenedlaethol Cymru.
- (5) Rhaid i brif gyngor beidio â chynnal cyfarfod o dan is-adran (4) oni bai fod yr amodau yn is-adran (6) wedi eu bodloni mewn perthynas â'r cyfarfod hwnnw.
- (6) Yr amodau yw—
 - (a) bod y prif gyngor wedi rhoi hysbysiad ynghylch y cyfarfod a'i ddiben mewn un papur newydd o leiaf sy'n cylchredeg yn ei ardal, a
 - (b) bod cyfnod o 30 o ddiwrnodau, sy'n dechrau gyda'r diwrnod wedi i'r hysbysiad gael ei roi, wedi dod i ben.
- (7) Mae'r amod a grybwyllir yn is-adran (6)(a) yn ychwanegol at y gofynion o ran hysbysiadau sydd fel arfer yn gymwys i gyfarfodydd prif gyngor.
- (8) Pan na fo penderfyniad wedi ei gadarnhau o dan is-adran (4)(b), rhaid i'r prif gyngor gymryd pob cam angenrheidiol i dynnu'r Bil yn ôl.
- (9) Yn yr adran hon, mae i "trefniadau gweithrediaeth" yr un ystyr ag "executive arrangements" yn Rhan 2 o Ddeddf Llywodraeth Leol 2000 (p. 22).

53 Gwrthwynebu Biliau preifat

- (1) Caiff awdurdod lleol, yn unol â'r adran hon, wrthwynebu Bil preifat—
 - (a) yn Senedd y Deyrnas Unedig;
 - (b) yng Nghynulliad Cenedlaethol Cymru.
- (2) Ond dim ond os yw'n hwylus gwneud hynny y caiff awdurdod lleol wrthwynebu Bil.
- (3) Rhaid i benderfyniad awdurdod lleol i wrthwynebu Bil o dan yr adran hon gael ei basio mewn cyfarfod o'r awdurdod gan fwyafrif o gyfanswm aelodau'r awdurdod.
- (4) Rhaid i awdurdod lleol beidio â chynnal cyfarfod o dan is-adran (3) oni bai fod yr amodau yn is-adran (5) wedi eu bodloni mewn cysylltiad â'r cyfarfod hwnnw.
- (5) Yr amodau yw—
 - (a) bod yr awdurdod lleol wedi rhoi hysbysiad ynghylch y cyfarfod a'i ddiben mewn un papur newydd o leiaf sy'n cylchredeg yn ei ardal, a
 - (b) bod cyfnod o 10 niwrnod, sy'n dechrau gyda'r diwrnod wedi i'r hysbysiad gael ei roi, wedi dod i ben.
- (6) Mae'r amod a grybwyllir yn is-adran (5)(a) yn ychwanegol at y gofynion o ran hysbysiadau sydd fel arfer yn gymwys i gyfarfodydd awdurdod lleol.

54 Cyfyngu ar daliadau mewn perthynas â hyrwyddo neu wrthwynebu Biliau

Ni chaiff awdurdod lleol wneud taliad i unrhyw un neu ragor o'i aelodau am weithredu fel cwnsler neu asiant i hyrwyddo neu wrthwynebu Bil o dan adran 52 neu 53.

- (e) the alteration of arrangements for electing an elected mayor.
- (4) A resolution of a principal council to promote a Bill under this section must –
 - (a) be passed at a meeting of the principal council by a majority of the total number of its members, and
 - (b) be confirmed by a like majority at a further such meeting held as soon as may be after the expiration of 14 days after the Bill has been deposited in Parliament or, as the case may be, introduced in the National Assembly for Wales.
- (5) A principal council must not hold a meeting under subsection (4) unless the conditions in subsection (6) have been met in relation to that meeting.
- (6) The conditions are –
 - (a) that the principal council has given notice of the meeting and its purpose in at least one newspaper circulating in its area, and
 - (b) that a period of 30 days, beginning with the day after notice was given, has expired.
- (7) The condition mentioned in subsection (6)(a) is in addition to the notice requirements which ordinarily apply to meetings of a principal council.
- (8) Where a resolution is not confirmed under subsection (4)(b), the principal council must take all necessary steps to withdraw the Bill.
- (9) In this section, “executive arrangements” has the same meaning as in Part 2 of the Local Government Act 2000 (c. 22).

53 Opposing private Bills

- (1) A local authority may, in accordance with this section, oppose a private Bill –
 - (a) in Parliament;
 - (b) in the National Assembly for Wales.
- (2) A local authority may oppose a Bill only if satisfied that it is expedient to do so.
- (3) A resolution of a local authority to oppose a Bill under this section must be passed at a meeting of the authority by a majority of the total number of the members of the authority.
- (4) A local authority must not hold a meeting under subsection (3) unless the conditions in subsection (5) have been met in relation to that meeting.
- (5) The conditions are –
 - (a) that the local authority has given notice of the meeting and its purpose in at least one newspaper circulating in its area, and
 - (b) that a period of 10 days, beginning with the day after notice was given, has expired.
- (6) The condition mentioned in subsection (5)(a) is in addition to the notice requirements which ordinarily apply to meetings of a local authority.

54 Restriction on payments in relation to promoting or opposing Bills

A local authority may not make a payment to any of its members for acting as counsel or agent in promoting or opposing a Bill under section 52 or 53.

*Mynediad i wybodaeth***55 Gwefannau cyngorau cymuned**

- (1) Rhaid i gyngor cymuned sicrhau bod y canlynol ar gael yn electronig—
- (a) gwybodaeth ynglŷn â sut i gysylltu ag ef ac, os yw hynny'n wahanol, ei glerc, gan gynnwys—
 - (i) rhif ffôn;
 - (ii) cyfeiriad post;
 - (iii) cyfeiriad e-bost;
 - (b) gwybodaeth ynglŷn â phob un o'i aelodau, gan gynnwys—
 - (i) enw'r aelod;
 - (ii) sut y gellir cysylltu â'r aelod;
 - (iii) ymlyniad gwleidyddol yr aelod (os oes un);
 - (iv) y ward y mae'r aelod yn ei chynrychioli (pan fo hynny'n berthnasol);
 - (v) unrhyw swydd y mae'r aelod yn ei dal gyda'r cyngor;
 - (vi) unrhyw bwyllgor o'r cyngor y mae'r aelod yn perthyn iddo;
 - (c) cofnodion trafodion cyfarfodydd y cyngor ac (i'r graddau y bo'n rhesymol ymarferol) unrhyw ddogfennau y cyfeiria'r cofnodion atynt;
 - (d) unrhyw ddatganiad archwiledig o gyfrifon y cyngor.
- (2) Nid oes dim yn yr adran hon sy'n awdurdodi cyngor cymuned nac yn ei gwneud yn ofynnol iddo ddarparu unrhyw wybodaeth y mae wedi ei hatal rhag ei datgelu dan unrhyw ddeddfiad.
- (3) Wrth gyflawni ei ddyletswyddau o dan is-adran (1), rhaid i gyngor cymuned roi sylw i unrhyw ganllawiau a ddyroddir gan Weinidogion Cymru.
- (4) Nid yw'r gofyniad i sicrhau bod yr wybodaeth a restrir yn is-adran (1)(c) a (d) ar gael ond yn ymwneud â gwybodaeth a gynhyrchir pan ddaw'r adran hon i rym neu wedi hynny.

56 Gofyniad i roi hysbysiadau cyhoeddus yn electronig

Yn adran 232 o Ddeddf 1972 (hysbysiadau cyhoeddus), ar ôl is-adran (1) mewnosoder—

“(1ZA) A public notice given by a community council must, in addition to the requirements imposed by subsection (1), be published electronically.”.

57 Cyfarfodydd a thrafodion cymunedau

Yn Atodlen 12 i Ddeddf 1972 (cyfarfodydd a thrafodion awdurdodau lleol)—

(a) ym mharagraff 26(2)—

(i) ym mharagraff (a), ar ôl “be” lle y mae'n ymddangos am y tro cyntaf mewnosoder “published electronically and”,

Access to information

55 Community council websites

- (1) A community council must make available electronically –
 - (a) information on how to contact it and, if different, its clerk including –
 - (i) a telephone number;
 - (ii) a postal address;
 - (iii) an email address;
 - (b) information about each of its members, including –
 - (i) the member's name;
 - (ii) how the member may be contacted;
 - (iii) the member's party affiliation (if any);
 - (iv) the ward which the member represents (where relevant);
 - (v) any office of the council held by the member;
 - (vi) any committee of the council to which the member belongs;
 - (c) the minutes of the proceedings of the council's meetings and (in so far as is reasonably practicable) any documents which are referred to in the minutes;
 - (d) any audited statement of the council's accounts.
- (2) Nothing in this section authorises or requires a community council to make available any information that it is prevented from disclosing under any enactment.
- (3) In carrying out its duties under subsection (1), a community council must have regard to any guidance issued by the Welsh Ministers.
- (4) The requirement to make available the information listed in subsection (1)(c) and (d) relates only to information produced on or after the coming into force of this section.

