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OFFERYNNAU STATUDOL  
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WELSH STATUTORY  
INSTRUMENTS

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**2022 Rhif 797 (Cy. 175)**

**2022 No. 797 (W. 175)**

**LLYWODRAETH LEOL,  
CYMRU**

**LOCAL GOVERNMENT,  
WALES**

**Rheoliadau Cyd-bwyllgorau  
Corfforedig (Cyffredinol) (Rhif 2)  
(Cymru) 2022**

**The Corporate Joint Committees  
(General) (No. 2) (Wales)  
Regulations 2022**

**NODYN ESBONIADOL**

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

Mae'r Rheoliadau hyn wedi eu gwneud fel rhan o gyfres o reoliadau sy'n gysylltiedig â sefydlu cyd-bwyllgorau corfforedig yng Nghymru drwy reoliadau o dan Ran 5 o Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021 ("Deddf 2021").

Mae 5 Rhan i'r Rheoliadau hyn.

Mae Rhan 1 yn gwneud darpariaeth ynghylch cychwyn a dehongli'r Rheoliadau hyn.

Mae Rhan 2 yn diwygio Deddf Archwilio Cyhoeddus (Cymru) 2004 fel y bydd Archwilydd Cyffredinol Cymru yn gallu cyfarwyddo cyd-bwyllgorau corfforedig i gyhoeddi gwybodaeth sy'n ymwneud â'u perfformiad.

Mae Rhan 2 hefyd yn mewnosod adran 115A newydd ac Atodlen 10A newydd yn Neddf 2021. Effaith y darpariaethau newydd hyn yw cymhwyso'r rhan fwyaf o Bennod 1 o Ran 6 o Ddeddf 2021 (perfformiad cynghorau sir a chynghorau bwrdeistref sirol yng Nghymru) i gyd-bwyllgorau corfforedig, gydag addasiadau sy'n gwneud y Bennod honno yn addas ar gyfer amgylchiadau cyd-bwyllgorau corfforedig.

**EXPLANATORY NOTE**

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

These Regulations are made as part of a suite of regulations connected with the establishment of corporate joint committees in Wales by regulations under Part 5 of the Local Government and Elections (Wales) Act 2021 ("the 2021 Act").

There are 5 Parts to these Regulations.

Part 1 makes provision about the commencement and interpretation of these Regulations.

Part 2 amends the Public Audit (Wales) Act 2004 so that the Auditor General for Wales will be able to direct corporate joint committees to publish information relating to their performance.

Part 2 also inserts new section 115A and new Schedule 10A into the 2021 Act. The effect of these new provisions is to apply most of Chapter 1 of Part 6 of the 2021 Act (performance of county and county borough councils in Wales) to corporate joint committees, with modifications which make that Chapter fit the circumstances of corporate joint committees.

Bydd Pennod 1 o Ran 6 o Ddeddf 2021, fel y'i cymhwysir i gyd-bwyllgorau corfforedig gan yr adran 115A newydd a'r Atodlen 10A newydd, yn darparu ar gyfer asesu perfformiad cyd-bwyllgorau corfforedig. Bydd hefyd yn rhoi pwerau i Archwilydd Cyffredinol Cymru gynnal arolygiadau o gyd-bwyllgorau corfforedig, yn ogystal â darparu ar gyfer rhoi cefnogaeth a chymorth i gyd-bwyllgorau corfforedig, ac ar gyfer ymyriadau eraill gan Weinidogion Cymru.

Mae paragraff 2 o'r Atodlen 10A newydd yn gwneud rhai addasiadau cyffredinol i gyfeiriadau ym Mhennod 1 o Ran 6, gan gynnwys ei gwneud yn ofynnol i gyfeiriadau at brif gynghorau gael eu darllen fel pe baent yn gyfeiriadau at gyd-bwyllgorau corfforedig. Fodd bynnag, rhaid darllen yr addasiadau cyffredinol hynny mewn cyfuniad â pharagraffau 3 i 17 o'r Atodlen 10A newydd sy'n gwneud addasiadau ychwanegol ac, mewn achosion penodol, addasiadau gwahanol i gyfeiriadau at brif gynghorau.

Mae Rhan 2 o'r Rheoliadau hyn hefyd yn diwygio adran 159 o Ddeddf 2021 i greu pwerau a dyletswyddau i rannu gwybodaeth at ddibenion swyddogaethau penodol y caniateir eu harfer mewn perthynas â chyd-bwyllgorau corfforedig.

