



OFFERYNNAU STATUDOL CYMRU

2021 Rhif 1349 (Cy. 348)

LLYWODRAETH LEOL, CYMRU

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

<i>Gwnaed</i>	<i>am 9.30 a.m. ar 1 Rhagfyr 2021</i>
<i>Yn dod i rym</i>	
<i>Rheoliadau 10, 27, 31 a 32</i>	<i>6 Mai 2022</i>
<i>Y gweddill</i>	<i>3 Rhagfyr 2021</i>

WELSH STATUTORY INSTRUMENTS

2021 No. 1349 (W. 348)

LOCAL GOVERNMENT, WALES

The Corporate Joint Committees (General) (No. 2)
(Wales) Regulations 2021

<i>Made</i>	<i>at 9.30 a.m. on 1 December 2021</i>
<i>Coming into force</i>	
<i>Regulations 10, 27, 31 and 32</i>	<i>6 May 2022</i>
<i>Remainder</i>	<i>3 December 2021</i>

£11.50



OFFERYNNAU STATUDOL
CYMRU

2021 Rhif 1349 (Cy. 348)

LLYWODRAETH LEOL,
CYMRU

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

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn wedi eu gwneud fel rhan o gyfres o reoliadau sy'n gysylltiedig â sefydlu cyd-bwyllgorau corfforedig yng Nghymru gan reoliadau o dan Ran 5 o Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021.

Mae chwe rhan i'r Rheoliadau hyn.

Mae Rhan 1 yn gwneud darpariaeth ynghylch cychwyn a dehongli'r Rheoliadau hyn.

Mae Rhan 2 yn darparu bod rhaid i gyd-bwyllgorau corfforedig yng Nghymru benodi swyddogion gweithrediaeth, sef Prif Weithredwr, Prif Swyddog Cyllid a Swyddog Monitro. Mae'r Rhan hon hefyd yn darparu rhagor o fanylion ynghylch y swyddogaethau sydd i'w harfer gan bob un o'r deiliaid swyddi hyn.

Mae Rhan 3 yn cynnwys darpariaethau cyffredinol mewn perthynas â staff cyd-bwyllgorau corfforedig. Er enghraift, mae'r Rhan hon yn diwygio'r diffiniad o "proper officer" yn Nedd Llywodraeth Leol 1972. Mae hefyd yn cymhwysyo darpariaethau yn Rhan 1 o Ddeddf Llywodraeth Leol a Thai 1989 i gyd-bwyllgorau corfforedig. Mae'r rhain yn darparu bod cyfyngiadau gwleidyddol ar swyddi penodol mewn cyd-bwyllgor corfforedig fel sydd ar swyddi penodol mewn awdurdod lleol ac na chaniateir cyfethol deiliaid swyddi o'r fath mewn unrhyw awdurdod perthnasol yn aelodau o gyd-bwyllgor corfforedig.

WELSH STATUTORY
INSTRUMENTS

2021 No. 1349 (W. 348)

LOCAL GOVERNMENT,
WALES

The Corporate Joint Committees
(General) (No. 2) (Wales)
Regulations 2021

EXPLANATORY NOTE

(*This note is not part of the Regulations*)

These Regulations are made as part of a suite of regulations connected with the establishment of corporate joint committees in Wales by regulations under Part 5 of the Local Government and Elections (Wales) Act 2021.

There are six parts to these Regulations.

Part 1 makes provision about commencement and interpretation of these Regulations.

Part 2 provides that corporate joint committees in Wales must appoint executive officers, namely a Chief Executive Officer, a Chief Finance Officer and a Monitoring Officer. This Part also provides further detail on the functions to be exercised by each of these office holders.

Part 3 includes general provisions in relation to corporate joint committee staff. For example, this Part amends the definition of a "proper officer" in the Local Government Act 1972. It also applies provisions in Part 1 of the Local Government and Housing Act 1989 to corporate joint committees. These provide that certain posts in a corporate joint committee are politically restricted as they are in a local authority and that holders of such posts in any relevant authority may not be co-opted as members of a corporate joint committee.

Mae Rhan 4 yn gwneud darpariaeth sy'n caniatáu i gyd-bwyllgorau corfforedig wneud trefniadau i'w swyddogaethau gael eu cyflawni gan is-bwyllgorau, gan staff neu ar y cyd â chyd-bwyllgorau corfforedig eraill neu gynghorau sir neu gynghorau bwrdeistref sirol yng Nghymru. Caiff is-bwyllgor a benodir gan gyd-bwyllgor corfforedig fod ag aelodau nad ydynt hefyd yn aelodau o'r cyd-bwyllgor corfforedig.

Mae Rhan 5 yn darparu manylion ynghylch y modd y mae'n rhaid ymgymeryd â chyfarfodydd a thrafodion cyd-bwyllgorau corfforedig (ac unrhyw is-bwyllgor i gyd-bwyllgor corfforedig). Er enghraifft gofynion o ran hysbysu a dogfennau a darpariaeth ynghylch lleoliad cyfarfodydd (a mynediad o bell atynt).

Mae Rhan 6 yn nodi diwygiadau amrywiol a chanlyniadol y mae angen eu gwneud i rywfaint o ddeddfwriaeth sylfaenol ac is-ddeddfwriaeth o ganlyniad i sefydlu cyd-bwyllgorau corfforedig a'r darpariaethau eraill yn y Rheoliadau hyn.

Mae'r Rheoliadau hyn yn gysylltiedig â'r rheoliadau a oedd yn sefydlu cyd-bwyllgorau corfforedig penodol o dan Ran 5 o Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021 ac a ddaeth i rym ar 1 Ebrill 2021 a 30 Mehefin 2021. Lluniwyd asesiad effaith rheoleiddiol pan wnaed y rheoliadau sefydlu hynny a gellir cael copi oddi wrth: Yr Is-adran Cyllid Strategol Llywodraeth Leol, Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ.

Part 4 makes provision permitting corporate joint committees to make arrangements for their functions to be discharged by sub-committees, staff or in conjunction with other corporate joint committees or county or county borough councils in Wales. A sub-committee appointed by a corporate joint committee may have members who are not also members of the corporate joint committee.

Part 5 provides detail on the manner in which meetings and proceedings of corporate joint committees (and any sub-committee of a corporate joint committee) are to be undertaken. For example notice and documentation requirements and provision about the location of (and remote access to) meetings.

Part 6 sets out miscellaneous and consequential amendments that it is necessary to make to both some primary and secondary legislation as a result of the establishment of corporate joint committees and the other provisions in these Regulations.

These Regulations are connected with the regulations which established certain corporate joint committees under Part 5 of the Local Government and Elections (Wales) Act 2021 and which came into force on 1 April 2021 and 30 June 2021. A regulatory impact assessment was prepared at the time of making those establishment regulations and a copy can be obtained from the Local Government Strategic Finance Division, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

2021 Rhif 1349 (Cy. 348)

**LLYWODRAETH LEOL,
CYMRU**

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

Gwnaed am 9.30 a.m. ar 1 Rhagfyr 2021

Yn dod i rym

Rheoliadau 10, 27, 31 a 32 6 Mai 2022

Y gweddill 3 Rhagfyr 2021

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir iddynt gan adrannau 80(1), 83, 84 a 174 o Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021(1) yn gwneud y Rheoliadau a ganlyn.

Yn unol ag adran 82(2) a (3)(a) a (d) o'r Ddeddf honno, mae Gweinidogion Cymru wedi ymgynghori â'r personau hynny y maent yn ystyried eu bod yn briodol ar ddrafft o'r rheoliadau, ac wedi rhoi hysbysiad o'u bwriad i'r prif gynghorau yn ardaloedd y cyd-bwyllgorau corfforedig ac i'r cyd-bwyllgorau corfforedig.

Gosodwyd drafft o'r offeryn hwn gerbron Senedd Cymru ac fe'i cymeradwywyd ganddi drwy benderfyniad yn unol ag adran 174(4) a (5) o'r Ddeddf honno.

2021 No. 1349 (W. 348)

**LOCAL GOVERNMENT,
WALES**

The Corporate Joint Committees
(General) (No. 2) (Wales)
Regulations 2021

Made at 9.30 a.m. on 1 December 2021

Coming into force

Regulations 10, 27, 31 and 32 6 May 2022

Remainder 3 December 2021

The Welsh Ministers, in exercise of the powers conferred on them by sections 80(1), 83, 84 and 174 of the Local Government and Elections (Wales) Act 2021(1), make the following Regulations.

In accordance with section 82(2) and (3)(a) and (d) of that Act, the Welsh Ministers have consulted such persons as they consider appropriate on a draft of the regulations, and have given notice of their intention to the principal councils in the corporate joint committees' areas and to the corporate joint committees.

A draft of this instrument has been laid before and approved by a resolution of Senedd Cymru in accordance with section 174(4) and (5) of that Act.

(1) 2021 dsc 1.

(1) 2021 asc 1.

RHAN 1

Cyflwyniad

Enwi a dod i rym

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Cyd-bwyllgorau Corfforedig (Cyffredinol) (Rhif 2) (Cymru) 2021.

(2) Daw'r Rheoliadau hyn, ac eithrio'r darpariaethau a grybwyllir ym mharagraff (3), i rym ar 3 Rhagfyr 2021.

(3) Daw'r rheoliadau a ganlyn i rym ar 6 Mai 2022—

- (a) rheoliad 10 (anghymhwyseddwydogion a staff penodol a chyfngiadau gwleidyddol arnynt);
- (b) rheoliad 27 (darllediadau electronig);
- (c) rheoliad 31 (dyletswydd i wneud cynlluniau deisebau);
- (d) rheoliad 32 (dyletswydd i annog pobl leol i gyfranogi).

Dehongli

2. Yn y Rheoliadau hyn—

- ystyr "cyd-bwyllgor corfforedig" ("corporate joint committee") yw cyd-bwyllgor corfforedig a sefydlir gan reoliadau o dan Ran 5 o Ddeddf 2021;
- ystyr "Deddf 1972" ("the 1972 Act") yw Deddf Llywodraeth Leol 1972(1);
- ystyr "Deddf 1988" ("the 1988 Act") yw Deddf Cyllid Llywodraeth Leol 1988(2);
- ystyr "Deddf 1989" ("the 1989 Act") yw Deddf Llywodraeth Leol a Thai 1989(3);
- ystyr "Deddf 2011" ("the 2011 Act") yw Deddf Lleoliaeth 2011(4);
- ystyr "Deddf 2021" ("the 2021 Act") yw Deddf Llywodraeth Leol ac Etholiadau (Cymru) 2021;
- ystyr "Mesur 2011" ("the 2011 Measure") yw Mesur Llywodraeth Leol (Cymru) 2011(5);
- ystyr "rheolau sefydlog" ("standing orders") yw rheolau sefydlog cyd-bwyllgor corfforedig a wneir o dan y Rheoliadau sefydlu;
- ystyr "y Rheoliadau sefydlu" ("the establishment Regulations") yw—

PART 1

Introduction

Title and coming into force

1.—(1) The title of these Regulations is the Corporate Joint Committees (General) (No. 2) (Wales) Regulations 2021.

(2) These Regulations, other than the provisions mentioned in paragraph (3) come into force on 3 December 2021.

(3) The following regulations come into force on 6 May 2022—

- (a) regulation 10 (disqualification and political restriction of certain officers and staff);
- (b) regulation 27 (electronic broadcasts);
- (c) regulation 31 (duty to make petition schemes);
- (d) regulation 32 (duty to encourage participation of local people).

Interpretation

2. In these Regulations—

- "the 1972 Act" ("Deddf 1972") means the Local Government Act 1972(1);
- "the 1988 Act" ("Deddf 1988") means the Local Government Finance Act 1988(2);
- "the 1989 Act" ("Deddf 1989") means the Local Government and Housing Act 1989(3);
- "the 2011 Act" ("Deddf 2011") means the Localism Act 2011(4);
- "the 2011 Measure" ("Mesur 2011") means the Local Government (Wales) Measure 2011(5);
- "the 2021 Act" ("Deddf 2021") means the Local Government and Elections (Wales) Act 2021;
- "corporate joint committee" ("cyd-bwyllgor corfforedig") means a corporate joint committee established by regulations under Part 5 of the 2021 Act;
- "the establishment Regulations" ("y Rheoliadau sefydlu") means—

(1) 1972 p. 70.

(2) 1988 p. 41.

(3) 1989 p. 42.

(4) 2011 p. 20.

(5) 2011 mccc 4.

(1) 1972 c. 70.

(2) 1988 c. 41.

(3) 1989 c. 42.

(4) 2011 c. 20.

(5) 2011 nawm 4.

- (a) Rheoliadau Cyd-bwyllgor Corfforedig y Gogledd (Cymru) 2021(1),
- (b) Rheoliadau Cyd-bwyllgor Corfforedig y Canolbarth (Cymru) 2021(2),
- (c) Rheoliadau Cyd-bwyllgor Corfforedig De-ddwyrain (Cymru) 2021(3), a
- (d) Rheoliadau Cyd-bwyllgor Corfforedig y De-orllewin (Cymru) 2021(4).

- (a) the North Wales Corporate Joint Committee Regulations 2021(1),
- (b) the Mid Wales Corporate Joint Committee Regulations 2021(2),
- (c) the South East Wales Corporate Joint Committee Regulations 2021(3), and
- (d) the South West Wales Corporate Joint Committee Regulations 2021(4);

“standing orders” (“*rheolau sefydlog*”) means standing orders of a corporate joint committee made under the establishment Regulations.

RHAN 2

Swyddogion gweithrediaeth

Prif weithredwr

Dyletswydd i benodi prif weithredwr

3.—(1) Rhaid i gyd-bwyllgor corfforedig benodi prif weithredwr.

(2) Rhaid i brif weithredwr cyd-bwyllgor corfforedig—

- (a) adolygu'n barhaus bob un o'r materion a bennir ym mharagraff (3), a
- (b) pan fo'r prif weithredwr yn ystyried ei bod yn briodol gwneud hynny, gwneud adroddiad i'r cyd-bwyllgor corfforedig yn nodi cynigion y prif weithredwr mewn cysylltiad ag unrhyw un neu ragor o'r materion hynny.

(3) Y materion yw—

- (a) y modd y cydgysylltir sut y mae'r cyd-bwyllgor corfforedig yn arfer ei wahanol swyddogaethau,
- (b) trefniadau'r cyd-bwyllgor corfforedig mewn perthynas ag—
 - (i) cynllunio ariannol,
 - (ii) rheoli asedau, a
 - (iii) rheoli risg,
- (c) nifer a graddau'r staff sy'n ofynnol gan y cyd-bwyllgor corfforedig er mwyn arfer ei swyddogaethau,
- (d) trefniadaeth staff y cyd-bwyllgor corfforedig,

PART 2

Executive officers

Chief executive officer

Duty to appoint chief executive officer

3.—(1) A corporate joint committee must appoint a chief executive.

(2) The chief executive of a corporate joint committee must—

- (a) keep each of the matters specified in paragraph (3) under review, and
- (b) where the chief executive considers it appropriate to do so, make a report to the corporate joint committee setting out the chief executive's proposals in respect of any of those matters.

(3) The matters are—

- (a) the manner in which the exercise by the corporate joint committee of its different functions is co-ordinated,
- (b) the corporate joint committee's arrangements in relation to—
 - (i) financial planning,
 - (ii) asset management, and
 - (iii) risk management,
- (c) the number and grades of staff required by the corporate joint committee for the exercise of its functions,
- (d) the organisation of the corporate joint committee's staff,

(1) O.S. 2021/339 (Cy. 93).

(2) O.S. 2021/342 (Cy. 96).

(3) O.S. 2021/343 (Cy. 97).

(4) O.S. 2021/352 (Cy. 104).

(1) S.I. 2021/339 (W. 93).

(2) S.I. 2021/342 (W. 96).

(3) S.I. 2021/343 (W. 97).

(4) S.I. 2021/352 (W. 104).

- (e) penodi staff y cyd-bwyllgor corfforedig, ac
- (f) y trefniadau ar gyfer rheoli staff y cyd-bwyllgor corfforedig, gan gynnwys unrhyw drefniadau ar gyfer hyfforddi a datblygu.

(4) Cyn gynted ag y bo'n rhesymol ymarferol ar ôl llunio adroddiad at ddibenion paragraff (2)(b), rhaid i'r prif weithredwr drefnu bod yr adroddiad yn cael ei anfon at bob aelod o'r cyd-bwyllgor corfforedig.

(5) Rhaid i'r cyd-bwyllgor corfforedig ystyried adroddiad a wnaed o dan baragráff (2)(b) mewn cyfarfod a gynhelir yn ddim hwyrach na thrí mis ar ôl i gopiau o'r adroddiad gael eu hanfon at yr aelodau am y tro cyntaf.

(6) Rhaid i gyd-bwyllgor corfforedig ddarparu i'w brif weithredwr y staff, yr adeiladau neu'r ystafelloedd a'r adnoddau eraill hynny sydd, ym marn y prif weithredwr, yn ddigonol i alluogi cyflawni dyletswyddau'r prif weithredwr o dan y rheoliad hwn.

(7) Nid yw rheoliad 13 (trefniadau ar gyfer cyflawni swyddogaethau) yn gymwys i'r ddyletswydd a osodir ar gyd-bwyllgor corfforedig gan baragráff (5).

Panel Annibynnol Cymru ar Gydnabyddiaeth Ariannol

4.—(1) Ym Mesur 2011—

- (a) wrth gymhwysu adran 142 (swyddogaethau sy'n ymwneud â thaliadau i aelodau) i gyd-bwyllgor corfforedig, mae'r cyfeiriad at 1 Ebrill 2012 i'w ddarllen fel cyfeiriad at 1 Ebrill 2022;
- (b) yn adran 143A(7) (swyddogaethau sy'n ymwneud â chydnewid ariannol prif weithredwyr), yn y diffiniad o "prif weithredwr", ar ôl "Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021" mewnosoder "neu brif weithredwr a benodir gan gyd-bwyllgor corfforedig";
- (c) yn adran 144 (awdurdodau perthnasol, aelodau etc.)—
 - (i) yn is-adran (2), o flaen paragraff (e) mewnosoder—
"(db) cyd-bwyllgor corfforedig;"
 - (ii) yn is-adran (4) hepgo'r "ac" ar ôl paragraff (b);
 - (iii) yn is-adran (4), ar ôl paragraff (c) mewnosoder "a" ac yna mewnosoder—
"(d) person sy'n aelod o is-bwyllgor i gyd-bwyllgor corfforedig a chanddo hawl i bleidleisio ar unrhyw gwestiwn sydd i'w benderfynu gan yr is-bwyllgor hwnnw;"

- (e) the appointment of the corporate joint committee's staff, and
- (f) the arrangements for the management of the corporate joint committee's staff, including any arrangements for training and development.

(4) As soon as reasonably practicable after preparing a report for the purposes of paragraph (2)(b), the chief executive must arrange for the report to be sent to each member of the corporate joint committee.

(5) The corporate joint committee must consider a report made under paragraph (2)(b) at a meeting held not more than three months after copies of the report are first sent to the members.

(6) A corporate joint committee must provide its chief executive with such staff, accommodation and other resources as are, in the chief executive's opinion, sufficient to allow the chief executive's duties under this regulation to be carried out.

(7) Regulation 13 (arrangements for the discharge of functions) does not apply to the duty imposed on a corporate joint committee by paragraph (5).

The Independent Remuneration Panel for Wales

4.—(1) In the 2011 Measure—

- (a) in the application of section 142 (functions relating to payments to members) to a corporate joint committee, the reference to 1 April 2012 is to be read as a reference to 1 April 2022;
- (b) in section 143A(7) (functions relating to remuneration of chief executives), in the definition of "chief executive", after "Local Government and Elections (Wales) Act 2021" insert "or a chief executive appointed by a corporate joint committee";
- (c) in section 144 (relevant authorities, members etc.)—
 - (i) in subsection (2), before paragraph (e) insert—
"(db) a corporate joint committee;"
 - (ii) in subsection (4) omit "and" after paragraph (b);
 - (iii) in subsection (4), after paragraph (c) insert "and" and then insert—
"(d) a person who is a member of a sub-committee of a corporate joint committee and is entitled to vote on any question to be decided by that sub-committee;"

- (iv) yn is-adran (5), ar ôl “awdurdod perthnasol” mewnosoder “heblaw cyd-bwyllgor corfforedig”;
- (v) yn is-adran (8), yn lle “(2)(e)” rhodder “(2)(db) neu (e)”.

(2) At ddibenion y rheoliad hwn (ac felly wrth estyn adran 143A o Fesur 2011 i awdurdod perthnasol sy’n gyd-bwyllgor corfforedig), hyd nes y daw’r diwygiadau a wneir i adran 143A o Fesur 2011 gan baragraff 15 o Atodlen 5 i Ddeddf 2021 i rym, mae adran 143A i’w darllen fel pe bai’r diwygiadau hynny mewn grym.

Prif swyddog cyllid

Dyletswydd i benodi prif swyddog cyllid

5.—(1) Mae adran 151 o Ddeddf 1972 (dyletswydd awdurdod lleol i benodi swyddog â chyfrifoldeb am weinyddu ariannol) wedi ei diwygio fel a ganlyn.

(2) Daw’r testun presennol yn is-adran (1).

(3) Ar ôl yr is-adran honno mewnosoder —

“(2) This section applies to a corporate joint committee as it applies to a local authority.”

Swyddogaethau adrodd prif swyddog cyllid

6.—(1) Mae Deddf 1988 wedi ei diwygio fel a ganlyn.

(2) Yn adran 114 (swyddogaethau swyddog cyfrifol o ran adroddiadau), yn is-adran (3A)—

- (a) ym mharagraff (a), ar ôl “Local Government and Housing Act 1989” mewnosoder “or, in the case of a corporate joint committee, the person who is for the time being appointed as the authority’s chief executive”;
- (b) ym mharagraff (b), yn lle “that Act” rhodder “the Local Government and Housing Act 1989”.

(3) Yn adran 115 (dyletswyddau awdurdodau o ran adroddiadau), ar ôl is-adran (4A) mewnosoder—

“(4B) In the case of 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 duty under subsection (2).”

- (iv) in subsection (5), after “relevant authority” insert “other than a corporate joint committee”;
- (v) in subsection (8), for “(2)(e)” substitute “(2)(db) or (e)”.

(2) For the purposes of this regulation (and therefore in the extension of section 143A of the 2011 Measure to a relevant authority which is a corporate joint committee), until the amendments made to section 143A of the 2011 Measure by paragraph 15 of Schedule 5 to the 2021 Act come into force, section 143A is to be read as if those amendments were in force.

Chief finance officer

Duty to appoint chief finance officer

5.—(1) Section 151 of the 1972 Act (local authority duty to appoint officer with responsibility for financial administration) is amended as follows.

(2) The existing text becomes subsection (1).

(3) After that subsection insert—

“(2) This section applies to a corporate joint committee as it applies to a local authority.”