56 Requirement to give public notices electronically

In section 232 of the 1972 Act (public notices), after subsection (1) insert –

“(1ZA) A public notice given by a community council must, in addition to the requirements imposed by subsection (1), be published electronically.”.

57 Meetings and proceedings of communities

In Schedule 12 to the 1972 Act (meetings and proceedings of local authorities) –

- (a) in paragraph 26(2) –
 - (i) in paragraph (a), after “be” where it first occurs insert “published electronically and”,

- (ii) ar ôl paragraff (a) mewnosoder –
 - “(aa) any documents relating to the business to be transacted at the meeting must be published electronically (in so far as reasonably practicable),”
- (b) ar ôl paragraff 26(2) mewnosoder –
 - “(2A) The duty of a community council under sub-paragraph (1)(aa) to publish documents relating to the meeting does not apply where –
 - (a) the documents relate to business which in the opinion of the council is likely to be transacted in private, or
 - (b) the disclosure of such documents would be contrary to any enactment.”
- (c) ym mharagraff 30B –
 - (i) yn lle is-baragraff (3) rhodder –
 - “(3) The notice must be given –
 - (a) in writing (but not in an electronic form), or
 - (b) in an electronic form which meets the technical requirements set by the principal council under paragraph 30C.”
 - (ii) yn is-baragraff (7), ar ôl “principal council” mewnosoder “or community council”,
 - (iii) a hefyd yn is-baragraff (7), yn lle “council” lle y mae’n ymddangos am yr ail dro rhodder “principal council”,
- (d) ym mharagraff 30C –
 - (i) yn lle is-baragraff (1) rhodder –
 - “(1) For the purposes of paragraph 30B(1), each community council and principal council must provide a facility for notices to be given in electronic form (“electronic notices”).”
 - (ii) yn is-baragraff (2), yn lle “The council must set” mewnosoder “A principal council must set for its area”,
- (e) ym mharagraff 30E(7), ar ôl paragraff (a) mewnosoder –
 - “(aa) by publishing the notice electronically, and”.

58 Cofrestrau buddiannau aelodau

- (1) Mae adran 81 o Ddeddf Llywodraeth Leol 2000 (p.22) (datgelu a chofrestru buddiannau aelodau) wedi ei diwygio fel a ganlyn.
- (2) Yn is-adran (6) –
 - (a) daw’r geiriau o “copies” hyd at y diwedd yn baragraff (a), a
 - (b) ar ôl y paragraff hwnnw, mewnosoder –
 - “(b) the register mentioned in paragraph (a) is published electronically.”
- (3) Yn is-adran (7), ar ôl paragraff (a)(ii), mewnosoder –

- (ii) after paragraph (a) insert—
 - “(aa) any documents relating to the business to be transacted at the meeting must be published electronically (in so far as reasonably practicable),”
- (b) after paragraph 26(2) insert—
 - “(2A) The duty of a community council under sub-paragraph (1)(aa) to publish documents relating to the meeting does not apply where—
 - (a) the documents relate to business which in the opinion of the council is likely to be transacted in private, or
 - (b) the disclosure of such documents would be contrary to any enactment.”
- (c) in paragraph 30B—
 - (i) for sub-paragraph (3) substitute—
 - “(3) The notice must be given—
 - (a) in writing (but not in an electronic form), or
 - (b) in an electronic form which meets the technical requirements set by the principal council under paragraph 30C.”
 - (ii) in sub-paragraph (7), after “principal council” insert “or community council”,
 - (iii) also in sub-paragraph (7), for “council” where it second occurs substitute “principal council”,
- (d) in paragraph 30C—
 - (i) for sub-paragraph (1) substitute—
 - “(1) For the purposes of paragraph 30B(1), each community council and principal council must provide a facility for notices to be given in electronic form (“electronic notices”).”
 - (ii) in sub-paragraph (2), for “The council must set” insert “A principal council must set for its area”,
- (e) in paragraph 30E(7), after paragraph (a) insert—
 - “(aa) by publishing the notice electronically, and”.

58 Registers of members’ interests

- (1) Section 81 of the Local Government Act 2000 (c.22) (disclosure and registration of members’ interests) is amended as follows.
- (2) In subsection (6)—
 - (a) the words from “copies” to the end become paragraph (a), and
 - (b) after that paragraph, insert—
 - “(b) the register mentioned in paragraph (a) is published electronically.”
- (3) In subsection (7), after paragraph (a)(ii), insert—

“(iii) states that the register is available to be viewed electronically, and

(iv) specifies how to access the electronic version.”.

(4) Ar ôl is-adran (7), mewnosoder –

“(7A) For the purposes of this section –

(a) section 83(13) does not apply, and

(b) in relation to a relevant authority which is a community council, the references in this section to a monitoring officer are to be read as references to the proper officer of that council (within the meaning of section 270(3) of the Local Government Act 1972).”.

Mynychu cyfarfodydd o bell

59 Mynychu cyfarfodydd prif gynghorau o bell

(1) Mae adran 4 o Fesur 2011 (mynychu cyfarfodydd o bell) wedi ei diwygio fel a ganlyn.

(2) Yn is-adran (4), yn lle’r geiriau “o bell” hyd at y diwedd, rhodder “mangre’r cyfarfod yn llai na 30% o gyfanswm nifer yr aelodau sy’n bresennol yn y cyfarfod.”.

(3) Ar ôl is-adran (4), mewnosoder –

“(4A) Nid yw is-adran (4) yn atal awdurdod lleol rhag creu rheolau sefydlog sy’n ei gwneud yn ofynnol fod mwy na 30% o gyfanswm yr aelodau sy’n bresennol mewn cyfarfod yn mynychu mangre’r cyfarfod i sicrhau cworwm.”.

Pwyllgorau gwasanaethau democrataidd

60 Pwyllgorau gwasanaethau democrataidd

(1) Ar ôl adran 11 o Fesur 2011 (awdurdodau lleol i benodi pwyllgorau gwasanaethau democrataidd) mewnosoder –

“11A Adolygiadau ar gais awdurdod lleol

(1) Caiff pwyllgor gwasanaethau democrataidd awdurdod lleol, ar gais yr awdurdod, adolygu unrhyw fater sy’n berthnasol i –

(a) y cymorth a’r cyngor sydd ar gael i aelodau’r awdurdod hwnnw, a

(b) telerau ac amodau swydd yr aelodau hynny.

(2) Rhaid i bwyllgor gwasanaethau democrataidd lunio adroddiadau ac argymhellion i’r awdurdod yn dilyn adolygiad.

(3) Mater i bwyllgor gwasanaethau democrataidd yw penderfynu sut i arfer ei swyddogaethau o dan yr adran hon.”

(2) Yn adran 19 (adroddiadau ac argymhellion gan bwyllgorau gwasanaethau democrataidd), ar ôl “11(1)(c)” mewnosoder “neu 11A(2)”.

“(iii) states that the register is available to be viewed electronically, and

(iv) specifies how to access the electronic version.”.

(4) After subsection (7), insert—

“(7A) For the purposes of this section—

(a) section 83(13) does not apply, and

(b) in relation to a relevant authority which is a community council, the references in this section to a monitoring officer are to be read as references to the proper officer of that council (within the meaning of section 270(3) of the Local Government Act 1972).”.

Remote attendance at meetings

59 Remote attendance at meetings of principal councils

(1) Section 4 of the 2011 Measure (remote attendance at meetings) is amended as follows.

(2) In subsection (4), for the words from “remote” to the end substitute “actual attendance constitutes less than 30% of the total number of members in attendance at the meeting.”.

(3) After subsection (4), insert—

“(4A) Subsection (4) does not prevent a local authority from making standing orders which require more than 30% of the total number of members in attendance at a meeting to be in actual attendance for the meeting to be quorate.”.

Democratic services committees

60 Democratic services committees

(1) After section 11 of the 2011 Measure (local authorities to appoint democratic services committees) insert—

“11A Reviews at request of a local authority

(1) The democratic services committee of a local authority may, at the request of the authority, review any matter relevant to—

(a) the support and advice available to members of that authority, and

(b) the terms and conditions of office of those members.

(2) A democratic services committee must make reports and recommendations to the authority following a review.

(3) It is for a democratic services committee to determine how to exercise its functions under this section.”

(2) In section 19 (reports and recommendations by democratic services committees), after “11(1)(c)” insert “or 11A(2).”.

*Pwyllgorau archwilio***61 Pwyllgorau archwilio**

Yn adran 82 o Fesur 2011 (aelodaeth), ar ôl is-adran (6) mewnosoder –

“(7) Mae pwyllgor archwilio i’w drin fel corff y mae adran 15 o Ddeddf Llywodraeth Leol a Thai 1989 (dyletswydd i ddyrannu seddau i grwpiau gwleidyddol) yn gymwys iddo.”.

