



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2023 Rhif 988 (Cy. 159)

2023 No. 988 (W. 159)

**LLYWODRAETH LEOL,
CYMRU**

**LOCAL GOVERNMENT,
WALES**

**Rheoliadau Pwyllgorau Safonau
(Cymru) (Diwygio) 2023**

**The Standards Committees (Wales)
(Amendment) Regulations 2023**

NODYN ESBONIADOL

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

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 at y diffiniad o "awdurdod perthnasol" yn Rheoliadau Pwyllgorau Safonau (Cymru) 2001 ("Rheoliadau 2001").

Mae'r Rheoliadau hyn hefyd yn diwygio Rheoliadau 2001 i ddarparu ar gyfer maint, cyfansoddiad, a thrafodion pwyllgorau safonau cyd-bwyllgorau corfforedig a chywiro gwallau yn y testun Cymraeg.

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)

These Regulations add corporate joint committees established by regulations made under Part 5 of the Local Government and Elections (Wales) Act 2021 to the definition of "relevant authority" in the Standards Committees (Wales) Regulations 2001 ("the 2001 Regulations").

These Regulations also amend the 2001 Regulations to provide for the size, composition, and proceedings of standards committees of corporate joint committees and correct errors in the Welsh language text.

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.

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(Cymru) (Diwygio) 2023**

**The Standards Committees (Wales)
(Amendment) Regulations 2023**

Gwnaed 11 Medi 2023
Gosodwyd gerbron *Senedd*
Cymru 13 Medi 2023
Yn dod i rym 9 Hydref 2023

Made 11 September 2023
Laid before Senedd Cymru 13 September 2023
Coming into force 9 October 2023

Mae Gweinidogion Cymru(1) yn gwneud y Rheoliadau a ganlyn drwy arfer y pŵer a roddir iddynt gan adran 53(11) ac adran 105(2)(a) a (2)(b) a (3) o Ddeddf Llywodraeth Leol 2000(2).

The Welsh Ministers(1) make the following Regulations in exercise of the power conferred on them by section 53(11) and section 105(2)(a) and (2)(b) and (3) of the Local Government Act 2000(2).

Enwi a dod i rym

1. Enw'r Rheoliadau hyn yw Rheoliadau Pwyllgorau Safonau (Cymru) (Diwygio) 2023 a deuant i rym ar 9 Hydref 2023.

Title and coming into force

1. The title of these Regulations is the Standards Committees (Wales) (Amendment) Regulations 2023 and they come into force on 9 October 2023.

**Diwygiadau i Reoliadau Pwyllgorau Safonau
(Cymru) 2001**

2. Mae Rheoliadau Pwyllgorau Safonau (Cymru) 2001(3) wedi eu diwygio fel a ganlyn.

**Amendments to the Standards Committees (Wales)
Regulations 2001**

2. The Standards Committees (Wales) Regulations 2001(3) are amended as follows.

(1) Mae swyddogaethau Cynulliad Cenedlaethol Cymru bellach wedi eu breinio yng Ngweinidogion Cymru yn rhinwedd adran 162 o Ddeddf Llywodraeth Cymru 2006 (p. 32) a pharagraff 30 o Atodlen 11 iddi.
(2) 2000 p. 22. Fe'i diwygiwyd gan O.S. 2022/372 (Cy. 92); mewnosododd rheoliad 3 gyd-bwyllgorau corfforedig yn y diffiniad o "relevant authority" yn adran 49 o Ddeddf 2000 a diwygiodd adran 53 o'r Ddeddf honno. Mae adran 49 wedi ei chynnwys yn Rhan 3 o Ddeddf 2000 ac mae'n ymwneud ag ymddygiad aelodau a chyflogeion llywodraeth leol.
(3) O.S. 2001/2283 (Cy. 172); yr offerynnau diwygio perthnasol yw O.S. 2005/2929 (Cy. 214), O.S. 2005/3302 (Cy. 256), O.S. 2006/362 (Cy. 48), O.S. 2006/1849 (Cy. 192), O.S. 2007/951 (Cy. 82), O.S. 2013/3005 (Cy. 297), O.S. 2014/3061, O.S. 2016/85 (Cy. 39), O.S. 2021/356 (Cy. 107), O.S. 2022/533 (Cy. 125).

