CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2007 Rhif 951 (Cy.82)

LLYWODRAETH LEOL, CYMRU

Rheoliadau Awdurdodau Lleol (Trefniadau Gweithrediaeth) (Penderfyniadau, Dogfennau a Chyfarfodydd) a'r Pwyllgorau Safonau (Cymru) (Diwygio) 2007

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn gymwys o ran prif gynghorau yng Nghymru.

Mae Gorchymyn Llywodraeth Leol (Mynediad i Wybodaeth) (Amrywio) (Cymru) 2007 yn diwygio Atodlen 12A i Ddeddf Llywodraeth Leol 1972 ac, o wneud hynny, yn newid rhifau'r paragraffau yn Atodlen 12A. Caiff y cyfeiriadau at Atodlen 12A yn rheoliad 10 o Reoliadau Awdurdodau Lleol (Trefniadau Gweithrediaeth) (Penderfyniadau, Dogfennau a Chyfarfodydd) (Cymru) 2001 eu diwygio gan reoliad 2 o'r Rheoliadau hyn.

Mae rheoliad 26 o Reoliadau'r Pwyllgorau Safonau (Cymru) 2001 hefyd yn cyfeirio at Atodlen 12A a chaiff y cyfeiriadau hynny eu diwygio gan reoliad 3 o'r Rheoliadau hyn.

Mae rheoliad 4 yn gwneud darpariaeth sy'n addasu cymhwysiad Atodlen 12A pan fo pwyllgor safonau yn cyfarfod i ddelio â honiad o dorri cod ymddygiad.

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2007 No. 951 (W.82)

LOCAL GOVERNMENT, WALES

The Local Authorities (Executive Arrangements) (Decisions, Documents and Meetings) and the Standards Committees (Wales) (Amendment) Regulations 2007

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations apply in relation to principal councils in Wales.

The Local Government (Access to Information) (Variation) (Wales) Order 2007 amends Schedule 12A to the Local Government Act 1972 and, in doing so, alters the paragraph numbers in Schedule 12A. The references to Schedule 12A in regulation 10 of the Local Authorities (Executive Arrangements) (Decisions, Documents and Meetings) (Wales) Regulations 2001 are amended by regulation 2 of these Regulations.

Regulation 26 of the Standards Committees (Wales) Regulations 2001 also makes reference to Schedule 12A and those references are amended by regulation 3 of these Regulations.

Regulation 4 makes provision so that, where a standards committee is meeting to deal with an allegation of a breach of a code of conduct, the application of Schedule 12A is modified.

OFFERYNNAU STATUDOL

2007 Rhif 951 (Cy.82)

LLYWODRAETH LEOL, CYMRU

Rheoliadau Awdurdodau Lleol (Trefniadau Gweithrediaeth) (Penderfyniadau, Dogfennau a Chyfarfodydd) a'r Pwyllgorau Safonau (Cymru) (Diwygio) 2007

Wedi'u gwneud *21 Mawrth 2007*

Yn dod i rym *21 Ebrill 2007*

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd iddo gan adrannau 22, 53(11) a (12), 56(5), 105 a 106 o Ddeddf Llywodraeth Leol 2000(**1**), drwy hyn yn gwneud y Rheoliadau a ganlyn:

Enwi, cychwyn, dehongli a chymhwyso

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau Awdurdodau Lleol (Trefniadau Gweithrediaeth) (Penderfyniadau, Dogfennau a Chyfarfodydd) a'r Pwyllgorau Safonau (Cymru) (Diwygio) 2007 ac maent yn dod i rym ar 21 Ebrill 2007.

(2) Yn y Rheoliadau hyn, ystyr "Deddf 1972" ("*the 1972 Act*") yw Deddf Llywodraeth Leol 1972(**2**).

(3) Mae'r Rheoliadau hyn yn gymwys o ran Cymru.

Diwygio Rheoliadau Awdurdodau Lleol (Trefniadau Gweithrediaeth) (Penderfyniadau, Dogfennau a Chyfarfodydd) (Cymru) 2001

2. Yn rheoliad 10 o Reoliadau Awdurdodau Lleol (Trefniadau Gweithrediaeth) (Penderfyniadau, Dogfennau a Chyfarfodydd) (Cymru) 2001(**3**)-

(a) ym mharagraff (1), yn lle "(2) a (3)", rhodder "(2) i (3)"; a

(**1**) 2000 p.22.

(**2**) 1972 p.70.

(**3**) O.S. 2001/2290.

STATUTORY INSTRUMENTS

2007 No. 951 (W.82)

LOCAL GOVERNMENT, WALES

The Local Authorities (Executive Arrangements) (Decisions, Documents and Meetings) and the Standards Committees (Wales) (Amendment) Regulations 2007

Made *21 March 2007*

Coming into force *21 April 2007*

The National Assembly for Wales, in exercise of the powers conferred on it by sections 22, 53(11) and (12), 56(5), 105 and 106 of the Local Government Act 2000(**1**), hereby makes the following Regulations:

Title, commencement, interpretation and application

1.-(1) The title of these Regulations is The Local Authorities (Executive Arrangements) (Decisions, Documents and Meetings) and the Standards Committees (Wales) (Amendment) Regulations 2007 and they come into force on 21 April 2007.