Panel Annibynnol Cymru ar Gydnabyddiaeth Ariannol

62 Swyddogaethau sy’n ymwneud â thaliadau i aelodau

Yn adran 142 o Fesur 2011 (swyddogaethau sy’n ymwneud â thaliadau i aelodau) –

- (a) yn is-adran (4), ar ôl “cyfran benodedig” mewnosoder “neu nifer penodedig”,
- (b) ar ôl is-adran (5) mewnosoder –

“(5A) Ni chaiff y nifer a bennir gan y Panel yn unol ag is-adran (4), a fynegir fel cyfran o gyfanswm aelodau awdurdod, fod yn uwch na phum deg y cant oni chafwyd cydsyniad Gweinidogion Cymru.”.

63 Swyddogaethau sy’n ymwneud â chyflogau penaethiaid gwasanaethau cyflogedig

(1) Ar ôl adran 143 o Fesur 2011 mewnosoder –

“143A Swyddogaethau sy’n ymwneud â chyflogau penaethiaid gwasanaethau cyflogedig

- (1) Caiff y Panel wneud argymhellion i awdurdod perthnasol cymwys am –
 - (a) unrhyw bolisi yn natganiad yr awdurdod ar bolisiau tâl sy’n ymwneud â chyflog pennaeth gwasanaeth cyflogedig yr awdurdod;
 - (b) unrhyw newid arfaethedig i gyflog pennaeth gwasanaeth cyflogedig yr awdurdod.
- (2) Rhaid i awdurdod perthnasol cymwys roi sylw i unrhyw argymhelliad a gaiff oddi wrth y Panel wrth iddo gyflawni ei swyddogaethau o dan adran 38 neu 39 o Ddeddf Lleoliaeth 2011 (p.20).
- (3) Rhaid i awdurdod perthnasol cymwys, cyn iddo newid cyflog pennaeth ei wasanaeth cyflogedig mewn modd nad yw’n gymesur â newid i gyflogau staff arall yr awdurdod –
 - (a) ymgynghori â’r Panel am y newid arfaethedig, a
 - (b) rhoi sylw i unrhyw argymhelliad a gaiff oddi wrth y Panel wrth iddo benderfynu p’un ai i fynd rhagddo i wneud y newid ai peidio.
- (4) Rhaid i awdurdod perthnasol cymwys roi unrhyw wybodaeth i’r Panel y mae’n rhesymol i’r Panel ei gwneud yn ofynnol iddi gael ei rhoi iddo mewn cysylltiad ag arfer ei swyddogaethau o dan yr adran hon.

*Audit committees***61 Audit committees**

In section 82 of the 2011 Measure (membership), after subsection (6) insert –

“(7) An audit committee is to be treated as a body to which section 15 of the Local Government and Housing Act 1989 (duty to allocate seats to political groups) applies.”.

Independent Remuneration Panel for Wales

62 Functions relating to payments to members

In section 142 of the 2011 Measure (functions relating to payments to members) –

- (a) in subsection (4), after “proportion” insert “or specified number”,
- (b) after subsection (5) insert –

“(5A) The number specified by the Panel in accordance with subsection (4), expressed as a proportion of the total number of members of an authority, may not exceed fifty per cent unless the consent of the Welsh Ministers has been obtained.”.

63 Functions relating to salaries of heads of paid service

- (1) After section 143 of the 2011 Measure insert –

“143A Functions relating to salaries of heads of paid service

- (1) The Panel may make recommendations to a qualifying relevant authority about –
 - (a) any policy in the authority’s pay policy statement which relates to the salary of the authority’s head of paid service;
 - (b) any proposed change to the salary of the authority’s head of paid service.
- (2) A qualifying relevant authority must have regard to any recommendation received from the Panel when performing its functions under section 38 or 39 of the Localism Act 2011 (c. 20).
- (3) A qualifying relevant authority must, before making a change to the salary of its head of paid service which is not commensurate with a change to the salaries of the authority’s other staff –
 - (a) consult the Panel about the proposed change, and
 - (b) have regard to any recommendation received from the Panel when deciding whether or not to proceed with making the change.
- (4) A qualifying relevant authority must provide the Panel with such information as the Panel may reasonably require in connection with the exercise of its functions under this section.

- (5) Caiff y Panel gyhoeddi unrhyw argymhellion y mae yn eu gwneud o dan yr adran hon.
- (6) Rhaid i'r Panel roi sylw i unrhyw ganllawiau a ddyroddir gan Weinidogion Cymru wrth iddo arfer ei swyddogaethau o dan yr adran hon.

- (7) Yn yr adran hon –

ystyr “awdurdod perthnasol cymwys” (“*qualifying relevant authority*”) yw awdurdod perthnasol (yn ystyr y Rhan hon) y mae'n ofynnol iddo lunio datganiad ar bolisiau tâl;

mae “cyflog” (“*salary*”) yn cynnwys, yn achos pennaeth gwasanaeth cyflogedig y mae awdurdod perthnasol cymwys yn ei gymryd ymlaen o dan gontract am wasanaethau, daliadau gan yr awdurdod i bennaeth y gwasanaeth cyflogedig am y gwasanaethau hynny;

ystyr “datganiad ar bolisiau tâl” (“*pay policy statement*”) yw datganiad ar bolisiau tâl a lunnir gan awdurdod perthnasol (yn ystyr adran 43(1) o Ddeddf Lleoliaeth 2011) o dan adran 38 o'r Ddeddf honno;

ystyr “pennaeth gwasanaeth cyflogedig” (“*head of paid service*”) yw pennaeth gwasanaeth cyflogedig a ddynodir o dan adran 4(1) o Ddeddf Llywodraeth Leol a Thai 1989.”.

- (2) Yn mhennawd Rhan 8 o Fesur 2011, hepgorer “AELODAU:”.
- (3) Yn adran 112 o Ddeddf 1972 (penodi staff), yn is-adran (2A), ar ôl “statement”) mewnosoder “and in relation to a local authority in Wales, section 143A of the Local Government (Wales) Measure 2011 (functions of the Independent Remuneration Panel in relation to salaries of heads of paid service).”.

64 Awdurdodau perthnasol

Yn adran 144 o Fesur 2011 (awdurdodau perthnasol, aelodau etc.) –

- (a) yn is-adran (2), ar ôl paragraff (d) mewnosoder –

“(e) corff a bennir yn awdurdod perthnasol mewn gorchymyn a wnaed gan Weinidogion Cymru.”,

- (b) ar ôl is-adran (5) mewnosoder –

“(6) Ni chaniateir i gorff gael ei bennu yn awdurdod perthnasol oni bai –

- (a) bod Gweinidogion Cymru yn arfer swyddogaethau mewn cysylltiad ag ef,
- (b) ei fod yn arfer swyddogaethau perthnasol, ac
- (c) bod ei aelodaeth yn cynnwys o leiaf un aelod o awdurdod a ddisgrifir yn is-adran (2)(a) i (d).

- (7) “Swyddogaeth berthnasol” yw –

- (a) swyddogaeth a roddir gan un o Ddeddfau neu Fesurau Cynulliad Cenedlaethol Cymru, neu

- (5) The Panel may publish any recommendations it makes under this section.
- (6) The Panel must have regard to any guidance issued by the Welsh Ministers when exercising its functions under this section.
- (7) In this section –

“head of paid service” (*“pennaeth gwasanaeth cyflogedig”*) means a head of paid service designated under section 4(1) of the Local Government and Housing Act 1989;

“pay policy statement” (*“datganiad ar bolisiau tâl”*) means a pay policy statement produced by a relevant authority (within the meaning of section 43(1) of the Localism Act 2011) under section 38 of that Act;

“qualifying relevant authority” (*“awdurdod perthnasol cymwys”*) means a relevant authority (within the meaning of this Part) which is required to produce a pay policy statement;

“salary” (*“cyflog”*) includes, in the case of a head of paid service engaged by a qualifying relevant authority under a contract for services, payments by the authority to the head of paid service for those services.”.

- (2) In the Part heading of Part 8 of the 2011 Measure, omit “MEMBERS:”.
- (3) In section 112 of the 1972 Act (appointment of staff), in subsection (2A), after “statement)” insert “and in relation to a local authority in Wales, section 143A of the Local Government (Wales) Measure 2011 (functions of the Independent Remuneration Panel in relation to salaries of heads of paid service).”.

64 Relevant authorities

In section 144 of the 2011 Measure (relevant authorities, members etc.) –

- (a) in subsection (2), after paragraph (d) insert –

“(e) a body specified as a relevant authority in an order made by the Welsh Ministers.”,

- (b) after subsection (5) insert –

“(6) A body may only be specified as a relevant authority if –

- (a) the Welsh Ministers exercise functions in respect of it,
- (b) it exercises relevant functions, and
- (c) its membership includes at least one member of an authority described in subsection (2)(a) to (d).

