



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2023 Rhif 944 (Cy. 154)

2023 No. 944 (W. 154)

**LLYWODRAETH LEOL,
CYMRU**

**LOCAL GOVERNMENT,
WALES**

**Rheoliadau Swyddogion
Llywodraeth Leol (Cyfyngiadau
Gwleidyddol) (Diwygio) (Cymru)
2023**

**The Local Government Officers
(Political Restrictions)
(Amendment) (Wales) Regulations
2023**

NODYN ESBONIADOL

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

Mae Rheoliadau Swyddogion Llywodraeth Leol (Cyfyngiadau Gwleidyddol) 1990 (O.S. 1990/851) (“Rheoliadau 1990”) yn gosod cyfyngiadau ar weithgareddau gwleidyddol cyhoeddus swyddogion llywodraeth leol a benodir i swyddi sy’n swyddi o dan gyfyngiadau gwleidyddol, neu a gyflogir mewn swyddi o’r fath, at ddibenion Rhan 1 o Ddeddf Llywodraeth Leol a Thai 1989 (p. 42) (“Deddf 1989”). Mae’r cyfyngiadau ar ffurf telerau ac amodau y bernir eu bod wedi eu hymgorffori yn nhelerau penodiad ac amodau cyflogaeth y swyddogion hynny (“cyfyngiadau”).

Mae’r Rheoliadau hyn yn ychwanegu cyd-bwyllgorau corfforedig a sefydlir gan reoliadau a wneir o dan Ran 5 o Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021 (dsc 2021) at Reoliadau 1990 er mwyn gosod y cyfyngiadau ar weithgareddau gwleidyddol cyhoeddus swyddogion cyd-bwyllgorau corfforedig sy’n ddeiliaid swyddi o dan gyfyngiadau gwleidyddol yng Nghymru at ddibenion Rhan 1 o Ddeddf 1989.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Aseidiadau Effaith Rheoleiddiol mewn perthynas â’r rheoliadau sy’n sefydlu cyd-bwyllgorau corfforedig a rheoliadau a gorchmynion cysylltiedig. O ganlyniad, lluniwyd asesiad effaith rheoleiddiol ar adeg gwneud y rheoliadau sefydlu hynny a dibynnir arno at ddiben y Rheoliadau hyn. Gellir cael copi oddi wrth: Yr Is-adran Cyllid Strategol Llywodraeth Leol, Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ.

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Local Government Officers (Political Restrictions) Regulations 1990 (S.I. 1990/851) (“the 1990 Regulations”) impose restrictions on the public political activities of local government officers who are appointed to or employed in posts which are politically restricted posts for the purposes of Part 1 of the Local Government and Housing Act 1989 (c. 42) (“the 1989 Act”). The restrictions take the form of terms and conditions that are deemed to be incorporated into those officers’ terms of appointment and conditions of employment (“the restrictions”).

These Regulations add corporate joint committees established by regulations made under Part 5 of the Local Government and Elections (Wales) Act 2021 (asc 1) (“CJCs”) to the 1990 Regulations to impose the restrictions on the public political activities of officers of CJCs who are the holders of politically restricted posts in Wales for the purposes of Part 1 of the 1989 Act.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to the regulations which establish corporate joint committees and connected regulations and orders. As a result, a regulatory impact assessment was prepared at the time of making those establishment regulations and is relied on for the purpose of these Regulations. A copy can be obtained from the Local Government Strategic Finance Division, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

2023 Rhif 944 (Cy. 154)

2023 No. 944 (W. 154)

**LLYWODRAETH LEOL,
CYMRU**

**LOCAL GOVERNMENT,
WALES**

**Rheoliadau Swyddogion
Llywodraeth Leol (Cyfyngiadau
Gwleidyddol) (Diwygio) (Cymru)
2023**

**The Local Government Officers
(Political Restrictions)
(Amendment) (Wales) Regulations
2023**

Gwnaed 31 Awst 2023
Gosodwyd gerbron *Senedd*
Cymru 1 Medi 2023
Yn dod i rym 2 Hydref 2023

Made 31 August 2023
Laid before Senedd Cymru 1 September 2023
Coming into force 2 October 2023

Mae Gweinidogion Cymru yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 1(5), (6) a (12) a 191(1) o Ddeddf Llywodraeth Leol a Thai 1989(1) ac a freiniwyd bellach ynddynt hwy(2).

