

OFFERYNNAU STATUDOL CYMRU

2021 No. 1349

**Rheoliadau Cyd-bwyllgorau Corfforedig
(Cyffredinol) (Rhif 2) (Cymru) 2021**

RHAN 3

Darpariaethau cyffredinol mewn perthynas â staff

Cyfeiriadau at “proper officer” yn Neddf 1972 ac mewn deddfiadau eraill

9.—(1) Pan fo deddfiad yn ymwneud â gweinyddu cyd-bwyllgor corfforedig neu ag arfer ei swyddogaethau, mae unrhyw gyfeiriadau yn y deddfiad hwnnw at “swyddog” i’r cyd-bwyllgor corfforedig i’w dehongli fel cyfeiriadau at aelod o staff y cyd-bwyllgor corfforedig, gan gynnwys person sy’n cael ei drin fel aelod o staff yn rhinwedd paragraff 11(2) o’r Atodlen i bob un o’r Rheoliadau sefydlu.

(2) Yn adran 270(3) o Ddeddf 1972 (ystyr “proper officer”), ar ôl “local authority” mewnosoder “, corporate joint committee”.

(3) Yn adran 21(3) o Ddeddf 1989 (dehongli Rhan 1), yn y diffiniad o “proper officer”, ym mharagraff (a), ar ôl “Wales” mewnosoder “or a corporate joint committee”.

Anghymhwysu swyddogion a staff penodol a chyfyngiadau gwleidyddol arnynt

10.—(1) Mae Deddf 1989 wedi ei diwygio fel a ganlyn.

(2) Yn adran 1 (anghymhwysu swyddogion a staff penodol a chyfyngiadau gwleidyddol arnynt)

(a) yn is-adran (1A)—

(i) daw’r geiriau o “holds the post” hyd at y diwedd yn baragraff (a);

(ii) ar ôl y paragraff hwnnw mewnosoder—

“(b) holds a politically restricted post under a corporate joint committee.”;

(b) ar ôl is-adran (1A) mewnosoder—

“(1B) A person shall be disqualified from becoming or remaining a member of a corporate joint committee if that person holds a politically restricted post under any corporate joint committee or local authority in Great Britain.”;

(c) ar ôl is-adran (11) mewnosoder—

“(12) Subsections (5) to (8) of this section apply to a corporate joint committee as they apply to a local authority in Wales.”

(3) Yn adran 2 (swyddi o dan gyfyngiadau gwleidyddol)—

(a) ar ôl is-adran (1A) mewnosoder—

“(1B) For the purposes of this Part the following persons are to be regarded as holding politically restricted posts under a corporate joint committee—

- (a) a person appointed as the chief executive of the corporate joint committee;
 - (b) a person described in subsection (1)(b) to (e);
 - (c) a person not falling within paragraphs (a) or (b) whose post is for the time being specified by the corporate joint committee in—
 - (i) the list maintained in accordance with subsection (2) and any directions under section 3;
 - (ii) the list maintained in accordance with regulation 24(2) of the Corporate Joint Committees (General) (No. 2) (Wales) Regulations 2021.”;
- (b) ar ôl is-adran (10) mewnosoder—
- “(10A) This section, other than subsection (1), applies in relation to a corporate joint committee as it applies in relation to a local authority in Wales.
- (10B) In the application of subsection (2) to a corporate joint committee the reference to section 100G(2) of the Local Government Act 1972 is to be read as a reference to regulation 24(2) of the Corporate Joint Committees (General) (No. 2) (Wales) Regulations 2021.
- (10C) In the application of subsection (4) to a corporate joint committee—
- (a) the reference to two months is to be read as a reference to six months, and
 - (b) the reference to the coming into force of this section is to be read as a reference to—
 - (i) the coming into force of this subsection, or
 - (ii) the date on which the corporate joint committee is established, whichever is the later.”
- (4) Yn adran 3 (rhoi a goruchwyllo esemptiadau)—
- (a) yn is-adran (5), ym mharagraff (b), ar ôl “Local Government Act 1972” mewnosoder “, regulation 24(2) of the Corporate Joint Committees (General) (No. 2) (Wales) Regulations 2021”;
 - (b) ar ôl is-adran (8) mewnosoder—

“(9) In this section a reference to a local authority includes a reference to a corporate joint committee.”

Dyletswydd i fabwysiadu rheolau sefydlog mewn cysylltiad â staff

11. Yn adran 8 o Ddeddf 1989 (dyletswydd awdurdodau perthnasol i fabwysiadu rheolau sefydlog mewn cysylltiad â staff), yn is-adran (5), ar ôl paragraff (a), mewnosoder—

- “(aa) in relation to Wales, means a corporate joint committee;”.

Atebolrwydd o ran tâl

12.—(1) Yn Neddf 2011, yn Rhan 1—

- (a) wrth gymhwyso Pennod 8 i gyd-bwyllgor corfforedig—
 - (i) yn adran 38(1), mae’r cyfeiriad at flwyddyn ariannol 2012-13 i’w ddarllen fel cyfeiriad at flwyddyn ariannol 2022-23;
 - (ii) yn adran 39(2), mae’r cyfeiriad at 31 Mawrth 2012 i’w ddarllen fel cyfeiriad at 31 Mawrth 2022;

- (iii) yn adran 41(1), mae'r cyfeiriad at 1 Ebrill 2012 i'w ddarllen fel cyfeiriad at 1 Ebrill 2022;
- (b) yn adran 42 (arfer swyddogaethau), ar ôl is-adran (2) mewnosoder—
 - “(2A) In the case of a relevant authority which is a corporate joint committee, regulation 13 of the Corporate Joint Committees (General) (No. 2) (Wales) Regulations 2021 (arrangements for the discharge of functions) does not apply to the function of passing a resolution under this Chapter.”;
- (c) yn adran 43 (dehongli), ar ôl is-adran (1)(j) mewnosoder—
 - “(k) a corporate joint committee established by regulations made under Part 5 of the Local Government and Elections (Wales) Act 2021.”