- (7) A “relevant function” is –

- (a) a function conferred by an Act or Measure of the National Assembly for Wales, or

(b) swyddogaeth y gellid ei rhoi gan un o Ddeddfau Cynulliad Cenedlaethol Cymru.

(8) Nid yw adrannau 142(4), 143, 147(3)(b) a 155 yn gymwys mewn perthynas â'r awdurdod perthnasol a ddisgrifir yn is-adran (2)(e)."

65 Adroddiadau blynyddol dilynol

Yn adran 147 o Fesur 2011 (adroddiadau blynyddol dilynol) –

(a) yn is-adran (2)(a), yn lle "31 Rhagfyr" rhodder "28 Chwefror",

(b) yn is-adran (4), ar ôl "(e)" mewnosoder "(gan gynnwys drwy bennu nifer o dan adran 142(4))",

(c) yn lle is-adran (9) rhodder –

"(9) Mae darpariaethau adroddiad blynyddol neu atodol o dan yr adran hon yn dod i rym ar y dyddiad a bennir at y diben hwnnw yn yr adroddiad.

(10) Pan fo is-adran (11) yn gymwys, caiff yr adroddiad bennu bod darpariaeth gymwys i gael ei thrin fel petai wedi dod i rym hyd at 3 mis yn gynharach na dyddiad cyhoeddi'r adroddiad.

(11) Mae'r is-adran hon yn gymwys pan fo adroddiad atodol yn cynnwys darpariaeth gymwys.

(12) "Darpariaeth gymwys" yw darpariaeth sy'n gwneud amrywiad at ddibenion is-adran (3)(a), (b) neu (c) yn adran 146."

66 Ymgynghori ar adroddiadau drafft

Yn adran 148 o Fesur 2011 (ymgynghori ar adroddiadau drafft) –

(a) yn is-adran (1), mae "neu adroddiad atodol" wedi ei ddiddymu, a

(b) ar ôl yr is-adran honno mewnosoder –

"(1A) Rhaid i'r Panel beidio â chyhoeddi adroddiad atodol –

(a) cyn diwedd y cyfnod o bedair wythnos sy'n dechrau ar y diwrnod y mae'n anfon drafft o'r adroddiad yn unol ag adran 147, neu

(b) yn hwyrach na diwedd y cyfnod o wyth wythnos sy'n dechrau ar y diwrnod y mae'n anfon drafft o'r adroddiad yn unol ag adran 147."

67 Gofynion cyhoeddusrwydd mewn adroddiadau

Yn adran 151 o Fesur 2011 (gofynion cyhoeddusrwydd mewn adroddiadau) –

(a) yn is-adran (1), ar ôl paragraff (b) mewnosoder –

"(c) ynghylch taliadau eraill a wneir i aelodau awdurdodau perthnasol gan gyrff cyhoeddus eraill."

(b) ar ôl is-adran (2) mewnosoder –

"(3) At ddibenion is-adran (1)(c), "corff cyhoeddus" yw –

(b) a function that could be conferred by an Act of the National Assembly for Wales.

(8) Sections 142(4), 143, 147(3)(b) and 155 do not apply in relation to a relevant authority described in subsection (2)(e)."

65 Subsequent annual reports

In section 147 of the 2011 Measure (subsequent annual reports) –

- (a) in subsection (2)(a), for "31 December" substitute "28 February",
- (b) in subsection (4), after "(e)" insert "(including by specifying a number under section 142(4))",
- (c) for subsection (9) substitute –
 - "(9) The provisions of an annual or supplementary report under this section come into force on the date specified for that purpose in the report.
 - (10) Where subsection (11) applies, the report may specify that a qualifying provision is to be treated as having been brought into force up to 3 months earlier than the date of publication of the report.
 - (11) This subsection applies where a supplementary report contains a qualifying provision.
 - (12) A "qualifying provision" is a provision making a variation for the purposes of subsection (3)(a), (b) or (c) of section 146."

66 Consultation on draft reports

In section 148 of the 2011 Measure (consultation on draft reports) –

- (a) in subsection (1), "or a supplementary report" is repealed, and
- (b) after that subsection insert –
 - "(1A) The Panel must not publish a supplementary report –
 - (a) before the end of the period of four weeks beginning with the day on which it sends a draft of the report in accordance with section 147, or
 - (b) later than the end of the period of eight weeks beginning with the day on which it sends a draft of the report in accordance with section 147."

67 Publicity requirements in reports

In section 151 of the 2011 Measure (publicity requirements in reports) –

- (a) in subsection (1), after paragraph (b) insert –
 - "(c) about other payments made to members of relevant authorities from other public bodies."
- (b) after subsection (2) insert –
 - "(3) For the purposes of subsection (1)(c), a "public body" is –

- (a) bwrdd iechyd lleol,
- (b) panel comisiynydd heddlu a throstedd,
- (c) awdurdod perthnasol,
- (d) corff wedi ei ddynodi yn gorff cyhoeddus mewn gorchymyn a wnaed gan Weinidogion Cymru.”.

Cyd-bwyllgorau safonau

68 Cyd-bwyllgorau safonau

- (1) Mae Deddf Llywodraeth Leol 2000 (p.22) wedi ei diwygio fel a ganlyn.
- (2) Yn adran 53 (pwyllgorau safonau) –
 - (a) yn is-adran (1), yn lle “(referred to in this Part as a standards committee)” rhodder “or, with one or more other relevant authorities, a joint committee”,
 - (b) ar ôl is-adran (1) mewnosoder –
 - “(1A) In this Part, a reference to a “standards committee” is a reference to a committee or a joint committee established under subsection (1).”,
 - (c) yn is-adran (11) –
 - (i) yn y geiriau agoriadol, yn lle “National Assembly for Wales” rhodder “Welsh Ministers”,
 - (ii) ym mharagraff (a), ar ôl “authority” mewnosoder “or authorities”,
 - (iii) ar ôl paragraff (d) mewnosoder –
 - “(da) about establishing a standards committee which is a joint committee (including, in particular, provision about any restrictions on the number or types of relevant authority that may establish a joint committee),”,
 - (iv) ym mharagraff (e), yn lle “such” rhodder “standards”,
 - (d) ar ôl is-adran (12) mewnosoder –
 - “(13) A relevant authority which is considering establishing a joint committee must have regard to any guidance issued by the Welsh Ministers about establishing joint committees and the circumstances in which it is appropriate to do so.”.
- (3) Yn adran 54 (swyddogaethau pwyllgorau safonau) –
 - (a) yn is-adran (5), yn lle “National Assembly for Wales” rhodder “Welsh Ministers”,
 - (b) ar ôl is-adran (5) mewnosoder –
 - “(5A) Regulations made under subsection (5) may modify any provision of this Part, or any other enactment relating to a standards committee or to any functions of a standards committee, in relation to cases where a function of a standards committee is exercisable by a joint committee.
 - (5B) In subsection (5A) “enactment” includes an enactment comprised in subordinate legislation (within the meaning of the Interpretation Act 1978 (c. 30)), whenever passed or made.”.

- (a) a local health board,
- (b) a police and crime commissioner panel,
- (c) a relevant authority,
- (d) a body designated as a public body in an order made by the Welsh Ministers.”.

Joint standards committees

68 Joint standards committees

- (1) The Local Government Act 2000 (c.22) is amended as follows.
- (2) In section 53 (standards committees)—
 - (a) in subsection (1), for “(referred to in this Part as a standards committee)” substitute “or, with one or more other relevant authorities, a joint committee”,
 - (b) after subsection (1) insert—

“(1A) In this Part, a reference to a “standards committee” is a reference to a committee or a joint committee established under subsection (1).”,
 - (c) in subsection (11)—
 - (i) in the opening words, for “National Assembly for Wales” substitute “Welsh Ministers”,
 - (ii) in paragraph (a), after “authority” insert “or authorities”,
 - (iii) after paragraph (d) insert—

“(da) about establishing a standards committee which is a joint committee (including, in particular, provision about any restrictions on the number or types of relevant authority that may establish a joint committee),”,
 - (iv) in paragraph (e), for “such” substitute “standards”,
 - (d) after subsection (12) insert—

“(13) A relevant authority which is considering establishing a joint committee must have regard to any guidance issued by the Welsh Ministers about establishing joint committees and the circumstances in which it is appropriate to do so.”.
- (3) In section 54 (functions of standards committees)—
 - (a) in subsection (5), for “National Assembly for Wales” substitute “Welsh Ministers”,
 - (b) after subsection (5) insert—
 - (5A) Regulations made under subsection (5) may modify any provision of this Part, or any other enactment relating to a standards committee or to any functions of a standards committee, in relation to cases where a function of a standards committee is exercisable by a joint committee.
 - (5B) In subsection (5A) “enactment” includes an enactment comprised in subordinate legislation (within the meaning of the Interpretation Act 1978 (c. 30)), whenever passed or made.”.