(1) The functions of the National Assembly for Wales now vest 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).
(2) 2000 c. 22. Amended by S.I. 2022/372 (W. 92); regulation 3 inserted corporate joint committees into the definition of "relevant authority" in section 49 and amended section 53 of the 2000 Act. Section 49 is contained in Part 3 of the 2000 Act and concerns the conduct of local government members and employees.
(3) S.I. 2001/2283 (W.172), relevant amending instruments are S.I. 2005/2929 (W.214), S.I. 2005/3302 (W.256), S.I. 2006/362 (W.48), S.I. 2006/1849 (W.192), S.I. 2007/951 (W.82), S.I. 2013/3005 (W.297), S.I. 2014/3061, S.I. 2016/85 (W.39), S.I. 2021/356 (W.107), S.I. 2022/533 (W.125).

3. Yn rheoliad 2—

- (a) yn y lle priodol mewnosoder “ystyr “cyd-bwyllgor corfforedig” (“*corporate joint committee*”) yw cyd-bwyllgor corfforedig a sefydlir gan reoliadau a wneir o dan Ran 5 o Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021;”;
- (b) yn y diffiniad o “aelod annibynnol”—
 - (i) yn is-baragraff (b), ar ôl “swyddog” hepgorer “neu”;
 - (ii) yn is-baragraff (c), ar ôl “cymuned” mewnosoder “, neu”;
 - (iii) ar ôl is-baragraff (c) mewnosoder “(ch) pan fo awdurdod perthnasol yn gyd-bwyllgor corfforedig, yn berson sy’n aelod, yn aelod cyfetholedig nac yn swyddog o’r cyd-bwyllgor corfforedig hwnnw nac o’i awdurdodau cyfansoddol, gan gynnwys Awdurdod Parc Cenedlaethol cyfansoddol, nac yn briod nac yn bartner sifil i’r aelod, yr aelod cyfetholedig neu’r swyddog hwnnw;”;
- (c) yn y diffiniad o “aelod panel lleyg”—
 - (i) yn is-baragraff (a), ar ôl “cymuned,” hepgorer “neu”;
 - (ii) yn is-baragraff (b), ar ôl “cymuned” hepgorer “;” a mewnosoder “, neu”;
 - (iii) ar ôl is-baragraff (b) mewnosoder—
 - “(c) pan fo’r awdurdod perthnasol yn gyd-bwyllgor corfforedig,
 - (i) sy’n aelod o awdurdod cyfansoddol nad yw’n aelod o weithrediaeth yr awdurdod hwnnw, neu
 - (ii) sy’n aelod o Awdurdod Parc Cenedlaethol cyfansoddol nad yw’n aelod cymwys o’r cyd-bwyllgor corfforedig hwnnw;”;
- (d) yn y diffiniad o “awdurdod perthnasol”—
 - (i) yn is-baragraff (c) hepgorer “ac”;
 - (ii) yn is-baragraff (ch), ar ôl “achub” hepgorer “;” a mewnosoder “, a”;
 - (iii) ar ôl is-baragraff (ch) mewnosoder “(d) cyd-bwyllgor corfforedig;”.

4. Yn rheoliad 4—

- (a) ar ôl paragraff (a) mewnosoder—
 - “(aa) pan fo’r awdurdod perthnasol yn gyd-bwyllgor corfforedig, aelodau o awdurdodau cyfansoddol neu Awdurdod Parc Cenedlaethol cyfansoddol y