Mae Rhan 3 o'r Rheoliadau hyn yn gwneud darpariaeth sy'n ei gwneud yn ofynnol i gyd-bwyllgorau corfforedig gydweithredu a rhoi cymorth pan fo pwyllgor trosolwg a chraffu un neu ragor o gynghorau cyfansoddol o'r cyd-bwyllgor corfforedig yn gwneud adroddiad neu argymhellion mewn perthynas ag arfer swyddogaeth gan y cyd-bwyllgor corfforedig. Gall hyn olygu sicrhau bod ei aelodau a'i staff yn mynychu cyfarfodydd o'r pwyllgor neu y darperir dogfennau (neu wybodaeth arall). Rhaid i'r cyd-bwyllgor corfforedig hefyd roi sylw i unrhyw adroddiad neu argymhellion o'r fath a gyhoeddir gan y pwyllgor trosolwg a chraffu hwnnw, ac ymateb i'r adroddiad hwnnw neu'r argymhellion hynny.

Mae Rhan 3 hefyd yn gwneud darpariaeth ynghylch yr is-bwyllgor llywodraethu ac archwilio y mae rhaid i bob un o'r cyd-bwyllgorau corfforedig presennol ei benodi o dan y rheoliadau sy'n sefydlu'r cyd-bwyllgorau corfforedig. Mae'n darparu bod rhaid i'r is-bwyllgor benodi cadeirydd ac yn gwneud darpariaeth ynghylch pa mor aml y cynhelir cyfarfodydd a'r weithdrefn bleidleisio.

Mae Rhan 4 o'r Rheoliadau hyn yn gwneud darpariaeth mewn perthynas â rheolau sefydlog cyd-bwyllgorau corfforedig drwy estyn pŵer presennol Gweinidogion Cymru i'w gwneud yn ofynnol i awdurdodau penodol fabwysiadu rheolau sefydlog i reoleiddio eu trafodion a'u busnes i gynnwys cyd-bwyllgorau corfforedig. Mae'r Rhan hefyd yn gwneud

Chapter 1 of Part 6 of the 2021 Act, as applied to corporate joint committees by new section 115A and new Schedule 10A, will provide for the assessment of the performance of corporate joint committees. It will also give powers to the Auditor General for Wales to carry out inspections of corporate joint committees, as well as providing for support and assistance to be given to corporate joint committees, and for other interventions by the Welsh Ministers.

Paragraph 2 of the new Schedule 10A makes some general modifications of references in Chapter 1 of Part 6, including requiring references to principal councils to be read as if they were references to corporate joint committees. However, those general modifications must be read in combination with paragraphs 3 to 17 of new Schedule 10A, which make additional and, in certain cases, different modifications of references to principal councils.

Part 2 of these Regulations also amends section 159 of the 2021 Act to create powers and duties to share information for the purposes of certain functions which may be exercised in relation to corporate joint committees.

Part 3 of these Regulations makes provision requiring corporate joint committees to co-operate and provide assistance where the overview and scrutiny committee of one or more constituent councils of the corporate joint committee is making a report or recommendations in relation to the exercise by the corporate joint committee of one of its functions. This may involve ensuring that its members and staff attend meetings of the committee or that documents (or other information) are provided. The corporate joint committee must also have regard and respond to any such report or recommendations as may be published by such an overview and scrutiny committee.

Part 3 also makes provision about the governance and audit sub-committee that each of the existing corporate joint committees must appoint under the regulations establishing them. It provides that the sub-committee must appoint a chairperson and makes provision about the frequency of meetings and the voting procedure.

Part 4 of these Regulations makes provision in relation to standing orders of corporate joint committees by extending the existing power of the Welsh Ministers to require certain authorities to adopt standing orders regulating their proceedings and business to include corporate joint committees. The Part also makes provision imposing a duty on

darpariaeth sy'n gosod dyletswydd ar gyd-bwyllgorau corfforedig i fabwysiadu rheolau sefydlog mewn perthynas â chontractau. Mae hyn yn cyfateb i adran 135 o Ddeddf Llywodraeth Leol 1972 sy'n gymwys i awdurdodau lleol yng Nghymru.

