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OFFER YNNAU STATUDOL  
CYMRU

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**2022 Rhif 533 (Cy. 125)**

**LLYWODRAETH LEOL,  
CYMRU**

Rheoliadau Deddf Llywodraeth  
Leol ac Etholiadau (Cymru) 2021  
(Diwygiadau Canlyniadol) (Rhannu  
Swydd a Chynorthwywyr  
Gweithrediaeth) 2022

**NODYN ESBONIADOL**

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

Mae'r Rheoliadau hyn yn gwneud diwygiadau sy'n ganlyniadol i adrannau 57 a 58 o Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021 ("Deddf 2021"), ac Atodlen 7 iddi, sy'n diwygio darpariaethau yn Rhan 2 o Ddeddf Llywodraeth Leol 2000 ("Deddf 2000"), ac Atodlen 1 iddi. Mae adran 57 o Ddeddf 2021 yn ymwnaed â phenodi cynorthwywyr gweithrediaeth awdurdod lleol ac mae adran 58 ac Atodlen 7 yn gwneud darpariaeth sy'n ymwnaed â rhannu swydd ar weithrediaeth awdurdod lleol.

Mae rheoliad 2 yn diwygio darpariaethau Mesur Llywodraeth Leol (Cymru) 2011 i ddarparu y caniateir i ddau neu ragor o aelodau awdurdod lleol sy'n rhannu swydd ar y weithrediaeth gael eu penodi i bwyllgor gwasanaethau democraidd awdurdod lleol, neu bwyllgor llywodraethu ac archwilio awdurdod lleol, ond nad yw'r aelodau hynny gyda'i gilydd ond yn cyfrif fel un aelod at y dibenion a bennir mewn cysylltiad â phob pwylgor (aelodaeth, pleidleisio a hawlio cyfarfod).

Mae rheoliad 3 yn diwygio Rheoliadau Pwyllgorau Safonau (Cymru) 2001 ("Rheoliadau 2001") i ddarparu na chaiff pwylgor safonau awdurdod lleol ond cynnwys naill ai un aelod gweithrediaeth neu un cynorthwydd gweithrediaeth, o'r awdurdod lleol hwnnw. At hynny, pan fo dau neu ragor o awdurdodau lleol yn sefydlu cyd-bwyllgor safonau, ni chaiff y pwylgor hwnnw ond cynnwys naill ai un aelod gweithrediaeth neu un cynorthwydd gweithrediaeth, o bob awdurdod lleol cyfansoddol.

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WELSH STATUTORY  
INSTRUMENTS

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**2022 No. 533 (W. 125)**

**LOCAL GOVERNMENT,  
WALES**

The Local Government and  
Elections (Wales) Act 2021  
(Consequential Amendments) (Job-  
sharing and Assistants to the  
Executive) Regulations 2022

**EXPLANATORY NOTE**

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

These Regulations make amendments which are consequential on sections 57 and 58 of, and Schedule 7 to, the Local Government and Elections (Wales) Act 2021 ("the 2021 Act"), which amend provisions in Part 2 of, and Schedule 1 to, the Local Government Act 2000 ("the 2000 Act"). Section 57 of the 2021 Act relates to the appointment of assistants to a local authority executive while section 58 and Schedule 7 make provision relating to the sharing of office on a local authority executive.

Regulation 2 amends provisions of the Local Government (Wales) Measure 2011 to provide that two or more members of a local authority who share office on the executive, may be appointed to a local authority's democratic services committee, or a local authority's governance and audit committee but that those members together only count as one member for the purposes specified in respect of each committee (membership, voting and requisitioning a meeting).

Regulation 3 amends the Standards Committee (Wales) Regulations 2001 ("the 2001 Regulations") to provide that a local authority standards committee can only include either one executive member or one assistant to the executive, from that local authority. Further, where two or more local authorities establish a joint standards committee, then that committee can only include either one executive member or one assistant to the executive, from each constituent local authority.