Reporting functions of chief finance officer

6.—(1) The 1988 Act is amended as follows.

(2) In section 114 (functions of a responsible officer as regards reports), in subsection (3A)—

- (a) in paragraph (a), after “Local Government and Housing Act 1989” insert “or, in the case of a corporate joint committee, the person who is for the time being appointed as the authority’s chief executive”;
- (b) in paragraph (b), for “that Act” substitute “the Local Government and Housing Act 1989”.

(3) In section 115 (authorities’ duties as regards reports), after subsection (4A) insert—

“(4B) In the case of 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 duty under subsection (2).”

Dynodi swyddog monitro ac adroddiadau ganddo

7.—(1) Mae adran 5 o Ddeddf 1989 (dynodi swyddog monitro ac adroddiadau ganddo) wedi ei diwygio fel a ganlyn.

(2) O flaen is-adran (1C) mewnosoder—

“(1BB) The officer designated under subsection (1)(a) above by a relevant authority which is a corporate joint committee may not be the authority’s chief executive.”

(3) Yn is-adran (3)(a), ar ôl “chief finance officer” mewnosoder “or, in the case of a relevant authority which is a corporate joint committee, with the person who is for the time being appointed as the authority’s chief executive and with their chief finance officer”.

(4) Ar ôl is-adran (5) mewnosoder—

“(5A) 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 duty imposed by virtue of subsection (5)(a).”

(5) Yn is-adran (8), yn y diffiniad o “relevant authority”, ar ôl “below” mewnosoder “, a corporate joint committee,”.

Swyddogaethau swyddog monitro o ran rhoi cefnogaeth a chyngor

8.—(1) Rhaid i'r swyddog monitro a ddynodwyd gan gyd-bwylgor corfforedig o dan adran 5 o Ddeddf 1989 ddarparu cefnogaeth a chyngor i—

- (a) y cyd-bwylgor corfforedig mewn perthynas â'i gyfarfodydd;
- (b) unrhyw is-bwylgor i'r cyd-bwylgor corfforedig;
- (c) pob aelod o'r cyd-bwylgor corfforedig wrth gyflawni ei rôl;
- (d) pob person a benodir i is-bwylgor i'r cyd-bwylgor corfforedig wrth gyflawni ei rôl.

(2) Ond nid yw'r cyfeiriad at gyngor yn is-baragraffau (1)(c) a (d) yn cynnwys cyngor ynghylch a ddylid neu sut y dylid arfer swyddogaethau'r cyd-bwylgor corfforedig, nac a ddylid bod wedi neu sut y dylid bod eu harfer.

(3) Rhaid i'r cyd-bwylgor corfforedig ddarparu i'r swyddog monitro y staff, yr adeiladau neu'r ystafelloedd a'r adnoddau eraill hynny sydd, ym marn y swyddog monitro, yn ddigonol i alluogi cyflawni swyddogaethau'r swyddog o dan y paragraff hwn.

Designation and reports of monitoring officer

7.—(1) Section 5 of the 1989 Act (designation and reports of monitoring officer) is amended as follows.

(2) Before subsection (1C) insert—

“(1BB) The officer designated under subsection (1)(a) above by a relevant authority which is a corporate joint committee may not be the authority’s chief executive.”

(3) In subsection (3)(a), after “chief finance officer” insert “or, in the case of a relevant authority which is a corporate joint committee, with the person who is for the time being appointed as the authority’s chief executive and with their chief finance officer”.

(4) After subsection (5) insert—

“(5A) 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 duty imposed by virtue of subsection (5)(a).”

(5) In subsection (8), in the definition of “relevant authority”, after “below” insert “, a corporate joint committee,”.

Support and advice functions of monitoring officer

8.—(1) The monitoring officer designated by a corporate joint committee under section 5 of the 1989 Act must provide support and advice to—

- (a) the corporate joint committee in relation to its meetings;
- (b) any sub-committee of the corporate joint committee;
- (c) each member of the corporate joint committee in carrying out their role;
- (d) each person appointed to a sub-committee of the corporate joint committee in carrying out their role.

(2) But the reference to advice in sub-paragraphs (1)(c) and (d) does not include advice about whether or how the corporate joint committee's functions should be, or should have been, exercised.

(3) The corporate joint committee must provide the monitoring officer with such staff, accommodation and other resources as are, in the monitoring officer's opinion, sufficient to allow the officer's functions under this paragraph to be discharged.

(4) Caiff y swyddog monitro drefnu i'w swyddogaethau o dan y paragraff hwn gael eu cyflawni gan aelod o staff y cyd-bwyllgor corfforedig.

(4) The monitoring officer may arrange for the discharge of their functions under this paragraph by a member of staff of the corporate joint committee.

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”.

Anghymhwysyo swyddogion a staff penodol a chyfngiadau gwleidyddol arnynt

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

(2) Yn adran 1 (angymhwysyo swyddogion a staff penodol a chyfngiadau 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.”

PART 3

General provisions in relation to staff

References to “proper officer” in the 1972 Act and other enactments

9.—(1) Where an enactment relates to the administration of a corporate joint committee or the exercise of its functions, any references in that enactment to an “officer” of the corporate joint committee are to be construed as references to a member of staff of the corporate joint committee, including a person treated as a member of staff by virtue of paragraph 11(2) of the Schedule to each of the establishment Regulations.

(2) In section 270(3) of the 1972 Act (meaning of “proper officer”), after “local authority” insert “, corporate joint committee”.

(3) In section 21(3) of the 1989 Act (interpretation of Part 1), in the definition of “proper officer”, in paragraph (a), after “Wales” insert “or a corporate joint committee”.

Disqualification and political restriction of certain officers and staff

10.—(1) The 1989 Act is amended as follows.

(2) In section 1 (disqualification and political restriction of certain officers and staff)—

(a) in subsection (1A)—

(i) the words from “holds the post” to the end become paragraph (a);

(ii) after that paragraph insert—

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

(b) after subsection (1A) insert—

“(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) after subsection (11) insert—

“(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 esemttiadau)—

(a) yn is-adran (5), ym mharagraff (b), ar ôl “Local Government Act 1972” mewnosoder “, regulation 24(2) of the Corporate Joint

(3) In section 2 (politically restricted posts)—

(a) after subsection (1A) insert—

“(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) after subsection (10) insert—

“(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) In section 3 (grant and supervision of exemptions)—

(a) in subsection (5), in paragraph (b), after “Local Government Act 1972” insert “, 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 gymhwysyo 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.”

Committees (General) (No. 2) (Wales) Regulations 2021”;

(b) after subsection (8) insert—

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

Duty to adopt standing orders with respect to staff.

11. In section 8 of the 1989 Act (duty of relevant authorities to adopt standing orders with respect to staff), in subsection (5), after paragraph (a), insert—

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

Pay accountability

12.—(1) In the 2011 Act, in Part 1—

(a) in the application of Chapter 8 to a corporate joint committee—

(i) in section 38(1), the reference to the financial year 2012-13 is to be read as a reference to the financial year 2022-23;

(ii) in section 39(2), the reference to 31 March 2012 is to be read as a reference to 31 March 2022;

(iii) in section 41(1), the reference to 1 April 2012 is to be read as a reference to 1 April 2022;

(b) in section 42 (exercise of functions), after subsection (2) insert—

“(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) in section 43 (interpretation), after subsection (1)(j) insert—

“(k) a corporate joint committee established by regulations made under Part 5 of the Local Government and Elections (Wales) Act 2021.”

RHAN 4

Swyddogaethau

Cyflawni swyddogaethau gan bersonau eraill

13.—(1) Yn ddarostyngedig i unrhyw ddarpariaeth ddatganedig sydd yn cael ei chynnwys yn y Rheoliadau hyn neu mewn unrhyw ddeddfiad arall, caiff cyd-bwyllgor corfforedig drefnu i unrhyw un neu ragor o'i swyddogaethau gael eu cyflawni gan—

- (a) is-bwyllgor;
- (b) aelod o staff;
- (c) unrhyw gyd-bwyllgor corfforedig arall;
- (d) unrhyw gyngor sir neu gyngor bwrdeistref sirol yng Nghymru.

(2) Ond nid yw unrhyw drefniant a wneir gan gyd-bwyllgor corfforedig o dan baragraff (1) yn atal y cyd-bwyllgor corfforedig hwnnw rhag arfer y swyddogaethau y mae'r trefniant yn ymwneud â hwy.

(3) Pan fo cyd-bwyllgor corfforedig wedi trefnu i unrhyw un neu ragor o'i swyddogaethau gael eu cyflawni gan is-bwyllgor o dan baragraff (1)(a), caiff yr is-bwyllgor drefnu i unrhyw un neu ragor o'r swyddogaethau hynny gael eu cyflawni gan aelod o staff y cyd-bwyllgor corfforedig, onid yw'r cyd-bwyllgor corfforedig wedi cyfarwyddo fel arall.

(4) Ond nid yw unrhyw drefniant a wneir gan is-bwyllgor o dan baragraff (3) yn atal yr is-bwyllgor hwnnw rhag arfer y swyddogaethau y mae'r trefniant yn ymwneud â hwy.

(5) Pan fo cyd-bwyllgor corfforedig wedi trefnu i unrhyw un neu ragor o'i swyddogaethau gael eu cyflawni o dan baragraff (1)(c) neu (d) yna, yn ddarostyngedig i delerau'r trefniant, caiff y corff sydd wedi ei awdurdodi i gyflawni'r swyddogaethau hynny drefnu iddynt gael eu cyflawni gan bwyllgor neu is-bwyllgor i'r corff hwnnw neu gan aelod o staff y corff hwnnw.

(6) Yn ddarostyngedig i unrhyw ddarpariaeth ddatganedig sydd wedi ei chynnwys yn y Rheoliadau hyn neu mewn unrhyw ddeddfiad arall, caiff dau neu ragor o gyd-bwyllgorau corfforedig gyflawni unrhyw un neu ragor o'u swyddogaethau ar y cyd o dan baragraff (6) caint hefyd drefnu i aelod o staff gyflawni'r swyddogaethau hynny.

(7) Pan fo dau neu ragor o gyd-bwyllgorau corfforedig wedi trefnu cyflawni unrhyw un neu ragor o'u swyddogaethau ar y cyd o dan baragraff (6) caint hefyd drefnu i aelod o staff gyflawni'r swyddogaethau hynny.

(8) Pan fo dau neu ragor o gyd-bwyllgorau corfforedig wedi trefnu cyflawni unrhyw un neu ragor o'u swyddogaethau ar y cyd o dan baragraff (6) mae unrhyw ddeddfiad sy'n ymwneud ag—

PART 4

Functions

Discharge of functions by other persons

13.—(1) Subject to any express provision contained in these Regulations or any other enactment, a corporate joint committee may arrange for the discharge of any of its functions by—

- (a) a sub-committee;
- (b) a member of staff;
- (c) any other corporate joint committee;
- (d) any county or county borough council in Wales.

(2) But any arrangement made by a corporate joint committee under paragraph (1) does not prevent that corporate joint committee from exercising the functions to which the arrangement relates.

(3) Where a corporate joint committee has arranged for the discharge of any of its functions by a sub-committee under paragraph (1)(a), the sub-committee may arrange for the discharge of any of those functions by a member of staff of the corporate joint committee, unless the corporate joint committee has directed otherwise.

(4) But any arrangement made by a sub-committee under paragraph (3) does not prevent that sub-committee from exercising the functions to which the arrangement relates.

(5) Where a corporate joint committee has arranged for the discharge of any of its functions under paragraph (1)(c) or (d) then, subject to the terms of the arrangement, the body authorised to discharge those functions may arrange that they be discharged by a committee, sub-committee or member of staff of that body.

(6) Subject to any express provision contained in these Regulations or any other enactment, two or more corporate joint committees may discharge any of their functions jointly.

(7) Where two or more corporate joint committees have arranged under paragraph (6) to discharge any of their functions jointly they may also arrange for the discharge of those functions by a member of staff.

(8) Where two or more corporate joint committees have arranged under paragraph (6) to discharge any of their functions jointly any enactment relating to—

- (a) y swyddogaethau hynny,
- (b) y cyd-bwyllgorau corfforedig sydd i'w cyflawni, neu
- (c) yr ardaloedd y maent i'w cyflawni mewn cysylltiad â hwy,

i'w ddehongli yn unol â pharagraff (9).

(9) Rhaid darllen deddfiad y cyfeirir ato ym mharagraff (8) fel pe bai'n cynnwys pob addasiad sy'n angenrheidiol i alluogi cyflawni'r swyddogaethau y cyfeirir atynt yn y paragraff hwnnw—

- (a) gan y cyd-bwyllgorau corfforedig, a
- (b) mewn cysylltiad â'r ardaloedd,

y cyfeirir atynt yn y paragraff hwnnw (boed yn unol â threfniadau o dan baragraff (6) neu fel arall).

(10) Mae cyfeiriadau yn y rheoliad hwn at gyflawni unrhyw un neu ragor o swyddogaethau cyd-bwyllgor corfforedig yn cynnwys cyfeiriadau at wneud unrhyw beth y bwriedir iddo hwyluso cyflawni unrhyw un neu ragor o'r swyddogaethau hynny, neu sy'n ffafriol i hynny neu'n gysylltiedig â hynny.

(11) Nid oes dim yn y rheoliad hwn yn effeithio ar weithrediad Deddf Awdurdodau Lleol (Nwyddau a Gwasanaethau) 1970(1).

Is-bwyllgorau

Is-bwyllgorau

14.—(1) Caiff cyd-bwyllgor corfforedig benodi un neu ragor o is-bwyllgorau—

- (a) at ddiben cyflawni unrhyw un neu ragor o'i swyddogaethau yn unol â threfniadau a wnaed o dan reoliad 13 (cyflawni swyddogaethau gan bersonau eraill) o Reoliadau Cyd-bwyllgorau Corfforedig (Cyffredinol) (Rhif 2) (Cymru) 2021;
- (b) i gynghori'r cyd-bwyllgor corfforedig ar unrhyw fater sy'n ymwnaed â chyflawni unrhyw un neu ragor o'i swyddogaethau.

(2) Caiff is-bwyllgor a benodir o dan baragraff (1) gynnwys aelodau nad ydynt yn aelodau o'r cyd-bwyllgor corfforedig, neu fod wedi ei gyfansoddi'n gyfan gwbl o aelodau o'r fath.

(3) Yn ddarostyngedig i ddarpariaethau'r rheoliad hwn ac unrhyw ddarpariaeth ddatganedig mewn unrhyw ddeddfiad arall, rhaid i swyddogaethau is-bwyllgor, nifer aelodau is-bwyllgor a chyfnod swydd pob aelod gael eu pennu gan y cyd-bwyllgor corfforedig.

- (a) those functions,
- (b) the corporate joint committees by whom they are to be discharged, or
- (c) the areas in respect of which they are to be discharged,

is to be construed in accordance with paragraph (9).

(9) An enactment referred to in paragraph (8) must be read as if it contained all modifications necessary to enable the functions referred to in that paragraph to be discharged—

- (a) by the corporate joint committees, and
- (b) in respect of the areas,

referred to in that paragraph (whether in pursuance of arrangements under paragraph (6) or otherwise).

(10) References in this regulation to the discharge of any of the functions of a corporate joint committee include references to the doing of anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of those functions.

(11) Nothing in this regulation affects the operation of the Local Authorities (Goods and Services) Act 1970 (1).

Sub-committees

Sub-committees

14.—(1) A corporate joint committee may appoint one or more sub-committees—

- (a) for the purpose of discharging any of its functions in pursuance of arrangements made under regulation 13 (discharge of functions by other persons) of the Corporate Joint Committees (General) (No. 2) (Wales) Regulations 2021;
- (b) to advise the corporate joint committee on any matter relating to the discharge of any of its functions.

(2) A sub-committee appointed under paragraph (1) may include, or be wholly comprised of, members who are not members of the corporate joint committee.

(3) Subject to the provisions of this regulation and any express provision in any other enactment, the functions of a sub-committee, the number of members of a sub-committee and the term of office of each member must be fixed by the corporate joint committee.

(1) 1970 p. 39.

(1) 1970 c. 39.

(4) Rhaid nodi gweithdrefnau is-bwyllgor, gan gynnwys unrhyw weithdrefnau pleidleisio pan fo hynny'n briodol, yn rheolau sefydlog y cyd-bwyllgor corfforedig.

RHAN 5

Cyfarfodydd a thrafodion

Dilysrwydd trafodion

15.—(1) Nid yw trafodion cyd-bwyllgor corfforedig neu is-bwyllgor i gyd-bwyllgor corfforedig wedi eu hannilysu gan—

- (a) unrhyw swydd wag ymhlieth aelodaeth y cyd-bwyllgor corfforedig neu'r is-bwyllgor;
- (b) unrhyw ddiffyg o ran penodi neu gyfethol yr aelodau neu o ran eu cymwysterau.

(2) Ond mae paragraff (1)(a) yn ddarostyngedig i unrhyw ofyniad a osodir gan neu o dan unrhyw ddeddfiad neu gan reolau sefydlog y cyd-bwyllgor corfforedig sy'n peri na chaniateir arfer swyddogaeth mewn cyfarfod oni chaiff gofynion penodol eu bodloni yngylch—

- (a) cyfansoddiad y cyd-bwyllgor corfforedig neu'r is-bwyllgor i'r cyd-bwyllgor corfforedig;
- (b) cyfansoddiad y cyfarfod, gan gynnwys gofynion o ran bod cworwm yn y cyfarfod.

Lleoliad cyfarfodydd a chaniatáu i'r cyhoedd a'r wasg fynd iddynt

16.—(1) Caniateir cynnal cyfarfod CBC—

- (a) mewn lleoliad a bennir gan y cyd-bwyllgor corfforedig;
- (b) drwy ddulliau o bell;
- (c) yn rhannol drwy ddulliau o bell ac yn rhannol mewn lleoliad a bennir gan y cyd-bwyllgor corfforedig.

(2) Rhaid i gyfarfod CBC fod yn agored i'r cyhoedd oni bai ac i'r graddau bod y cyhoedd wedi ei wahardd—

- (a) yn rhinwedd paragraff (3), neu
- (b) drwy benderfyniad a wnaed o dan baragraff (6).

(3) Rhaid gwahardd y cyhoedd o gyfarfod CBC yn ystod eitem o fusnes os yw'r cyd-bwyllgor corfforedig yn ystyried ei bod yn debygol, oherwydd natur y busnes hwnnw neu natur y trafodion, pe bai aelodau o'r cyhoedd yn bresennol yn ystod yr eitem honno, y

(4) The procedures of a sub-committee, including where appropriate any voting procedures, must be set out in the standing orders of the corporate joint committee.

PART 5

Meetings and proceedings

Validity of proceedings

15.—(1) The proceedings of a corporate joint committee or a sub-committee of a corporate joint committee are not invalidated by—

- (a) any vacancy in the membership of the corporate joint committee or the sub-committee;
- (b) any defect in the appointment, co-option or qualifications of the members.

(2) But paragraph (1)(a) is subject to any requirement imposed by or under any enactment or by the standing orders of the corporate joint committee whereby a function may not be exercised at a meeting unless certain requirements are met about—

- (a) the composition of the corporate joint committee or the sub-committee of the corporate joint committee;
- (b) the composition of the meeting, including requirements as to the meeting being quorate.

Location of meetings and admission of public and press

16.—(1) A CJC meeting may be held—

- (a) at a location determined by the corporate joint committee;
- (b) by remote means;
- (c) partly by remote means and partly at a location determined by the corporate joint committee.

(2) A CJC meeting must be open to the public unless, and to the extent that, the public are excluded—

- (a) by virtue of paragraph (3), or
- (b) by resolution made under paragraph (6).

(3) The public must be excluded from a CJC meeting during an item of business if the corporate joint committee considers it is likely, in view of the nature of that business or the nature of the proceedings, that, if members of the public were present during that item,

byddai gwybodaeth gyfrinachol yn cael ei datgelu iddynt gan dorri'r rhwymedigaeth o ran cyfrinachedd.

(4) Rhaid peidio â chymryd bod unrhyw beth yn y Rhan hon yn awdurdodi nac yn ei gwneud yn ofynnol datgelu gwybodaeth gyfrinachol gan dorri'r rhwymedigaeth o ran cyfrinachedd.

(5) At ddibenion paragraffau (3) a (4)—

(a) ystyr "gwybodaeth gyfrinachol" yw—

- (i) gwybodaeth a ddarperir i gyd-bwyllgor corfforedig gan un o adrannau'r Llywodraeth, neu brif gyngor, ar delerau (sut bynnag y'u mynegir) sy'n gwahardd datgelu'r wybodaeth i'r cyhoedd, a
- (ii) gwybodaeth y gwaherdir ei datgelu i'r cyhoedd gan neu o dan unrhyw ddeddfiad neu gan orchymyn llys, a

(b) o ganlyniad, mae'r cyfeiriadau at y rhwymedigaeth o ran cyfrinachedd i'w dehongli yn unol â hynny.

(6) Caiff cyd-bwyllgor corfforedig drwy benderfyniad wahardd y cyhoedd o gyfarfod CBC yn ystod eitem o fusnes os yw'r cyd-bwyllgor corfforedig yn ystyried ei bod yn debygol, oherwydd natur y busnes neu natur y trafodion, pe bai aelodau o'r cyhoedd yn bresennol yn ystod yr eitem honno, y byddai gwybodaeth esempt yn cael ei datgelu iddynt.

(7) Rhaid i benderfyniad o dan baragraff (6)—

- (a) nodi'r trafodion, neu'r rhan o'r trafodion, y mae'n gymwys iddynt neu'n gymwys iddi, a
- (b) datgan y disgrifiad, o ran Atodlen 12A i Ddeddf 1972 fel y'i cymhwysir gan reoliad 26, o'r wybodaeth esempt sy'n peri i'r cyhoedd gael ei wahardd.

(8) Mewn cyfarfod CBC, rhaid i'r cyd-bwyllgor corfforedig gymryd pob cam rhesymol i sicrhau y darperir i gynrychiolwyr achrededig sefydliadau cyfryngau newyddion gyfleusterau rhesymol ar gyfer adrodd ar y trafodion ac anfon adroddiadau i'r sefydliad.

(9) Nid oes dim yn y rheoliad hwn yn ei gwneud yn ofynnol i gyd-bwyllgor corfforedig ganiatâu cymryd ffotograffau o unrhyw drafodion, na chaniatâu defnyddio unrhyw ddull i alluogi personau nad ydynt yn bresennol i weld neu glywed unrhyw drafodion (boed ar y pryd neu'n ddiweddarach), na chaniatâu gwneud unrhyw adroddiad ar lafar ar unrhyw drafodion wrth iddynt ddigwydd (ond gweler adran 46 o Ddeddf 2021 (darllediadau electronig o gyfarfodydd) fel y'i diwygiwyd gan reoliad 27).