Mae Rhan 5 o'r Rheoliadau hyn yn gwneud darpariaethau amrywiol a chanlyniadol. Mae hyn yn cynnwys diwygio swyddogaethau is-bwyllgorau llywodraethu ac archwilio fel y'u nodir yn y rheoliadau sy'n sefydlu pob un o'r pedwar cyd-bwyllgor corfforedig presennol.

Gellir cael copi o'r asesiad effaith rheoleiddiol sy'n ymwneud â sefydlu cyd-bwyllgorau corfforedig oddi wrth: Yr Is-adran Cyllid Strategol Llywodraeth Leol, Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ.

corporate joint committees to adopt standing orders in relation to contracts. This is equivalent to section 135 of the Local Government Act 1972 which applies to local authorities in Wales.

Part 5 of these Regulations makes miscellaneous and consequential provision. This includes amendments to the functions of governance and audit sub-committees as set out in the regulations establishing each of the four existing corporate joint committees.

A copy of the regulatory impact assessment relating to the establishment of corporate joint committees can be obtained from the Local Government Strategic Finance Division, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

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**LLYWODRAETH LEOL,  
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**Rheoliadau Cyd-bwyllgorau  
Corfforedig (Cyffredinol) (Rhif 2)  
(Cymru) 2022**

**The Corporate Joint Committees  
(General) (No. 2) (Wales)  
Regulations 2022**

*Gwnaed* 13 Gorffennaf 2022

*Made* 13 July 2022

*Yn dod i rym* 15 Gorffennaf 2022

*Coming into force* 15 July 2022

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir iddynt gan adrannau 80(1), 83, 84 a 174 o Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021(1), yn gwneud y Rheoliadau a ganlyn.

The Welsh Ministers, in exercise of the powers conferred on them by sections 80(1), 83, 84 and 174 of the Local Government and Elections (Wales) Act 2021(1), make the following Regulations.

Yn unol ag adran 80(2)(c) ac adran 82(2) a (3)(a) a (d) o'r Ddeddf honno, mae Gweinidogion Cymru wedi ymgynghori â'r personau hynny y maent yn ystyried eu bod yn briodol ar ddrafft o'r Rheoliadau hyn, ac wedi rhoi hysbysiad o'u bwriad i wneud y Rheoliadau i'r prif gynghorau yn ardaloedd y cyd-bwyllgorau corfforedig ac i'r cyd-bwyllgorau corfforedig.

In accordance with section 80(2)(c) and section 82(2) and (3)(a) and (d) of that Act, the Welsh Ministers have consulted such persons as they consider appropriate on a draft of these Regulations, and have given notice of their intention to make the Regulations to the principal councils in the corporate joint committees' areas and to the corporate joint committees.

Gosodwyd drafft o'r offeryn hwn gerbron Senedd Cymru ac fe'i cymeradwywyd ganddi drwy benderfyniad yn unol ag adran 174(4) a (5) o'r Ddeddf honno.

A draft of this instrument has been laid before and approved by resolution of Senedd Cymru in accordance with section 174(4) and (5) of that Act.

**RHAN 1**  
Cyflwyniad

**PART 1**  
Introduction

**Enwi a dod i rym**

**1.**—(1) Enw'r Rheoliadau hyn yw Rheoliadau Cyd-bwyllgorau Corfforedig (Cyffredinol) (Rhif 2) (Cymru) 2022.

**Title and coming into force**

**1.**—(1) The title of these Regulations is the Corporate Joint Committees (General) (No. 2) (Wales) Regulations 2022.

(2) Daw'r Rheoliadau hyn i rym ar 15 Gorffennaf 2022.

## Dehongli

### 2. Yn y Rheoliadau hyn—

ystyr “cyd-bwyllgor corfforedig” (“*corporate joint committee*”) yw cyd-bwyllgor corfforedig a sefydlir drwy reoliadau o dan Ran 5 o Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021;

ystyr “Deddf 2000” (“*the 2000 Act*”) yw Deddf Llywodraeth Leol 2000(1);

ystyr “Deddf 2021” (“*the 2021 Act*”) yw Deddf Llywodraeth Leol ac Etholiadau (Cymru) 2021 (2).