Mae rheoliad 3 hefyd yn diwygio Rheoliadau 2001 i ddarparu y caniateir i ddau neu ragor o aelodau gweithrediaeth awdurdod lleol sy'n rhannu swydd gael eu penodi i bwylgor safonau awdurdod lleol, ond nad yw'r aelodau hynny gyda'i gilydd ond yn cyfrif fel un aelod at y dibenion a bennir (maint a chyfansoddiad y pwylgor, pleidleisio a chworpwm).

Mae rheoliad 4 yn diwygio Gorchymyn Awdurdodau Lleol (Trefniadau Gweithredol a Threfniadau Amgen) (Addasu Deddfiadau a Darpariaethau Eraill) (Cymru) 2002 i ddarparu nad yw maer dros dro nac aelodau gweithrediaeth dros dro i'w trin fel aelodau o weithrediaeth awdurdod lleol at ddiben y terfyn statudol a osodwyd ar nifer aelodau'r weithrediaeth a nodir yn adran 11 o Ddeddf 2000.

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.

Regulation 3 also amends the 2001 Regulations to provide that two or more members of a local authority executive who share office may be appointed to a local authority's standards committee but that those members together only count as one member for the purposes specified (size and composition of the committee, voting and quorum).

Regulation 4 amends the Local Authorities (Executive and Alternative Arrangements) (Modification of Enactments and Other Provisions) (Wales) Order 2002 to provide that neither an interim mayor nor interim executive members, are to be treated as members of a local authority executive for the purpose of the statutory limit imposed on the number of executive members set out in section 11 of the 2000 Act.

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.

2022 Rhif 533 (Cy. 125)

**LLYWODRAETH LEOL,  
CYMRU**

Rheoliadau Deddf Llywodraeth  
Leol ac Etholiadau (Cymru) 2021  
(Diwygiadau Canlyniadol) (Rhannu  
Swydd a Chynorthwywyr  
Gweithrediaeth) 2022

Gwnaed

11 Mai 2022

*Yn dod i rym*

13 Mai 2022

Mae Gweinidogion Cymru yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddir iddynt gan adran 173 o Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021(1).

Gosodwyd drafft o'r Rheoliadau hyn gerbron Senedd Cymru ac fe'i cymeradwywyd ganddi drwy benderfyniad yn unol ag adran 174(4) a (5)(t) o'r Ddeddf honno.

**RHAN 1**  
**Cyffredinol**

**Enwi a chychwyn**

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Deddf Llywodraeth Leol ac Etholiadau (Cymru) 2021 (Diwygiadau Canlyniadol) (Rhannu Swydd a Chynorthwywyr Gweithrediaeth) 2022.

(2) Daw'r Rheoliadau hyn i rym ar 13 Mai 2022.

2022 No. 533 (W. 125)

**LOCAL GOVERNMENT,  
WALES**

The Local Government and  
Elections (Wales) Act 2021  
(Consequential Amendments) (Job-  
sharing and Assistants to the  
Executive) Regulations 2022

Made

11 May 2022

*Coming into force*

13 May 2022

The Welsh Ministers make the following Regulations in exercise of the powers conferred on them by section 173 of the Local Government and Elections (Wales) Act 2021(1).

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

**PART 1**  
**General**

**Title and commencement**

1.—(1) The title of these Regulations is the Local Government and Elections (Wales) Act 2021 (Consequential Amendments) (Job-sharing and Assistants to the Executive) Regulations 2022.

(2) These Regulations come into force on 13 May 2022.

(1) 2021 dsc 1.

(1) 2021 asc 1.

## RHAN 2

### Diwygio deddfwriaeth sylfaenol

#### Mesur Llywodraeth Leol (Cymru) 2011

2.—(1) Mae Mesur Llywodraeth Leol (Cymru) 2011<sup>(1)</sup> wedi ei ddiwygio fel a ganlyn.

(2) Yn adran 12 (aelodaeth pwylgor gwasanaethau democrataidd)—

(a) yn is-adran (2)(b), ar ôl “weithrediaeth yr awdurdod” mewnosoder “(ond gweler is-adran (6));”;

(b) ar ôl is-adran (5) mewnosoder—

“(6) Os penodir dau neu ragor o aelodau awdurdod lleol i'r weithrediaeth i rannu swydd, caniateir penodi mwy nag un o'r aelodau hynny i bwylgor gwasanaethau democrataidd yr awdurdod (ac os y'u penodir hwy felly, gyda'i gilydd maent yn cyfrif fel un aelod gweithrediaeth at ddibenion is-adran (2)(b)).”

