OFFERYNNAU STATUDOL CYMRU

2022 Rhif 412 (Cy. 101)

LLYWODRAETH LEOL, CYMRU

Rheoliadau Awdurdodau Lleol (Diwygiadau sy'n Ymwneud â Chyhoeddi Gwybodaeth) (Cymru) 2022

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn, sy'n gymwys o ran Cymru, yn diwygio Deddf Llywodraeth Leol 1972 ("Deddf 1972") a Rheoliadau Awdurdodau Lleol (Trefniadau Gweithrediaeth) (Penderfyniadau, Dogfennau a Chyfarfodydd) (Cymru) 2001 ("Rheoliadau 2001").

Mae adran 100G(1) o Ddeddf 1972 yn ei gwneud yn ofynnol i brif gyngor (yng Nghymru, mae'r rhain yn cynnwys cynghorau sir a chynghorau bwrdeistref sirol, awdurdodau tân ac achub, awdurdodau Parciau Cenedlaethol a chyd-fyrddau neu gyd-bwyllgorau sy'n dod o fewn adran 100J(2) o Ddeddf 1972 ac sy'n cyflawni swyddogaethau dau neu ragor o brif gynghorau yng Nghymru) i gadw cofrestr sy'n nodi, ymhlith pethau eraill, enw a chyfeiriad pob aelod o'r cyngor, gan gynnwys aelodau pwyllgorau ac is-bwyllgorau. Mae adran 100G(4) o Ddeddf 1972 yn ei gwneud yn ofynnol bod y gofrestr honno yn agored i'r cyhoedd edrych arni yn swyddfeydd y cyngor.

Mae rheoliad 12(1) o Reoliadau 2001 hefyd yn ei gwneud yn ofynnol i awdurdod lleol yng Nghymru (cynghorau sir a chynghorau bwrdeistref sirol sy'n gweithredu trefniadau gweithrediaeth) i gadw cofrestr sy'n nodi, ymhlith pethau eraill, enw a chyfeiriad pob aelod o'r weithrediaeth, a phob aelod o bob pwyllgor i weithrediaeth yr awdurdod hwnnw. Mae rheoliad 12(3) yn ei gwneud yn ofynnol bod y gofrestr honno yn agored i'r cyhoedd edrych arni ym mhrif swyddfa'r awdurdod.

WELSH STATUTORY INSTRUMENTS

2022 No. 412 (W. 101)

LOCAL GOVERNMENT, WALES

The Local Authorities (Amendments Relating to Publication of Information) (Wales) Regulations 2022

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply in relation to Wales, amend the Local Government Act 1972 ("the 1972 Act") and the Local Authorities (Executive Arrangements) (Decisions, Documents and Meetings) (Wales) Regulations 2001 ("the 2001 Regulations").

Section 100G(1) of the 1972 Act requires a principal council (in Wales, these include county and county borough councils, fire and rescue authorities, National Park authorities and joint boards or joint committees which fall within section 100J(2) of the 1972 Act and which discharge functions of two or more principal councils in Wales) to maintain a register stating, amongst other things, the name and address of every member of the council, including members of committees and sub-committees. Section 100G(4) of the 1972 Act requires that register to be open to inspection by the public at the offices of the council.

Regulation 12(1) of the 2001 Regulations also requires a Welsh local authority (county and county borough councils operating executive arrangements) to maintain a register stating, amongst other things, the name and address of every member of the executive, and every member of each committee of the executive of that authority. Regulation 12(3) requires that register to be open to inspection by the public at the principal office of the authority.

Mae'r Rheoliadau hyn yn diwygio Deddf 1972 a Rheoliadau 2001 i ddarparu na chaiff cyfeiriadau aelodau a gynhwysir yn y cofrestrau fod yn agored i'r cyhoedd edrych arnynt yn swyddfeydd prif gynghorau neu ym mhrif swyddfeydd awdurdodau lleol.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal asesiadau effaith rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, lluniwyd asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn. Gellir cael copi oddi wrth: Llywodraeth Cymru, Parc Cathays, Caerdydd CF10 3NQ ac fe'i cyhoeddwyd ar www.llyw.cymru.

These Regulations amend the 1972 Act and the 2001 Regulations to provide that the addresses of members included in the registers must not be open to inspection by the public at the offices of principal councils or the principal offices of local authorities.

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 from Welsh Government, Cathays Park, Cardiff, CF10 3NQ and is published on www.gov.wales.

OFFERYNNAU STATUDOL CYMRU

2022 Rhif 412 (Cy. 101)

LLYWODRAETH LEOL, CYMRU

Rheoliadau Awdurdodau Lleol (Diwygiadau sy’n Ymwneud â Chyhoeddi Gwybodaeth) (Cymru) 2022

Gwnaed	*30 Mawrth 2022*
Yn dod i rym	*5 Mai 2022*

Mae Gweinidogion Cymru yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddir iddynt gan adran 50(3)(a) a (4) o Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021(**1**) ac adran 22(6) a (7) o Ddeddf Llywodraeth Leol 2000(**2**).