## RHAN 2

Perfformiad a gwybodaeth sy'n gysylltiedig â pherfformiad

### Diwygio Deddf Archwilio Cyhoeddus (Cymru) 2004 i ddarparu ar gyfer cyfarwyddydau gan Archwilydd Cyffredinol Cymru

3.—(1) Mae Deddf Archwilio Cyhoeddus (Cymru) 2004(3) wedi ei diwygio fel a ganlyn.

(2) Yn adran 46(1) (cyrff y caiff Archwilydd Cyffredinol Cymru eu cyfarwyddo i gyhoeddi gwybodaeth), ar ôl paragraff (b) mewnosoder—

“(ba) a corporate joint committee;”.

(3) Yn adran 47(4)(c) (edrych ar wybodaeth sy'n ymwneud â pherfformiad), ar y dechrau mewnosoder “in the case of a relevant body which is not a corporate joint committee,”.

(4) Yn adran 48 (dulliau a ganiateir o gyhoeddi gwybodaeth o dan adran 47), yn lle is-adran (1) rhodder—

“(1) The permitted methods of publication referred to in section 47(4)(b) are—

- (a) in the case of a relevant body which is a corporate joint committee, electronic publication;
- (b) in the case of a relevant body which is not a corporate joint committee, the methods mentioned in subsections (2) and (3).”

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(1) 2000 p. 22.  
(2) 2021 dsc 1.  
(3) 2004 p. 23.

(2) These Regulations come into force on 15 July 2022.

## Interpretation

### 2. In these Regulations—

“the 2000 Act” (“*Deddf 2000*”) means the Local Government Act 2000(1);

“the 2021 Act” (“*Deddf 2021*”) means the Local Government and Elections (Wales) Act 2021(2);

“corporate joint committee” (“*cyd-bwyllgor corfforedig*”) means a corporate joint committee established by regulations under Part 5 of the Local Government and Elections (Wales) Act 2021.

## PART 2

Performance and information related to performance

### Amendment of the Public Audit (Wales) Act 2004 to provide for directions by the Auditor General for Wales

3.—(1) The Public Audit (Wales) Act 2004(3) is amended as follows.

(2) In section 46(1) (bodies which the Auditor General for Wales may direct to publish information), after paragraph (b) insert—

“(ba) a corporate joint committee;”.

(3) In section 47(4)(c) (inspection of information relating to performance), at the beginning insert “in the case of a relevant body which is not a corporate joint committee,”.

(4) In section 48 (permitted methods of publishing information under section 47), for subsection (1) substitute—

“(1) The permitted methods of publication referred to in section 47(4)(b) are—

- (a) in the case of a relevant body which is a corporate joint committee, electronic publication;
- (b) in the case of a relevant body which is not a corporate joint committee, the methods mentioned in subsections (2) and (3).”

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(1) 2000 c. 22.  
(2) 2021 asc 1.  
(3) 2004 c. 23.

**Diwygio Deddf Llywodraeth Leol ac Etholiadau (Cymru) 2021 i gymhwyso Pennod 1 o Ran 6 i gyd-bwyllgorau corfforedig**

4. Ar ôl Pennod 1 o Ran 6 o Ddeddf 2021 (perfformiad cynghorau sir a chynghorau bwrdeistref sirol) mewnosoder—

“PENNOD 1A

PERFFORMIAD, ASESIAU  
PERFFORMIAD AC YMYRRAETH: CYD-  
BWYLLGORAU CORFFOREDIG

**115A Cymhwyso Pennod 1 i gyd-bwyllgorau corfforedig**

Mae Atodlen 10A yn cymhwyso Pennod 1 (perfformiad, asesiadau perfformiad ac ymyrraeth: prif gynghorau), ac eithrio adrannau 113, 114 a 115, i gyd-bwyllgor corfforedig gyda'r addasiadau a nodir yn yr Atodlen honno.”

5. Ar ôl Atodlen 10 i Ddeddf 2021 mewnosoder—

“ATODLEN 10A

*(a gyflwynir gan adran 115A)*

CYMHWYSO PENNOD 1 O RAN 6 I GYD-  
BWYLLGORAU CORFFOREDIG

1. Mae Pennod 1 o Ran 6, ac eithrio adrannau 113, 114 a 115, yn gymwys i gyd-bwyllgor corfforedig gyda'r addasiadau a nodir yn yr Atodlen hon.