(3) Yn adran 14 (trafodion pwylgor gwasanaethau democrataidd), ar ôl is-adran (4) mewnosoder—

“(4A) Os yw dau neu ragor o aelodau pwylgor gwasanaethau democrataidd yn aelodau o'r weithrediaeth sy'n rhannu swydd, mae gan yr aelodau hynny un bleidlais rhyngddynt at ddibenion is-adran (4).”

(4) Yn adran 15 (pa mor aml y cynhelir cyfarfodydd pwylgor gwasanaethau democrataidd), ar ôl is-adran (2) mewnosoder—

“(2A) Os yw dau neu ragor o aelodau pwylgor gwasanaethau democrataidd yn aelodau o'r weithrediaeth sy'n rhannu swydd, nid yw'r aelodau hynny gyda'i gilydd ond yn cyfrif fel un aelod o'r pwylgor at ddibenion is-adran (2)(b).”

(5) Yn adran 82 (aelodaeth pwylgor llywodraethu ac archwilio)—

(a) yn is-adran (2)(c), ar ôl “weithrediaeth yr awdurdod” mewnosoder “(ond gweler is-adran (8));”;

(b) ar ôl is-adran (7) mewnosoder—

“(8) Os yw dau neu ragor o aelodau awdurdod lleol wedi eu penodi i'r weithrediaeth i rannu swydd, caniateir penodi mwy nag un o'r aelodau hynny i bwylgor llywodraethu ac archwilio yr awdurdod (ac os y'u penodir hwy felly, gyda'i gilydd maent yn cyfrif fel un aelod gweithrediaeth at ddibenion is-adran (2)(c)).”

## PART 2

### Amendments to primary legislation

#### Local Government (Wales) Measure 2011

2.—(1) The Local Government (Wales) Measure 2011<sup>(1)</sup> is amended as follows.

(2) In section 12 (membership of democratic services committee)—

(a) in subsection (2)(b), after “authority's executive” insert “(but see subsection (6));”;

(b) after subsection (5) insert—

“(6) If two or more members of a local authority are appointed to the executive to share office, more than one of those members may be appointed to its democratic services committee (and if they are so appointed, together they count as one executive member for the purposes of subsection (2)(b)).”

(3) In section 14 (proceedings of a democratic services committee), after subsection (4) insert—

“(4A) If two or more members of a democratic services committee are members of the executive who share office, those members have between them one vote for the purposes of subsection (4).”

(4) In section 15 (frequency of meetings of a democratic services committee), after subsection (2) insert—

“(2A) If two or more members of a democratic services committee are members of the executive who share office, those members together count only as one member of the committee for the purposes of subsection (2)(b).”

(5) In section 82 (membership of governance and audit committee)—

(a) in subsection (2)(c), after “authority's executive” insert “(but see subsection (8));”;

(b) after subsection (7) insert—

“(8) If two or more members of a local authority are appointed to the executive to share office, more than one of those members may be appointed to its governance and audit committee (and if they are so appointed, together they count as one executive member for the purposes of subsection (2)(c)).”

(1) 2011 mecc 4; diwygiwyd adrannau 12 a 82 gan baragraff 6 o Atodlen 6 a pharagraff 4 o Atodlen 10 i Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021.

(1) 2011 naws 4; sections 12 and 82 were amended by the Local Government and Elections (Wales) Act 2021, Schedule 6, paragraph 6 and Schedule 10, paragraph 4.

(6) Yn adran 83 (trafodion pwylgor llywodraethu ac archwilio), ar ôl is-adran (3) mewnosoder—

“(3A) Os yw dau neu ragor o aelodau pwylgor llywodraethu ac archwilio yn aelodau o'r weithrediaeth sy'n rhannu swydd, mae gan yr aelodau hynny un bleidlais rhyngddynt at ddibenion is-adran (3).”