(c) yn lle is-adran (7) mewnosoder –

“(7) A standards committee must, in exercising any of its functions, have regard to any relevant guidance issued by the Welsh Ministers.”.

(4) Yn adran 106 (Cymru) –

(a) yn is-adran (5), ar ôl “section 21G” ychwaneger “or regulations under section 53(11) or 54(5)”,

(b) yn is-adran (6), ar ôl “section 21A(13)(b)” mewnosoder “or regulations made under section 53(11) or (subject to subsection (6A)) section 54(5)”,

(c) ar ôl is-adran (6) mewnosoder –

“(6A) Where a statutory instrument contains regulations made under section 54(5) which include provision adding to, replacing or omitting any part of the text of an Act of Parliament or a Measure or Act of the National Assembly for Wales, the instrument may not be made unless a draft of it has been laid before, and approved by a resolution of, the National Assembly for Wales.”.

69 Atgyfeirio achosion yn ymwneud ag ymddygiad

(1) Mae Deddf Llywodraeth Leol 2000 wedi ei diwygio fel a ganlyn.

(2) Yn adran 73 (materion a atgyfeiriwyd at swyddogion monitro) –

(a) yn is-adran (2) –

(i) ym mharagraff (b), ar ôl “authority” lle y mae’n ymddangos am yr ail dro mewnosoder “, or to the standards committee of another relevant authority,”,

(ii) ar ôl paragraff (b), mewnosoder –

“(ba) enabling a standards committee of a relevant authority to refer a report or recommendations made by its monitoring officer to the standards committee of another relevant authority,”,

(b) yn lle paragraff (c) rhodder –

“(c) enabling a standards committee of a relevant authority to consider any report or recommendations made or, as the case may be, referred to it by –

(i) a monitoring officer of a relevant authority, or

(ii) the standards committee of another relevant authority.

(ca) the procedure to be followed by a standards committee as respects a report or recommendation made or referred to it,”,

(c) ym mharagraff (d), yn lle “the authority” rhodder “a relevant authority”,

(d) yn is-adran (4) –

(i) ym mharagraff (a), hepgorer “of the authority,”, a

(ii) ym mharagraff (b), ar ôl “the authority” mewnosoder “of which they are a member”.

(3) Yn adran 81 (datgelu a chofrestru buddiannau aelodau) –

(c) for subsection (7) substitute –

“(7) A standards committee must, in exercising any of its functions, have regard to any relevant guidance issued by the Welsh Ministers.”.

(4) In section 106 (Wales) –

(a) in subsection (5), after “section 21G” add “or regulations under section 53(11) or 54(5)”,

(b) in subsection (6), after “section 21A(13)(b)” insert “or regulations made under section 53(11) or (subject to subsection (6A)) section 54(5)”,

(c) after subsection (6) insert –

“(6A) Where a statutory instrument contains regulations made under section 54(5) which include provision adding to, replacing or omitting any part of the text of an Act of Parliament or a Measure or Act of the National Assembly for Wales, the instrument may not be made unless a draft of it has been laid before, and approved by a resolution of, the National Assembly for Wales.”.

69 Referral of cases relating to conduct

(1) The Local Government Act 2000 is amended as follows.

(2) In section 73 (matters referred to monitoring officers) –

(a) in subsection (2) –

(i) in paragraph (b), after “authority” where it second occurs insert “, or to the standards committee of another relevant authority,”,

(ii) after paragraph (b), insert –

“(ba) enabling a standards committee of a relevant authority to refer a report or recommendations made by its monitoring officer to the standards committee of another relevant authority,”,

(b) for paragraph (c) substitute –

“(c) enabling a standards committee of a relevant authority to consider any report or recommendations made or, as the case may be, referred to it by –

(i) a monitoring officer of a relevant authority, or

(ii) the standards committee of another relevant authority.

(ca) the procedure to be followed by a standards committee as respects a report or recommendation made or referred to it,”,

(c) in paragraph (d), for “the authority” substitute “a relevant authority”,

(d) in subsection (4) –

(i) in paragraph (a), omit “of the authority,”, and

(ii) in paragraph (b), after “the authority” insert “of which they are a member”.

(3) In section 81 (disclosure and registration of members’ interests) –

- (a) yn is-adran (4), ar ôl “standards committee” mewnosoder “, or by the standards committee of another relevant authority,”,
- (b) yn is-adran (5) –
 - (i) mae’r geiriau o “circumstances” hyd at y diwedd yn troi yn baragraff (a), a
 - (ii) ar ôl y paragraff hwnnw, mewnosoder –
 - “(b) procedure to be followed for the granting of dispensations.”.

RHAN 6

DARPARIAETH AMRYWIOL A CHYFFREDINOL

70 Darpariaeth atodol

- (1) Caiff Gweinidogion Cymru, drwy orchymyn, wneud unrhyw ddarpariaeth gysylltiedig, ganlyniadol, atodol, drosiannol, ddarfodol neu arbedol y maent o’r farn ei bod yn briodol at ddibenion rhoi effaith lwyr i unrhyw ddarpariaeth a wneir gan neu o dan y Ddeddf hon neu mewn cysylltiad â rhoi effaith lwyr i ddarpariaeth o’r fath.
- (2) Caiff gorchymyn o dan yr adran hon addasu’r deddfiad hwn neu unrhyw ddeddfiad arall.

71 Gorchymynion a rheoliadau

- (1) Mae unrhyw bŵer sydd gan Weinidogion Cymru i wneud gorchymyn neu reoliadau o dan y Ddeddf hon (ac eithrio gorchymyn o dan adran 47) yn arferadwy gan offeryn statudol, ac mae’n cynnwys pŵer i –
 - (a) gwneud darpariaeth gysylltiedig, ganlyniadol, atodol, drosiannol, ddarfodol neu arbedol y mae Gweinidogion Cymru o’r farn ei bod yn angenrheidiol neu’n hwylus at ddibenion y Ddeddf hon neu mewn cysylltiad â hi,
 - (b) addasu unrhyw ddeddfiad (gan gynnwys y Ddeddf hon), ac
 - (c) gwneud darpariaeth wahanol at ddibenion gwahanol ac ardaloedd gwahanol.
- (2) Bydd offeryn statudol sy’n cynnwys –
 - (a) gorchymyn o dan adran 34(3)(e) neu 70(1),
 - (b) gorchymyn o dan adran 37(1) sy’n cynnwys darpariaeth i newid ardal prif gyngor neu sir wedi ei chadw neu sy’n diddymu prif ardal, neu
 - (c) rheoliadau o dan adran 41(1),
 yn ddarostyngedig i gael ei ddiddymu yn unol â phenderfyniad gan Gynulliad Cenedlaethol Cymru.
- (3) Er gwaethaf is-adran (2), ni fydd unrhyw offeryn statudol sy’n cynnwys gorchymyn neu reoliadau a wnaed o dan y Ddeddf hon sy’n cynnwys darpariaeth yn disodli, hepgor neu’n ychwanegu at unrhyw ran o destun Deddf Seneddol neu Fesur neu Ddeddf Cynulliad Cenedlaethol Cymru yn cael ei wneud hyd oni fydd drafft o’r gorchymyn wedi ei roi gerbron Cynulliad Cenedlaethol Cymru ac wedi ei gymeradwyo trwy benderfyniad ganddo.
- (4) Nid yw’r adran hon yn gymwys i orchymyn a wneir o dan adran 45 neu 75.

- (a) in subsection (4), after “standards committee” insert “, or by the standards committee of another relevant authority,”,
- (b) in subsection (5) –
 - (i) the words from “circumstances” to the end become paragraph (a), and
 - (ii) after that paragraph, insert –
 - “(b) procedure to be followed for the granting of dispensations.”.

PART 6

MISCELLANEOUS AND GENERAL PROVISION

70 Ancillary provision

- (1) The Welsh Ministers may by order make such incidental, consequential, supplemental, transitional, transitory or savings provision as they consider appropriate for the purposes of, or in connection with, giving full effect to, any provision made by or under this Act.
- (2) An order under this section may modify this or any other enactment.

71 Orders and regulations

- (1) Any power of the Welsh Ministers to make an order or regulations under this Act (other than an order under section 47) is exercisable by statutory instrument and includes power to –
 - (a) make incidental, consequential, supplemental, transitional, transitory or savings provision as the Welsh Ministers consider necessary or expedient for the purposes of, or in connection with, this Act,
 - (b) modify any enactment (including this Act), and
 - (c) make different provision for different purposes and areas.
- (2) A statutory instrument which contains –
 - (a) an order under section 34(3)(e) or 70(1),
 - (b) an order under section 37(1) which includes provision altering the area of a principal council or a preserved county or which abolishes a principal area, or
 - (c) regulations under section 41(1),is to be subject to annulment in pursuance of a resolution of the National Assembly for Wales.
- (3) Despite subsection (2), any statutory instrument containing an order or regulations made under this Act which includes provision adding to, replacing or omitting any part of the text of an Act of Parliament or a Measure or Act of the National Assembly for Wales is not to be made until a draft of the instrument has been laid before, and approved by resolution of, the National Assembly for Wales.
- (4) This section does not apply to an order made under section 45 or 75.