3. In regulation 2 —

- (a) in the appropriate place insert ““corporate joint committee” (“*cyd-bwyllgor corfforedig*”) means a corporate joint committee established by regulations made under Part 5 of the Local Government and Elections (Wales) Act 2021;”;
- (b) in the definition of “independent member”—
 - (i) in sub-paragraph (b), after “officer” omit “or”;
 - (ii) in sub-paragraph (c), after “council” insert “, or”;
 - (iii) after sub paragraph (c) insert “(d) where a relevant authority is a corporate joint committee, a person who is a member, co-opted member or officer of that corporate joint committee or its constituent authorities including a constituent National Park Authority or a spouse or civil partner of that member, co-opted member or officer;”;
- (c) in the definition of “lay panel member”—
 - (i) in sub-paragraph (a), after “council,” omit “or”;
 - (ii) in sub-paragraph (b), after “council” omit “;” and insert “, or”;
 - (iii) after sub-paragraph (b) insert—
 - “(c) where the relevant authority is a corporate joint committee, is
 - (i) a member of a constituent authority who is not a member of the executive of that authority, or
 - (ii) a member of a constituent National Park Authority who is not an eligible member of that corporate joint committee;”;
- (d) in the definition of “relevant authority”—
 - (i) in sub-paragraph (c) omit “and”;
 - (ii) in sub-paragraph (d), after “authority” omit “;” and insert “, and”;
 - (iii) after sub-paragraph (d) insert “(e) a corporate joint committee;”.

4. In regulation 4—

- (a) after paragraph (a) insert—
 - “(aa) where the relevant authority is a corporate joint committee, members of that corporate joint committee’s constituent authorities or constituent National Park

cyd-bwyllgor corfforedig hwnnw ond nid aelodau cyfetholedig o'r cyd-bwyllgor corfforedig hwnnw heblaw'r rhai a gyfetholwyd ar gyfer aelodaeth o bwyllgor safonau'r cyd-bwyllgor corfforedig hwnnw,";

Authority but not co-opted members of that corporate joint committee other than those co-opted for membership of the standards committee of that corporate joint committee,";

- (b) ym mharagraff (c), ar ôl "cymunedol" mewnosoder "ac eithrio pan fo'r awdurdod perthnasol yn gyd-bwyllgor corfforedig".

- (b) in paragraph (c), after "members" insert "except where the relevant authority is a corporate joint committee".

5. Yn rheoliad 6—

5. In regulation 6—

- (a) ym mharagraff (1), hepgorer "Rhaid" a mewnosoder "Yn ddarostyngedig i (1A), rhaid";

- (a) in paragraph (1), omit "A person" and insert "Subject to (1A), a person";

- (b) ar ôl paragraff (1) mewnosoder—

- (b) after paragraph (1) insert—

"(1A) Pan fo'r awdurdod perthnasol y cyfeirir ato yn rheoliad 6(1) yn gyd-bwyllgor corfforedig, rhaid i berson sydd wedi bod yn aelod o gyd-bwyllgor corfforedig neu'n aelod o awdurdod cyfansoddol neu Awdurdod Parc Cenedlaethol cyfansoddol o'r cyd-bwyllgor corfforedig hwnnw, ond nad yw'n aelod mwyach, beidio â bod yn aelod annibynnol o bwyllgor safonau'r cyd-bwyllgor corfforedig hwnnw.";

"(1A) Where the relevant authority referred to in regulation 6(1) is a corporate joint committee, a person who has been, but is no longer a member of a corporate joint committee or a member of a constituent authority or constituent National Park Authority of that corporate joint committee, shall not be an independent member of the standards committee of that corporate joint committee.";

- (c) ym mharagraff (2), ar ôl "nad yw'r person hwnnw wedi bod yn aelod ohono" mewnosoder " , ond, pan fo'r awdurdod perthnasol yn gyd-bwyllgor corfforedig, ni chaiff y person fod yn aelod annibynnol o bwyllgor safonau unrhyw awdurdod cyfansoddol nac Awdurdod Parc Cenedlaethol cyfansoddol o'r cyd-bwyllgor corfforedig hwnnw".

- (c) in paragraph (2), after "has not been a member" insert " , save that where the relevant authority is a corporate joint committee, the person may not be an independent member of a standards committee of any constituent authority or constituent National Park Authority of that corporate joint committee".