Gosodwyd drafft o’r offeryn hwn gerbron Senedd Cymru ac fe’i cymeradwywyd drwy benderfyniad ganddi yn unol ag adran 174(4) a (5)(f) o Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021(**3**).

Enwi a chychwyn

1. Enw’r Rheoliadau hyn yw Rheoliadau Awdurdodau Lleol (Diwygiadau sy’n Ymwneud â Chyhoeddi Gwybodaeth) (Cymru) 2022 a deuant i rym ar 5 Mai 2022.

(**1**) 2021 dsc 1.
(**2**) 2000 p. 22; diwygiwyd adran 22(6) gan baragraff 28(2) o Atodlen 3 i Ddeddf Lleoliaeth 2011 (p. 20).
(**3**) Gweler hefyd adran 40 o Ddeddf Deddfwriaeth (Cymru) 2019 (dccc 4) am ddarpariaeth ynghylch y weithdrefn sy’n gymwys i’r offeryn hwn.

WELSH STATUTORY INSTRUMENTS

2022 No. 412 (W. 101)

LOCAL GOVERNMENT, WALES

The Local Authorities (Amendments Relating to Publication of Information) (Wales) Regulations 2022

Made	*30 March 2022*
Coming into force	*5 May 2022*

The Welsh Ministers make the following Regulations in exercise of the powers conferred on them by section 50(3)(a) and (4) of the Local Government and Elections (Wales) Act 2021(**1**) and section 22(6) and (7) of the Local Government Act 2000(**2**).

A draft of this instrument has been laid before, and approved by a resolution of, Senedd Cymru in accordance with section 174(4) and (5)(f) of the Local Government and Elections (Wales) Act 2021(**3**).

Title and commencement

1. The title of these Regulations is the Local Authorities (Amendments Relating to Publication of Information) (Wales) Regulations 2022 and they come into force on 5 May 2022.

(**1**) 2021 asc 1.
(**2**) 2000 c. 22; section 22(6) was amended by the Localism Act 2011 (c. 20), Schedule 3, paragraph 28(2).
(**3**) See also section 40 of the Legislation (Wales) Act 2019 (anaw 4) for provision about the procedure that applies to this instrument.

Diwygio Deddf Llywodraeth Leol 1972

2. Yn adran 100G o Ddeddf Llywodraeth Leol 1972(**1**) (gwybodaeth ychwanegol a gyhoeddir gan brif gynghorau), ar ôl is-adran (4) mewnosoder—

> "(5) But, in relation to a principal council in Wales, the information open to inspection under subsection (4) must not include a member's address included in the register maintained under subsection (1)."

Diwygio Rheoliadau Awdurdodau Lleol (Trefniadau Gweithrediaeth) (Penderfyniadau, Dogfennau a Chyfarfodydd) (Cymru) 2001

3. Yn rheoliad 12 o Reoliadau Awdurdodau Lleol (Trefniadau Gweithrediaeth) (Penderfyniadau, Dogfennau a Chyfarfodydd) (Cymru) 2001(**2**) (gwybodaeth ychwanegol a gyhoeddir gan awdurdodau lleol), ar ôl paragraff (3) mewnosoder—

> "(4) Ond, ni chaiff yr wybodaeth sy'n agored i'w harchwilio o dan baragraff (3) gynnwys cyfeiriad aelod sydd wedi ei gynnwys yn y gofrestr a gedwir o dan baragraff (1)."

Amendment to the Local Government Act 1972

2. In section 100G of the Local Government Act 1972(**1**) (additional information published by principal councils), after subsection (4) insert—

> "(5) But, in relation to a principal council in Wales, the information open to inspection under subsection (4) must not include a member's address included in the register maintained under subsection (1)."

Amendment to the Local Authorities (Executive Arrangements) (Decisions, Documents and Meetings) (Wales) Regulations 2001

3. In regulation 12 of the Local Authorities (Executive Arrangements) (Decisions, Documents and Meetings) (Wales) Regulations 2001(**2**) (additional information published by local authorities), after paragraph (3) insert—

> "(4) But, the information open to inspection under paragraph (3) must not include a member's address included in the register maintained under paragraph (1)."

Rebecca Evans

Y Gweinidog Cyllid a Llywodraeth Leol, un o Weinidogion Cymru
30 Mawrth 2022

Minister for Finance and Local Government, one of the Welsh Ministers
30 March 2022

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(**1**) 1972 p. 70. Mewnosodwyd adran 100G gan adran 1(1) o Ddeddf Llywodraeth Leol (Mynediad at Wybodaeth) 1985 (p. 43).
(**2**) O.S. 2001/2290 (Cy. 178), y mae diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

(**1**) 1972 c. 70. Section 100G was inserted by section 1(1) of the Local Government (Access to Information) Act 1985 (c. 43).
(**2**) S.I. 2001/2290 (W. 178), to which there are amendments not relevant to these Regulations.

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