72 Dehongli

- (1) Yn y Ddeddf hon, oni bai fod y cyd-destun yn gofyn yn wahanol –
- mae “addasu” mewn perthynas â deddfiad yn cynnwys diwygio neu ddiddymu, ystyr “ardal llywodraeth leol” yw cymuned neu brif ardal, ystyr “awdurdod lleol” yw prif gyngor neu gyngor cymuned, “cyfarfod cymunedol” yw cyfarfod o’r etholwyr llywodraeth leol ar gyfer cymuned a gynullwyd o dan adran 27(1) o Ddeddf 1972, ystyr “Deddf 1972” yw Deddf Llywodraeth Leol 1972 (p. 70), mae “deddfiad” yn cynnwys deddfiad sydd mewn is-ddeddfwriaeth, ystyr “Mesur 2011” yw Mesur Llywodraeth Leol (Cymru) 2011 (mccc 4), ystyr “prif ardal” yw sir neu fwrdeistref sirol yng Nghymru, ystyr “prif gyngor” yw cyngor sir neu gyngor bwrdeistref sirol yng Nghymru.
- (2) Mae Atodlen 3 (mynegai o ymadroddion wedi eu diffinio) yn cael effaith.

73 Diddymiadau, mân ddiwygiadau a diwygiadau canlyniadol

- (1) Mae Atodlen 1 (sy’n gwneud mân ddiwygiadau a diwygiadau canlyniadol) yn cael effaith.
- (2) Mae Atodlen 2 (sy’n cynnwys diddymiadau i deddfwriaeth) yn cael effaith.

74 Adolygiadau sy’n mynd rhagddynt ac arbedion eraill

- (1) Bydd unrhyw adolygiad sy’n cael ei gynnal o dan Ran 4 o Ddeddf 1972 ar yr adeg pryd y daw Rhan 3 o’r Ddeddf hon i rym yn cael ei gwblhau o dan Ran 4 o Ddeddf 1972.
- (2) Bydd effaith Rhan 4 o Ddeddf 1972 (ac unrhyw orchmynion neu reoliadau a wnaed o dan y Rhan honno) yn parhau at ddibenion adolygiadau o’r fath.
- (3) Bydd unrhyw reoliadau a wnaed o dan adran 67 o Ddeddf 1972 (rheoliadau mewn cysylltiad â gweithredu argymhellion a chynigion o dan Ran 4 o’r Ddeddf honno) sydd mewn grym ar ddyddiad cychwyn yr adran hon yn cael effaith mewn perthynas â gorchmynion o dan Ran 3 o’r Ddeddf hon (gorchmynion sy’n gweithredu newidiadau yn dilyn adolygiadau) fel petai’r gorchmynion hynny wedi eu gwneud o dan Ran 4 o Ddeddf 1972.
- (4) Nid yw is-adran (3) yn cael effaith ond i’r graddau nad yw unrhyw reoliadau a wnaed o dan adran 41 o’r Ddeddf hon yn gwneud darpariaeth i’r gwrthwyneb.

75 Cychwyn

- (1) Daw’r darpariaethau canlynol i rym ar y diwrnod y bydd y Ddeddf hon yn derbyn Cydsyniad Brenhinol –
- adran 1;
 - adran 70;
 - adran 71;
 - adran 72 (ac Atodlen 3);
 - yr adran hon;

72 Interpretation

- (1) In this Act, unless the context otherwise requires—
 - “1972 Act” means the Local Government Act 1972 (c. 70),
 - “2011 Measure” means the Local Government (Wales) Measure 2011 (nawm 4),
 - “community meeting” is a meeting of the local government electors for a community convened under section 27(1) of the 1972 Act,
 - “enactment” includes an enactment comprised in subordinate legislation,
 - “local authority” means a principal council or a community council,
 - “local government area” means a principal area or a community,
 - “modify”, in relation to an enactment, includes amend or repeal,
 - “principal area” means a county or a county borough in Wales,
 - “principal council” means a county council or a county borough council in Wales.
- (2) Schedule 3 (index of defined expressions) has effect.

73 Minor and consequential amendments and repeals

- (1) Schedule 1 (which makes minor and consequential amendments) has effect.
- (2) Schedule 2 (which contains repeals of legislation) has effect.

74 Ongoing reviews and other savings

- (1) Any review being conducted under Part 4 of the 1972 Act at the time of the coming into force of Part 3 of this Act is to be completed under Part 4 of the 1972 Act.
- (2) Part 4 of the 1972 Act (and any orders or regulations made under that Part) continues in effect for the purpose of such reviews.
- (3) Any regulations made under section 67 of the 1972 Act (regulations in connection with implementation of recommendations and proposals under Part 4 of that Act) which are in force at the date of commencement of this section are to have effect in relation to orders under Part 3 of this Act (orders implementing changes following reviews) as if those orders were made under Part 4 of the 1972 Act.
- (4) Subsection (3) has effect only in so far as any regulations made under section 41 of this Act do not make provision to the contrary.

75 Commencement

- (1) The following provisions come into force on the day on which this Act receives Royal Assent—
 - (a) section 1;
 - (b) section 70;
 - (c) section 71;
 - (d) section 72 (and Schedule 3);
 - (e) this section;

- (f) adran 76.
- (2) Daw'r darpariaethau canlynol i rym ar ddiwedd y cyfnod o 2 fis sy'n dechrau gyda'r diwrnod pryd y mae'r Ddeddf hon yn derbyn Cydsyniad Brenhinol –
 - (a) Rhan 2;
 - (b) Rhan 3;
 - (c) Rhan 4;
 - (d) Adrannau 51 i 54, 59 i 62, 64 i 67, 73 (ac Atodlenni 1 a 2) ac adran 74.
- (3) Mae gweddill y darpariaethau yn y Ddeddf hon yn dod i rym ar ddiwrnod a bennir gan orchymyn a wneir gan offeryn statudol a wneir gan Weinidogion Cymru.
- (4) Caiff gorchymyn o dan yr adran hon –
 - (a) pennu diwrnodau gwahanol at ddibenion gwahanol, a
 - (b) cynnwys unrhyw ddarpariaeth drosiannol, ddarfodol neu arbedol y mae Gweinidogion Cymru o'r farn ei bod yn angenrheidiol neu'n hwylus.

76 Teitl byr

Teitl byr y Ddeddf hon yw Deddf Llywodraeth Leol (Democratiaeth) (Cymru) 2013.

- (f) section 76.
- (2) The following provisions come into force at the end of the period of 2 months beginning with the day on which this Act receives Royal Assent –
 - (a) Part 2;
 - (b) Part 3;
 - (c) Part 4;
 - (d) Sections 51 to 54, 59 to 62, 64 to 67, 73 (and Schedules 1 and 2) and section 74.
- (3) The remaining provisions of this Act come into force on a day appointed by order made by statutory instrument made by the Welsh Ministers.
- (4) An order under this section –
 - (a) may appoint different days for different purposes, and
 - (b) may include such transitional, transitory or savings provision as the Welsh Ministers consider necessary or expedient.

76 Short title

The short title of this Act is the Local Government (Democracy) (Wales) Act 2013.

ATODLEN 1

(fel y'i cyflwynwyd gan adran 73(1))

MÂN DDIWYGIADAU A DIWYGIADAU CANLYNIADOL

Deddf Llywodraeth Leol 1972 (p. 70)

- 1 (1) Mae Deddf 1972 wedi ei diwygio fel a ganlyn.
- (2) Yn adran 25(2) (tymor swydd ac ymddeoliad cynghorwyr), ar ôl "Part IV of this Act" mewnosoder "or Part 3 of the Local Government (Democracy) (Wales) Act 2013 (anaw 00)".
- (3) Yn adran 30 (cyfyngu ar geisiadau cymunedau yn ystod ac ar ôl adolygiadau) –
 - (a) yn is-adran (1), ar ôl paragraff (b) mewnosoder –
 - “(ba) during the period of two years beginning with the coming into force of an order relating to the community under Part 3 of the Local Government (Democracy) (Wales) Act 2013 consequent on recommendations made under that Part by the Local Democracy and Boundary Commission for Wales”,
 - (b) yn is-adran (3) –
 - (i) yn lle "Welsh Commission" rhodder "Local Democracy and Boundary Commission for Wales",
 - (ii) ar ôl "Act" mewnosoder "or Part 3 of the Local Government (Democracy) (Wales) Act 2013".
- (4) Yn adran 31(2) (darpariaeth atodol ynghylch gorchmynion cynghorau cymuned), yn lle'r geiriau o "68" i'r diwedd rhodder "44 of the Local Government (Democracy) (Wales) Act 2013 is to apply as if the order were made under Part 3 of that Act."
- (5) Yn adran 70 (cyfyngu ar hyrwyddo Biliau ar gyfer newid ardaloedd llywodraeth leol, etc.) –
 - (a) yn is-adran (1), ar ôl "local authority" mewnosoder "in England",
 - (b) yn is-adran (3), ar ôl "local authority" mewnosoder "in England".
- (6) Yn adran 73(1) (newid ffiniau lleol o ganlyniad i newid cwrs dŵr), ar ôl "local government" mewnosoder "in England".
- (7) Yn adran 74 (newid enw sir, dosbarth neu un o fwrdeistrefi Llundain) –
 - (a) yn is-adran (3)(a), yn lle "the Secretary of State" mewnosoder "the relevant Minister",
 - (b) yn is-adran (3)(b), yn lle "the Secretary of State" mewnosoder "the relevant Minister",
 - (c) ar ôl is-adran (3) mewnosoder –
 - “(3A) Where any change of name under this section relates to a Welsh principal area, notice must also be sent to the Local Democracy and Boundary Commission for Wales.”.