6. Yn rheoliad 7—

6. In regulation 7—

- (a) ym mharagraff (1)—

- (a) in paragraph (1)—

- (i) hepgorer "Rhaid" a mewnosoder "Yn ddarostyngedig i (1A), rhaid";

- (i) omit "A person" and insert "Subject to (1A), a person";

- (ii) yn y testun Cymraeg, ar ôl "nad yw'n" yn lle "aelod" rhodder "swyddog";

- (ii) in the Welsh language text, after "nad yw'n" for "aelod" substitute "swyddog";

- (b) ar ôl paragraff (1) mewnosoder—

- (b) after paragraph (1) insert—

"(1A) Pan fo'r awdurdod perthnasol y cyfeirir ato yn rheoliad 7(1) yn gyd-bwyllgor corfforedig, rhaid i berson sydd wedi bod yn swyddog o gyd-bwyllgor corfforedig neu'n swyddog o awdurdod cyfansoddol neu Awdurdod Parc Cenedlaethol cyfansoddol o'r cyd-bwyllgor corfforedig hwnnw, ond nad yw'n swyddog ohono mwyach, beidio â bod yn aelod annibynnol o bwyllgor safonau'r cyd-bwyllgor corfforedig hwnnw.";

"(1A) Where the relevant authority referred to in regulation 7(1) is a corporate joint committee, a person who has been, but is no longer an officer of a corporate joint committee or an officer of a constituent authority or constituent National Park Authority of that corporate joint committee, shall not be an independent member of the standards committee of that corporate joint committee.";

(c) ym mharagraff (2), yn lle “, ond nad yw’n aelod mwyach” rhodder “neu, os yw’r awdurdod perthnasol yn gyd-bwyllgor corfforedig, yn swyddog o’i awdurdodau cyfansoddol neu Awdurdod Parc Cenedlaethol cyfansoddol, ond nad yw’n swyddog mwyach”.

7. Yn rheoliad 8, ar ôl paragraff (3) mewnosoder—

“(4) Pan fo awdurdod perthnasol yn gyd-bwyllgor corfforedig, rhaid i gadeirydd awdurdod o’r fath beidio â bod yn aelod o bwyllgor safonau’r cyd-bwyllgor corfforedig hwnnw.”.

8. Yn rheoliad 18—

(a) ym mharagraff (1)—

(i) ar ôl “aelod o’r awdurdod hwnnw” mewnosoder

“, neu aelod o bwyllgor safonau cyd-bwyllgor corfforedig sy’n aelod o awdurdod cyfansoddol o’r cyd-bwyllgor corfforedig hwnnw,”;

(ii) ar ôl “ar gyfer yr awdurdod” mewnosoder “neu’r awdurdod cyfansoddol”;

(b) ym mharagraff (2), ar ôl “awdurdod lleol o dan sylw” mewnosoder “, neu, yn achos cyd-bwyllgor corfforedig, o awdurdod cyfansoddol o’r cyd-bwyllgor corfforedig hwnnw,”.

9. Yn rheoliad 19, ar ôl paragraff (2) mewnosoder—

“(3) Pan fo awdurdod perthnasol yn gyd-bwyllgor corfforedig, rhaid i gyfnod swydd aelod o bwyllgor safonau’r awdurdod hwnnw sy’n aelod o Awdurdod Parc Cenedlaethol cyfansoddol yr awdurdod hwnnw beidio â bod yn hwy na’r cyfnod tan y bydd aelodaeth yr aelod hwnnw o’r Awdurdod Parc Cenedlaethol cyfansoddol yn dod i ben, a bydd aelodaeth aelod o’r fath o’r pwyllgor safonau hwnnw yn dod i ben os yw aelodaeth yr aelod hwnnw o’r Awdurdod Parc Cenedlaethol hwnnw yn dod i ben.”.

10. Yn rheoliad 21(1), ar ôl “aelod o’r awdurdod hwnnw,” mewnosoder “neu, pan fo’r awdurdod perthnasol yn gyd-bwyllgor corfforedig, sy’n aelod o awdurdod cyfansoddol neu Awdurdod Parc Cenedlaethol cyfansoddol o’r cyd-bwyllgor corfforedig hwnnw,”.

(c) in paragraph (2), after “one or more relevant authorities” insert “or if the relevant authority is a corporate joint authority, an officer of its constituent authorities or constituent National Park Authority”.

