OFFERYNNAU STATUDOL CYMRU

WELSH STATUTORY INSTRUMENTS

2014 Rhif 476 (Cy. 56)

LLYWODRAETH LEOL, CYMRU

Rheoliadau Llywodraeth Leol (Pwyllgorau a Grwpiau Gwleidyddol) (Diwygio) (Cymru) 2014

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Llywodraeth Leol (Pwyllgorau a Grwpiau Gwleidyddol) 1990 ("Rheoliadau 1990") a wnaed o dan Ddeddf Llywodraeth Leol a Thai 1989 ("Deddf 1989").

Mae'r diwygiadau yn gymwys o ran Cymru.

Mae Adran 15 o Ddeddf 1989 yn nodi'r rheolau cydbwysedd gwleidyddol sy'n gymwys i bwyllgorau ac is-bwyllgorau awdurdod lleol. Mae Rheoliad 16A o Reoliadau 1990 yn darparu ar gyfer eithriad i'r ddyletswydd o dan adran 15 i ddyrannu seddau i grwpiau gwleidyddol neilltuol ar bwyllgorau ac is-bwyllgorau penodol awdurdod lleol a sefydlwyd yn unig i gyflawni swyddogaethau neu i gynghori mewn perthynas â rhan o ardal yr awdurdod ("pwyllgorau ardal").

Caiff y Rheoliadau hyn eu gwneud o dan Atodlen 1 i Ddeddf 1989 ac maent yn mewnosod ar gyfer Cymru reoliad 16AA newydd i Reoliadau 1990 sy'n nodi'r amodau sydd i'w bodloni yng Nghymru er mwyn i'r eithriad ar gyfer pwyllgorau ardal fod yn gymwys. Mae'r eithriad bellach yn gymwys pan gaiff pwyllgor neu is-bwyllgor ei sefydlu yn unig i gyflawni swyddogaethau neu i gynghori mewn perthynas â rhan o ardal yr awdurdod a phan nad yw arwynebedd y rhan honno yn fwy na hanner cyfanswm arwynebedd yr awdurdod neu phan nad yw poblogaeth y rhan honno yn fwy na hanner cyfanswm poblogaeth yr ardal. Yn ogystal, rhaid i'r rhan honno gynnwys un neu ragor o adrannau etholiadol ac mae hawl gan holl aelodau'r awdurdod sy'n cael eu hethol ar gyfer yr adran

2014 No. 476 (W. 56)

LOCAL GOVERNMENT, WALES

The Local Government (Committees and Political Groups) (Amendment) (Wales) Regulations 2014

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Local Government (Committees and Political Groups) Regulations 1990 ("the 1990 Regulations") made under the Local Government and Housing Act 1989 ("the 1989 Act").

The amendments apply in relation to Wales.

Section 15 of the 1989 Act sets out the rules of political balance that apply to committees and sub-committees of a local authority. Regulation 16A of the 1990 Regulations provides for an exception to the duty under section 15 to allocate to particular political groups seats on certain committees and sub-committees of a local authority established exclusively to discharge functions or advise in respect of part of the area of the authority ("area committees").

These Regulations are made under Schedule 1 to the 1989 Act and insert for Wales new regulation 16AA into the 1990 Regulations which sets out the conditions to be satisfied in Wales for the exception for area committees to apply. The exception now applies where a committee or sub-committee is established exclusively to discharge functions or to advise in respect of part of the area of the authority and where that area of that part does not exceed one-half of the total area of the authority or the population of that part does not exceed one-half of the total population of the area. In addition, that part must consist of one or more electoral divisions and all the members of the authority who are elected for that electoral division (or those electoral divisions) (and only those members) are

etholiadol honno (neu'r adrannau etholiadol hynny) (a'r aelodau hynny yn unig) fod yn aelodau o'r pwyllgor neu'r is-bwyllgor ardal.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar wneud Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, paratowyd asesiad effaith rheoleiddiol o'r costau a'r buddiannau sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn. Gellir cael copi oddi wrth: Yr Adran Llywodraeth Leol a Chymunedau, Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ.

entitled to be members of the area committee or sub-committee.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Local Government and Communities Department, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

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LLYWODRAETH LEOL, CYMRU

Rheoliadau Llywodraeth Leol (Pwyllgorau a Grwpiau Gwleidyddol) (Diwygio) (Cymru) 2014

Gwnaed *27 Chwefror 2014*

Gosodwyd gerbron Cynulliad Cenedlaethol Cymru *5 Mawrth 2014*

Yn dod i rym *1 Mai 2014*

Mae Gweinidogion Cymru yn gwneud y Rheoliadau canlynol drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan baragraff 1 o Atodlen 1 i Ddeddf Llywodraeth Leol a Thai 1989(**1**) ac a freiniwyd bellach ynddynt hwy(**2**).

Enwi, cychwyn a chymhwyso

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Llywodraeth Leol (Pwyllgorau a Grwpiau Gwleidyddol) (Diwygio) (Cymru) 2014 a deuant i rym ar 1 Mai 2014.

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

(**1**) 1989 p. 42.

(**2**) Mae swyddogaethau'r Ysgrifennydd Gwladol, i'r graddau y maent yn arferadwy o ran Cymru, wedi eu trosglwyddo i Gynulliad Cenedlaethol Cymru gan erthygl 2 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 ac Atodlen 1 iddo (O.S. 1999/672). Trosglwyddwyd y swyddogaethau hynny wedi hynny i Weinidogion Cymru yn rhinwedd paragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p. 32).