(10) Nid yw'r rheoliad hwn yn rhagfarnu unrhyw bŵer i wahardd er mwyn atal neu rwystro ymddygiad afreolus neu gamymddygiad arall mewn cyfarfod.

confidential information would be disclosed to them in breach of the obligation of confidence.

(4) Nothing in this Part is to be taken to authorise or require the disclosure of confidential information in breach of the obligation of confidence.

(5) For the purposes of paragraphs (3) and (4)—

(a) "confidential information" means—

- (i) information furnished to a corporate joint committee by a Government department, or a principal council, upon terms (however expressed) which forbid the disclosure of the information to the public, and
 - (ii) information the disclosure of which to the public is prohibited by or under any enactment or by the order of a court, and
- (b) consequently, the references to the obligation of confidence are to be construed accordingly.

(6) A corporate joint committee may by resolution exclude the public from a CJC meeting during an item of business if the corporate joint committee considers it is likely, in view of the nature of the business or the nature of the proceedings, that if members of the public were present during that item there would be disclosure to them of exempt information.

(7) A resolution under paragraph (6) must—

- (a) identify the proceedings, or the part of the proceedings, to which it applies, and
- (b) state the description, in terms of Schedule 12A to the 1972 Act as applied by regulation 26, of the exempt information giving rise to the exclusion of the public.

(8) At a CJC meeting, the corporate joint committee must take all reasonable steps to ensure that accredited representatives of news media organisations are afforded reasonable facilities for reporting on proceedings and communicating reports to the organisation.

(9) Nothing in this regulation requires a corporate joint committee to permit the taking of photographs of any proceedings, or the use of any means to enable persons not present to see or hear any proceedings (whether at the time or later), or the making of any oral report on any proceedings as they take place (but see section 46 of the 2021 Act (electronic broadcasts of meetings) as amended by regulation 27).

(10) This regulation is without prejudice to any power of exclusion to suppress or prevent disorderly conduct or other misbehaviour at a meeting.

Hysbysu am gyfarfodydd a gwysio i fynychu cyfarfodydd

17.—(1) Rhaid i gyd-bwyllgor corfforedig roi hysbysiad cyhoeddus am gyfarfod CBC—

- (a) o leiaf dri diwrnod clir cyn y cyfarfod, neu
- (b) os yw'r cyfarfod yn cael ei gynnill ar rybudd byrrach, adeg cynnull y cyfarfod.

(2) Rhaid cyhoeddi'r hysbysiad yn electronig a rhaid iddo—

- (a) pan fo'r cyfarfod wedi ei alw gan un neu ragor o aelodau'r cyd-bwyllgor corfforedig, bennu'r busnes y bwriedir ei drafod yn y cyfarfod ac—
 - (i) bod wedi ei lofnodi gan yr aelodau sy'n galw'r cyfarfod, neu
 - (ii) dynodi cymeradwyaeth yr aelodau hynny drwy ddulliau electronig;
- (b) pan fo'r cyfarfod neu ran o'r cyfarfod yn agored i'r cyhoedd a'i fod yn cael ei gynnal drwy ddulliau o bell yn unig, roi manylion am amser y cyfarfod a sut i'w gyrchu;
- (c) pan fo'r cyfarfod neu ran o'r cyfarfod yn agored i'r cyhoedd a'i fod yn cael ei gynnal yn rhannol drwy ddulliau o bell neu os nad yw'n cael ei gynnal drwy ddulliau o bell, roi manylion am amser a lleoliad y cyfarfod a sut i'w gyrchu;
- (d) pan na fo'r cyfarfod yn agored i'r cyhoedd a'i fod yn cael ei gynnal drwy ddulliau o bell yn unig, roi manylion am amser y cyfarfod, a'r ffaith ei fod yn cael ei gynnal drwy ddulliau o bell yn unig ac nad yw'n agored i'r cyhoedd;
- (e) pan na fo'r cyfarfod yn agored i'r cyhoedd a'i fod yn cael ei gynnal yn rhannol drwy ddulliau o bell neu os nad yw'n cael ei gynnal drwy ddulliau o bell, roi manylion am amser a lleoliad y cyfarfod a'r ffaith nad yw'n agored i'r cyhoedd.

(3) Heb fod yn hwyrach na 3 diwrnod clir cyn cyfarfod CBC neu, os yw'r cyfarfod yn cael ei gynnill ar rybudd byrrach, adeg cynnull y cyfarfod, rhaid i swyddog priodol anfon gwŷs i fynychu'r cyfarfod at bob aelod o'r cyd-bwyllgor corfforedig drwy—

- (a) ei hanfon drwy'r post i fan preswylio'r aelod neu, pan fo'r aelod wedi hysbysu'r swyddog priodol fod gwŷs i'w hanfon i gyfeiriad arall, i'r cyfeiriad arall hwnnw, neu
- (b) ei hanfon yn electronig.

(4) Pan fo cyfarfod CBC yn cael ei gynnill ar fyr rybudd, rhaid i wŷs a anfonir drwy'r post o dan baragraff (3)(a) gael ei hanfon gan ganiatâu amser

Notice of meetings and summons to attend

17.—(1) A corporate joint committee must give public notice of a CJC meeting—

- (a) at least three clear days before the meeting, or
 - (b) if the meeting is convened at shorter notice, at the time the meeting is convened.
- (2) The notice must be published electronically and must—
- (a) where the meeting is called by one or more members of the corporate joint committee, specify the business proposed to be transacted at the meeting and—
 - (i) be signed by the members calling the meeting, or
 - (ii) signify the approval of those members by electronic means;
 - (b) where the meeting or part of the meeting is open to the public and is held through remote means only, give details of the time of the meeting and how to access it;
 - (c) where the meeting or part of the meeting is open to the public and is held partly through remote means or is not held through remote means, give details of the time and place of the meeting and how to access it;
 - (d) where the meeting is not open to the public and is held through remote means only, give details of the time of the meeting, and the fact that it is being held through remote means only and is not open to the public;
 - (e) where the meeting is not open to the public and is held partly through remote means or is not held through remote means, give details of the time and place of the meeting and the fact that it is not open to the public.

(3) No later than 3 clear days before a CJC meeting or, if the meeting is convened at shorter notice, at the time the meeting is convened, a summons to attend the meeting must be sent by a proper officer to every member of the corporate joint committee by—

- (a) sending it by post to the member's place of residence or, where the member has notified the proper officer that a summons is to be sent to another address, that other address, or
- (b) sending it electronically.

(4) Where a CJC meeting is convened at short notice, a summons sent by post under paragraph (3)(a) must be sent in sufficient time for it to arrive in the

digonol iddi gyrraedd yn nhrefn arferol y post cyn i'r cyfarfod gael ei gynnnull.

(5) Rhaid i wŷs bennu'r busnes y bwriedir ei drafod yn y cyfarfod.

(6) Nid yw methu â chyflwyno gwŷs i unrhyw aelod yn effeithio ar ddilysrwydd cyfarfod CBC.

(7) Ac eithrio yn achos—

(a) busnes sy'n ofynnol gan neu o dan—

(i) y Rheoliadau sefydlu,

(ii) unrhyw ddeddfiad arall, neu

(iii) rheolau sefydlog,

sydd i'w drafod yng nghyfarfod cyffredinol blynnyddol cyd-bwyllgor corfforedig,

(b) busnes a ychwanegir at yr agenda ar gyfer cyfarfod CBC yn unol â rheolau sefydlog ar ôl i'r wŷs gael ei hanfon, neu

(c) busnes arall a ddygir gerbron cyfarfod CBC fel mater o frys yn unol â rheolau sefydlog,

ni chaniateir trafod unrhyw fusnes mewn cyfarfod CBC heblaw'r busnes a bennir yn y wŷs sy'n ymwneud â'r cyfarfod (a gweler hefyd reoliad 18(6)).

Mynediad at agenda ac at adroddiadau cysylltiedig

18.—(1) Rhaid i gopiâu o'r agenda ar gyfer cyfarfod CBC a chopïau o unrhyw adroddiad ar gyfer y cyfarfod—

(a) cael ei gyhoeddi gan y cyd-bwyllgor corfforedig—

(i) yn electronig, a

(ii) yn unol â pharagraffau (3) i (5), a

(b) parhau i fod ar gael yn electronig i aelodau'r cyhoedd hyd nes y bo'r cyfarfod wedi dod i ben (gweler rheoliad 20 am ddarpariaeth yngylch mynediad at ddogfennau ar ôl cyfarfod CBC).

(2) Os gwêl swyddog priodol yn dda, caniateir hepgor o'r copiâu o adroddiadau a gyhoeddir o dan baragraff (1) adroddiad cyfan, neu unrhyw ran ohono, sy'n ymwneud yn unig ag eitemau y mae'n debygol, ym marn y swyddog, na fydd y cyfarfod yn agored i'r cyhoedd yn eu hystod.

(3) Rhaid i ddogfen y mae'n ofynnol ei chyhoeddi o dan baragraff (1) gael ei chyhoeddi o leiaf dri diwrnod clir cyn y cyfarfod, neu, os yw'r cyfarfod yn cael ei gynnnull ar rybudd byrrach, yna adeg ei gynnnull.

(4) Pan ychwanegir eitem at yr agenda ar gyfer cyfarfod CBC yn unol â rheolau sefydlog, rhaid i'r cyd-bwyllgor corfforedig, ar yr adeg yr ychwanegir yr eitem, gyhoeddi—

ordinary course of post before the meeting is convened.

(5) A summons must specify the business proposed to be transacted at the meeting.

(6) Want of service of a summons on any member does not affect the validity of a CJC meeting.

(7) Except in the case of—

(a) business required by or under—

(i) the establishment Regulations,

(ii) any other enactment, or

(iii) standing orders,

to be transacted at the annual general meeting of a corporate joint committee,

(b) business added to the agenda for a CJC meeting in accordance with standing orders after the summons has been sent, or

(c) other business brought before a CJC meeting as a matter of urgency in accordance with standing orders,

no business may be transacted at a CJC meeting other than the business specified in the summons relating to the meeting (and see also regulation 18(6)).

Access to agenda and connected reports

18.—(1) Copies of the agenda for a CJC meeting and copies of any report for the meeting must—

(a) be published by the corporate joint committee—

(i) electronically, and

(ii) in accordance with paragraphs (3) to (5), and

(b) remain accessible electronically to members of the public until the meeting has ended (see regulation 20 for provision about access to documents after a CJC meeting).

(2) If a proper officer thinks fit, there may be excluded from the copies of reports published under paragraph (1) the whole of a report which, or any part which, relates only to items during which, in the officer's opinion, the meeting is likely not to be open to the public.

(3) A document required to be published under paragraph (1) must be published at least three clear days before the meeting, or, if the meeting is convened at shorter notice, then at the time it is convened.

(4) Where an item is added to the agenda for a CJC meeting in accordance with standing orders, the corporate joint committee must, at the time the item is added, publish—

- (a) agenda ddiwygiedig, neu
 - (b) adendwm i'r agenda,
- yn pennu'r eitem ychwanegol.

(5) Nid oes dim ym mharagraffau (3) a (4) yn ei gwneud yn ofynnol cyhoeddi dogfen neu gopiâu o agenda, eitem neu adroddiad hyd nes y bydd y ddogfen neu'r copiâu ar gael i aelodau o'r cyd-bwyllgor corfforedig.

(6) Ni chaniateir ystyried eitem o fusnes mewn cyfarfod CBC oni bai naill ai—

- (a) y cydymffurfiwyd â pharagraff (1) neu (4) mewn cysylltiad ag agenda sy'n cynnwys yr eitem, neu
- (b) oherwydd amgylchiadau arbennig, y mae rhaid eu pennu yn y cofnodion, fod cadeirydd y cyfarfod o'r farn y dylid ystyried yr eitem yn y cyfarfod fel mater o frws.

(7) Pan fo adroddiad cyfan neu ran o adroddiad wedi ei hepgor o dan baragraff (2)—

- (a) rhaid marcio "Nid i'w gyhoeddi" ar bob copi o'r adroddiad neu o'r rhan, a
- (b) os yw'r swyddog priodol wedi penderfynu bod y cyhoedd yn debygol o gael ei wahardd o'r cyfarfod yn rhinwedd rheoliad 16(6), rhaid datgan ar bob copi o'r adroddiad neu o'r rhan ddisgrifiad, o ran Atodlen 12A i Ddeddf 1972 fel y'i cymhwysir gan reoliad 26, o'r wybodaeth esempt y mae'n debygol y gwaherddir y cyhoedd yn ei rhinwedd yn ystod yr eitem y mae'r adroddiad yn ymwneud â hi.

(8) O ran cyfarfod CBC—

- (a) pan fo'n ofynnol gan reoliad 16(2) iddo fod yn agored i'r cyhoedd yn ystod y trafodion neu ran ohonynt, a
- (b) pan na fo'n cael ei gynnal drwy ddulliau o bell yn unig,

rhaid i'r cyd-bwyllgor corfforedig beri bod nifer rhesymol o gopiâu o'r agenda ac o'r adroddiadau ar gyfer y cyfarfod ar gael i'w defnyddio gan aelodau o'r cyhoedd sy'n bresennol yn y cyfarfod.

(9) Rhaid i'r cyd-bwyllgor corfforedig, ar gais ac ar ôl i unrhyw dâl angenrheidiol am drawsyrru gael ei dalu, gyflenwi drwy ddulliau electronig er budd unrhyw sefydliadau cyfryngau newyddion—

- (a) copi o'r agenda ar gyfer cyfarfod CBC a chopi o bob un o'r adroddiadau ar gyfer y cyfarfod,
- (b) unrhyw ddatganiadau pellach neu fanylion pellach, os oes rhai, sy'n angenrheidiol i ddangos beth yw natur yr eitemau sydd wedi eu cynnwys yn yr agenda, ac

- (a) a revised agenda, or
 - (b) an addendum to the agenda,
- specifying the additional item.

(5) Nothing in paragraphs (3) and 0 requires a document or copies of an agenda, item or report to be published until the document or copies are available to members of the corporate joint committee.

(6) An item of business may not be considered at a CJC meeting unless either—

- (a) paragraph (1) or (4) has been complied with in respect of an agenda containing the item, or
- (b) by reason of special circumstances, which must be specified in the minutes, the chair of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency.

(7) Where the whole or part of a report is excluded under paragraph (2)—

- (a) every copy of the report or of the part must be marked "Not for publication", and
- (b) if the proper officer has decided that the public is likely to be excluded from the meeting by virtue of regulation 16(6), there must be stated on every copy of the report or of the part a description, in terms of Schedule 12A to the 1972 Act as applied by regulation 26, of the exempt information by virtue of which the public is likely to be excluded during the item to which the report relates.

(8) Where a CJC meeting—

- (a) is required by regulation 16(2) to be open to the public during the proceedings or part of them, and
- (b) is not held through remote means only,

the corporate joint committee must make available for the use of members of the public present at the meeting a reasonable number of copies of the agenda and of the reports for the meeting.

(9) The corporate joint committee must, on request and on payment of any necessary charge for transmission, supply by electronic means for the benefit of any news media organisations—

- (a) a copy of the agenda for a CJC meeting and a copy of each of the reports for the meeting,
- (b) such further statements or particulars, if any, as are necessary to indicate the nature of the items included in the agenda, and

(c) os gwêl swyddog priodol yn dda yn achos unrhyw eitem, gopiâu o unrhyw ddogfennau eraill a gyflenwyd iaelodau o'r cyd-bwyllgor corfforedig mewn cysylltiad â'r eitem.

(10) Mae paragraff (2) yn gymwys mewn perthynas â chopïau o adroddiadau a ddarperir o dan baragraff (8) neu (9) fel y mae'n gymwys mewn perthynas â chopïau o adroddiadau a gyhoeddir o dan baragraff (1).

Cofnodion

19.—(1) Rhaid cofnodi enwau'r aelodau o gyd-bwyllgor corfforedig sy'n bresennol mewn cyfarfod CBC.

(2) Rhaid llunio a chofnodi cofnodion o drafodion cyfarfod CBC, yn ddarostyngedig i baragraff (3).

(3) Rhaid i'r person sy'n cadeirio'r cyfarfod CBC neu'r person sy'n cadeirio'r cyfarfod nesaf addas o'r fath gymeradwyo'r cofnodion drwy—

(a) llofnodi'r cofnodion, neu

(b) dynodi'n electronig ei fod yn eu cymeradwyo.

(4) Caniateir derbyn yn dystiolaeth gofnodion yr honnir eu bod wedi eu llofnodi neu eu cymeradwyo yn y modd hwnnw heb dystiolaeth bellach.

(5) Hyd nes y profir i'r gwrthwyneb, bernir bod cyfarfod CBC y mae cofnod o'i drafodion wedi ei gofnodi a'i lofnodi neu wedi ei gymeradwyo yn unol â'r rheoliad hwn wedi ei gynnll a'i gynnal yn briodol, a bernir bod pob un sy'n bresennol yn y cyfarfod wedi ei gymhwys o'n briodol.

(6) At ddibenion paragraff (3) y cyfarfod CBC nesaf addas yw'r cyfarfod canlynol nesaf neu, pan fo rheolau sefydlog yn darparu ar gyfer ystyried bod cyfarfod arall yn addas, naill ai'r cyfarfod canlynol nesaf neu'r cyfarfod arall hwnnw.

Cyhoeddi cofnodion a dogfennau eraill ar ôl cyfarfodydd

20.—(1) Ar ôl cyfarfod CBC rhaid i'r cyd-bwyllgor corfforedig—

(a) cyhoeddi'n electronig y dogfennau a restrir ym mharagraff (2), a

(b) sicrhau bod y dogfennau hynny'n parhau i fod ar gael yn electronig iaelodau'r cyhoedd hyd nes y daw'r cyfnod o chwe mlynedd sy'n dechrau â dyddiad y cyfarfod i ben.

(2) Y dogfennau yw—

(a) cofnodion, neu gopi o gofnodion, y cyfarfod, gan hepgor pa rannau bynnag o gofnodion y trafodion nad oedd y cyfarfod yn agored i'r cyhoedd yn eu hystod sy'n datgelu gwybodaeth esempt,

(c) if a proper officer thinks fit in the case of any item, copies of any other documents supplied to members of the corporate joint committee in connection with the item.

(10) Paragraph (2) applies in relation to copies of reports provided under paragraph (8) or (9) as it applies in relation to copies of reports published under paragraph (1).

Minutes

19.—(1) The names of the members of a corporate joint committee present at a CJC meeting must be recorded.

(2) Minutes of the proceedings of a CJC meeting must, subject to paragraph (3), be drawn up and recorded.

(3) The minutes must be approved by the person chairing the CJC meeting or the person chairing the next suitable such meeting by—

(a) signing the minutes, or

(b) by electronically signifying approval.

(4) Minutes purporting to be so signed or approved may be received in evidence without further proof.

(5) Until the contrary is proved, a CJC meeting the minute of whose proceedings has been recorded and signed or approved in accordance with this regulation is to be deemed to have been duly convened and held, and all those present at the meeting are to be deemed to have been duly qualified.

(6) For the purposes of paragraph (3) the next suitable CJC meeting is the next following meeting or, where standing orders provide for another meeting to be regarded as suitable, either the next following meeting or that other meeting.

Publication of minutes and other documents after meetings

20.—(1) After a CJC meeting the corporate joint committee must—

(a) publish the documents listed in paragraph (2) electronically, and

(b) ensure that those documents remain accessible electronically to members of the public until the expiration of the period of six years beginning with the date of the meeting.

(2) The documents are—

(a) the minutes, or a copy of the minutes, of the meeting, excluding so much of the minutes of proceedings during which the meeting was not open to the public as discloses exempt information,

- (b) pan fo hynny'n gymwys, crynodeb o dan baragraff (4),
- (c) copi o'r agenda ar gyfer y cyfarfod, a
- (d) copi o ba rannau bynnag o unrhyw adroddiad ar gyfer y cyfarfod sy'n ymwneud ag unrhyw eitem yr oedd y cyfarfod yn agored i'r cyhoedd yn ei hystod.

(3) Cyn gynted ag y bo'n rhesymol ymarferol ar ôl cyfarfod CBC, a pha un bynnag cyn diwedd saith niwrnod gwaith gan ddechrau â'r diwrnod y cynhelir y cyfarfod, rhaid i'r cyd-bwyllgor corfforedig gyhoeddi'n electronig nodyn yn nodi—

- (a) enwau'r aelodau a fynychodd y cyfarfod, ac unrhyw ymddiheuriadau am absenoldeb;
- (b) unrhyw ddatganiadau o fuddiant;
- (c) unrhyw benderfyniad a wnaed yn y cyfarfod, gan gynnwys canlyniadau unrhyw bleidleisiau, ond heb gynnwys unrhyw beth sy'n ymwneud â phenderfyniad a wnaed pan nad oedd y cyfarfod yn agored i'r cyhoedd sy'n datgelu gwybodaeth esempt.

(4) Pan nad yw'r dogfennau a gyhoeddwyd o dan baragraff (1)(a) a (3)(c) yn darparu i aelodau o'r cyhoedd gofnod rhesymol deg a chydlynol o'r trafodion cyfan neu ran ohonynt, a hynny o ganlyniad i hepgor deunydd sy'n datgelu gwybodaeth esempt, rhaid i swyddog priodol lunio crynodeb ysgrifenedig o'r trafodion neu'r rhan, yn ôl y digwydd, sy'n darparu cofnod o'r fath heb ddatgelu'r wybodaeth esempt.

Cyhoeddi papurau cefndir

21.—(1) Os yw'n ofynnol gan reoliad 18(1) neu 20(1) i gopiaw o adroddiad cyfan neu ran o adroddiad ar gyfer cyfarfod CBC gael eu cyhoeddi'n electronig, ac am gyhyd ag y bo hynny'n ofynnol—

- (a) rhaid i bob un o'r copiâu hynny gynnwys copi o restr, a luniwyd gan swyddog priodol, o'r papurau cefndir ar gyfer yr adroddiad neu'r rhan o'r adroddiad, a
- (b) rhaid cyhoeddi'n electronig bob un o'r dogfennau sydd wedi eu cynnwys yn y rhestr honno, ond os yw swyddog priodol o'r farn nad yw'n rhesymol ymarferol cyhoeddi dogfen sydd ei chynnwys yn y rhestr yn electronig, rhaid i'r cyd-bwyllgor corfforedig wneud trefniadau i anfon copi ar gais at unrhyw aelod o'r cyhoedd cyn gynted ag y bo'n rhesymol ymarferol ar ôl i gais am gopi gael ei wneud.

(2) Pan gaiff copiâu o ddogfennau sydd wedi eu cynnwys yn y rhestr eu cyhoeddi o dan baragraff (1)(b) rhaid iddynt barhau i fod ar gael yn electronig i

- (b) where applicable, a summary under paragraph (4),
- (c) a copy of the agenda for the meeting, and
- (d) a copy of so much of any report for the meeting as relates to any item during which the meeting was open to the public.