(7) Yn adran 84 (pa mor aml y cynhelir cyfarfodydd pwylgor llywodraethu ac archwilio), ar ôl is-adran (2) mewnosoder—

“(2A) Os yw dau neu ragor o aelodau pwylgor llywodraethu ac archwilio yn aelodau o'r weithrediaeth sy'n rhannu swydd, nid yw'r aelodau hynny gyda'i gilydd ond yn cyfrif fel un aelod o'r pwylgor at ddibenion is-adran (2)(b).”

(6) In section 83 (proceedings of a governance and audit committee), after subsection (3) insert—

“(3A) If two or more members of a governance and audit committee are members of the executive who share office, those members have between them one vote for the purposes of subsection (3).”

(7) In section 84 (frequency of meetings of a governance and audit committee), after subsection (2) insert—

“(2A) If two or more members of a governance and audit committee are members of the executive who share office, those members together count only as one member of the committee for the purposes of subsection (2)(b).”

## RHAN 3

### Diwygio is-ddeddfwriaeth

#### Rheoliadau Pwyllgorau Safonau (Cymru) 2001

3.—(1) Mae Rheoliadau Pwyllgorau Safonau (Cymru) 2001<sup>(1)</sup> wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 2, yn y lle priodol yn nhrefn yr wyddor mewnosoder—

“mae i “cynorthwydd gweithrediaeth” yr un ystyr ag a roddir i “assistant to the executive” ym mharagraff 3A o Atodlen 1 i Ddeddf 2000;”.

(3) Yn rheoliad 3, ar ôl paragraff (2) mewnosoder—

“(3) Os yw dau neu ragor o aelodau pwylgor safonau yn aelodau o'r weithrediaeth sy'n rhannu swydd, nid yw'r aelodau hynny gyda'i gilydd ond yn cyfrif fel un aelod o'r pwylgor at ddibenion paragraffau (1) a (2).”

(4) Yn rheoliad 5, ar ôl paragraff (2) mewnosoder—

“(3) Os yw dau neu ragor o aelodau pwylgor safonau yn aelodau o'r weithrediaeth sy'n rhannu swydd, nid yw'r aelodau hynny gyda'i gilydd ond yn cyfrif fel un aelod o'r pwylgor at ddibenion paragraffau (1) a (2).”

(5) Yn rheoliad 9—

(a) ym mharagraff (1), yn lle “gynnwys mwy nag un aelod gweithredol o'r awdurdod hwnnw.” rhodder—

“gynnwys mwy nag un o'r rhai a ganlyn—

## PART 3

### Amendments to secondary legislation

#### Standards Committees (Wales) Regulations 2001

3.—(1) The Standards Committee (Wales) Regulations 2001<sup>(1)</sup> are amended as follows.

(2) In regulation 2, at the appropriate place in alphabetical order insert—

““assistant to the executive” (“cynorthwydd gweithrediaeth”) has the same meaning as in paragraph 3A of Schedule 1 to the 2000 Act;”.

(3) In regulation 3, after paragraph (2) insert—

“(3) If two or more members of a standards committee are members of the executive who share office, those members together count only as one member of the committee for the purposes of paragraphs (1) and (2).”

(4) In regulation 5, after paragraph (2) insert—

“(3) If two or more members of a standards committee are members of the executive who share office, those members together count only as one member of the committee for the purposes of paragraphs (1) and (2).”

(5) In regulation 9—

(a) in paragraph (1), for “not include more than one executive member from that authority.” substitute—

“include no more than one of the following—

(1) O.S. 2001/2283 (Cy. 172); yr offerynnau diwygio perthnasol yw O.S. 2006/1849 (Cy. 192), 2016/85 (Cy. 39).

(1) S.I. 2001/2283 (W. 172); relevant amending instruments are S.I. 2006/1849 (W. 192), 2016/85 (W. 39).