The Welsh Ministers make the following Regulations in exercise of the powers conferred on the Secretary of State by sections 1(5), (6) and (12) and 191(1) of the Local Government and Housing Act 1989(1) and now vested in them(2).

Enwi, dod i rym a chymhwyso

Title, coming into force and application

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Swyddogion Llywodraeth Leol (Cyfyngiadau Gwleidyddol) (Diwygio) (Cymru) 2023.

1.—(1) The title of these Regulations is the Local Government Officers (Political Restrictions) (Amendment) (Wales) Regulations 2023.

(2) Daw'r Rheoliadau hyn i rym ar 2 Hydref 2023.

(2) These Regulations come into force on 2 October 2023.

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

(3) These Regulations apply in relation to Wales.

(1) 1989 p. 42. Mewnosodwyd adran 1(12) gan reoliad 10(2)(c) o O.S. 2021/1349.

(2) Trosglwyddwyd pwerau'r Ysgrifennydd Gwladol, i'r graddau y maent yn arferadwy o ran Cymru, i Gynulliad Cenedlaethol Cymru gan erthygl 2 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) ac Atodlen 1 iddo, ac maent wedi eu breinio bellach yng Ngweinidogion Cymru yn rhinwedd adran 162 o Ddeddf Llywodraeth Cymru 2006 (p. 32) a pharagraff 30 o Atodlen 11 iddi.

(1) 1989 c. 42. Section 1(12) was inserted by regulation 10(2)(c) of S.I. 2021/1349.

(2) The powers of the Secretary of State were, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales by article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) and are now vested in the Welsh Ministers by virtue of section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c. 32).

Diwygiad i Reoliadau Swyddogion Llywodraeth Leol (Cyfyngiadau Gwleidyddol) 1990

2. Mae Rheoliadau Swyddogion Llywodraeth Leol (Cyfyngiadau Gwleidyddol) 1990(1) wedi eu diwygio fel a ganlyn.

3. Yn rheoliad 2, yn y lle priodol mewnosoder—

““local authority” includes a corporate joint committee established by regulations made under Part 5 of the Local Government and Elections (Wales) Act 2021(2);”.

Amendment to the Local Government Officers (Political Restrictions) Regulations 1990

2. The Local Government Officers (Political Restrictions) Regulations 1990(1) is amended as follows.

3. In regulation 2, at the appropriate place insert—

““local authority” includes a corporate joint committee established by regulations made under Part 5 of the Local Government and Elections (Wales) Act 2021(2);”.

Rebecca Evans

Y Gweinidog Cyllid a Llywodraeth Leol, un o
Weinidogion Cymru
31 Awst 2023

©Hawlfraint y Goron 2023

Argraffwyd a chyhoeddwyd yn y DU gan Y Llyfrfa Cyf dan awdurdod a goruchwyliaeth Jeff James, Rheolwr Llyfrfa Ei Fawrhydi ac Argraffydd Deddfau Senedd y Brenin.

Minister for Finance and Local Government, one of
the Welsh Ministers
31 August 2023

© Crown copyright 2023

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Jeff James, Controller of His Majesty's Stationery Office and King's Printer of Acts of Parliament.

(1) O.S. 1990/851, a ddiwygiwyd gan O.S. 2018/1310; mae offerynnau diwygio eraill ond nid yw'r un ohonynt yn berthnasol i'r Rheoliadau hyn.

(2) 2021 dsc 1.

(1) S.I. 1990/851, amended by S.I. 2018/1310; there are other amending instruments, but none is relevant to these Regulations.

(2) 2021 asc 1.

£5.78

<http://www.legislation.gov.uk/id/wsi/2023/944>

ISBN 978-0-348-39465-8



9 780348 394658