(3) As soon as reasonably practicable after a CJC meeting, and in any event before the end of seven working days beginning with the day on which the meeting is held, the corporate joint committee must publish electronically a note setting out—

- (a) the names of the members who attended the meeting, and any apologies for absence;
- (b) any declarations of interest;
- (c) any decision taken at the meeting, including the outcomes of any votes, but excluding anything relating to a decision taken when the meeting was not open to the public as discloses exempt information.

(4) Where, in consequence of the exclusion of material which discloses exempt information, the documents published under paragraph (1)(a) and (3)(c) do not provide members of the public with a reasonably fair and coherent record of the whole or part of the proceedings, a proper officer must make a written summary of the proceedings or the part, as the case may be, which provides such a record without disclosing the exempt information.

Publication of background papers

21.—(1) If and so long as copies of the whole or part of a report for a CJC meeting are required by regulation 18(1) or 20(1) to be published electronically—

- (a) those copies must each include a copy of a list, compiled by a proper officer, of the background papers for the report or the part of the report, and
- (b) each of the documents included in that list must be published electronically, but if in the opinion of a proper officer it is not reasonably practicable to publish a document included in the list electronically, the corporate joint committee must make arrangements to send a copy on request to any member of the public as soon as is reasonably practicable after a copy is requested.

(2) Where copies of documents included in the list are published under paragraph (1)(b) they must remain accessible electronically to members of the public until

aelodau o'r cyhoedd hyd nes y daw'r cyfnod o chwe mlynedd sy'n dechrau â dyddiad y cyfarfod i ben.

(3) Pan wneir trefniadau i anfon copïau o ddogfennau sydd wedi eu cynnwys yn y rhestr at aelodau o'r cyhoedd ar gais o dan baragraff (1)(b), rhaid i'r trefniadau hynny barhau hyd nes y daw'r cyfnod hwnnw o chwe mlynedd i ben.

(4) Nid oes dim yn y rheoliad hwn yn ei gwneud yn ofynnol i unrhyw ddogfen sy'n datgelu gwybodaeth esempt gael ei chynnwys yn y rhestr y cyfeirir ati ym mharagraff (1).

(5) Er gwaethaf cyffredinolrwydd rheoliad 16(4), nid oes dim yn y rheoliad hwn yn ei gwneud yn ofynnol nac yn awdurdodi cynnwys yn y rhestr unrhyw ddogfen a fyddai, pe'i cyhoeddid yn electronig neu pe'i hanfonid at aelod o'r cyhoedd, yn datgelu gwybodaeth gyfrinachol gan dorri'r rhwymedigaeth o ran cyfrinachedd.

(6) Ym mharagraff (5), mae i "gwybodaeth gyfrinachol" yr un ystyr ag yn rheoliad 16(5)(a) ac mae'r cyfeiriad at y rhwymedigaeth o ran cyfrinachedd i'w ddehongli yn unol â hynny.

(7) At ddibenion y rheoliad hwn, y papurau cefndir ar gyfer adroddiad yw'r dogfennau hynny sy'n ymwneud â phwnc yr adroddiad—

- (a) sy'n datgelu unrhyw ffeithiau neu faterion y mae'r adroddiad neu ran bwysig o'r adroddiad, ym marn swyddog priodol, yn seiliedig arnynt, a
- (b) y dibynnwyd arnynt, ym marn y swyddog, i raddau arwyddocaol wrth lunio'r adroddiad,

ond nid ydynt yn cynnwys unrhyw weithiau cyhoeddedig.

Cymhwys o gyfarfodydd is-bwylgorau

22.—(1) Mae rheoliadau 16 i 21 yn gymwys i gyfarfod is-bwylgor i gyd-bwylgor corfforedig fel y maent yn gymwys i gyfarfod cyd-bwylgor corfforedig.

(2) Wrth gymhwys o rheoliadau 16 i 21 i gyfarfod is-bwylgor—

- (a) mae cyfeiriadau at gyfarfod CBC i'w darllen fel cyfeiriadau at gyfarfod o'r is-bwylgor;
- (b) mae rheoliad 16(3) i'w ddarllen fel pe bai "neu'r is-bwylgor" wedi ei fewnosod ar ôl "cyd-bwylgor corfforedig";
- (c) mae'r cyfeiriadau at gyd-bwylgor corfforedig yn rheoliad 16(6) i'w darllen fel cyfeiriadau at is-bwylgor i gyd-bwylgor corfforedig.

the expiration of the period of six years beginning with the date of the meeting.

(3) Where arrangements are made to send copies of documents included in the list to members of the public on request under paragraph (1)(b), those arrangements must remain in place until the expiration of that period of six years.

(4) Nothing in this regulation requires any document which discloses exempt information to be included in the list referred to in paragraph (1).

(5) Notwithstanding the generality of regulation 16(4), nothing in this regulation requires or authorises the inclusion in the list of any document which, if published electronically or sent to a member of the public, would disclose confidential information in breach of the obligation of confidence.

(6) In paragraph (5), "confidential information" has the same meaning as in regulation 16(5)(a) and the reference to the obligation of confidence is to be construed accordingly.

(7) For the purposes of this regulation the background papers for a report are those documents relating to the subject matter of the report which—

- (a) disclose any facts or matters on which, in the opinion of a proper officer, the report or an important part of the report is based, and
 - (b) have, in the officer's opinion, been relied on to a material extent in preparing the report,
- but do not include any published works.

Application to meetings of sub-committees

22.—(1) Regulations 16 to 21 apply to a meeting of a sub-committee of a corporate joint committee as they apply to a meeting of a corporate joint committee.

(2) In the application of regulations 16 to 21 to a meeting of a sub-committee—

- (a) references to a CJC meeting are to be read as references to a meeting of the sub-committee;
- (b) regulation 16(3) is to be read as if after "corporate joint committee" there were inserted "or the sub-committee";
- (c) the references to a corporate joint committee in regulation 16(6) are to be read as references to a sub-committee of a corporate joint committee.

(3) Wrth gymhwys o rheoliadau 17 i 20 i gyfarfod is-bwyllgor, mae cyfeiriadau at aelod o gyd-bwyllgor corfforedig i'w darllen fel cyfeiriadau at aelod o'r is-bwyllgor.

Hawliau ychwanegol i aelodau o gyd-bwyllgorau corfforedig ac aelodau o brif gynghorau etc. gael mynediad at ddogfennau

23.—(1) Rhaid i unrhyw ddogfen sydd ym mediant neu o dan reolaeth cyd-bwyllgor corfforedig ac sy'n cynnwys deunydd sy'n ymwneud ag unrhyw fusnes sydd i'w drafod mewn cyfarfod CBC neu mewn cyfarfod o is-bwyllgor i'r cyd-bwyllgor corfforedig, yn ddarostyngedig i baragraffau (2) a (3), fod yn agored i edrych arni ar bob adeg resymol ac yn rhad ac am ddim gan—

- (a) unrhyw aelod o'r cyd-bwyllgor corfforedig;
- (b) unrhyw aelod o brif gyngor pan fo un o brif aelodau gweithrediaeth y cyngor yn aelod o'r cyd-bwyllgor corfforedig;
- (c) unrhyw aelod o awdurdod Parc Cenedlaethol pan fo aelod o'r awdurdod hwnnw'n aelod o'r cyd-bwyllgor corfforedig.

(2) Nid yw paragraff (1) yn ei gwneud yn ofynnol i'r ddogfen fod yn agored i edrych arni os ymddengys i swyddog priodol ei bod yn datgelu gwybodaeth esempt.

(3) Ond, er gwaethaf paragraff (2), mae paragraff (1) yn ei gwneud yn ofynnol i'r ddogfen fod yn agored i edrych arni os yw'r wybodaeth yn wybodaeth o ddisgrifiad sydd am y tro yn dod o fewn—

- (a) paragraff 14 o Atodlen 12A i Ddeddf 1972 fel y'i cymhwysir gan reoliad 26 (ac eithrio i'r graddau y mae'r wybodaeth yn ymwneud ag unrhyw delerau a gynigiwyd neu sydd i'w cynnig gan y cyd-bwyllgor corfforedig, neu iddo, yng nghwrs negodiadau am gcontract), neu
- (b) paragraff 17 o'r Atodlen honno fel y'i cymhwysir yn y modd hwnnw.

(4) Pan fo dogfen i fod yn agored i edrych arni gan berson o dan baragraff (1) caiff y person, yn ddarostyngedig i baragraff (5)—

- (a) gwneud copïau o'r ddogfen neu rannau o'r ddogfen, neu
- (b) ei gwneud yn ofynnol i'r cyd-bwyllgor corfforedig ddarparu copi o'r ddogfen neu rannau o'r ddogfen,

ar ôl talu i'r cyd-bwyllgor corfforedig unrhyw ffi resymol sy'n ofynnol am y cyfleuster.

(3) In the application of regulations 17 to 20 to a meeting of a sub-committee, references to a member of a corporate joint committee are to be read as references to a member of the sub-committee.

Additional rights of access to documents for members of corporate joint committees and members of principal councils etc.

23.—(1) Any document which is in the possession or under the control of a corporate joint committee and contains material relating to any business to be transacted at a CJC meeting or a meeting of a sub-committee of the corporate joint committee must, subject to paragraphs (2) and (3), be open to inspection at all reasonable hours and free of charge by—

- (a) any member of the corporate joint committee;
- (b) any member of a principal council where a senior executive member of the council is a member of the corporate joint committee;
- (c) any member of a National Park authority where a member of that authority is a member of the corporate joint committee.

(2) Paragraph (1) does not require the document to be open to inspection if it appears to a proper officer that it discloses exempt information.

(3) But, despite paragraph (2), paragraph (1) does require the document to be open to 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 as applied by regulation 26 (except to the extent that the information relates to any terms proposed or to be proposed by or to the corporate joint committee in the course of negotiations for a contract), or
- (b) paragraph 17 of that Schedule as so applied.

(4) Where a document is to be open to inspection by a person under paragraph (1) the person may, subject to paragraph (5)—

- (a) make copies of the document or parts of the document, or
- (b) require the corporate joint committee to provide a copy of the document or parts of the document,

upon payment to the corporate joint committee of such reasonable fee as may be required for the facility.

(5) Nid yw paragraff (4) yn ei gwneud yn ofynnol nac yn awdurdodi gwneud unrhyw weithred sy'n torri'r hawlfraint yn unrhyw waith heblaw, pan mai cyd-bwyllgor corfforedig yw perchennoedd yr hawlfraint, nad oes dim a wneir yn unol â'r paragraff hwnnw yn torri'r hawlfraint.

(6) Mae'r hawliau a roddir gan y rheoliad hwn i berson yn ychwanegol at unrhyw hawliau eraill sydd gan y person ar wahân i'r paragraff hwn.

(7) At ddibenion paragraff (1)(b), mae i "prif aelod gweithrediaeth" yr ystyr a roddir gan adran 77(4) o Ddeddf 2021.

Cyhoeddi gwybodaeth ychwanegol

24.—(1) Rhaid i gyd-bwyllgor corfforedig gadw cofrestr yn datgan—

- (a) enw pob aelod o'r cyd-bwyllgor corfforedig a'i is-bwyllgorau am y tro ynghyd â chyfeiriad electronig a chyfeiriad post ar gyfer pob aelod, y gellir anfon gohebiaeth ar gyfer yr aelod iddo, a
- (b) enw pob person arall sydd â hawl, yn unol â'r rheolau sefydlog, i siarad mewn cyfarfod CBC neu mewn cyfarfod o is-bwyllgor i'r cyd-bwyllgor corfforedig ynghyd â chyfeiriad electronig a chyfeiriad post ar gyfer pob un o'r personau hynny, y gellir anfon gohebiaeth ar gyfer y person iddo.

(2) Rhaid i gyd-bwyllgor corfforedig gadw rhestr—

- (a) yn pennu'r swyddogaethau hynny sydd gan y cyd-bwyllgor corfforedig a'i is-bwyllgorau y caiff aelodau o staff y cyd-bwyllgor corfforedig, am y tro, eu cyflawni o bryd i'w gilydd yn unol â threfniadau a wnaed o dan y Rheoliadau hyn neu unrhyw ddeddfiad arall, a
- (b) yn datgan teitl yr aelod o staff sydd, am y tro, yn cyflawni yn y modd hwnnw bob un o'r swyddogaethau a bennir yn y modd hwnnw,

ond nid yw'r paragraff hwn yn ei gwneud yn ofynnol pennu swyddogaeth yn y rhestr os gwneir y trefniadau i'r aelod o staff ei chyflawni am gyfnod, heb fod yn hwy na chwe mis, a bennir gan y cyd-bwyllgor corfforedig.

(3) Rhaid i gyd-bwyllgor corfforedig gadw crynodeb ysgrifenedig o'r hawliau—

- (a) i fynychu cyfarfod CBC neu gyfarfod o is-bwyllgor i'r cyd-bwyllgor corfforedig, a

(5) Paragraph (4) does not require or authorise the doing of any act which infringes the copyright in any work except that, where the owner of the copyright is a corporate joint committee, nothing done in pursuance of that paragraph constitutes an infringement of the copyright.

(6) The rights conferred by this regulation on a person are in addition to any other rights the person may have apart from this paragraph.

(7) For the purposes of paragraph (1)(b), "senior executive member" has the meaning given by section 77(4) of the 2021 Act.

Publication of additional information

24.—(1) A corporate joint committee must maintain a register stating—

- (a) the name of every member of the corporate joint committee and its sub-committees for the time being together with an electronic and postal address for each member, to which correspondence for the member may be sent, and
- (b) the name of every other person who is entitled, in accordance with the standing orders, to speak at a CJC meeting or at a meeting of a sub-committee of the corporate joint committee together with an electronic and postal address for each such person, to which correspondence for the person may be sent.

(2) A corporate joint committee must maintain a list—

- (a) specifying those functions of the corporate joint committee and its sub-committees which, for the time being, may be discharged from time to time by members of staff of the corporate joint committee in pursuance of arrangements made under these Regulations or any other enactment, and
- (b) stating the title of the member of staff by whom each of the functions so specified is for the time being so discharged,

but this paragraph does not require a function to be specified in the list if the arrangements for its discharge by the member of staff are made for a period, not exceeding six months, specified by the corporate joint committee.

(3) A corporate joint committee must maintain a written summary of the rights—

- (a) to attend a CJC meeting or a meeting of a sub-committee of the corporate joint committee, and

- (b) i edrych ar ddogfennau a'u copio ac i gael copiau o ddogfennau,

a roddir am y tro gan y Rhan hon a'r Rheoliadau sefydlu.

(4) Rhaid i gyd-bwyllgor corfforedig gyhoeddi'n electronig—

- (a) y gofrestr a gedwir o dan baragraff (1),
- (b) y rhestr a gedwir o dan baragraff (2), ac
- (c) y crynodeb a gedwir o dan baragraff (3).

(5) Rhaid i gyd-bwyllgor corfforedig wneud trefniadau i anfon copi o unrhyw wybodaeth a gyhoeddir o dan baragraff (4) ar gais at unrhyw aelod o'r cyhoedd cyn gynted ag y bo'n rhesymol ymarferol ar ôl i gais am gopi ei wneud.

Darpariaethau atodol

25.—(1) Nid yw'r darpariaethau yn y Rhan hon sy'n ei gwneud yn ofynnol i gyd-bwyllgor corfforedig gyhoeddi dogfennau yn ei gwneud yn ofynnol nac yn awdurdodi gwneud unrhyw weithred sy'n torri'r hawlfraint yn unrhyw waith heblaw, pan mai'r cyd-bwyllgor corfforedig yw perchenog yr hawlfraint, nad oes dim a wneir yn unol â'r darpariaethau hynny yn torri'r hawlfraint.

(2) Pan fo unrhyw ddarpariaeth yn y Rhan hon yn ei gwneud yn ofynnol cyflenwi copi o ddogfen i unrhyw berson, mae person ("P"), sydd â dogfen o dan ei ofal, yn cyflawni troseidd os yw P, heb esgus rhesymol, yn gwrthod darparu copi i'r person sydd â hawl i'w gael.

(3) Mae troseidd o dan baragraff (2) i'w chosbi ar euogfarn ddiannod drwy ddirwy nad yw'n uwch na lefel 1 ar y raddfa safonol.

(4) Pan gaiff unrhyw ddogfen y gellir cael mynediad ati ar gyfer cyfarfod CBC neu gyfarfod o is-bwyllgor i gyd-bwyllgor corfforedig—

- (a) ei chyflenwi i aelod o'r cyhoedd,
- (b) ei chyhoeddi'n electronig, neu
- (c) ei chyflenwi er budd unrhyw sefydliad cyfryngau newyddion,

mae cyhoeddi drwy hynny unrhyw ddeunydd difenwol sydd wedi ei gynnwys yn y ddogfen yn freintiedig, oni phrofir y'i cyhoeddwyd yn faleisus.

(5) At ddibenion paragraff (4), y "dogfennau y gellir cael mynediad atynt" ar gyfer cyfarfod CBC neu gyfarfod o is-bwyllgor i gyd-bwyllgor corfforedig yw—

- (a) unrhyw gopi o'r agenda neu o unrhyw eitem sydd wedi ei chynnwys yn yr agenda ar gyfer y cyfarfod;
- (b) unrhyw ddatganiadau pellach neu fanylion pellach at ddiben dangos beth yw natur

- (b) to inspect and copy documents and to be supplied with copies of documents,

which are for the time being conferred by this Part and the establishment Regulations.

(4) A corporate joint committee must publish electronically—

- (a) the register maintained under paragraph (1),
- (b) the list maintained under paragraph (2), and
- (c) the summary maintained under paragraph (3).

(5) A corporate joint committee must make arrangements to send a copy of any information published under paragraph (4) on request to any member of the public as soon as is reasonably practicable after a copy is requested.

Supplemental provisions

25.—(1) Provisions in this Part which require the publication of documents by a corporate joint committee do not require or authorise the doing of any act which infringes the copyright in any work except that, where the owner of the copyright is the corporate joint committee, nothing done in pursuance of those provisions constitutes an infringement of the copyright.

(2) Where any provision of this Part requires a copy of a document to be supplied to any person, a person ("P"), having the custody of a document, commits an offence if P, without reasonable excuse, refuses to furnish a copy to the person entitled to obtain it.

(3) An offence under paragraph (2) is punishable on summary conviction by a fine not exceeding level 1 on the standard scale.

(4) Where any accessible document for a CJC meeting or a meeting of a sub-committee of a corporate joint committee is—

- (a) supplied to a member of the public,
- (b) published electronically, or
- (c) supplied for the benefit of any news media organisation,

the publication thereby of any defamatory material contained in the document is privileged unless the publication is proved to be made with malice.

(5) For the purposes of paragraph (4), the "accessible documents" for a CJC meeting or a meeting of a sub-committee of a corporate joint committee are—

- (a) any copy of the agenda or of any item included in the agenda for the meeting;
- (b) any further statements or particulars for the purpose of indicating the nature of any item

- unrhyw eitem sydd wedi ei chynnwys yn yr agenda a grybwyllir yn rheoliad 18(9)(b);
- (c) unrhyw gopi o ddogfen sy'n ymwneud ag eitem o'r fath a gyflenwir er budd sefydliad cyfryngau newyddion yn unol â rheoliad 18(9)(c);
 - (d) unrhyw gopi o adroddiad cyfan neu ran o adroddiad ar gyfer y cyfarfod;
 - (e) unrhyw gopi o unrhyw bapurau cefndir cyfan neu ran ohonynt ar gyfer adroddiad ar gyfer y cyfarfod;
 - (f) y nodyn y mae'n ofynnol ei gyhoeddi o dan reoliad 20(3).

(6) Mae'r hawliau a roddir gan y Rhan hon i edrych ar ddogfennau, eu copio a'u cael yn ychwanegol at unrhyw hawliau o'r fath a roddir gan neu o dan unrhyw ddeddfiad arall, ac nid ydynt yn rhagfarnu'r hawliau hynny.

Gwybodaeth esempt

26.—(1) Y disgrifiadau o wybodaeth sydd, at ddibenion y Rhan hon, yn wybodaeth esempt yw'r rheini sydd am y tro wedi eu penu yn Rhan 4 o Atodlen 12A i Ddeddf 1972 fel y'i haddaswyd o ran ei chymhwysio i'r Rhan hon gan baragraff (2) yn ddarostyngedig i unrhyw amodau sydd wedi eu cynnwys yn Rhan 5 o'r Atodlen honno fel y'i haddaswyd yn y modd hwnnw.

(2) At ddibenion paragraff (1), mae Rhannau 4 i 6 o Atodlen 12A i Ddeddf 1972 yn gymwys fel pe bai'r canlynol wedi ei roi yn lle paragraff 22(2) o'r Atodlen honno—

“(2) Any reference in Parts 4 and 5 and this Part of this Schedule to “the authority” is a reference to the corporate joint committee or, as the case may be, the sub-committee of the corporate joint committee in relation to whose proceedings or documents the question whether information is exempt or not falls to be determined and includes a reference—

- (a) in the case of a corporate joint committee, to any sub-committee of the corporate joint committee, and
- (b) in the case of a sub-committee, to the corporate joint committee of which it is a sub-committee.”

Darllediadau electronig o gyfarfodydd

27. Yn adran 46 o Ddeddf 2021 (darlleidiadau electronig o gyfarfodydd awdurdodau lleol penodol), ar ôl is-adran (7) mewnosoder—

included in the agenda as are mentioned in regulation 18(9)(b);

- (c) any copy of a document relating to such an item which is supplied for the benefit of a news media organisation in pursuance of regulation 18(9)(c);
- (d) any copy of the whole or part of a report for the meeting;
- (e) any copy of the whole or part of any background papers for a report for the meeting;
- (f) the note required to be published under regulation 20(3).

(6) The rights conferred by this Part to inspect, copy and be furnished with documents are in addition, and without prejudice, to any such rights conferred by or under any other enactment.

Exempt information

26.—(1) The descriptions of information which are, for the purposes of this Part, exempt information are those for the time being specified in Part 4 of Schedule 12A to the 1972 Act as modified in its application to this Part by paragraph (2) subject to any qualifications contained in Part 5 of that Schedule as so modified.

(2) For the purposes of paragraph (1), Parts 4 to 6 of Schedule 12A to the 1972 Act apply as if, for paragraph 22(2) of that Schedule, there were substituted—

“(2) Any reference in Parts 4 and 5 and this Part of this Schedule to “the authority” is a reference to the corporate joint committee or, as the case may be, the sub-committee of the corporate joint committee in relation to whose proceedings or documents the question whether information is exempt or not falls to be determined and includes a reference—

- (a) in the case of a corporate joint committee, to any sub-committee of the corporate joint committee, and
- (b) in the case of a sub-committee, to the corporate joint committee of which it is a sub-committee.”

