OFFERYNNAU STATUDOL CYMRU

2021 Rhif 193 (Cy. 44)

LLYWODRAETH LEOL, CYMRU

CYNRYCHIOLAETH Y BOBL, CYMRU

Rheoliadau Cynrychiolaeth y Bobl (Diwygio) (Cymru) (Coronafeirws) 2021

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn gwneud darpariaeth mewn perthynas â phleidleisio drwy ddirprwy mewn is-etholiadau llywodraeth leol penodol.

Mae rheoliad 2 yn diwygio Rheoliadau Cynrychiolaeth y Bobl (Cymru a Lloegr) 2001, er mwyn darparu sail ychwanegol i geiswyr wneud cais am bleidleisiau drwy ddirprwyon brys, neu newid eu dirprwy enwebedig, yn yr is-etholiadau hyn. Mae'r sail ychwanegol hon yn ymwneud â phersonau nad ydynt yn gallu mynd i orsaf bleidleisio yn bersonol o ganlyniad i ddilyn deddfwriaeth berthnasol, canllawiau perthnasol neu gyngor meddygol perthnasol mewn perthynas â'r pandemig COVID-19.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, ystyriwyd nad oedd yn angenrheidiol cynnal asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn.

WELSH STATUTORY INSTRUMENTS

2021 No. 193 (W. 44)

LOCAL GOVERNMENT, WALES

REPRESENTATION OF THE PEOPLE, WALES

The Representation of the People (Amendment) (Wales) (Coronavirus) Regulations 2021

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision in relation to proxy voting at certain local government by-elections.

Regulation 2 amends the Representation of the People (England and Wales) Regulations 2001, so as to provide applicants with additional grounds for applying for emergency proxy votes, or changing their nominated proxy, at these by-elections. These additional grounds relate to persons who are unable to attend a polling station in person as a result of following relevant legislation, guidance or medical advice in relation to the COVID-19 pandemic.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

OFFERYNNAU STATUDOL CYMRU

2021 Rhif 193 (Cy. 44)

LLYWODRAETH LEOL, CYMRU

CYNRYCHIOLAETH Y BOBL, CYMRU

Rheoliadau Cynrychiolaeth y Bobl (Diwygio) (Cymru) (Coronafeirws) 2021

Gwnaed	*24 Chwefror 2021*
Yn dod i rym	*25 Chwefror 2021*

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir i'r Ysgrifennydd Gwladol gan baragraffau 4(2)(c) a 6(7) ac (8) o Atodlen 4 i Ddeddf Cynrychiolaeth y Bobl 2000(**1**) ac sydd bellach yn arferadwy ganddynt hwy(**2**), yn gwneud y Rheoliadau a ganlyn.

Yn unol ag adran 201(2) o Ddeddf Cynrychiolaeth y Bobl 1983(**3**), gosodwyd drafft o'r offeryn hwn gerbron Senedd Cymru ac fe'i cymeradwywyd ganddi drwy benderfyniad.

WELSH STATUTORY INSTRUMENTS

2021 No. 193 (W. 44)

LOCAL GOVERNMENT, WALES

REPRESENTATION OF THE PEOPLE, WALES

The Representation of the People (Amendment) (Wales) (Coronavirus) Regulations 2021

Made	*24 February 2021*
Coming into force	*25 February 2021*

The Welsh Ministers, in exercise of the powers conferred on the Secretary of State by paragraphs 4(2)(c) and 6(7) and (8) of Schedule 4 to the Representation of the People Act 2000(**1**) and now exercisable by them(**2**), make the following Regulations.

In accordance with section 201(2) of the Representation of the People Act 1983(**3**), a draft of this instrument has been laid before and approved by a resolution of Senedd Cymru.

(**1**) 2000 p. 2; gwnaed diwygiadau perthnasol i Atodlen 4 gan adran 14(2)(a) ac (8) o Ddeddf Gweinyddu Etholiadol 2006 (p. 22). Am y diffiniad o "prescribed" gweler adran 202(1) o Ddeddf Cynrychiolaeth y Bobl 1983 (p. 2) i'w darllen ynghyd â pharagraff 1(2) o Atodlen 4 i Ddeddf Cynrychiolaeth y Bobl 2000.