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LOCAL GOVERNMENT, WALES

The Local Government (Committees and Political Groups) (Amendment) (Wales) Regulations 2014

Made *27 February 2014*

Laid before the National Assembly for Wales *5 March 2014*

Coming into force *1 May 2014*

The Welsh Ministers make the following Regulations in exercise of the powers conferred on the Secretary of State by paragraph 1 of Schedule 1 to the Local Government and Housing Act 1989(**1**) and now vested in them(**2**).

Title, commencement and application

1.—(1) The title of these Regulations is the Local Government (Committees and Political Groups) (Amendment) (Wales) Regulations 2014 and they come into force on 1 May 2014.

(2) These Regulations apply in relation to Wales.

(**1**) 1989 c. 42.

(**2**) These functions of the Secretary of State, so far as exercisable in relation to Wales, were 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). The functions were subsequently transferred to the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).

Diwygio Rheoliadau Llywodraeth Leol (Pwyllgorau a Grwpiau Gwleidyddol) 1990

2.—(1) Caiff Rheoliadau Llywodraeth Leol (Pwyllgorau a Grwpiau Gwleidyddol) 1990(**1**) eu diwygio fel a ganlyn.

(2) Yn y pennawd i Reoliad 16A mewnosoder ar y diwedd "in England".

(3) Yn rheoliad 16A(1), ar ôl "any ordinary committee or advisory committee of an authority" mewnosoder "in England".

(4) Ar ôl rheoliad 16A(**2**) mewnosoder—

"**Area committees and sub-committees in Wales**

16AA.—(1) Section 15 of the 1989 Act does not apply to any ordinary committee or advisory committee of an authority in Wales which is a county council or a county borough council, or to a sub-committee of any such ordinary or advisory committee, where—

(a) the committee or sub-committee was established exclusively—

(i) to discharge functions of the authority, or

(ii) to advise the authority or any committee of the authority,

in respect of part of the area of the authority;

(b) that part consists of the whole of one or more electoral divisions of the authority;

(c) all the members of the authority who are elected for that electoral division, or those electoral divisions, are entitled to be members of the committee or sub-committee;

(d) no members of the authority, other than those mentioned in subparagraph (c), may be members of the committee or sub-committee; and

(e) either or both of the conditions in paragraph (2) are satisfied in relation to that part.

(2) Those conditions are—

(**1**) O.S. 1990/1553, a ddiwygiwyd gan O.S. 1991/1398, O.S. 1993/1339, O.S. 1998/1918, O.S 1999/500 ac O.S. 2010/1142 (Cy. 101).

(**2**) Mewnosodwyd Rheoliad 16A gan reoliad 6 o O.S. 1991/1398 ac fe'i diwygiwyd gan reoliad 4(1) a (2) o O.S. 1998/1918.

Amendment of the Local Government (Committees and Political Groups) Regulations 1990

2.—(1) The Local Government (Committees and Political Groups) Regulations 1990(**1**) are amended as follows.

(2) In the heading to Regulation 16A insert at the end "in England".

(3) In regulation 16A(1), after "any ordinary committee or advisory committee of an authority" insert "in England".

(4) After regulation 16A(**2**) insert—

"**Area committees and sub-committees in Wales**

16AA.—(1) Section 15 of the 1989 Act does not apply to any ordinary committee or advisory committee of an authority in Wales which is a county council or a county borough council, or to a sub-committee of any such ordinary or advisory committee, where—

(a) the committee or sub-committee was established exclusively—

(i) to discharge functions of the authority, or

(ii) to advise the authority or any committee of the authority,

in respect of part of the area of the authority;

(b) that part consists of the whole of one or more electoral divisions of the authority;

(c) all the members of the authority who are elected for that electoral division, or those electoral divisions, are entitled to be members of the committee or sub-committee;

(d) no members of the authority, other than those mentioned in subparagraph (c), may be members of the committee or sub-committee; and

(e) either or both of the conditions in paragraph (2) are satisfied in relation to that part.

(2) Those conditions are—

(**1**) S.I. 1990/1553, amended by S.I. 1991/1398, S.I. 1993/1339, S.I. 1998/1918, S.I 1999/500 and S.I. 2010/1142 (W.101).

(**2**) Regulation 16A was inserted by regulation 6 of S.I. 1991/1398 and amended by regulation 4(1) and (2) of S.I. 1998/1918.

(a) that the area of that part does not exceed one-half of the total area of the authority;

(b) that the population of that part, as estimated by the authority, does not exceed one-half of the total population of the area of the authority as so estimated."

(a) that the area of that part does not exceed one-half of the total area of the authority;

(b) that the population of that part, as estimated by the authority, does not exceed one-half of the total population of the area of the authority as so estimated."

Lesley Griffiths

Y Gweinidog Llywodraeth Leol a Busnes y Llywodraeth

27 Chwefror 2014

Minister for Local Government and Government Business

27 February 2014

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LLYWODRAETH LEOL, CYMRU

Rheoliadau Llywodraeth Leol (Pwyllgorau a Grwpiau Gwleidyddol) (Diwygio) (Cymru) 2014

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LOCAL GOVERNMENT, WALES

The Local Government (Committees and Political Groups) (Amendment) (Wales) Regulations 2014

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