(2) In these Regulations "the 1972 Act" ("*Deddf 1972*") means the Local Government Act 1972(**2**).

(3) These Regulations apply in relation to Wales.

Amendments to the Local Authorities (Executive Arrangements) (Decisions, Documents and Meetings) (Wales) Regulations 2001

2. In regulation 10 of The Local Authorities (Executive Arrangements) (Decisions, Documents and Meetings) (Wales) Regulations 2001(**3**)-

(a) in paragraph (1), for "(2) and (3)", substitute "(2) to (3)"; and

(**1**) 2000 c.22.

(**2**) 1972 c.70.

(**3**) S.I. 2001/2290.

(b) yn lle paragraff (2), rhodder-

"(2) Nid yw paragraff (1) yn ei gwneud yn ofynnol bod dogfen ar gael i'w harchwilio os yw'n ymddangos i'r swyddog priodol ei bod yn datgelu gwybodaeth esempt o ddisgrifiad syn dod o fewn Rhan 4 o Atodlen 12A i Ddeddf 1972 (Disgrifiadau o Wybodaeth Esempt: Cymru).

(2A) Mae paragraff (1) yn ei gwneud yn ofynnol (er gwaethaf paragraff (2)) bod y ddogfen ar gael i'w harchwilio os yw'r wybodaeth yn wybodaeth o ddisgrifiad sydd am y tro yn dod o fewn-

(a) paragraff 14 o Atodlen 12A i Deddf 1972 (ac eithrio i'r graddau bod yr wybodaeth yn ymwneud ag unrhyw delerau a gynigir neu sydd i'w cynnig gan yr awdurdod neu iddo yn ystod trafodaethau am gontract); neu

(b) paragraff 17 o Atodlen 12A i Ddeddf 1972.".

Diwygio Rheoliadau Pwyllgorau Safonau (Cymru) 2001

3. Yn rheoliad 26 o Reoliadau Pwyllgorau Safonau (Cymru) 2001(**1**)-

(a) Ym mharagraff (1)(i) ar ôl "Atodlen 12A" mewnosoder ", Rhan 4 i 6";

(b) Ym mharagraff (9) yn lle "paragraff (2) o Ran III" rhodder "paragraff 22(2) o Ran 6".

Cymhwyso Atodlen 12A i Ddeddf 1972 at Bwyllgorau Safonau

4. Pan fydd cyfarfod o bwyllgor safonau, neu is-bwyllgor o bwyllgor safonau yn cael ei gynnull i ystyried mater a atgyfeirir iddo o dan ddarpariaethau adran 70(4) neu (5) neu 71(2) o Ddeddf Llywodraeth Leol 2000, bydd darpariaethau Rhan 4 i 6 o Atodlen 12A i Ddeddf 1972 yn gymwys fel pe bai'r disgrifiadau canlynol o wybodaeth esempt yn cael eu mewnosod ar ôl paragraff 18 o'r Atodlen honno

" (18A) Information which is subject to any obligations of confidentiality.

(18B) Information which relates in anyway to matters concerning national security.

(18C) The deliberations of a standards committee or of a sub-committee of a standards committee established under the provisions of Part 3 of the Local Government Act 2000 in reaching any finding on a matter referred to it. ".

(**1**) O.S. 2001/2283.

(b) for paragraph (2), substitute -

"(2) Paragraph (1) does not require a document to be available for inspection if it appears to the proper officer that it discloses exempt information of a description falling within Part 4 of Schedule 12A to the 1972 Act (Descriptions of Exempt Information: Wales).

(2A) Paragraph (1) does require (notwithstanding paragraph (2)) the document to be available for inspection if the information is information of a description for the time being falling within-

(a) paragraph 14 of Schedule 12A to the 1972 Act (except to the extent that the information relates to any terms proposed or to be proposed by or to the authority in the course of negotiations for a contract); or

(b) paragraph 17 of Schedule 12A to the 1972 Act.".

Amendments to the Standards Committees (Wales) Regulations 2001

3. In regulation 26 of the Standards Committee (Wales) Regulations 2001(**1**)-

(a) In paragraph (1)(i) after "Schedule 12A" insert ", Part 4 to 6";

(b) In paragraph (9) for "Paragraph (2) of Part III" substitute "Paragraph 22(2) of Part 6".

Application of Schedule 12A of the 1972 Act to Standards Committees

4. Where a meeting of a standards committee, or a sub-committee of a standards committee, is convened to consider a matter referred under the provisions of section 70(4) or (5) or 71(2) of the Local Government Act 2000, the provisions of Part 4 to 6 of Schedule 12A to the 1972 Act will apply as if, after paragraph 18 of that Schedule, the following descriptions of exempt information were inserted

" (18A) Information which is subject to any obligations of confidentiality.

(18B) Information which relates in anyway to matters concerning national security.

(18C) The deliberations of a standards committee or of a sub-committee of a standards committee established under the provisions of Part 3 of the Local Government Act 2000 in reaching any finding on a matter referred to it.".

(**1**) S.I. 2001/2283.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(**1**)

21 Mawrth 2007

D. Elis-Thomas

Llywydd y Cynulliad Cenedlaethol

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(**1**)

21 March 2007

The Presiding Officer of the National Assembly

(**1**) 1998 p.38.

(**1**) 1998 c.38.

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