*Addasiad cyffredinol i gyfeiriadau*

2. Ym Mhennod 1 o Ran 6—

- (a) mae'r cyfeiriadau at brif gyngor i'w darllen fel cyfeiriadau at gyd-bwyllgor corfforedig ond mae hyn yn ddarostyngedig i baragraffau 3 i 17 o'r Atodlen hon (sy'n gwneud addasiadau ychwanegol i ddarpariaethau penodol ym Mhennod 1 o Ran 6);
- (b) mae'r cyfeiriadau at bwyllgor llywodraethu ac archwilio prif gyngor i'w darllen fel cyfeiriadau at is-bwyllgor llywodraethu ac archwilio i gyd-bwyllgor corfforedig;
- (c) mae'r cyfeiriadau at ardal prif gyngor i'w darllen fel cyfeiriadau at yr ardal a bennir yn ardal cyd-bwyllgor corfforedig mewn rheoliadau o dan Ran 5 sy'n sefydlu'r cyd-bwyllgor corfforedig.

**Amendment of the Local Government and Elections (Wales) Act 2021 to apply Chapter 1 of Part 6 to corporate joint committees**

4. After Chapter 1 of Part 6 of the 2021 Act (performance of county and county borough councils) insert—

“CHAPTER 1A

PERFORMANCE, PERFORMANCE  
ASSESSMENTS AND INTERVENTION:  
CORPORATE JOINT COMMITTEES

**115A Application of Chapter 1 to corporate joint committees**

Schedule 10A applies Chapter 1 (performance, performance assessments and intervention: principal councils), except sections 113, 114 and 115, to a corporate joint committee with the modifications set out in that Schedule.”

5. After Schedule 10 to the 2021 Act insert—

“SCHEDULE 10A

*(introduced by section 115A)*

APPLICATION OF CHAPTER 1 OF PART 6  
TO CORPORATE JOINT COMMITTEES

1. Chapter 1 of Part 6, except for sections 113, 114 and 115, applies to a corporate joint committee with the modifications set out in this Schedule.

*General modification of references*

2. In Chapter 1 of Part 6—

- (a) the references to a principal council are to be read as references to a corporate joint committee but this is subject to paragraphs 3 to 17 of this Schedule (which make additional modifications to certain provisions of Chapter 1 of Part 6);
- (b) the references to a principal council's governance and audit committee are to be read as references to a corporate joint committee's governance and audit sub-committee;
- (c) the references to the area of a principal council are to be read as references to the area specified as a corporate joint committee's area in regulations under Part 5 establishing the corporate joint committee.

*Cyd-bwyllgor corfforedig i ymgynghori â phobl leol etc. ar berfformiad*

3. Mae adran 90 i'w darllen fel pe bai—

- (a) ym mharagraff (a) “pobl leol” yn golygu pobl sy'n byw, yn gweithio neu'n astudio yn yr ardal a bennir yn ardal y cyd-bwyllgor corfforedig mewn rheoliadau o dan Ran 5 sy'n sefydlu'r cyd-bwyllgor corfforedig;
- (b) y canlynol wedi ei fewnosod ar ôl paragraff (c) (ac o flaen “a”)—
  - “(ca) pob cyngor cyfansoddol o'r cyd-bwyllgor corfforedig,
  - (cb) unrhyw awdurdod Parc Cenedlaethol y mae'n ofynnol iddo drwy reoliadau o dan Ran 5 benodi aelod o'r cyd-bwyllgor corfforedig.”.

*Adroddiad hunanasesu gan gyd-bwyllgor corfforedig*

4. Mae adran 91(10)(c) i'w darllen fel pe bai—

- (a) yn is-baragraff (ii), ar y dechrau, “os oes gan y cyd-bwyllgor corfforedig swyddogaeth sy'n ymwneud ag addysg,” wedi ei fewnosod;
- (b) y canlynol wedi ei fewnosod ar ôl is-baragraff (ii) (ac o flaen “a”)—
  - “(iia) pob cyngor cyfansoddol o'r cyd-bwyllgor corfforedig,
  - (iib) unrhyw awdurdod Parc Cenedlaethol y mae'n ofynnol iddo drwy reoliadau o dan Ran 5 benodi aelod o'r cyd-bwyllgor corfforedig.”.