(**2**) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol i Weinidogion Cymru gan erthygl 45 o Orchymyn Gweinidogion Cymru (Trosglwyddo Swyddogaethau) 2018 (O.S. 2018/644) ac Atodlen 1 iddo.

(**3**) 1983 p. 2; mae paragraff 1(2) o Atodlen 4 i Ddeddf Cynrychiolaeth y Bobl 2000 yn darparu y bydd Atodlen 4 yn cael effaith fel pe bai wedi ei chynnwys yn Rhan 1 o Ddeddf Cynrychiolaeth y Bobl 1983.

(**1**) 2000 c. 2; relevant amendments to Schedule 4 were made by the Electoral Administration Act 2006 (c. 22), section 14(2)(a) and (8). For the definition of "prescribed" see section 202(1) of the Representation of the People Act 1983 (c. 2) read together with paragraph 1(2) of Schedule 4 to the Representation of the People Act 2000.

(**2**) Functions of the Secretary of State were transferred to the Welsh Ministers by article 45 of, and Schedule 1 to, the Welsh Ministers (Transfer of Functions) Order 2018 (S.I. 2018/644).

(**3**) 1983 c. 2; paragraph 1(2) of Schedule 4 to the Representation of the People Act 2000 provides that Schedule 4 shall have effect as if it were contained in Part 1 of the Representation of the People Act 1983.

Enwi a chychwyn

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Cynrychiolaeth y Bobl (Diwygio) (Cymru) (Coronafeirws) 2021.

(2) Daw'r Rheoliadau hyn i rym drannoeth y diwrnod y'u gwneir.

Diwygio Rheoliadau Cynrychiolaeth y Bobl (Cymru a Lloegr) 2001

2.—(1) Mae Rheoliadau Cynrychiolaeth y Bobl (Cymru a Lloegr) 2001(**1**) wedi eu diwygio fel a ganlyn.

(2) Ar ddechrau rheoliad 56(2)(**2**) mewnosoder "Subject to paragraph (3B),".

(3) Yn rheoliad 56(3B)—

(a) yn lle "paragraph 4(2)" rhodder "paragraphs 4(2), 6(7) or 6(8)"; a

(b) dileer ", or an application under paragraph 6(8) of that Schedule made by virtue of that application,".

(4) Ar ddiwedd rheoliad 56(3C), ar ôl "the Local Government (Coronavirus) (Postponement of Elections) (Wales) Regulations 2020" mewnosoder "or will take place between 25 February 2021 and 4 November 2021".

Title and commencement

1.—(1) The title of these Regulations is the Representation of the People (Amendment) (Wales) (Coronavirus) Regulations 2021.

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

Amendment of the Representation of the People (England and Wales) Regulations 2001

2.—(1) The Representation of the People (England and Wales) Regulations 2001(**1**) are amended as follows..

(2) At the beginning of regulation 56(2)(**2**) insert "Subject to paragraph (3B),".

(3) In regulation 56(3B)—

(a) for "paragraph 4(2)" insert "paragraphs 4(2), 6(7) or 6(8)"; and

(b) remove ", or an application under paragraph 6(8) of that Schedule made by virtue of that application,".

(4) At the end of regulation 56(3C), after "the Local Government (Coronavirus) (Postponement of Elections) (Wales) Regulations 2020" insert "or will take place between 25 February 2021 and 4 November 2021".

Julie James

Y Gweinidog Tai a Llywodraeth Leol, un o Weinidogion Cymru
24 Chwefror 2021

Minister for Housing and Local Government, one of the Welsh Ministers
24 February 2021

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(**1**) O.S. 2001/341.
(**2**) Gwnaed diwygiadau perthnasol i reoliad 56 gan O.S. 2006/752, O.S. 2006/2910, O.S. 2013/3198 ac O.S. 2020/1399 (Cy. 310).

(**1**) S.I. 2001/341.
(**2**) Relevant amendments to regulation 56 were made by S.I. 2006/752, S.I. 2006/2910, S.I. 2013/3198 and S.I. 2020/1399 (W. 310).

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