SCHEDULE 1
(as introduced by section 73(1))

MINOR AND CONSEQUENTIAL AMENDMENTS

Local Government Act 1972 (c. 70)

- 1 (1) The 1972 Act is amended as follows.
 - (2) In section 25(2) (term of office and retirement of councillors), after “Part IV of this Act” insert “or Part 3 of the Local Government (Democracy) (Wales) Act 2013 (anaw 00)”.
 - (3) In section 30 (restriction on community applications during and after reviews)—
 - (a) in subsection (1), after paragraph (b) insert—
 - “(ba) during the period of two years beginning with the coming into force of an order relating to the community under Part 3 of the Local Government (Democracy) (Wales) Act 2013 consequent on recommendations made under that Part by the Local Democracy and Boundary Commission for Wales”,
 - (b) in subsection (3)—
 - (i) for “Welsh Commission” substitute “Local Democracy and Boundary Commission for Wales”,
 - (ii) after “Act” insert “or Part 3 of the Local Government (Democracy) (Wales) Act 2013”.
 - (4) In section 31(2) (supplementary provision about community council orders), for the words from “68” to the end substitute “44 of the Local Government (Democracy) (Wales) Act 2013 is to apply as if the order were made under Part 3 of that Act.”.
 - (5) In section 70 (restriction on promotion of Bills for changing local government areas, etc.)—
 - (a) in subsection (1), after “local authority” insert “in England”,
 - (b) in subsection (3), after “local authority” insert “in England”.
 - (6) In section 73(1) (alteration of local boundaries consequent on alteration of water-course), after “local government” insert “in England”.
 - (7) In section 74 (change of name of county, district or London borough)—
 - (a) in subsection (3)(a), for “the Secretary of State” substitute “the relevant Minister”,
 - (b) in subsection (3)(b), for “the Secretary of State” substitute “the relevant Minister”,
 - (c) after subsection (3) insert—
 - “(3A) Where any change of name under this section relates to a Welsh principal area, notice must also be sent to the Local Democracy and Boundary Commission for Wales.”.

(d) ar ôl is-adran (7) mewnosoder –

“(8) In this section the “relevant Minister” is –

- (a) in relation to the change of name of a Welsh principal area, the Welsh Ministers, and
- (b) in relation to any other change of name, the Secretary of State.”.

(8) Yn adran 76(2)(a) (newid enw cymuned), yn lle “Secretary of State,” rhodder “Welsh Ministers, to the Local Democracy and Boundary Commission for Wales,”.

(9) Yn adran 246(9) (cadw pwerau, breintiau a hawliau dinasoedd neu fwrdeistrefi presennol), yn lle “Part IV of this Act” rhodder “Part 3 of the Local Government (Democracy) (Wales) Act 2013”.

(10) Yn adran 239(1) (pŵer i hyrwyddo neu wrthwynebu Biliau lleol neu bersonol) –

- (a) yn lle “local authority, other than a parish or community council” rhodder “local authority in England, other than a parish council”, a
- (b) ar ôl “local authority” lle y mae’n ymddangos am yr ail dro, mewnosoder “in England”.

Deddf yr Heddlu 1996 (p. 16)

2 Yn adran 1(2)(a) o Ddeddf yr Heddlu 1996 (ardaloedd heddlu) yn lle “section 58 of the Local Government Act 1972,” rhodder “section 45 of the Local Government (Democracy) (Wales) Act 2013,”.

Deddf Ombwdsmon Gwasanaethau Cyhoeddus (Cymru) 2005 (p. 10)

3 Yn Atodlen 3 i Ddeddf Ombwdsmon Gwasanaethau Cyhoeddus (Cymru) 2005 (awdurdodau rhestredig), ar ôl y cofnod ar gyfer “Comisiynydd y Gymraeg (the Welsh Language Commissioner)” mewnosoder –

“The Local Democracy and Boundary Commission for Wales.”.

Mesur y Gymraeg (Cymru) 2011 (mccc 1)

4 Yn Atodlen 6 i Fesur y Gymraeg (Cymru) 2011 (cyrff cyhoeddus etc: safonau), yng ngholofn 1, yn lle’r cofnod ar gyfer “Comisiwn Ffiniau Llywodraeth Leol i Gymru (“The Local Government and Boundary Commission for Wales”)” rhodder “Comisiwn Ffiniau a Democratiaeth Leol Cymru (“The Local Democracy and Boundary Commission for Wales”)”.

Deddf Diwygio’r Heddlu a Chyfrifoldeb Cymdeithasol 2011 (p. 13)

5 Yn adran 72(3) o Ddeddf Diwygio’r Heddlu a Chyfrifoldeb Cymdeithasol 2011 (diwygio ardaloedd heddlu: tymor swydd comisiynydd), yn lle paragraff (c) rhodder –

(d) after subsection (7) insert –

“(8) In this section the “relevant Minister” is –

- (a) in relation to the change of name of a Welsh principal area, the Welsh Ministers, and
 - (b) in relation to any other change of name, the Secretary of State.”.
- (8) In section 76(2)(a) (change of name of a community), for “Secretary of State,” substitute “Welsh Ministers, to the Local Democracy and Boundary Commission for Wales,”.
- (9) In section 246(9) (preservation of powers, privileges and rights of existing cities or boroughs), for “Part IV of this Act” substitute “Part 3 of the Local Government (Democracy) (Wales) Act 2013”.
- (10) In section 239(1) (power to promote or oppose local or personal Bills) –
- (a) for “local authority, other than a parish or community council” substitute “local authority in England, other than a parish council”, and
 - (b) after “local authority” where it second occurs, insert “in England”.

Police Act 1996 (c. 16)

- 2 In section 1(2)(a) of the Police Act 1996 (police areas), for “section 58 of the Local Government Act 1972,” substitute “section 45 of the Local Government (Democracy) (Wales) Act 2013,”.

Public Services Ombudsman (Wales) Act 2005 (c. 10)

- 3 In Schedule 3 to the Public Services Ombudsman (Wales) Act 2005 (listed authorities), after the entry for “Comisiynydd y Gymraeg (the Welsh Language Commissioner)” insert –
- “The Local Democracy and Boundary Commission for Wales.”.

Welsh Language (Wales) Measure 2011 (nawm 1)

- 4 In Schedule 6 to the Welsh Language (Wales) Measure 2011 (public bodies etc: standards), in column 1, for the entry for “The Local Government and Boundary Commission for Wales (“Comisiwn Ffiniau Llywodraeth Leol i Gymru”)” substitute “The Local Democracy and Boundary Commission for Wales (“Comisiwn Ffiniau a Democratiaeth Leol Cymru”)”.

Police Reform and Social Responsibility Act 2011 (c. 13)

- 5 In section 72(3) of the Police Reform and Social Responsibility Act 2011 (amendment of police areas: term of office of commissioner), for paragraph (c) substitute –

“(c) an order under section 45 of the Local Government (Democracy) (Wales) Act 2013 (anaw 00) (recommendations for changes to police areas) which alters the boundary of any police area in Wales;”.

Deddf Is-Ddeddfau Llywodraeth Leol (Cymru) 2012 (dccc 2)

6 Ym mharagraff 9 o Atodlen 2 i Ddeddf Is-Ddeddfau Llywodraeth Leol (Cymru) 2012 (mân ddiwygiadau a diwygiadau canlyniadol), yn is-baragraff (4), yn lle “236A (alternative procedure for certain byelaws)” mewnosoder “236B (revocation of byelaws)”.

“(c) an order under section 45 of the Local Government (Democracy) (Wales) Act 2013 (anaw 00) (recommendations for changes to police areas) which alters the boundary of any police area in Wales;”.

Local Government Byelaws (Wales) Act 2012 (anaw 2)

6 In paragraph 9 of Schedule 2 to the Local Government Byelaws (Wales) Act 2012 (minor and consequential amendments), in sub-paragraph (4), for “236A (alternative procedure for certain byelaws)” substitute “236B (revocation of byelaws)”.