*Aseidiadau panel o berfformiad*

5. Mae adran 92 i'w darllen fel pe bai—

- (a) yn is-adran (1), “i brif gynghorau yng Nghymru (“y cyfnod rhyngetholiadol”)” wedi ei roi yn lle “i'r cyngor”;
- (b) y canlynol wedi ei fewnosod ar ôl is-adran (1)—
  - “(1A) At ddibenion is-adran (1), y cyfnod rhyngetholiadol cyntaf yw'r cyfnod yn union ar ôl yr etholiad a grybwyllir yn is-adran (1B).

*Corporate joint committee to consult local people etc. on performance*

3. Section 90 is to be read as if—

- (a) in paragraph (a) “local people” means people who live, work or study in the area specified as the corporate joint committee's area in regulations under Part 5 establishing the corporate joint committee;
- (b) after paragraph (c) (and before “and”) there were inserted—
  - “(ca) each constituent council of the corporate joint committee,
  - (cb) any National Park authority which is required by regulations under Part 5 to appoint a member of the corporate joint committee.”.

*Self-assessment report by corporate joint committee*

4. Section 91(10)(c) is to be read as if—

- (a) in sub-paragraph (ii), at the beginning, there were inserted “if the corporate joint committee has a function relating to education,”;
- (b) after sub-paragraph (ii) (and before “and”) there were inserted—
  - “(iia) each constituent council of the corporate joint committee,
  - (iib) any National Park authority which is required by regulations under Part 5 to appoint a member of the corporate joint committee.”.

*Panel assessment of performance*

5. Section 92 is to be read as if—

- (a) in subsection (1), for “to the council” there were substituted “to principal councils in Wales (“the inter-election period”)”;
- (b) after subsection (1) there were inserted—
  - “(1A) For the purposes of subsection (1), the first inter-election period is the period immediately following the election mentioned in subsection (1B).

(1B) Yr etholiad a grybwyllir yn yr is-adran hon yw'r etholiad cyffredin nesaf ar gyfer cynghorwyr i brif gynghorau yng Nghymru sy'n dilyn yr etholiad a ddigwyddodd ar 5 Mai 2022.”;

(c) yn is-adran (3)—

(i) ym mharagraff (a) “pobl leol” yn golygu pobl sy'n byw, yn gweithio neu'n astudio yn yr ardal a bennir yn ardal y cyd-bwyllgor corfforedig mewn rheoliadau o dan Ran 5 sy'n sefydlu'r cyd-bwyllgor corfforedig;

(ii) y canlynol wedi ei fewnosod ar ôl paragraff (c) (ac o flaen “a”)—

“(ca) pob cyngor cyfansoddol o'r cyd-bwyllgor corfforedig,

(cb) unrhyw awdurdod Parc Cenedlaethol y mae'n ofynnol iddo drwy reoliadau o dan Ran 5 benodi aelod o'r cyd-bwyllgor corfforedig.”;

(d) yn is-adran (5)—

(i) ym mharagraff (c), ar y dechrau, “os oes gan y cyd-bwyllgor corfforedig swyddogaeth sy'n ymwneud ag addysg,” wedi ei fewnosod;

(ii) y canlynol wedi ei fewnosod ar ôl paragraff (c) (ac o flaen “a”)—

“(ca) pob cyngor cyfansoddol o'r cyd-bwyllgor corfforedig,

(cb) unrhyw awdurdod Parc Cenedlaethol y mae'n ofynnol iddo drwy reoliadau o dan Ran 5 benodi aelod o'r cyd-bwyllgor corfforedig.”;

(e) yn is-adran (7), “i brif gynghorau yng Nghymru” wedi ei roi yn lle “i'r cyngor”.

(f) y canlynol wedi ei fewnosod ar ôl is-adran (7)—

“(7A) Y cyntaf o'r etholiadau a grybwyllir yn is-adran (7) yw'r etholiad cyffredin nesaf ar gyfer cynghorwyr i brif gynghorau yng Nghymru sy'n dilyn yr etholiad a grybwyllir yn is-adran (1B).”