Electronic broadcasts of meetings

27. In section 46 of the 2021 Act (electronic broadcasts of meetings of certain local authorities), after subsection (7) insert—

“(7A) Mae'r adran hon yn gymwys i gyd-bwyllgor corfforedig fel y mae'n gymwys i brif gyngor yn ddarostyngedig i'r addasiadau a ganlyn—

- (a) mae'r cyfeiriadau at brif gyngor yn is-adrannau (1), (2)(a), (5) a (6) i'w darllen fel cyfeiriadau at gyd-bwyllgor corfforedig, a
- (b) mae is-adran (2)(b) i'w thrin fel pe bai'r canlynol wedi ei roi yn ei lle—
 - “(b) is-bwyllgor i gyd-bwyllgor corfforedig.”

Mynychu cyfarfodydd o bell

28. Yn adran 47 o Ddeddf 2021 (mynychu cyfarfodydd awdurdodau lleol), yn is-adran (6), yn y diffiniad o “awdurdod lleol”, ar ôl paragraff (a) mewnosoder—

“(aa) cyd-bwyllgor corfforedig;”.

Cyhoeddusrwydd i gyfarfodydd i ystyried adroddiadau neu argymhellion gan Archwilydd Cyffredinol Cymru

29. Yn adran 26(3A) o Ddeddf Archwilio Cyhoeddus (Cymru) 2004(1), ar ôl paragraff (b) mewnosoder—

“(ba) a corporate joint committee;”.

Dehongli

30.—(1) Yn y Rhan hon—

- mae “copi” (“copy”), mewn perthynas ag unrhyw ddogfen, yn cynnwys copi a wneir o gopi;
- ystyr “cyfarfod CBC” (“CJC meeting”) yw cyfarfod cyd-bwyllgor corfforedig (ond gweler rheoliad 22);
- mae “gwybodaeth” (“information”) yn cynnwys mynegiant o farn, unrhyw argymhellion ac unrhyw benderfyniad a wneir;
- mae i “gwybodaeth esempt” (“exempt information”) yr ystyr a roddir gan reoliad 26;
- mae i “prif gyngor” (“principal council”) yr ystyr a roddir yn adran 171(1) o Ddeddf 2021;

“(7A) This section applies to a corporate joint committee as it applies to a principal council subject to the following modifications—

- (a) the references to a principal council in subsections (1), (2)(a), (5) and (6) are to be read as references to a corporate joint committee, and
- (b) subsection (2)(b) is to be treated as if it were substituted as follows—
 - “(b) a sub-committee of a corporate joint committee.”

Remote attendance at meetings

28. In section 47 of the 2021 Act (attendance at local authority meetings), in subsection (6), in the definition of “local authority”, after paragraph (a) insert—

“(aa) a corporate joint committee;”.

Publicity for meetings to consider reports or recommendations from the Auditor General for Wales

29. In section 26(3A) of the Public Audit (Wales) Act 2004(1), after paragraph (b) insert—

“(ba) a corporate joint committee;”

Interpretation

30.—(1) In this Part—

- “CJC meeting” (“cyfarfod CBC”) means a meeting of a corporate joint committee (but see regulation 22);
- “copy” (“copi”), in relation to any document, includes a copy made from a copy;
- “exempt information” (“gwybodaeth esempt”) has the meaning given by regulation 26;
- “information” (“gwybodaeth”) includes an expression of opinion, any recommendations and any decision taken;

(1) 2004 p. 23.

(1) 2004 c. 23.

- ystyr “sefydliad cyfryngau newyddion” (“*news media organisation*”) yw—
- (a) papur newydd;
 - (b) unrhyw sefydliad sy’n ymwneud yn systematig ag adrodd newyddion drwy gyfrwng—
 - (i) darllediadau sain neu deledu, neu
 - (ii) cyhoeddiad electronig;
 - (c) asiantaeth newyddion sy’n cynnal yn systematig y busnes o werthu a chyflenwi adroddiadau neu wybodaeth i bapurau newydd neu i sefydliadau cyfryngau newyddion eraill;
 - (d) unrhyw sefydliad sy’n ymwneud yn systematig â chasglu newyddion—
 - (i) ar gyfer darllediadau sain neu deledu;
 - (ii) i’w cynnwys mewn rhagleni sydd i’w cynnwys yn unrhyw wasanaeth rhagleni (o fewn yr ystyr a roddir i “programme service” yn Nedd Darlledu 1990) heblaw gwasanaeth darlledu sain neu deledu;
 - (iii) i’w cyhoeddi’n electronig.

(2) Mae cyfeiriadau yn unrhyw ddarpariaeth yn y Rhan hon at “swyddog priodol” yn gyfeiriadau at aelod o staff cyd-bwyllgor corfforedig sydd wedi ei awdurdodi i gyflawni swyddogaeth y swyddog priodol a bennir yn y ddarpariaeth o dan sylw.

(3) Mae cyfeiriadau yn unrhyw ddarpariaeth yn y Rhan hon at gyfarfod cyd-bwyllgor corfforedig a gynhelir drwy “ddulliau o bell” yn gyfeiriadau at gyfarfod a gynhelir drwy gyfrwng unrhyw gyfarpar neu gyfleuster arall sy’n galluogi personau nad ydynt yn yr un lle i siarad â’i gilydd ac i gael eu clywed gan ei gilydd (pa un a yw’r cyfarpar neu’r cyfleuster yn galluogi’r personau hynny i weld ei gilydd ac i gael eu gweld gan ei gilydd ai peidio).

RHAN 6

Diwygiadau amrywiol a chanlyniadol

Cynlluniau deisebau

Cynlluniau deisebau

31. Yn adran 42 o Ddeddf 2021 (dyletswydd i wneud cynllun deisebau), ar ôl is-adran (4) mewnosoder—

- “news media organisation” (“*sefydliad cyfryngau newyddion*”) means—
- (a) a newspaper;
 - (b) any organisation which is systematically engaged in reporting news by means of—
 - (i) sound or television broadcasts, or
 - (ii) electronic publication;
 - (c) a news agency which systematically carries on the business of selling and supplying reports or information to newspapers or other news media organisations;
 - (d) any organisation which is systematically engaged in collecting news—
 - (i) for sound or television broadcasts;
 - (ii) for inclusion in programmes to be included in any programme service (within the meaning of the Broadcasting Act 1990) other than a sound or television broadcasting service;
 - (iii) for electronic publication;

“principal council” (“*prif gyngor*”) has the meaning given in section 171(1) of the 2021 Act;

(2) References in any provision of this Part to a “proper officer” are references to a member of staff of a corporate joint committee authorised to carry out the function of the proper officer specified in the provision in question.

(3) References in any provision of this Part to a meeting of a corporate joint committee held through “remote means” are to a meeting held by means of any equipment or other facility which enables persons who are not in the same place to speak to and be heard by each other (whether or not the equipment or facility enables those persons to see and be seen by each other).

PART 6

Miscellaneous and consequential amendments

Petition schemes

Petition schemes

31. In section 42 of the 2021 Act (duty to make petition scheme), after subsection (4) insert—

“(5) Mae'r adran hon yn gymwys i gyd-bwyllgor corfforedig fel y mae'n gymwys i brif gyngor ac mae cyfeiriadau yn is-adrannau (1) i (4) at brif gyngor i'w dehongli yn unol â hynny.”

Dyletswydd i annog pobl leol i gyfranogi pan fo penderfyniadau'n cael eu gwneud

32. Yn adran 39 o Ddeddf 2021 (dyletswydd i annog pobl leol i gyfranogi pan fo penderfyniadau'n cael eu gwneud), ar ôl is-adran (2) mewnosoder—

“(3) Mae'r adran hon yn gymwys i gyd-bwyllgor corfforedig fel y mae'n gymwys i brif gyngor ac mae cyfeiriadau yn is-adrannau (1) a (2) at brif gyngor i'w dehongli yn unol â hynny.”

Ceisiadau i uno

Ymgynghori cyn ceisiadau i uno a wneir gan brif gynghorau

33. Yn adran 122 o Ddeddf 2021 (ymgyngori cyn gwneud cais i uno), ar ôl is-adran (1)(g) mewnosoder—

- “(ga) pob cyd-bwyllgor corfforedig—
 - (i) sy'n cynnwys o leiaf un prif swyddog gweithrediaeth (o fewn yr ystyr a roddir gan adran 77(4)) o'r prif gynghorau yn aelod o'r cyd-bwyllgor corfforedig;
 - (ii) y mae'n debygol fel arall y bydd y cynnig i uno'n effeithio arno.”.

Diwygiadau amrywiol i'r Rheoliadau sefydlu

Rheoliadau Cyd-bwyllgor Corfforedig y Canolborth (Cymru) 2021

34.—(1) Mae Rheoliadau Cyd-bwyllgor Corfforedig y Canolborth (Cymru) 2021(1) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 2 (dehongli), hepgorer y diffiniad o “cyfranogwr cyfetholedig” ac ar ôl y diffiniad o “aelod Bannau Brycheiniog” rhodder—

“mae i “aelod cyfetholedig” (“co-opted member”) yr ystyr a roddir gan reoliad 9(1);”.

“(5) This section applies to a corporate joint committee as it applies to a principal council and references in subsections (1) to (4) to a principal council are to be construed accordingly.”

Duty to encourage local people to participate in decision-making

32. In section 39 of the 2021 Act (duty to encourage local people to participate in decision-making), after subsection (2) insert—

“(3) This section applies to a corporate joint committee as it applies to a principal council and references in subsections (1) and (2) to a principal council are to be construed accordingly.”

Merger applications

Consultation before merger applications made by principal councils

33. In section 122 of the 2021 Act (consultation before making merger application), after subsection (1)(g) insert—

- “(ga) each corporate joint committee—
 - (i) which includes at least one senior executive member (within the meaning given by section 77(4)) of the principal councils as a member of the corporate joint committee;
 - (ii) which is otherwise likely to be affected by the proposal for merger.”.

Miscellaneous amendments to the establishment Regulations

The Mid Wales Corporate Joint Committee Regulations 2021

34.—(1) The Mid Wales Corporate Joint Committee Regulations 2021(1) are amended as follows.

(2) In regulation 2 (interpretation), for the definition of “co-opted participant” substitute—

““co-opted member” (“aelod cyfetholedig”) has the meaning given by regulation 9(1);”.

(1) O.S. 2021/342 (Cy. 96).

(1) S.I. 2021/342 (W. 96).

- (3) Yn rheoliad 6 (aelodaeth)—
- (a) ym mharagraff (1)—
 - (i) ar ddiwedd is-baragraff (a) hepgorer “a”;
 - (ii) ar ddiwedd is-baragraff (b) mewnosoder “, ac”;
 - (iii) ar ôl is-baragraff (b) mewnosoder—“(c) unrhyw aelod cyfetholedig.”;
 - (b) ym mharagraff (2), ar ôl “Canolbarth” mewnosoder “, yn ddarostyngedig i reoliadau 8(2A) a 9(2)”;
 - (c) hepgorer paragraff (3);
 - (d) ym mharagraff (4), yn lle “i'r graddau a ddisgrifir ym mharagraff (3),” rhodder “ac unrhyw aelod cyfetholedig”.
- (4) Yn rheoliad 7 (aelodau cyngor), ym mharagraff (2)—
- (a) yn lle “gyflawni ei swyddogaethau” rhodder “weithredu fel aelod cyngor”;
 - (b) yn lle “gyflawni'r swyddogaethau hynny” rhodder “weithredu”.
- (5) Yn rheoliad 8 (aelod Bannau Brycheiniog)—
- (a) ar ôl paragraff (2) mewnosoder—“(2A) Ni chaiff aelod Bannau Brycheiniog weithredu fel aelod ond mewn perthynas ag
 - (a) y swyddogaethau a roddir i CBC y Canolbarth o dan reoliad 13;
 - (b) unrhyw swyddogaeth sydd gan CBC y Canolbarth sy'n ategol i'r swyddogaethau hynny neu'n gysylltiedig â hwy.
 - (2B) Ond caiff aelod Bannau Brycheiniog hefyd weithredu fel aelod mewn perthynas ag unrhyw swyddogaeth arall sydd gan CBC y Canolbarth—
 - (a) os yw'r aelodau cyngor ac aelod Bannau Brycheiniog yn cytuno, neu
 - (b) os caniateir i aelod Bannau Brycheiniog weithredu mewn perthynas â'r swyddogaeth honno, neu os yw'n ofynnol iddo wneud hynny, yn rhinwedd darpariaeth ddatganedig yn y Rheoliadau hyn neu mewn unrhyw ddeddfiad arall.
 - (2C) Rhaid i gytundeb o dan baragraff (2B)(a) bennu'r telerau y caiff aelod Bannau Brycheiniog weithredu odanynt mewn perthynas â'r swyddogaeth o dan sylw, gan gynnwys pennu'r cyfnod pan fo aelod Bannau Brycheiniog i weithredu.”;
- (3) In regulation 6 (membership)—
- (a) in paragraph (1)—
 - (i) at the end of sub-paragraph (a) omit “and”;
 - (ii) at the end of sub-paragraph (b) insert “, and”;
 - (iii) after sub-paragraph (b) insert—“(c) any co-opted member.”;
 - (b) in paragraph (2) after “CJC” insert “, subject to regulations 8(2A) and 9(2)”;
 - (c) omit paragraph (3);
 - (d) in paragraph (4) for “to the extent described in paragraph (3),” substitute “and any co-opted member”.
- (4) In regulation 7 (council members), in paragraph (2)—
- (a) for “discharge their functions” substitute “act as council member”;
 - (b) for “discharge those functions” substitute “act”.
- (5) In regulation 8 (Brecon Beacons member)—
- (a) after paragraph (2) insert—“(2A) The Brecon Beacons member may act as a member only in relation to—
 - (a) the functions conferred on the Mid Wales CJC under regulation 13;
 - (b) any function of the Mid Wales CJC that is ancillary or incidental to those functions.
 - (2B) But the Brecon Beacons member may also act as a member in relation to any other function of the Mid Wales CJC if—
 - (a) the council members and the Brecon Beacons member agree, or
 - (b) the Brecon Beacons member is permitted, or required, to act in relation to that function by virtue of express provision in these Regulations or any other enactment.
 - (2C) An agreement under paragraph (2B)(a) must specify the terms on which the Brecon Beacons member may act in relation to the function concerned, including specifying the period for which the Brecon Beacons member is to act.”;

- (b) ym mharagraff (3)—
 - (i) yn lle “gyflawni ei swyddogaethau” rhodder “weithredu fel aelod”;
 - (ii) yn lle “gyflawni’r swyddogaethau hynny” rhodder “weithredu”.
- (6) Yn lle rheoliad 9 (cyfranogwyr cyfetholedig) rhodder—

“Aelodau cyfetholedig

9.—(1) Caiff CBC y Canolbarth gyfethol un neu ragor o unigolion i fod yn aelodau o CBC y Canolbarth (“aelod cyfetholedig”) ar y telerau hynny y mae’n eu pennu.

(2) Rhaid i’r telerau hynny—

(a) pennu—

- (i) swyddogaethau CBC y Canolbarth y caiff yr aelod cyfetholedig weithredu mewn perthynas â hwy fel aelod o’r CBC, a
- (ii) unrhyw swyddogaeth sydd gan CBC y Canolbarth sy’n ategol i’r swyddogaethau hynny neu’n gysylltiedig â hwy;

(b) cael eu cytuno gan yr aelod cyfetholedig a’r aelodau eraill, ac

(c) cael eu nodi mewn cytundeb cyfethol.

(3) Pan fo gan aelod cyfetholedig, o dan baragraff (1), hawl i weithredu mewn perthynas ag—

- (a) y swyddogaethau a roddir i CBC y Canolbarth o dan reoliad 13, a
- (b) unrhyw swyddogaeth sydd gan CBC y Canolbarth sy’n ategol i’r swyddogaethau hynny neu’n gysylltiedig â hwy,

caiff aelod Bannau Brycheiniog weithredu fel aelod at ddibenion y paragraff hwnnw.

(4) Caiff aelod cyfetholedig ei gyfethol—

- (a) am gyfnod a bennir yn y cytundeb cyfethol, neu
- (b) hyd nes—
 - (i) y bydd yr aelod cyfetholedig yn ymddiswyddo o CBC y Canolbarth, neu
 - (ii) y bydd CBC y Canolbarth yn terfynu’r cyfetholiad.

(5) Mewn perthynas â chytundeb cyfethol—

- (a) caniateir ei amrywio ar unrhyw adeg;
- (b) rhaid iddo gael ei gyhoeddi’n electronig gan CBC y Canolbarth.”

- (b) in paragraph (3)—
 - (i) for “discharge their functions” substitute “act as a member”;
 - (ii) for “discharge those functions” substitute “act”.

(6) For regulation 9 (co-opted participants) substitute—

“Co-opted members

9.—(1) The Mid Wales CJC may co-opt one or more individuals as members of the Mid Wales CJC (a “co-opted member”) on such terms as it determines.

(2) Those terms must—

(a) specify—

- (i) the functions of the Mid Wales CJC in relation to which the co-opted member may act as a member of the CJC, and
- (ii) any function of the Mid Wales CJC that is ancillary or incidental to those functions;

(b) be agreed by the co-opted member and the other members, and

(c) be set out in a co-option agreement.

(3) Where, under paragraph (1), a co-opted member is entitled to act in relation to—

- (a) the functions conferred on the Mid Wales CJC under regulation 13, and
- (b) any function of the Mid Wales CJC that is ancillary or incidental to those functions,

the Brecon Beacons member may act as a member for the purposes of that paragraph.

(4) A co-opted member is co-opted—

- (a) for a period specified in the co-option agreement, or
- (b) until—
 - (i) the co-opted member resigns from the Mid Wales CJC, or
 - (ii) the Mid Wales CJC terminates the co-option.

(5) A co-option agreement—

- (a) may be varied at any time;
- (b) must be published electronically by the Mid Wales CJC.”

(7) Yn lle rheoliad 15 (dirprwyo swyddogaethau) rhodder—

“Cyfngiad ar gyflawni swyddogaethau gan bersonau eraill”

15. Nid yw rheoliad 13 o Reoliadau Cyd-bwyllgorau Corfforedig (Cyffredinol) (Rhif 2) (Cymru) 2021 (trefniadau ar gyfer cyflawni swyddogaethau) yn gymwys i—

- (a) cymeradwyo polisi trafnidiaeth, neu ddiwygio polisi o'r fath a ddatblygwyd yn rhinwedd rheoliad 12(1) o dan adran 108(1)(a) a (2A)(a) o Ran 2 o Ddeddf Trafnidiaeth 2000;
- (b) y gweithredoedd a ganlyn sy'n gysylltiedig â llunio cynllun datblygu strategol, neu ddiwygio cynllun, o dan reoliad 13—
 - (i) mabwysiadu cytundeb cyflawni, neu ddiwygio cytundeb o'r fath (gweler rheoliad 11(2) ac (8) o Reoliadau Cynllunio Gwlad a Thref (Cynllun Datblygu Strategol) (Cymru) 2021 (“y Rheoliadau CDS”));
 - (ii) cymeradwyo dogfennau cynigion cyn-adneuo a datganiad o faterion cyn-adneuo (gweler rheoliadau 17 a 18 o'r Rheoliadau CDS);
 - (iii) cymeradwyo adroddiad ymgynghori cychwynnol, dogfen cynigion yr CDS a datganiad o faterion adneuo (gweler rheoliad 20 o'r Rheoliadau CDS);
 - (iv) cymeradwyo dogfennau i'w hanfon at Weinidogion Cymru o dan adran 64(3) o Ddeddf Cynllunio a Phrynu Gorfodol 2004;
 - (v) tynnu cynllun datblygu strategol yn ôl o dan adran 66A(2) o'r Ddeddf honno;
 - (vi) mabwysiadu cynllun datblygu strategol o dan adran 60M(9)(a) o'r Ddeddf honno;
 - (vii) cymeradwyo adroddiad monitro blynnyddol sydd i'w wneud o dan adran 76(1) o'r Ddeddf honno;
 - (viii) cymeradwyo adroddiad adolygiad o gynllun datblygu strategol sydd i'w wneud o dan adran 69(2) o'r Ddeddf honno;

(7) For regulation 15 (delegation of functions) substitute—

“Limitation on discharge of functions by other persons”

15. Regulation 13 of the Corporate Joint Committees (General) (No. 2) (Wales) Regulations 2021 (arrangements for discharge of functions) does not apply to—

- (a) approving a transport policy, or revision of such a policy developed by virtue of regulation 12(1) under section 108(1)(a) and (2A)(a) of Part 2 of the Transport Act 2000;
- (b) the following actions connected with the preparation of a strategic development plan, or revision of a plan, under regulation 13—
 - (i) adopting a delivery agreement, or a revision of such an agreement (see regulation 11(2) and (8) of the Town and Country Planning (Strategic Development Plan) (Wales) Regulations 2021 (“the SDP Regulations”));
 - (ii) approving pre-deposit proposals documents and a statement of pre-deposit matters (see regulations 17 and 18 of the SDP Regulations);
 - (iii) approving an initial consultation report, SDP proposals document and a statement of deposit matters (see regulation 20 of the SDP Regulations);
 - (iv) approving documents to be sent to the Welsh Ministers under section 64(3) of the Planning and Compulsory Purchase Act 2004;
 - (v) withdrawing a strategic development plan under section 66A(2) of that Act;
 - (vi) adopting a strategic development plan under section 60M(9)(a) of that Act;
 - (vii) approving an annual monitoring report to be made under section 76(1) of that Act;
 - (viii) approving a report of a review of a strategic development plan to be made under section 69(2) of that Act;

(c) cytuno ar gyfrifiadau o ofynion cyllideb neu gyfrifiadau diwygiedig o dan reoliad 16(6)(b) a (9).”

(8) Yn rheoliad 17 (ariannu gofyniad cyllideb), ym mharagraff (2), yn lle “yr aelodau” rhodder “yr aelodau cyngor ac aelod Bannau Brycheiniog”.

(9) Ym mharagraff 2 o’r Atodlen (penodi cadeirydd ac is-gadeirydd), yn is-baragraff (4)(b), yn lle “gyfranogwyr cyfetholedig” rhodder “aelodau eraill”.

(10) Ym mharagraff 6 o’r Atodlen (y weithdrefn bleidleisio), yn lle is-baragraff (1)(a) rhodder—

“(a) ni chaiff nifer yr aelodau cyfetholedig sydd â hawl i bleidleisio fod yn fwy na nifer yr aelodau eraill sydd â hawl i bleidleisio.”.

(11) Ym mharagraff 7 o’r Atodlen (mabwysiadu gweithdrefn bleidleisio wahanol), yn lle is-baragraff (4) rhodder—

“(4) Rhaid i weithdrefn a fabwysiedir o dan y paragraff hwn gael ei mabwysiadu drwy gytundeb unfrydol yr aelodau sydd â hawl i bleidleisio ar fabwysiadu’r weithdrefn.”

(12) Ym mharagraff 9 o’r Atodlen (darpariaeth gyffredinol o ran staffio)—

- (a) daw’r testun presennol yn is-baragraff (1);
- (b) ar ôl yr is-baragraff hwnnw mewnosoder—

“(2) Rhaid i CBC y Canolbarth sicrhau bod trefniadau a wneir o dan is-baragraff (1) yn rhai sy’n angenreidiol er mwyn i CBC y Canolbarth gyflawni ei swyddogaethau’n briodol.”