ATODLEN 2
(fel y'i cyflwynwyd gan adran 73(2))

DIDDYMIADAU

Mae'r deddfiadau a grybwyllir yn y golofn gyntaf wedi eu diddymu i'r graddau a nodir yn yr ail golofn.

TABL 1

<i>Deddfiad</i>	<i>Graddau'r Diddymiad</i>
Deddf Llywodraeth Leol 1972 (p. 70)	Adran 22(5). Adran 24(4). Adran 30(1)(b). Yn adran 30(3), y geiriau "under Part IV of this Act". Adran 34(5). Adran 53. Adran 54. Adran 55. Adran 56. Adran 57. Adran 57A. Adran 58. Adran 59. Adran 60. Adran 61. Adran 65. Adran 67. Adran 68. Adran 69. Adran 71. Adran 72(1)(b) a (2A). Yn adran 73(2), y geiriau "or the Welsh Commission, as the case may require,". Yn adran 78(1), y diffiniadau o "electoral arrangements" a "substantive change". Adran 78(2). Yn adran 270(1), y diffiniad o "Welsh Commission". Atodlen 8. Atodlen 11.
Gorchymyn Comisiwn Ffiniau Llywodraeth Leol i Gymru (Cyfrifon, Archwilio ac Adroddiadau) 2003 (O.S. 2003/749)	Yr holl offeryn.

SCHEDULE 2
(as introduced by section 73(2))

REPEALS

The enactments mentioned in the first column are repealed to the extent set out in the second column.

TABLE 1

<i>Enactment</i>	<i>Extent of Repeal</i>
Local Government Act 1972 (c. 70)	<p>Section 22(5). Section 24(4). Section 30(1)(b). In section 30(3), the words “under Part IV of this Act”. Section 34(5). Section 53. Section 54. Section 55. Section 56. Section 57. Section 57A. Section 58. Section 59. Section 60. Section 61. Section 65. Section 67. Section 68. Section 69. Section 71. Section 72(1)(b) and (2A). In section 73(2), the words “or the Welsh Commission, as the case may require,”. In section 78(1), the definitions of “electoral arrangements” and “substantive change”. Section 78(2). In section 270(1), the definition of the “Welsh Commission”. Schedule 8. Schedule 11.</p>
Local Government Boundary Commission for Wales (Accounts, Audit and Reports) Order 2003 (S.I. 2003/749)	The whole instrument.

Mesur Llywodraeth Leol (Cymru) 2011 (mccc 4)	Adran 4(8). Yn adran 4(10), y diffiniad o "aelod cyfetholedig". Adran 167.
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Local Government (Wales) Measure 2011 (nawm 4)	Section 4(8). In section 4(10), the definition of “co-opted member”. Section 167.
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ATODLEN 3
(cyflwynwyd gan adran 72(2))

MYNEGAI O YMADRODDION WEDI EU DIFFINIO

Mae'r ymadroddion a restrir yn y golofn gyntaf wedi eu diffinio yn eu trefn gan y darpariaethau hynny neu (yn ôl y digwydd) i'w dehongli yn unol â'r darpariaethau hynny yn y Ddeddf hon a restrir yn yr ail golofn mewn perthynas â'r ymadroddion hynny.

TABL 2

<i>Ymadrodd</i>	<i>Darpariaeth perthnasol</i>
Addasu (<i>Modify</i>)	Adran 72(1)
Aelod cadeirio (<i>Chairing member</i>)	Adran 4(1)(a)
Arbenigwr (<i>Expert</i>)	Adran 10(1)
Ardal amlaelod (<i>Multiple member area</i>)	Adran 29(11)
Ardal llywodraeth leol (<i>Local government area</i>)	Adran 72(1)
Ardal un aelod (<i>Single member area</i>)	Adran 29(11)
Awdurdod gweithredu priodol (<i>Appropriate implementing authority</i>)	Adran 36(6)
Awdurdod lleol (<i>Local authority</i>)	Adran 72(1)
Comisiynydd Cynorthwyol (<i>Assistant Commissioner</i>)	Adran 11(1)
Corff cyhoeddus (<i>Public body</i>)	Adran 40(6)
Corff cyhoeddus cymwys (<i>Qualifying public body</i>)	Adran 50(5)
Cyfarfod cymunedol (<i>Community meeting</i>)	Adran 72(1)
Deddf 1972 (<i>1972 Act</i>)	Adran 72(1)
Deddfiad (<i>Enactment</i>)	Adran 72(1)
Etholwr llywodraeth leol (<i>Local government elector</i>)	Adran 30
Mesur 2011 (<i>2011 Measure</i>)	Adran 72(1)
Newid i drefniadau etholiadol (<i>Electoral arrangements change</i>)	Adran 23(4)(c)
Newid i ffin cymuned (<i>Community boundary change</i>)	Adran 23(4)(a)
Newid i ffin prif ardal (<i>Principal area boundary change</i>)	Adran 23(4)(e)
Newid i gyngor cymuned (<i>Community council change</i>)	Adran 23(4)(b)
Newid i sir wedi ei chadw (<i>Preserved county change</i>)	Adran 23(4)(d)

SCHEDULE 3
(introduced by section 72(2))

INDEX OF DEFINED EXPRESSIONS

The expressions listed in the first column are defined by or (as the case may be) are to be interpreted in accordance with the provisions of this Act listed in the second column in relation to those expressions.

TABLE 2

<i>Expression</i>	<i>Relevant provision</i>
1972 Act (<i>Deddf 1972</i>)	Section 72(1)
2011 Measure (<i>Mesur 2011</i>)	Section 72(1)
Appropriate implementing authority (<i>Awdurdod gweithredu priodol</i>)	Section 36(6)
Assistant Commissioner (<i>Comisiynydd Cynorthwyol</i>)	Section 11(1)
Chairing member (<i>Aelod cadeirio</i>)	Section 4(1)(a)
Community boundary change (<i>Newid i ffin cymuned</i>)	Section 23(4)(a)
Community council change (<i>Newid i gyngor cymuned</i>)	Section 23(4)(b)
Community meeting (<i>Cyfarfod cymunedol</i>)	Section 72(1)
Electoral arrangements for community (<i>Trefniadau etholiadol ar gyfer cymuned</i>)	Section 31(7)
Electoral arrangements for principal area (<i>Trefniadau etholiadol ar gyfer prif ardal</i>)	Section 29(9)
Electoral arrangements change (<i>Newid i drefniadau etholiadol</i>)	Section 23(4)(c)
Electoral ward (<i>Ward etholiadol</i>)	Section 29(11)
Enactment (<i>Deddfiad</i>)	Section 72(1)
Executive arrangements (<i>Trefniadau gweithrediaeth</i>)	Section 52(9)
Expert (<i>Arbenigwr</i>)	Section 10(1)
Local authority (<i>Awdurdod lleol</i>)	Section 72(1)
Local government area (<i>Ardal llywodraeth leol</i>)	Section 72(1)
Local government elector (<i>Etholwr llywodraeth leol</i>)	Section 30
Mandatory consultees (<i>Ymgynghoreion gorfodol</i>)	Section 34(3)
Modify (<i>Addasu</i>)	Section 72(1)
Multiple member area (<i>Ardal amlaelod</i>)	Section 29(11)

Prif ardal (<i>Principal area</i>)	Adran 72(1)
Prif gyngor (<i>Principal council</i>)	Adran 72(1)
Sir wedi ei chadw (<i>Preserved county</i>)	Adran 27(4)
Trefniadau etholiadol ar gyfer cymuned (<i>Electoral arrangements for community</i>)	Adran 31(7)
Trefniadau etholiadol ar gyfer prif ardal (<i>Electoral arrangements for principal area</i>)	Adran 29(9)
Trefniadau gweithrediaeth (<i>Executive arrangements</i>)	Adran 52(9)
Ward etholiadol (<i>Electoral ward</i>)	Adran 29(11)
Y Comisiwn (<i>The Commission</i>)	Adran 2
Ymgynghoreion gorfodol (<i>Mandatory consultees</i>)	Adran 34(3)

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Preserved county (<i>Sir wedi ei chadw</i>)	Section 27(4)
Preserved county change (<i>Newi i sir wedi ei chadw</i>)	Section 23(4)(d)
Principal area (<i>Prif ardal</i>)	Section 72(1)
Principal council (<i>Prif gyngor</i>)	Section 72(1)
Principal area boundary change (<i>Newid i ffin prif ardal</i>)	Section 23(4)(e)
Public body (<i>Corff cyhoeddus</i>)	Section 40(6)
Qualifying public body (<i>Corff cyhoeddus cymwys</i>)	Section 50(5)
Single member area (<i>Ardal un aelod</i>)	Section 29(11)
The Commission (<i>Y Comisiwn</i>)	Section 2

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