- (a) aelod gweithrediaeth o'r awdurdod hwnnw (ond gweler paragraff (3)), neu
- (b) cynorthwydd i'w weithrediaeth.”;
- (b) ym mharagraff (2), yn lle “gynnwys mwy nag un aelod gweithredol o bob un awdurdod lleol cyfansoddol.” rhodder—
- “gynnwys mwy nag un o'r rhai a ganlyn o bob un awdurdod lleol cyfansoddol—
- (a) aelod gweithrediaeth (ond gweler paragraff (3)), neu
- (b) cynorthwydd gweithrediaeth.”;
- (c) ar ôl paragraff (2) mewnosoder—
- “(3) Os yw dau neu ragor o aelodau awdurdod lleol yn cael eu penodi i'r weithrediaeth i rannu swydd—
- (a) caiff pwyllgor safonau gynnwys mwy nag un o'r aelodau hynny, ac os yw'n gwneud hynny, gyda'i gilydd maent yn cyfrif fel un aelod gweithrediaeth at ddibenion paragraff (1)(a);
- (b) caiff cyd-bwyllgor gynnwys mwy nag un o'r aelodau hynny o awdurdod lleol cyfansoddol, ac os yw'n gwneud hynny, gyda'i gilydd mae'r aelodau hynny'n cyfrif fel un aelod gweithrediaeth at ddibenion paragraff (2)(a).”
- (6) Yn rheoliad 23, ar ôl paragraff (3) mewnosoder—
- “(4) Os yw dau neu ragor o aelodau pwyllgor safonau yn aelodau o'r weithrediaeth sy'n rhannu swydd, mae gan yr aelodau hynny un bleidlais rhyngddynt at ddibenion paragraff (2).”
- (7) Yn rheoliad 24, ar ôl paragraff (3) mewnosoder—
- “(4) Os yw dau neu ragor o aelodau pwyllgor safonau yn aelodau o'r weithrediaeth sy'n rhannu swydd, nid yw'r aelodau hynny gyda'i gilydd ond yn cyfrif fel un aelod o'r pwyllgor at ddibenion paragraffau (1) a (2).”
- Gorchymyn Awdurdodau Lleol (Trefniadau Gweithredol a Threfniadau Amgen) (Addasu Deddfiadau a Darpariaethau Eraill) (Cymru) 2002**
4. Yng Ngorchymyn Awdurdodau Lleol (Trefniadau Gweithredol a Threfniadau Amgen) (Addasu Deddfiadau a Darpariaethau Eraill) (Cymru) 2002(1), yn erthygl 41(6), ar ôl “adran 11(8)” mewnosoder “neu 11(8ZA)”.
- (a) an executive member from that authority (but see paragraph (3)), or
- (b) an assistant to its executive.”;
- (b) in paragraph (2), for “not include more than one executive member from each constituent local authority.” substitute—
- “include no more than one of the following from each constituent local authority—
- (a) an executive member (but see paragraph (3)), or
- (b) an assistant to the executive.”;
- (c) after paragraph (2) insert—
- “(3) If two or more members of a local authority are appointed to the executive to share office—
- (a) a standards committee may include more than one of those members, and if it does so, together they count as one executive member for the purposes of paragraph (1)(a);
- (b) a joint committee may include more than one of those members from a constituent local authority, and if it does so, those members together count as one executive member for the purposes of paragraph (2)(a).”
- (6) In regulation 23, after paragraph (3) insert—
- “(4) If two or more members of a standards committee are members of the executive who share office, those members have between them one vote for the purposes of paragraph (2).”
- (7) In regulation 24, after paragraph (3) insert—
- “(4) If two or more members of a standards committee are members of the executive who share office, those members together count only as one member of the committee for the purposes of paragraphs (1) and (2).”
- Local Authorities (Executive and Alternative Arrangements) (Modification of Enactments and Other Provisions) (Wales) Order 2002**
4. In the Local Authorities (Executive and Alternative Arrangements) (Modification of Enactments and Other Provisions) (Wales) Order 2002(1), in article 41(6), after “section 11(8)” insert “or 11(8ZA)”.

(1) O.S. 2002/808 (Cy. 89).

(1) S.I. 2002/808 (W. 89).

*Rebecca Evans*

Y Gweinidog Cyllid a Llywodraeth Leol, un o  
Weinidogion Cymru  
11 Mai 2022

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Minister for Finance and Local Government, one of the Welsh Ministers  
11 May 2022

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