(13) Ym mharagraff 10 o’r Atodlen (telerau ac amodau), yn lle is-baragraff (2) rhodder—

“(2) Ond o ran is-baragraff (1)—

- (a) mae’n ddarostyngedig i adran 41 o Ddeddf Lleoliaeth 2011, a
- (b) nid yw’n atal CBC y Canolbarth rhag addasu telerau ac amodau staff y mae’n eu penodi os yw hynny’n ofynnol yn rhinwedd unrhyw ddeddfiad neu reol gyfreithiol arall.”

(14) Ym mharagraff 11 o’r Atodlen (staff o awdurdodau eraill), ar ôl is-baragraff (2) mewnosoder—

“(3) Ond, yn ddarostyngedig i unrhyw ddarpariaeth i’r gwrthwyneb mewn unrhyw ddeddfiad arall, at ddibenion blwydd-daliadau mae gwasanaeth a ddarperir gan aelod o staff awdurdod Cymreig datganoledig sydd wedi ei roi at ddefnydd CBC y Canolbarth yn rhinwedd cytundeb o’r fath yn wasanaeth a ddarperir i’r awdurdod.”

(c) agreeing calculations of budget requirements or revised calculations under regulation 16(6)(b) and (9).”

(8) In regulation 17 (funding of budget requirement), in paragraph (2), for “the members” substitute “the council members and the Brecon Beacons member”.

(9) In paragraph 2 of the Schedule (appointment of chairperson and vice-chairperson), in sub-paragraph (4)(b), for “co-opted participants” substitute “other members”.

(10) In paragraph 6 of the Schedule (voting procedure), for sub-paragraph (1)(a) substitute—

“(a) the number of co-opted members entitled to vote may not exceed the number of other members entitled to vote.”.

(11) In paragraph 7 of the Schedule (adoption of alternative voting procedure), for sub-paragraph (4) substitute—

“(4) A procedure adopted under this paragraph must be adopted by the unanimous agreement of the members who are entitled to vote on adopting the procedure.”

(12) In paragraph 9 of the Schedule (general provision as to staffing)—

- (a) the existing text becomes sub-paragraph (1);
- (b) after that sub-paragraph insert—

“(2) The Mid Wales CJC must ensure that arrangements made under sub-paragraph (1) are such as are necessary for the proper discharge by the Mid Wales CJC of its functions.”

(13) In paragraph 10 of the Schedule (terms and conditions), for sub-paragraph (2) substitute—

“(2) But sub-paragraph (1)—

- (a) is subject to section 41 of the Localism Act 2011, and
- (b) does not prevent the Mid Wales CJC from modifying the terms and conditions of staff it appoints if required by virtue of any other enactment or rule of law.”

(14) In paragraph 11 of the Schedule (staff from other authorities) after sub-paragraph (2) insert—

“(3) But, subject to any contrary provision in any other enactment, for superannuation purposes service rendered by a member of staff of a devolved Welsh authority placed at the disposal of the Mid Wales CJC by virtue of such an agreement is service rendered to the authority.”

(15) Hepgorer paragraff 15 o'r Atodlen (is-bwyllgorau).

(16) Ym mharagraff 16 o'r Atodlen (is-bwyllgor llywodraethu ac archwilio)—

- (a) yn nhestun Saesneg is-baragraff (1)(g), ar ôl "Mid" mewnosoder "Wales";
- (b) yn is-baragraff (2)(b) yn lle "gan" rhodder "o";
- (c) yn lle is-baragraff (2)(c) rhodder—
 - "(c) nad yw unrhyw un o aelodau o'r is-bwyllgor—
 - (i) yn aelod cyngor,
 - (ii) yn aelod cyfetholedig,
 - (iii) yn aelod o is-bwyllgor arall i CBC y Canolbarth, neu
 - (iv) yn aelod o weithrediaethau'r cynghorau cyfansoddol.;"
- (d) hepgorer is-baragraff (3).

Rheoliadau Cyd-bwyllgor Corfforedig y Gogledd (Cymru) 2021

35.—(1) Mae Rheoliadau Cyd-bwyllgor Corfforedig y Gogledd (Cymru) 2021(1) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 2 (dehongli), hepgorer y diffiniad o "cyfranogwr cyfetholedig" ac ar ôl y diffiniad o "aelod Eryri" rhodder—

"mae i "aelod cyfetholedig" ("co-opted member") yr ystyr a roddir gan reoliad 9(1);".

(3) Yn rheoliad 6 (aelodaeth)—

- (a) ym mharagraff (1)—
 - (i) ar ddiwedd is-baragraff (a) hepgorer "a";
 - (ii) ar ddiwedd is-baragraff (b) mewnosoder "ac";
 - (iii) ar ôl is-baragraff (b) mewnosoder—
 - "(c) unrhyw aelod cyfetholedig.";
- (b) ym mharagraff (2), ar ôl "Gogledd" mewnosoder "yn ddarostyngedig i reoliadau 8(2A) a 9(2)";
- (c) hepgorer paragraff (3);
- (d) ym mharagraff (4), yn lle "i'r graddau a ddisgrifir ym mharagraff (3)," rhodder "ac unrhyw aelod cyfetholedig".

(15) Omit paragraph 15 of the Schedule (sub-committees).

(16) In paragraph 16 of the Schedule (governance and audit sub-committee)—

- (a) in sub-paragraph (1)(g) after "Mid" insert "Wales";
- (b) in sub-paragraph (2)(b) for "by" substitute "of";
- (c) for sub-paragraph 2(c) substitute—
 - "(c) none of the members of the sub-committee are—
 - (i) council members,
 - (ii) co-opted members,
 - (iii) members of another sub-committee of the Mid Wales CJC, or
 - (iv) members of the constituent councils' executives.";
- (d) omit sub-paragraph (3).

The North Wales Corporate Joint Committee Regulations 2021

35.—(1) The North Wales Corporate Joint Committee Regulations 2021(1) are amended as follows.

(2) In regulation 2 (interpretation), for the definition of "co-opted participant" substitute—

"“co-opted member” ("aelod cyfetholedig") has the meaning given by regulation 9(1);".

(3) In regulation 6 (membership)—

- (a) in paragraph (1)—
 - (i) at the end of sub-paragraph (a) omit "and";
 - (ii) at the end of sub-paragraph (b) insert "and";
 - (iii) after sub-paragraph (b) insert—
 - "(c) any co-opted member.";
- (b) in paragraph (2) after "CJC" insert "subject to regulations 8(2A) and 9(2)";
- (c) omit paragraph (3);
- (d) in paragraph (4) for "to the extent described in paragraph (3)," substitute "and any co-opted member".

(1) O.S. 2021/339 (Cy. 93).

(1) S.I. 2021/339 (W. 93).

(4) Yn rheoliad 7 (aelodau cyngor), ym mharagraff (2)—

- (a) yn lle “gyflawni ei swyddogaethau” rhodder “weithredu fel aelod cyngor”;
- (b) yn lle “gyflawni’r swyddogaethau hynny” rhodder “weithredu”.

(5) Yn rheoliad 8 (aelod Eryri)—

- (a) ar ôl paragraff (2) mewnosoder—

“(2A) Ni chaiff aelod Eryri weithredu fel aelod ond mewn perthynas ag—

- (a) y swyddogaethau a roddir i CBC y Gogledd o dan reoliad 13;
- (b) unrhyw swyddogaeth sydd gan CBC y Gogledd sy’n ategol i’r swyddogaethau hynny neu’n gysylltiedig â hwy.

(2B) Ond caiff aelod Eryri hefyd weithredu fel aelod mewn perthynas ag unrhyw swyddogaeth arall sydd gan CBC y Gogledd—

- (a) os yw’r aelodau cyngor ac aelod Eryri yn cytuno, neu
- (b) os caniateir i aelod Eryri weithredu mewn perthynas â’r swyddogaeth honno, neu os yw’n ofynnol iddo wneud hynny, yn rhinwedd darpariaeth ddatganedig yn y Rheoliadau hyn neu mewn unrhyw ddeddfiad arall.

(2C) Rhaid i gytundeb o dan baragraff (2B)(a) bennu’r telerau y caiff aelod Eryri weithredu odanynt mewn perthynas â’r swyddogaeth o dan sylw, gan gynnwys pennu’r cyfnod pan fo aelod Eryri i weithredu.”;

- (b) ym mharagraff (3)—

- (i) yn lle “gyflawni ei swyddogaethau” rhodder “weithredu fel aelod”;
- (ii) yn lle “gyflawni’r swyddogaethau hynny” rhodder “weithredu”.

(6) Yn lle rheoliad 9 (cyfranogwyr cyfetholedig) rhodder—

“Aelodau cyfetholedig

9.—(1) Caiff CBC y Gogledd gyfethol un neu ragor o unigolion i fod yn aelodau o CBC y Gogledd (“aelod cyfetholedig”) ar y telerau hynny y mae’n eu pennu.

(2) Rhaid i’r telerau hynny—

- (a) pennu—

- (i) swyddogaethau CBC y Gogledd y caiff yr aelod cyfetholedig weithredu mewn perthynas â hwy fel aelod o’r CBC, a

(4) In regulation 7 (council members), in paragraph (2)—

- (a) for “discharge their functions” substitute “act as council member”;
- (b) for “discharge those functions” substitute “act”.

(5) In regulation 8 (Snowdonia member)—

- (a) after paragraph (2) insert—

“(2A) The Snowdonia member may act as a member only in relation to—

- (a) the functions conferred on the North Wales CJC under regulation 13;
- (b) any function of the North Wales CJC that is ancillary or incidental to those functions.

(2B) But the Snowdonia member may also act as a member in relation to any other function of the North Wales CJC if—

- (a) the council members and the Snowdonia member agree, or
- (b) the Snowdonia member is permitted, or required, to act in relation to that function by virtue of express provision in these Regulations or any other enactment.

(2C) An agreement under paragraph (2B)(a) must specify the terms on which the Snowdonia member may act in relation to the function concerned, including specifying the period for which the Snowdonia member is to act.”;

- (b) in paragraph (3)—

- (i) for “discharge their functions” substitute “act as a member”;
- (ii) for “discharge those functions” substitute “act”.

(6) For regulation 9 (co-opted participants) substitute—

“Co-opted members

9.—(1) The North Wales CJC may co-opt one or more individuals as members of the North Wales CJC (a “co-opted member”) on such terms as it determines.

(2) Those terms must—

- (a) specify—

- (i) the functions of the North Wales CJC in relation to which the co-opted member may act as a member of the CJC, and

(ii) unrhyw swyddogaeth sydd gan CBC y Gogledd sy'n ategol i'r swyddogaethau hynny neu'n gysylltiedig â hwy,

- (b) cael eu cytuno gan yr aelod cyfetholedig a'r aelodau eraill, ac
- (c) cael eu nodi mewn cytundeb cyfethol.

(3) Pan fo gan aelod cyfetholedig, o dan baragraft (1), hawl i weithredu mewn perthynas ag—

- (a) y swyddogaethau a roddir i CBC y Gogledd o dan reoliad 13, a
- (b) unrhyw swyddogaeth sydd gan CBC y Gogledd sy'n ategol i'r swyddogaethau hynny neu'n gysylltiedig â hwy,

caiff aelod Eryri weithredu fel aelod at ddibenion y paragraff hwnnw.

(4) Caiff aelod cyfetholedig ei gyfethol—

- (a) am gyfnod a bennir yn y cytundeb cyfethol, neu
- (b) hyd nes—
- (i) y bydd yr aelod cyfetholedig yn ymddiswyddo o CBC y Gogledd, neu
- (ii) y bydd CBC y Gogledd yn terfynu'r cyfetholiad.

(5) Mewn perthynas â chytundeb cyfethol—

- (a) caniateir ei amrywio ar unrhyw adeg;
- (b) rhaid iddo gael ei gyhoeddi'n electronig gan CBC y Gogledd."

(7) Yn lle rheoliad 15 (dirprwyo swyddogaethau) rhodder—

"Cyfyngiad ar gyflawni swyddogaethau gan bersonau eraill"

15. Nid yw rheoliad 13 o Reoliadau Cyd-bwyllgorau Corfforedig (Cyffredinol) (Rhif 2) (Cymru) 2021 (trefniadau ar gyfer cyflawni swyddogaethau) yn gymwys i—

- (a) cymeradwyo polisi trafnidiaeth, neu ddiwygio polisi o'r fath a ddatblygwyd yn rhinwedd rheoliad 12(1) o dan adran 108(1)(a) a (2A)(a) o Ran 2 o Ddeddf Trafnidiaeth 2000;
- (b) y gweithredoedd a ganlyn sy'n gysylltiedig â llunio cynllun datblygu strategol, neu ddiwygio cynllun, o dan reoliad 13—

(ii) any function of the North Wales CJC that is ancillary or incidental to those functions,

- (b) be agreed by the co-opted member and the other members, and
- (c) be set out in a co-option agreement.

(3) Where, under paragraph (1), a co-opted member is entitled to act in relation to—

- (a) the functions conferred on the North Wales CJC under regulation 13, and
- (b) any function of the North Wales CJC that is ancillary or incidental to those functions,

the Snowdonia member may act as a member for the purposes of that paragraph.

(4) A co-opted member is co-opted—

- (a) for a period specified in the co-option agreement, or
- (b) until—
- (i) the co-opted member resigns from the North Wales CJC, or
- (ii) the North Wales CJC terminates the co-option.

(5) A co-option agreement—

- (a) may be varied at any time;
- (b) must be published electronically by the North Wales CJC."

(7) For regulation 15 (delegation of functions) substitute—

"Limitation on discharge of functions by other persons"

15. Regulation 13 of the Corporate Joint Committees (General) (No. 2) (Wales) Regulations 2021 (arrangements for discharge of functions) does not apply to—

- (a) approving a transport policy, or revision of such a policy developed by virtue of regulation 12(1) under section 108(1)(a) and (2A)(a) of Part 2 of the Transport Act 2000;
- (b) the following actions connected with the preparation of a strategic development plan, or revision of a plan, under regulation 13—

- (i) mabwysiadu cytundeb cyflawni, neu ddiwygio cytundeb o'r fath (gweler rheoliad 11(2) ac (8) o Reoliadau Cynllunio Gwlad a Thref (Cynllun Datblygu Strategol) (Cymru) 2021 ("y Rheoliadau CDS"));
 - (ii) cymeradwyo dogfennau cynigion cyn-adneuo a datganiad o faterion cyn-adneuo (gweler rheoliadau 17 a 18 o'r Rheoliadau CDS);
 - (iii) cymeradwyo adroddiad ymgynghori cychwynnol, dogfen cynigion yr CDS a datganiad o faterion adneuo (gweler rheoliad 20 o'r Rheoliadau CDS);
 - (iv) cymeradwyo dogfennau i'w hanfon at Weinidogion Cymru o dan adran 64(3) o Ddeddf Cynllunio a Phrynu Gorfodol 2004;
 - (v) tynnu cynllun datblygu strategol yn ôl o dan adran 66A(2) o'r Ddeddf honno;
 - (vi) mabwysiadu cynllun datblygu strategol o dan adran 60M(9)(a) o'r Ddeddf honno;
 - (vii) cymeradwyo adroddiad monitro blynnyddol sydd i'w wneud o dan adran 76(1) o'r Ddeddf honno;
 - (viii) cymeradwyo adroddiad adolygiad o gynllun datblygu strategol sydd i'w wneud o dan adran 69(2) o'r Ddeddf honno;
- (c) cytuno ar gyfrifiadau o ofynion cyllideb neu gyfrifiadau diwygiedig o dan reoliad 16(6)(b) a (9)."

(8) Yn rheoliad 17 (ariannu gofyniad cyllideb), ym mharagraff (2), yn lle "yr aelodau" rhodder "yr aelodau cyngor ac aelod Eryri".

(9) Ym mharagraff 2 o'r Atodlen (penodi cadeirydd ac is-gadeirydd), yn is-baragraff (4)(b), yn lle "gyfranogwyr cyfetholedig" rhodder "aelodau eraill".

(10) Ym mharagraff 6 o'r Atodlen (y weithdrefn bleidleisio), yn lle is-baragraff (1)(a) rhodder—

"(a) ni chaiff nifer yr aelodau cyfetholedig sydd â hawl i bleidleisio fod yn fwy na nifer yr aelodau eraill sydd â hawl i bleidleisio.".

(11) Ym mharagraff 7 o'r Atodlen (mabwysiadu gweithdrefn bleidleisio wahanol), yn lle is-baragraff (4) rhodder—

- (i) adopting a delivery agreement, or a revision of such an agreement (see regulation 11(2) and (8) of the Town and Country Planning (Strategic Development Plan) (Wales) Regulations 2021 ("the SDP Regulations"));
 - (ii) approving pre-deposit proposals documents and a statement of pre-deposit matters (see regulations 17 and 18 of the SDP Regulations);
 - (iii) approving an initial consultation report, SDP proposals document and a statement of deposit matters (see regulation 20 of the SDP Regulations);
 - (iv) approving documents to be sent to the Welsh Ministers under section 64(3) of the Planning and Compulsory Purchase Act 2004;
 - (v) withdrawing a strategic development plan under section 66A(2) of that Act;
 - (vi) adopting a strategic development plan under section 60M(9)(a) of that Act;
 - (vii) approving an annual monitoring report to be made under section 76(1) of that Act;
 - (viii) approving a report of a review of a strategic development plan to be made under section 69(2) of that Act;
- (c) agreeing calculations of budget requirements or revised calculations under regulation 16(6)(b) and (9)."

(8) In regulation 17 (funding of budget requirement), in paragraph (2), for "the members" substitute "the council members and the Snowdonia member".

(9) In paragraph 2 of the Schedule (appointment of chairperson and vice-chairperson), in sub-paragraph (4)(b), for "co-opted participants" substitute "other members".

(10) In paragraph 6 of the Schedule (voting procedure), for sub-paragraph (1)(a) substitute—

"(a) the number of co-opted members entitled to vote may not exceed the number of other members entitled to vote.".

(11) In paragraph 7 of the Schedule (adoption of alternative voting procedure), for sub-paragraph (4) substitute—

“(4) Rhaid i weithdrefn a fabwysiedir o dan y paragraff hwn gael ei mabwysiadu drwy gytundeb unfrydol yr aelodau sydd â hawl i bleidleisio ar fabwysiadu'r weithdrefn.”

(12) Ym mharagraff 9 o'r Atodlen (darpariaeth gyffredinol o ran staffio)—

- (a) daw'r testun presennol yn is-baragraff (1);
- (b) ar ôl yr is-baragraff hwnnw mewnosoder—

“(2) Rhaid i CBC y Gogledd sicrhau bod trefniadau a wneir o dan is-baragraff (1) yn rhai sy'n angenrheidiol er mwyn i CBC y Gogledd gyflawni ei swyddogaethau'n briodol.”

(13) Ym mharagraff 10 o'r Atodlen (telerau ac amodau), yn lle is-baragraff (2) rhodder—

“(2) Ond o ran is-baragraff (1)—

- (a) mae'n ddarostyngedig i adran 41 o Ddeddf Lleoliaeth 2011, a
- (b) nid yw'n atal CBC y Gogledd rhag addasu telerau ac amodau staff y mae'n eu penodi os yw hynny'n ofynnol yn rhinwedd unrhyw ddeddfiad neu reol gyfreithiol arall.”

(14) Ym mharagraff 11 o'r Atodlen (staff o awdurdodau eraill), ar ôl is-baragraff (2) mewnosoder—

“(3) Ond, yn ddarostyngedig i unrhyw ddarpariaeth i'r gwrthwyneb mewn unrhyw ddeddfiad arall, at ddibenion blwydd-daliadau mae gwasanaeth a ddarperir gan aelod o staff awdurdod Cymreig datganoledig sydd wedi ei roi at ddefnydd CBC y Gogledd yn rhinwedd cytundeb o'r fath yn wasanaeth a ddarperir i'r awdurdod.”

(15) Hepgorer paragraff 15 o'r Atodlen (is-bwyllgorau).

(16) Ym mharagraff 16 o'r Atodlen (is-bwyllgor llywodraethu ac archwilio)—

- (a) yn is-baragraff (2)(b) yn lle “gan” rhodder “o”;
- (b) yn lle is-baragraff (2)(c) rhodder—
 - (c) nad yw unrhyw un o aelodau o'r is-bwyllgor—
 - (i) yn aelod cyngor,
 - (ii) yn aelod cyfetholedig,
 - (iii) yn aelod o is-bwyllgor arall i CBC y Gogledd, neu
 - (iv) yn aelod o weithrediaethau'r cynghorau cyfansoddol.”;
- (c) hepgorer is-baragraff (3).

“(4) A procedure adopted under this paragraph must be adopted by the unanimous agreement of the members who are entitled to vote on adopting the procedure.”

(12) In paragraph 9 of the Schedule (general provision as to staffing)—

- (a) the existing text becomes sub-paragraph (1);
- (b) after that sub-paragraph insert—

“(2) The North Wales CJC must ensure that arrangements made under sub-paragraph (1) are such as are necessary for the proper discharge by the North Wales CJC of its functions.”

(13) In paragraph 10 of the Schedule (terms and conditions), for sub-paragraph (2) substitute—

“(2) But sub-paragraph (1)—

- (a) is subject to section 41 of the Localism Act 2011, and
- (b) does not prevent the North Wales CJC from modifying the terms and conditions of staff it appoints if required by virtue of any other enactment or rule of law.”

(14) In paragraph 11 of the Schedule (staff from other authorities) after sub-paragraph (2) insert—

“(3) But, subject to any contrary provision in any other enactment, for superannuation purposes service rendered by a member of staff of a devolved Welsh authority placed at the disposal of the North Wales CJC by virtue of such an agreement is service rendered to the authority.”

(15) Omit paragraph 15 of the Schedule (sub-committees).

(16) In paragraph 16 of the Schedule (governance and audit sub-committee)—

- (a) in sub-paragraph (2)(b) for “by” substitute “of”;
- (b) for sub-paragraph 2(c) substitute—
 - (c) none of the members of the sub-committee are—
 - (i) council members,
 - (ii) co-opted members,
 - (iii) members of another sub-committee of the North Wales CJC, or
 - (iv) members of the constituent councils' executives.”;
- (c) omit sub-paragraph (3).

Rheoliadau Cyd-bwyllgor Corfforedig De-ddwyrain (Cymru) 2021

36.—(1) Mae Rheoliadau Cyd-bwyllgor Corfforedig De-ddwyrain (Cymru) 2021(1) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 2 (dehongli), hepgorer y diffiniad o “cyfranogwr cyfetholedig” ac ar ôl y diffiniad o “aelod Bannau Brycheiniog” rhodder—

“mae i “aelod cyfetholedig” (“*co-opted member*”) yr ystyr a roddir gan reoliad 9(1);”.