7. In regulation 8, after paragraph (3) insert—

“(4) Where a relevant authority is a corporate joint committee, the chairperson of such an authority shall not be a member of the standards committee of that corporate joint committee.”.

8. In regulation 18—

(a) in paragraph (1)—

(i) after “a member of that authority” insert—

“, or a member of a corporate joint committee standards committee who is a member of a constituent authority of that corporate joint committee,”;

(ii) after “elections for that authority” insert “or constituent authority”;

(b) in paragraph (2), after “local authority concerned” insert “, or, in the case of a corporate joint committee, a constituent authority of that corporate joint committee,”.

9. In regulation 19, after paragraph (2) insert—

“(3) Where a relevant authority is a corporate joint committee, the term of office of a member of that authority’s standards committee who is a member of that authority’s constituent National Park Authority shall be no longer than the period until that member ceases to be a member of the constituent National Park Authority, and such a member shall cease to be a member of that standards committee if that member ceases to be a member of that National Park Authority.”.

10. In regulation 21(1), after “member of that authority,” insert “or, where the relevant authority is a corporate joint committee, a member of a constituent authority or a constituent National Park Authority of that corporate joint committee,”.

11. Yn rheoliad 23(1), yn lle “neu’r awdurdodau perthnasol o dan sylw” rhodder “na’r awdurdodau perthnasol o dan sylw neu, pan fo’r awdurdod perthnasol yn gyd-bwyllgor corfforedig, nad yw’n aelod o’i awdurdodau lleol cyfansoddol nac o’i Awdurdod Parc Cenedlaethol cyfansoddol”.

12. Yn rheoliad 25—

(a) ym mharagraff (1), ar ôl “pwyllgor safonau” mewnosoder “, ac eithrio pwyllgor safonau cyd-bwyllgor corfforedig,”;

(b) ym mharagraff (2), ar ôl “pwyllgor safonau” mewnosoder “, ac eithrio pwyllgor safonau cyd-bwyllgor corfforedig,”;

(c) ar ôl paragraff (2) mewnosoder—

“(2A) Rhaid i bwyllgor safonau cyd-bwyllgor corfforedig gynnal o leiaf un cyfarfod yn ystod pob cyfnod o 12 mis ar ôl i’r pwyllgor safonau cyd-bwyllgor corfforedig hwnnw gael ei sefydlu.”.

13. Yn rheoliad 26, mewnosoder—

“(10) Nid yw’r rheoliad hwn yn gymwys i gyd-bwyllgorau corfforedig.”.

14. Yn rheoliad 27, mewnosoder—

“(5) Nid yw’r rheoliad hwn yn gymwys i gyd-bwyllgorau corfforedig.”.

15. Yn rheoliad 28, mewnosoder—

“(3) Nid yw’r rheoliad hwn yn gymwys i gyd-bwyllgorau corfforedig.”.

11. In regulation 23(1), after “authorities concerned” insert “or, where the relevant authority is a corporate joint committee, is not a member of its constituent local authorities or constituent National Park Authority”.

12. In regulation 25—

(a) in paragraph (1), after “standards committee” insert “, except a corporate joint committee standards committee,”;

(b) in paragraph (2), after “standards committee” insert “, except a corporate joint committee standards committee,”;

(c) after paragraph (2) insert—

“(2A) A corporate joint committee standards committee must hold at least one meeting during every period of 12 months after that corporate joint committee standards committee has been established.”.

13. In regulation 26, insert—

“(10) This regulation does not apply to corporate joint committees.”.

14. In regulation 27, insert—

“(5) This regulation does not apply to corporate joint committees.”.

15. In regulation 28, insert—

“(3) This regulation does not apply to corporate joint committees.”.

Rebecca Evans

Y Gweinidog Cyllid a Llywodraeth Leol, un o
Weinidogion Cymru
11 Medi 2023

Minister for Finance and Local Government, one of
the Welsh Ministers
11 September 2023

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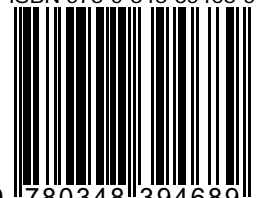
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