(3) Yn rheoliad 6 (aelodaeth)—

(a) ym mharagraff (1)—

- (i) ar ddiwedd is-baragraff (a) hepgorer “a”;
- (ii) ar ddiwedd is-baragraff (b) mewnosoder “, ac”;
- (iii) ar ôl is-baragraff (b) mewnosoder—“(c) unrhyw aelod cyfetholedig.”;

(b) ym mharagraff (2), ar ôl “De-ddwyrain” mewnosoder “, yn ddarostyngedig i reoliadau 8(2A) a 9(2)”;

(c) hepgorer paragraff (3);

(d) ym mharagraff (4), yn lle “i’r graddau a ddisgrifir ym mharagraff (3),” rhodder “ac unrhyw aelod cyfetholedig”.

(4) Yn rheoliad 7 (aelodau cyngor), ym mharagraff (2)—

- (a) yn lle “gyflawni ei swyddogaethau” rhodder “weithredu fel aelod cyngor”;
- (b) yn lle “gyflawni’r swyddogaethau hynny” rhodder “weithredu”.

(5) Yn rheoliad 8 (aelod Bannau Brycheiniog)—

(a) ar ôl paragraff (2) mewnosoder—

“(2A) Ni chaiff aelod Bannau Brycheiniog weithredu fel aelod ond mewn perthynas ag—

- (a) y swyddogaethau a roddir i CBC y De-ddwyrain o dan reoliad 13;
- (b) unrhyw swyddogaeth sydd gan CBC y De-ddwyrain sy’n ategol i’r swyddogaethau hynny neu’n gysylltiedig â hwy.

(2B) Ond caiff aelod Bannau Brycheiniog hefyd weithredu fel aelod mewn perthynas ag unrhyw swyddogaeth arall sydd gan CBC y De-ddwyrain—

- (a) os yw’r aelodau cyngor ac aelod Bannau Brycheiniog yn cytuno, neu

The South East Wales Corporate Joint Committee Regulations 2021

36.—(1) The South East Wales Corporate Joint Committee Regulations 2021(1) are amended as follows.

(2) In regulation 2 (interpretation), for the definition of “co-opted participant” substitute—

““co-opted member” (“aelod cyfetholedig”) has the meaning given by regulation 9(1);”.

(3) In regulation 6 (membership)—

(a) in paragraph (1)—

- (i) at the end of sub-paragraph (a) omit “and”;
- (ii) at the end of sub-paragraph (b) insert “, and”;
- (iii) after sub-paragraph (b) insert—“(c) any co-opted member.”;

(b) in paragraph (2) after “CJC” insert “, subject to regulations 8(2A) and 9(2)”;

(c) omit paragraph (3);

(d) in paragraph (4) for “to the extent described in paragraph (3),” substitute “and any co-opted member”.

(4) In regulation 7 (council members), in paragraph (2)—

- (a) for “discharge their functions” substitute “act as council member”;
- (b) for “discharge those functions” substitute “act”.

(5) In regulation 8 (Brecon Beacons member)—

(a) after paragraph (2) insert—

“(2A) The Brecon Beacons member may act as a member only in relation to—

- (a) the functions conferred on the South East Wales CJC under regulation 13;
- (b) any function of the South East Wales CJC that is ancillary or incidental to those functions.

(2B) But the Brecon Beacons member may also act as a member in relation to any other function of the South East Wales CJC if—

- (a) the council members and the Brecon Beacons member agree, or

(1) O.S. 2021/343 (Cy. 97).

(1) S.I. 2021/343 (W. 97).

(b) os caniateir i aelod Bannau Brycheiniog weithredu mewn perthynas â'r swyddogaeth honno, neu os yw'n ofynnol iddo wneud hynny, yn rhinwedd darpariaeth ddatganedig yn y Rheoliadau hyn neu mewn unrhyw ddeddfiad arall.

(2C) Rhaid i gytundeb o dan baragraff (2B)(a) bennu'r telerau y caiff aelod Bannau Brycheiniog weithredu odanynt mewn perthynas â'r swyddogaeth o dan sylw, gan gynnwys penu'r cyfnod pan fo aelod Bannau Brycheiniog i weithredu.”;

(b) ym mharagraff (3)—

- (i) yn lle “gyflawni ei swyddogaethau” rhodder “weithredu fel aelod”;
- (ii) yn lle “gyflawni'r swyddogaethau hynny” rhodder “weithredu”.

(6) Yn lle rheoliad 9 (cyfranogwyr cyfetholedig) rhodder—

“Aelodau cyfetholedig

9.—(1) Caiff CBC y De-ddwyrain gyfethol un neu ragor o unigolion i fod yn aelodau o CBC y De-ddwyrain (“aelod cyfetholedig”) ar y telerau hynny y mae'n eu penu.

(2) Rhaid i'r telerau hynny—

(a) penu—

- (i) swyddogaethau CBC y De-ddwyrain y caiff yr aelod cyfetholedig weithredu mewn perthynas â hwy fel aelod o'r CBC, a
- (ii) unrhyw swyddogaeth sydd gan CBC y De-ddwyrain sy'n ategol i'r swyddogaethau hynny neu'n gysylltiedig â hwy,

(b) cael eu cytuno gan yr aelod cyfetholedig a'r aelodau eraill, ac

(c) cael eu nodi mewn cytundeb cyfethol.

(3) Pan fo gan aelod cyfetholedig, o dan baragraff (1), hawl i weithredu mewn perthynas ag—

(a) y swyddogaethau a roddir i CBC y De-ddwyrain o dan reoliad 13, a

(b) unrhyw swyddogaeth sydd gan CBC y De-ddwyrain sy'n ategol i'r swyddogaethau hynny neu'n gysylltiedig â hwy,

caiff aelod Bannau Brycheiniog weithredu fel aelod at ddibenion y paragraff hwnnw.

(b) the Brecon Beacons member is permitted, or required, to act in relation to that function by virtue of express provision in these Regulations or any other enactment.

(2C) An agreement under paragraph (2B)(a) must specify the terms on which the Brecon Beacons member may act in relation to the function concerned, including specifying the period for which the Brecon Beacons member is to act.”;

(b) in paragraph (3)—

- (i) for “discharge their functions” substitute “act as a member”;
- (ii) for “discharge those functions” substitute “act”.

(6) For regulation 9 (co-opted participants) substitute—

“Co-opted members

9.—(1) The South East Wales CJC may co-opt one or more individuals as members of the South East Wales CJC (a “co-opted member”) on such terms as it determines.

(2) Those terms must—

(a) specify—

- (i) the functions of the South East Wales CJC in relation to which the co-opted member may act as a member of the CJC, and
 - (ii) any function of the South East Wales CJC that is ancillary or incidental to those functions,
- (b) be agreed by the co-opted member and the other members, and
- (c) be set out in a co-option agreement.

(3) Where, under paragraph (1), a co-opted member is entitled to act in relation to—

- (a) the functions conferred on the South East Wales CJC under regulation 13, and
- (b) any function of the South East Wales CJC that is ancillary or incidental to those functions,

the Brecon Beacons member may act as a member for the purposes of that paragraph.

- (4) Caiff aelod cyfetholedig ei gyfethol—
- am gyfnod a bennir yn y cytundeb cyfethol, neu
 - hyd nes—
 - y bydd yr aelod cyfetholedig yn ymddiswyddo o CBC y De-ddwyrain, neu
 - y bydd CBC y De-ddwyrain yn terfynu'r cyfetholiad.
- (5) Mewn perthynas â chytundeb cyfethol—
- caniateir ei amrywio ar unrhyw adeg;
 - rhaid iddo gael ei gyhoeddi'n electronig gan CBC y De-ddwyrain."
- (7) Yn lle rheoliad 15 (dirprwyo swyddogaethau) rhodder—

"Cyfyngiad ar gyflawni swyddogaethau gan bersonau eraill"

15. Nid yw rheoliad 13 o Reoliadau Cyd-bwyllgorau Corfforedig (Cyffredinol) (Rhif 2) (Cymru) 2021 (trefniadau ar gyfer cyflawni swyddogaethau) yn gymwys i—

- cymeradwyo polisi trafnidiaeth, neu ddiwygio polisi o'r fath a ddatblygwyd yn rhinwedd rheoliad 12(1) o dan adran 108(1)(a) a (2A)(a) o Ran 2 o Ddeddf Trafnidiaeth 2000;
- y gweithredoedd a ganlyn sy'n gysylltiedig â llunio cynllun datblygu strategol, neu ddiwygio cynllun, o dan reoliad 13—
 - mabwysiadu cytundeb cyflawni, neu ddiwygio cytundeb o'r fath (gweler rheoliad 11(2) ac (8) o Reoliadau Cynllunio Gwlad a Thref (Cynllun Datblygu Strategol) (Cymru) 2021 ("y Rheoliadau CDS"));
 - cymeradwyo dogfennau cynigion cyn-adneuo a datganiad o faterion cyn-adneuo (gweler rheoliadau 17 a 18 o'r Rheoliadau CDS);
 - cymeradwyo adroddiad ymgynghori cychwynnol, dogfen cynigion yr CDS a datganiad o faterion adneuo (gweler rheoliad 20 o'r Rheoliadau CDS);
 - cymeradwyo dogfennau i'w hanfon at Weinidogion Cymru o dan adran 64(3) o Ddeddf Cynllunio a Phrynu Gorfodol 2004;

- (4) A co-opted member is co-opted—
- for a period specified in the co-option agreement, or
 - until—
 - the co-opted member resigns from the South East Wales CJC, or
 - the South East Wales CJC terminates the co-option.
- (5) A co-option agreement—
- may be varied at any time;
 - must be published electronically by the South East Wales CJC."
- (7) For regulation 15 (delegation of functions) substitute—

"Limitation on discharge of functions by other persons"

15. Regulation 13 of the Corporate Joint Committees (General) (No. 2) (Wales) Regulations 2021 (arrangements for discharge of functions) does not apply to—

- approving a transport policy, or revision of such a policy developed by virtue of regulation 12(1) under section 108(1)(a) and (2A)(a) of Part 2 of the Transport Act 2000;
- the following actions connected with the preparation of a strategic development plan, or revision of a plan, under regulation 13—
 - adopting a delivery agreement, or a revision of such an agreement (see regulation 11(2) and (8) of the Town and Country Planning (Strategic Development Plan) (Wales) Regulations 2021 ("the SDP Regulations"));
 - approving pre-deposit proposals documents and a statement of pre-deposit matters (see regulations 17 and 18 of the SDP Regulations);
 - approving an initial consultation report, SDP proposals document and a statement of deposit matters (see regulation 20 of the SDP Regulations);
 - approving documents to be sent to the Welsh Ministers under section 64(3) of the Planning and Compulsory Purchase Act 2004;

- (v) tynnu cynllun datblygu strategol yn ôl o dan adran 66A(2) o'r Ddeddf honno;
- (vi) mabwysiadu cynllun datblygu strategol o dan adran 60M(9)(a) o'r Ddeddf honno;
- (vii) cymeradwyo adroddiad monitro blynnyddol sydd i'w wneud o dan adran 76(1) o'r Ddeddf honno;
- (viii) cymeradwyo adroddiad adolygiad o gynllun datblygu strategol sydd i'w wneud o dan adran 69(2) o'r Ddeddf honno;
- (c) cytuno ar gyfrifiadau o ofynion cyllideb neu gyfrifiadau diwygiedig o dan reoliad 16(6)(b) a (9)."

(8) Yn rheoliad 17 (ariannu gofyniad cyllideb), ym mharagraff (2), yn lle "yr aelodau" rhodder "yr aelodau cyngor ac aelod Bannau Brycheiniog".

(9) Ym mharagraff 2 o'r Atodlen (penodi cadeirydd ac is-gadeirydd), yn is-baragraff (4)(b), yn lle "gyfranogwyr cyfetholedig" rhodder "aelodau eraill".

(10) Ym mharagraff 6 o'r Atodlen (y weithdrefn bleidleisio), yn lle is-baragraff (1)(a) rhodder—

- "(a) ni chaiff nifer yr aelodau cyfetholedig sydd â hawl i bleidleisio fod yn fwy na nifer yr aelodau eraill sydd â hawl i bleidleisio.",

(11) Ym mharagraff 7 o'r Atodlen (mabwysiadu gweithdrefn bleidleisio wahanol), yn lle is-baragraff (4) rhodder—

"(4) Rhaid i weithdrefn a fabwysiedir o dan y paragraff hwn gael ei mabwysiadu drwy gytundeb unfrydol yr aelodau sydd â hawl i bleidleisio ar fabwysiadu'r weithdrefn."

(12) Ym mharagraff 9 o'r Atodlen (darpariaeth gyffredinol o ran staffio)—

- (a) daw'r testun presennol yn is-baragraff (1);
- (b) ar ôl yr is-baragraff hwnnw mewnosoder—

"(2) Rhaid i CBC y De-ddwyrain sicrhau bod trefniadau a wneir o dan is-baragraff (1) yn rhai sy'n angenrheidiol er mwyn i CBC y De-ddwyrain gyflawni ei swyddogaethau'n briodol."

(13) Ym mharagraff 10 o'r Atodlen (telerau ac amodau), yn lle is-baragraff (2) rhodder—

"(2) Ond o ran is-baragraff (1)—

- (a) mae'n ddarostyngedig i adran 41 o Ddeddf Lleoliaeth 2011, a

(v) withdrawing a strategic development plan under section 66A(2) of that Act;

(vi) adopting a strategic development plan under section 60M(9)(a) of that Act;

(vii) approving an annual monitoring report to be made under section 76(1) of that Act;

(viii) approving a report of a review of a strategic development plan to be made under section 69(2) of that Act;

(c) agreeing calculations of budget requirements or revised calculations under regulation 16(6)(b) and (9)."

(8) In regulation 17 (funding of budget requirement), in paragraph (2), for "the members" substitute "the council members and the Brecon Beacons member".

(9) In paragraph 2 of the Schedule (appointment of chairperson and vice-chairperson), in sub-paragraph (4)(b), for "co-opted participants" substitute "other members".

(10) In paragraph 6 of the Schedule (voting procedure), for sub-paragraph (1)(a) substitute—

"(a) the number of co-opted members entitled to vote may not exceed the number of other members entitled to vote.",

(11) In paragraph 7 of the Schedule (adoption of alternative voting procedure), for sub-paragraph (4) substitute—

"(4) A procedure adopted under this paragraph must be adopted by the unanimous agreement of the members who are entitled to vote on adopting the procedure."

(12) In paragraph 9 of the Schedule (general provision as to staffing)—

- (a) the existing text becomes sub-paragraph (1);
- (b) after that sub-paragraph insert—

"(2) The South East Wales CJC must ensure that arrangements made under sub-paragraph (1) are such as are necessary for the proper discharge by the South East Wales CJC of its functions."

(13) In paragraph 10 of the Schedule (terms and conditions), for sub-paragraph (2) substitute—

"(2) But sub-paragraph (1)—

- (a) is subject to section 41 of the Localism Act 2011, and

- (b) nid yw'n atal CBC y De-ddwyrain rhag addasu telerau ac amodau staff y mae'n eu penodi os yw hynny'n ofynnol yn rhinwedd unrhyw ddeddfiad neu reol gyfreithiol arall.”
- (14) Ym mharagraff 11 o'r Atodlen (staff o awdurdodau eraill), ar ôl is-baragraff (2) mewnosoder—
- “(3) Ond, yn ddarostyngedig i unrhyw ddarpariaeth i'r gwrthwyneb mewn unrhyw ddeddfiad arall, at ddibenion blwydd-daliadau mae gwasanaeth a ddarperir gan aelod o staff awdurdod Cymreig datganoledig sydd wedi ei roi at ddefnydd CBC y De-ddwyrain yn rhinwedd cytundeb o'r fath yn wasanaeth a ddarperir i'r awdurdod.”
- (15) Hepgorer paragraff 15 o'r Atodlen (is-bwyllgorau).
- (16) Ym mharagraff 16 o'r Atodlen (is-bwyllgor llywodraethu ac archwilio)—
- (a) yn is-baragraff (2)(b) yn lle “gan” rhodder “o”;
 - (b) yn lle is-baragraff (2)(c) rhodder—
 - “(c) nad yw unrhyw un o aelodau o'r is-bwyllgor—
 - (i) yn aelod cyngor,
 - (ii) yn aelod cyfetholedig,
 - (iii) yn aelod o is-bwyllgor arall i CBC y De-ddwyrain, neu
 - (iv) yn aelod o weithrediaethau'r cynghorau cyfansoddol.”;
 - (c) hepgorer is-baragraff (3).

Rheoliadau Cyd-bwyllgor Corfforedig y De-orllewin (Cymru) 2021

37.—(1) Mae Rheoliadau Cyd-bwyllgor Corfforedig y De-orllewin (Cymru) 2021⁽¹⁾ wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 2 (dehongli), hepgorer y diffiniad o “cyfranogwr cyfetholedig” ac ar ôl y diffiniad o “aelod Bannau Brycheiniog” rhodder—

“mae i “aelod cyfetholedig” (“*co-opted member*”) yr ystyr a roddir gan reoliad 9(1);”.

(3) Yn rheoliad 6 (aelodaeth)—

- (a) ym mharagraff (1)—
 - (i) ar ddiwedd is-baragraff (b) hepgorer “a”;

- (b) does not prevent the South East Wales CJC from modifying the terms and conditions of staff it appoints if required by virtue of any other enactment or rule of law.”

(14) In paragraph 11 of the Schedule (staff from other authorities) after sub-paragraph (2) insert—

“(3) But, subject to any contrary provision in any other enactment, for superannuation purposes service rendered by a member of staff of a devolved Welsh authority placed at the disposal of the South East Wales CJC by virtue of such an agreement is service rendered to the authority.”

(15) Omit paragraph 15 of the Schedule (sub-committees).

(16) In paragraph 16 of the Schedule (governance and audit sub-committee)—

- (a) in sub-paragraph (2)(b) for “by” substitute “of”;
- (b) for sub-paragraph 2(c) substitute—
 - “(c) none of the members of the sub-committee are—
 - (i) council members,
 - (ii) co-opted members,
 - (iii) members of another sub-committee of the South East Wales CJC, or
 - (iv) members of the constituent councils' executives.”;
- (c) omit sub-paragraph (3).

The South West Wales Corporate Joint Committee Regulations 2021

37.—(1) The South West Wales Corporate Joint Committee Regulations 2021⁽¹⁾ are amended as follows.

(2) In regulation 2 (interpretation), for the definition of “co-opted participant” substitute—

““co-opted member” (“aelod cyfetholedig”) has the meaning given by regulation 9(1);”.

(3) In regulation 6 (membership)—

- (a) in paragraph (1)—
 - (i) at the end of sub-paragraph (b) omit “and”;

(1) O.S. 2021/352 (Cy. 104).

(1) S.I. 2021/352 (W. 104).

- (ii) ar ddiwedd is-baragraff (c) mewnosoder “, a”;
 - (iii) ar ôl is-baragraff (c) mewnosoder—
 - “(d) unrhyw aelod cyfetholedig.”;
 - (b) ym mharagraff (2), ar ôl “De-orllewin” mewnosoder “, yn ddarostyngedig i reoliadau 8(3A) a 9(2)”;
 - (c) hepgorer paragraff (3);
 - (d) ym mharagraff (4)—
 - (i) yn lle “ac”, yn yr ail le y mae’n digwydd, rhodder “,”;
 - (ii) yn lle “i’r graddau a ddisgrifir ym mharagraff (3),” rhodder “ac unrhyw aelod cyfetholedig”.
- (4) Yn rheoliad 7 (aelodau cyngor), ym mharagraff (2)—
- (a) yn lle “gyflawni ei swyddogaethau” rhodder “weithredu fel aelod cyngor”;
 - (b) yn lle “gyflawni’r swyddogaethau hynny” rhodder “weithredu”.
- (5) Yn rheoliad 8 (aelod Bannau Brycheiniog ac aelod Arfordir Penfro)—
- (a) ar ôl paragraff (3) mewnosoder—
 - “(3A) Ni chaiff aelod Bannau Brycheiniog neu aelod Arfordir Penfro, yn ôl y digwydd, weithredu fel aelod ond mewn perthynas ag—
 - (a) y swyddogaethau a roddir i CBC y De-orllewin o dan reoliad 13;
 - (b) unrhyw swyddogaeth sydd gan CBC y De-orllewin sy’n ategol i’r swyddogaethau hynny neu’n gysylltiedig â hwy.
 - “(3B) Ond caiff aelod Bannau Brycheiniog neu aelod Arfordir Penfro, yn ôl y digwydd, hefyd weithredu fel aelod mewn perthynas ag unrhyw swyddogaeth arall sydd gan CBC y De-orllewin—
 - (a) os yw’r aelodau cyngor ac aelod Bannau Brycheiniog neu aelod Arfordir Penfro (yn ôl y digwydd) yn cytuno, neu
 - (b) os caniateir i aelod Bannau Brycheiniog neu aelod Arfordir Penfro (yn ôl y digwydd) weithredu mewn perthynas â’r swyddogaeth honno, neu os yw’n ofynnol iddo wneud hynny, yn rhinwedd darpariaeth ddatganedig yn y Rheoliadau hyn neu mewn unrhyw ddeddfiad arall.
- (ii) at the end of sub-paragraph (c) insert “, and”;
 - (iii) after sub-paragraph (c) insert—
 - “(d) any co-opted member.”;
 - (b) in paragraph (2) after “CJC” insert “, subject to regulations 8(3A) and 9(2)”;
 - (c) omit paragraph (3);
 - (d) in paragraph (4)—
 - (i) for “and” where it appears in the second instance substitute “,”;
 - (ii) for “to the extent described in paragraph (3),” substitute “and any co-opted member”.
- (4) In regulation 7 (council members), in paragraph (2)—
- (a) for “discharge their functions” substitute “act as council member”;
 - (b) for “discharge those functions” substitute “act”.
- (5) In regulation 8 (Brecon Beacons and Pembrokeshire Coast member)—
- (a) after paragraph (3) insert—
 - “(3A) The Brecon Beacons member or the Pembrokeshire Coast member, as the case may be, may act as a member only in relation to—
 - (a) the functions conferred on the South West Wales CJC under regulation 13;
 - (b) any function of the South West Wales CJC that is ancillary or incidental to those functions.
 - “(3B) But the Brecon Beacons member or the Pembrokeshire Coast member, as the case may be, may also act as a member in relation to any other function of the South West Wales CJC if—
 - (a) the council members and the Brecon Beacons member or the Pembrokeshire Coast member (as the case may be) agree, or
 - (b) the Brecon Beacons member or the Pembrokeshire Coast member (as the case may be) is permitted, or required, to act in relation to that function by virtue of express provision in these Regulations or any other enactment.

(3C) Rhaid i gytundeb o dan baragraff (3B)(a) bennu'r telerau y caiff aelod Bannau Brycheiniog neu aelod Arfordir Penfro (yn ôl y digwydd) weithredu odanynt mewn perthynas â'r swyddogaeth o dan sylw, gan gynnwys pennu'r cyfnod pan fo aelod Bannau Brycheiniog neu aelod Arfordir Penfro i weithredu.”;

(b) ym mharagraff (4)—

- (i) yn lle “gyflawni ei swyddogaethau” rhodder “weithredu fel aelod”;
- (ii) yn lle “gyflawni'r swyddogaethau hynny” rhodder “weithredu”;
- (iii) ar ôl “aelod Arfordir Penfro”, yn yr ail le y mae'n digwydd, mewnosoder “(yn ôl y digwydd)”.

(6) Yn lle rheoliad 9 (cyfranogwyr cyfetholedig) rhodder—

“Aelodau cyfetholedig

9.—(1) Caiff CBC y De-orllewin gyfethol un neu ragor o unigolion i fod yn aelodau o CBC y De-orllewin (“aelod cyfetholedig”) ar y telerau hynny y mae'n eu pennu.

(2) Rhaid i'r telerau hynny—

(a) pennu—

- (i) swyddogaethau CBC y De-orllewin y caiff yr aelod cyfetholedig weithredu mewn perthynas â hwy fel aelod o'r CBC, a
- (ii) unrhyw swyddogaeth sydd gan CBC y De-orllewin sy'n ategol i'r swyddogaethau hynny neu'n gysylltiedig â hwy;

(b) cael eu cytuno gan yr aelod cyfetholedig a'r aelodau eraill, ac

(c) cael eu nodi mewn cytundeb cyfethol.

(3) Pan fo gan aelod cyfetholedig, o dan baragraff (1), hawl i weithredu mewn perthynas ag—

(a) y swyddogaethau a roddir i CBC y De-orllewin o dan reoliad 13, a

(b) unrhyw swyddogaeth sydd gan CBC y De-orllewin sy'n ategol i'r swyddogaethau hynny neu'n gysylltiedig â hwy,

caiff aelod Bannau Brycheiniog ac aelod Arfordir Penfro weithredu fel aelod at ddibenion y paragraff hwnnw.

(3C) An agreement under paragraph (3B)(a) must specify the terms on which the Brecon Beacons member or the Pembrokeshire Coast member (as the case may be) may act in relation to the function concerned, including specifying the period for which the Brecon Beacons member or the Pembrokeshire Coast member are to act.”;

(b) in paragraph (4)—

- (i) for “discharge their functions” substitute “act as a member”;
- (ii) for “discharge those functions” substitute “act”;
- (iii) after Pembrokeshire Coast member where it appears in the second instance insert “(as the case may be)”.

(6) For regulation 9 (co-opted participants) substitute—

“Co-opted members

9.—(1) The South West Wales CJC may co-opt one or more individuals as members of the South West Wales CJC (a “co-opted member”) on such terms as it determines

(2) Those terms must—

(a) specify—

(i) the functions of the South West Wales CJC in relation to which the co-opted member may act as a member of the CJC, and

(ii) any function of the South West Wales CJC that is ancillary or incidental to those functions;

(b) be agreed by the co-opted member and the other members, and

(c) be set out in a co-option agreement.

(3) Where, under paragraph (1), a co-opted member is entitled to act in relation to—

(a) the functions conferred on the South West Wales CJC under regulation 13, and

(b) any function of the South West Wales CJC that is ancillary or incidental to those functions,

the Brecon Beacons member and the Pembrokeshire Coast member may each act as a member for the purposes of that paragraph.

- (4) Caiff aelod cyfetholedig ei gyfethol—
- (a) am gyfnod a bennir yn y cytundeb cyfethol, neu
 - (b) hyd nes—
 - (i) y bydd yr aelod cyfetholedig yn ymddygyddo o CBC y De-orllewin, neu
 - (ii) y bydd CBC y De-orllewin yn terfynu'r cyfetholiad.
- (5) Mewn perthynas â chytundeb cyfethol—
- (a) caniateir ei amrywio ar unrhyw adeg;
 - (b) rhaid iddo gael ei gyhoeddi'n electronig gan CBC y De-orllewin.”
- (7) Yn lle rheoliad 15 (dirprwyo swyddogaethau) rhodder—

“Cyfyngiad ar gyflawni swyddogaethau gan bersonau eraill

15. Nid yw rheoliad 13 o Reoliadau Cyd-bwyllgorau Corfforedig (Cyffredinol) (Rhif 2) (Cymru) 2021 (trefniadau ar gyfer cyflawni swyddogaethau) yn gymwys i—

- (a) cymeradwyo polisi trafnidiaeth, neu ddiwygio polisi o'r fath a ddatblygwyd yn rhinwedd rheoliad 12(1) o dan adran 108(1)(a) a (2A)(a) o Ran 2 o Ddeddf Trafnidiaeth 2000;
- (b) y gweithredoedd a ganlyn sy'n gysylltiedig â llunio cynllun datblygu strategol, neu ddiwygio cynllun, o dan reoliad 13—
 - (i) mabwysiadu cytundeb cyflawni, neu ddiwygio cytundeb o'r fath (gweler rheoliad 11(2) ac (8) o Reoliadau Cynllunio Gwlad a Thref (Cynllun Datblygu Strategol) (Cymru) 2021 (“y Rheoliadau CDS”);
 - (ii) cymeradwyo dogfennau cynigion cyn-adneuo a datganiad o faterion cyn-adneuo (gweler rheoliadau 17 a 18 o'r Rheoliadau CDS);
 - (iii) cymeradwyo adroddiad ymgynghori cychwynnol, dogfen cynigion yr CDS a datganiad o faterion adneuo (gweler rheoliad 20 o'r Rheoliadau CDS);

- (4) A co-opted member is co-opted—
- (a) for a period specified in the co-option agreement, or
 - (b) until—
 - (i) the co-opted member resigns from the South West Wales CJC, or
 - (ii) the South West Wales CJC terminates the co-option.
- (5) A co-option agreement—
- (a) may be varied at any time;
 - (b) must be published electronically by the South West Wales CJC.”
- (7) For regulation 15 (delegation of functions) substitute—

“Limitation on discharge of functions by other persons

15. Regulation 13 of the Corporate Joint Committees (General) (No. 2) (Wales) Regulations 2021 (arrangements for discharge of functions) does not apply to—

- (a) approving a transport policy, or revision of such a policy developed by virtue of regulation 12(1) under section 108(1)(a) and (2A)(a) of Part 2 of the Transport Act 2000;
- (b) the following actions connected with the preparation of a strategic development plan, or revision of a plan, under regulation 13—
 - (i) adopting a delivery agreement, or a revision of such an agreement (see regulation 11(2) and (8) of the Town and Country Planning (Strategic Development Plan) (Wales) Regulations 2021 (“the SDP Regulations”));
 - (ii) approving pre-deposit proposals documents and a statement of pre-deposit matters (see regulations 17 and 18 of the SDP Regulations);
 - (iii) approving an initial consultation report, SDP proposals document and a statement of deposit matters (see regulation 20 of the SDP Regulations);

- (iv) cymeradwyo dogfennau i'w hanfon at Weinidogion Cymru o dan adran 64(3) o Ddeddf Cynllunio a Phrynu Gorfodol 2004;
 - (v) tynnu cynllun datblygu strategol yn ôl o dan adran 66A(2) o'r Ddeddf honno;
 - (vi) mabwysiadu cynllun datblygu strategol o dan adran 60M(9)(a) o'r Ddeddf honno;
 - (vii) cymeradwyo adroddiad monitro blynnyddol sydd i'w wneud o dan adran 76(1) o'r Ddeddf honno;
 - (viii) cymeradwyo adroddiad adolygiad o gynllun datblygu strategol sydd i'w wneud o dan adran 69(2) o'r Ddeddf honno;
 - (c) cytuno ar gyfrifiadau o ofynion cyllideb neu gyfrifiadau diwygiedig o dan reoliad 16(6)(b) a (9)."
- (8) Yn rheoliad 17 (ariannu gofyniad cyllideb), ym mharagraff (2)—
- (a) yn lle "yr Awdurdod" rhodder "bob Awdurdod";
 - (b) yn lle "yr aelodau" rhodder "yr aelodau cyngor, aelod Bannau Brycheiniog ac aelod Arfordir Penfro".
- (9) Ym mharagraff 2 o'r Atodlen (penodi cadeirydd ac is-gadeirydd), yn is-baragraff (4)(b), yn lle "gyfranogwyr cyfetholedig" rhodder "aelodau eraill".
- (10) Ym mharagraff 6 o'r Atodlen (y weithdrefn bleidleisio), yn lle is-baragraff (1)(a) rhodder—
- "(a) ni chaiff nifer yr aelodau cyfetholedig sydd â hawl i bleidleisio fod yn fwy na nifer yr aelodau eraill sydd â hawl i bleidleisio,".
- (11) Ym mharagraff 7 o'r Atodlen (mabwysiadu gweithdrefn bleidleisio wahanol), yn lle is-baragraff (4) rhodder—
- "(4) Rhaid i weithdrefn a fabwysiedir o dan y paragraff hwn gael ei mabwysiadu drwy gytundeb unfrydol yr aelodau sydd â hawl i bleidleisio ar fabwysiadu'r weithdrefn."
- (12) Ym mharagraff 9 o'r Atodlen (darpariaeth gyffredinol o ran staffio)—
- (a) daw'r testun presennol yn is-baragraff (1);
 - (b) ar ôl yr is-baragraff hwnnw mewnosoder—
- (iv) approving documents to be sent to the Welsh Ministers under section 64(3) of the Planning and Compulsory Purchase Act 2004;
 - (v) withdrawing a strategic development plan under section 66A(2) of that Act;
 - (vi) adopting a strategic development plan under section 60M(9)(a) of that Act;
 - (vii) approving an annual monitoring report to be made under section 76(1) of that Act;
 - (viii) approving a report of a review of a strategic development plan to be made under section 69(2) of that Act;
 - (c) agreeing calculations of budget requirements or revised calculations under regulation 16(6)(b) and (9)."
- (8) In regulation 17 (funding of budget requirement), in paragraph (2)—
- (a) for "by the Authority" substitute "by each Authority";
 - (b) for "the members" substitute "the council members, the Brecon Beacons member and the Pembrokeshire Coast member".
- (9) In paragraph 2 of the Schedule (appointment of chairperson and vice-chairperson), in sub-paragraph (4)(b), for "co-opted participants" substitute "other members".
- (10) In paragraph 6 of the Schedule (voting procedure), for sub-paragraph (1)(a) substitute—
- "(a) the number of co-opted members entitled to vote may not exceed the number of other members entitled to vote."
- (11) In paragraph 7 of the Schedule (adoption of alternative voting procedure), for sub-paragraph (4) substitute—
- "(4) A procedure adopted under this paragraph must be adopted by the unanimous agreement of the members who are entitled to vote on adopting the procedure."
- (12) In paragraph 9 of the Schedule (general provision as to staffing)—
- (a) the existing text becomes sub-paragraph (1);
 - (b) after that sub-paragraph insert—

“(2) Rhaid i CBC y De-orllewin sicrhau bod trefniadau a wneir o dan is-baragraff (1) yn rhai sy’n angenheidol er mwyn i CBC y De-orllewin gyflawni ei swyddogaethau’n briodol.”

(13) Ym mharagraff 10 o’r Atodlen (telerau ac amodau), yn lle is-baragraff (2) rhodder—

“(2) Ond o ran is-baragraff (1)—

- (a) mae’n ddarostyngedig i adran 41 o Ddeddf Lleoliaeth 2011, a
- (b) nid yw’n atal CBC y De-orllewin rhag addasu telerau ac amodau staff y mae’n eu penodi os yw hynny’n ofynnol yn rhinwedd unrhyw ddeddfiad neu reol gyfreithiol arall.”

(14) Ym mharagraff 11 o’r Atodlen (staff o awdurdodau eraill), ar ôl is-baragraff (2) mewnosoder—

“(3) Ond, yn ddarostyngedig i unrhyw ddarpariaeth i’r gwrthwyneb mewn unrhyw ddeddfiad arall, at ddibenion blwydd-daliadau mae gwasanaeth a ddarperir gan aelod o staff awdurdod Cymreig datganoledig sydd wedi ei roi at ddefnydd CBC y De-orllewin yn rhinwedd cytundeb o’r fath yn wasanaeth a ddarperir i’r awdurdod.”

(15) Hepgorer paragraff 15 o’r Atodlen (is-bwyllgorau).

(16) Ym mharagraff 16 o’r Atodlen (is-bwyllgor llywodraethu ac archwilio)—

(a) yn is-baragraff (2)(b) yn lle “gan” rhodder “o”;

(b) yn lle is-baragraff (2)(c) rhodder—

“(c) nad yw unrhyw un o aelodau o’r is-bwyllgor—

- (i) yn aelod cyngor,
- (ii) yn aelod cyfetholedig,
- (iii) yn aelod o is-bwyllgor arall i CBC y De-orllewin, neu
- (iv) yn aelod o weithrediaethau’r cynghorau cyfansoddol.”;

(c) hepgorer is-baragraff (3).

“(2) The South West Wales CJC must ensure that arrangements made under sub-paragraph (1) are such as are necessary for the proper discharge by the South West Wales CJC of its functions.”

(13) In paragraph 10 of the Schedule (terms and conditions), for sub-paragraph (2) substitute—

“(2) But sub-paragraph (1)—

- (a) is subject to section 41 of the Localism Act 2011, and
- (b) does not prevent the South West Wales CJC from modifying the terms and conditions of staff it appoints if required by virtue of any other enactment or rule of law.”

(14) In paragraph 11 of the Schedule (staff from other authorities) after sub-paragraph (2) insert—

“(3) But, subject to any contrary provision in any other enactment, for superannuation purposes service rendered by a member of staff of a devolved Welsh authority placed at the disposal of the South West Wales CJC by virtue of such an agreement is service rendered to the authority.”

(15) Omit paragraph 15 of the Schedule (sub-committees).

(16) In paragraph 16 of the Schedule (governance and audit sub-committee)—

(a) in sub-paragraph (2)(b) for “by” substitute “of”;

(b) for sub-paragraph 2(c) substitute—

“(c) none of the members of the sub-committee are—

- (i) council members,
- (ii) co-opted members,
- (iii) members of another sub-committee of the South West Wales CJC, or
- (iv) members of the constituent councils’ executives.”;

(c) omit sub-paragraph (3).

Deddf Llywodraeth Leol 1972

38. Yn adran 270 o Ddeddf 1972, yn is-adran (1), ar ôl y diffiniad o “Common Council” mewnosoder—

“corporate joint committee” means a corporate joint committee established by regulations under Part 5 of the Local Government and Elections (Wales) Act 2021;”

Local Government Act 1972

38. In section 270 of the 1972 Act, in subsection (1), after the definition of “Common Council” insert—

“corporate joint committee” means a corporate joint committee established by regulations under Part 5 of the Local Government and Elections (Wales) Act 2021;”

Deddf Cyllid Llywodraeth Leol 1988

- 39.** Yn adran 111 o Ddeddf 1988 (dehongli)—
(a) yn is-adran (2) (awdurdodau perthnasol), ar ôl paragraft (n) mewnosoder—
“(o) a corporate joint committee”;
(b) ar ôl is-adran (3C) mewnosoder—
“(3D) In this Part “corporate joint committee” means a corporate joint committee established by regulations under Part 5 of the Local Government and Elections (Wales) Act 2021.”

Deddf Llywodraeth Leol a Thai 1989

- 40.** Yn adran 21 o Ddeddf 1989 (dehongli Rhan 1), yn is-adran (3), yn y lle priodol, mewnosoder—

““corporate joint committee” means a corporate joint committee established by regulations under Part 5 of the Local Government and Elections (Wales) Act 2021;”.

Mesur Llywodraeth Leol (Cymru) 2011

- 41.** Yn adran 175 o Fesur 2011 (dehongli), ar ôl y diffiniad o “awdurdod lleol” mewnosoder—

“ystyr “cyd-bwyllgor corfforedig” (“corporate joint committee”) yw cyd-bwyllgor corfforedig a sefydlir gan reoliadau o dan Ran 5 o Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021;”.

Deddf Llywodraeth Leol ac Etholiadau (Cymru) 2021

- 42.**—(1) Mae Deddf 2021 wedi ei diwygio fel a ganlyn.

(2) Yn adran 171 (dehongli), yn is-adran (1), ar ôl y diffiniad o “awdurdod Tân ac achub” mewnosoder—

“mae i “cyd-bwyllgor corfforedig” (“corporate joint committee”) yr un ystyr ag yn adran 68 o’r Ddeddf hon;”.

(3) Yn Atodlen 5—

- (a) ym mharagraff 3—
(i) yn lle is-baragraff (a) rhodder—
“(a) yn lle paragraff (a) rhodder—
“(a) with—
(i) in the case of a Welsh county council or county borough council, the person who is for the time being

Local Government Finance Act 1988

- 39.** In section 111 of the 1988 Act (interpretation)—
(a) in subsection (2) (relevant authorities), after paragraph (n) insert—
“(o) a corporate joint committee”;
(b) after subsection (3C) insert—
“(3D) In this Part “corporate joint committee” means a corporate joint committee established by regulations under Part 5 of the Local Government and Elections (Wales) Act 2021.”

Local Government and Housing Act 1989

- 40.** In section 21 of the 1989 Act (interpretation of Part 1), in subsection (3), at the appropriate place, insert—

““corporate joint committee” means a corporate joint committee established by regulations under Part 5 of the Local Government and Elections (Wales) Act 2021;”

Local Government (Wales) Measure 2011

- 41.** In section 175 of the 2011 Measure (interpretation), before the definition of “enactment” insert—

““corporate joint committee” (“cyd-bwyllgor corfforedig”) means a corporate joint committee established by regulations under Part 5 of the Local Government and Elections (Wales) Act 2021;”

The Local Government and Elections (Wales) Act 2021

- 42.**—(1) The 2021 Act is amended as follows.

(2) In section 171 (interpretation), in subsection (1), after the definition of “2013 Act” insert—

““corporate joint committee” (“cyd-bwyllgor corfforedig”) has the same meaning as in section 68 of this Act;”.

(3) In Schedule 5—

- (a) in paragraph 3—
(i) for sub-paragraph (a) substitute—
“(a) for paragraph (a) substitute—
“(a) with—
(i) in the case of a Welsh county council or county borough council, the person who is for the time being

- appointed as the authority's chief executive under section 54 of the Local Government and Elections (Wales) Act 2021;
- (ii) in the case of a corporate joint committee, the person who is for the time being appointed as the authority's chief executive;
 - (iii) in any other case, the person who is for the time being designated as the head of the authority's paid service under section 4 of the Local Government and Housing Act 1989;.”
- (ii) hepgorer is-baragraff (b);
- (b) ym mharagraff 9, yn lle is-baragraff (c) rhodder—
- “(c) yn lle is-adran (3)(a) rhodder—
- “(a) in preparing a report under this section to consult so far as practicable with—
 - (i) in the case of a relevant authority which is the council of a county or county borough in Wales, the person who is for the time being the authority's chief executive and with their chief finance officer;
 - (ii) in the case of a relevant authority which is a corporate joint committee, the person who is for the time being appointed as the authority's chief executive and with their chief finance officer;
 - (iii) in the case of any other relevant authority, the person who is for the time being designated as the head of the authority's paid service under section 4 above and with their chief finance officer;”;
- (c) ym mharagraff 17 (diwygiadau i adran 43 o Ddeddf 2011), yn is-baragraff (a), yn lle'r testun a fewnosodir rhodder—
- “(aa) its chief executive appointed under—
- appointed as the authority's chief executive under section 54 of the Local Government and Elections (Wales) Act 2021;
- (ii) in the case of a corporate joint committee, the person who is for the time being appointed as the authority's chief executive;
 - (iii) in any other case, the person who is for the time being designated as the head of the authority's paid service under section 4 of the Local Government and Housing Act 1989;.”
- (ii) omit sub-paragraph (b);
- (b) in paragraph 9, for sub-paragraph (c) substitute
- “(c) for subsection (3)(a) substitute—
- “(a) in preparing a report under this section to consult so far as practicable with—
 - (i) in the case of a relevant authority which is the council of a county or county borough in Wales, the person who is for the time being the authority's chief executive and with their chief finance officer;
 - (ii) in the case of a relevant authority which is a corporate joint committee, the person who is for the time being appointed as the authority's chief executive and with their chief finance officer;
 - (iii) in the case of any other relevant authority, the person who is for the time being designated as the head of the authority's paid service under section 4 above and with their chief finance officer;”;
- (c) in paragraph 17 (amendments to section 43 of the 2011 Act), in sub-paragraph (a), for the inserted text substitute—
- “(aa) its chief executive appointed under—

- (i) section 54 of the Local Government and Elections (Wales) Act 2021 (chief executive of council in Wales), or
- (ii) regulations made under Part 5 of that Act (chief executive of a corporate joint committee)."

Rheoliadau Cyd-bwyllgorau Corfforedig (Cyffredinol) (Cymru) 2021

43.—(1) Mae Rheoliadau Cyd-bwyllgorau Corfforedig (Cyffredinol) (Cymru) 2021(1) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 2 mae'r diffiniadau o "cyfranogwr cyfetholedig" ac "aelod" wedi eu hepgor.

(3) Yn rheoliad 3, lle y mae'n ymddangos yn y pennawd ac yng nghorff y rheoliad, yn lle "cyfranogwyr cyfetholedig" rhodder "aelodau o is-bwyllgor".

(4) Yn Atodlen 1, ym mharagraff 1—

- (a) yn y pennawd, yn lle "a chyfranogwyr cyfetholedig" rhodder "ac aelodau o is-bwyllgor".
- (b) yn is-baragraff (1)(a)(ii), yn lle "gyfranogwyr cyfetholedig" rhodder "aelod o is-bwyllgor".

- (i) section 54 of the Local Government and Elections (Wales) Act 2021 (chief executive of council in Wales), or
- (ii) regulations made under Part 5 of that Act (chief executive of a corporate joint committee)."'

The Corporate Joint Committees (General) (Wales) Regulations 2021

43.—(1) The Corporate Joint Committees (General) (Wales) Regulations 2021 (1) are amended as follows.

(2) In regulation 2 the definitions of "co-opted participant" and "member" are omitted.

(3) In regulation 3, both where it appears in the heading and in the body of the regulation, for "co-opted participants" substitute "sub-committee members".

(4) In Schedule 1, in paragraph 1—

- (a) in the heading, for co-opted participants" substitute "sub-committee members";
- (b) in sub-paragraph (1)(a)(ii), for "co-opted participant" substitute "a member of a sub-committee".

Rebecca Evans

Y Gweinidog Cyllid a Llywodraeth Leol, un o
Weinidogion Cymru
Am 9.30 a.m. ar 1 Rhagfyr 2021

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Minister for Finance and Local Government, one of
the Welsh Ministers
At 9.30 a.m. on 1 December 2021

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