*Ymateb cyd-bwyllgor corfforedig i adroddiad gan banel*

6. Mae adran 93 i'w darllen fel pe bai—

(a) yn is-adran (6)(b)—

(1B) The election mentioned in this subsection is the next ordinary election of councillors to principal councils in Wales which follows that which took place on 5 May 2022.”;

(c) in subsection (3)—

(i) in paragraph (a) “local people” means people who live, work or study in the area specified as the corporate joint committee's area in regulations under Part 5 establishing the corporate joint committee;

(ii) after paragraph (c) (and before “and”) there were inserted—

“(ca) each constituent council of the corporate joint committee,

(cb) any National Park authority which is required by regulations under Part 5 to appoint a member of the corporate joint committee.”;

(d) in subsection (5)—

(i) in paragraph (c), at the beginning, there were inserted “if the corporate joint committee has a function relating to education.”;

(ii) after paragraph (c) (and before “and”) there were inserted—

“(ca) each constituent council of the corporate joint committee,

(cb) any National Park authority which is required by regulations under Part 5 to appoint a member of the corporate joint committee.”;

(e) in subsection (7), for “to the council” there were substituted “to principal councils in Wales”;

(f) after subsection (7) there were inserted—

“(7A) The first of the elections mentioned in subsection (7) is the next ordinary election of councillors to principal councils in Wales which follows the election mentioned in subsection (1B).”

*Response by corporate joint committee to report by panel*

6. Section 93 is to be read as if—

(a) in subsection (6)(b)—



(i) yn is-baragraff (iii), ar y dechrau, “os oes gan y cyd-bwyllgor corfforedig swyddogaeth sy’n ymwneud ag addysg,” wedi ei fewnosod;

(ii) y canlynol wedi ei fewnosod ar ôl is-baragraff (iii) (ac o flaen “a”)—

“(iia) pob cyngor cyfansoddol o’r cyd-bwyllgor corfforedig,

(iib) unrhyw awdurdod Parc Cenedlaethol y mae’n ofynnol iddo drwy reoliadau o dan Ran 5 benodi aelod o’r cyd-bwyllgor corfforedig,”;

(b) yn is-adran (7), “i brif gynghorau yng Nghymru” wedi ei roi yn lle “i’r cyngor”.

(c) y canlynol wedi ei fewnosod ar ôl is-adran (7)—

“(7A) Y cyntaf o’r etholiadau a grybwyllir yn is-adran (7) yw’r etholiad cyffredin nesaf ar gyfer cynghorwyr i brif gynghorau yng Nghymru sy’n dilyn yr etholiad a grybwyllir yn adran 92(1B).”

*Arolygiad arbennig gan Archwilydd Cyffredinol Cymru*

7. Mae adran 95 i’w darllen fel pe bai—

(a) yn is-adran (7)(b)—

(i) yn is-baragraff (ii), ar y dechrau, “os oes gan y cyd-bwyllgor corfforedig swyddogaeth sy’n ymwneud ag addysg,” wedi ei fewnosod;

(ii) y canlynol wedi ei fewnosod ar ôl is-baragraff (ii) (ac o flaen “a”)—

“(iia) pob cyngor cyfansoddol o’r cyd-bwyllgor corfforedig,

(iib) unrhyw awdurdod Parc Cenedlaethol y mae’n ofynnol iddo drwy reoliadau o dan Ran 5 benodi aelod o’r cyd-bwyllgor corfforedig,”;

(b) is-adran (9) wedi ei hepgor.

(i) in sub-paragraph (iii), at the beginning, there were inserted “if the corporate joint committee has a function relating to education,”;

(ii) after sub-paragraph (iii) (and before “and”) there were inserted—

“(iia) each constituent council of the corporate joint committee,

(iib) any National Park authority which is required by regulations under Part 5 to appoint a member of the corporate joint committee,”;

(b) in subsection (7), for “to the council” there were substituted “to principal councils in Wales”;

(c) after subsection (7) there were inserted—

“(7A) The first of the elections mentioned in subsection (7) is the next ordinary election of councillors to principal councils in Wales which follows the election mentioned in section 92(1B).”

*Special inspection by Auditor General for Wales*

7. Section 95 is to be read as if—

(a) in subsection (7)(b)—

(i) in sub-paragraph (ii), at the beginning, there were inserted “if the corporate joint committee has a function relating to education,”;

(ii) after sub-paragraph (ii) (and before “and”), there were inserted—

“(iia) each constituent council of the corporate joint committee,

(iib) any National Park authority which is required by regulations under Part 5 to appoint a member of the corporate joint committee,”;

(b) subsection (9) were omitted.

*Ymateb cyd-bwyllgor corfforedig i argymhellion yr Archwilydd Cyffredinol*

**8.** Mae adran 96(7)(b) i'w darllen fel pe bai—

- (a) yn is-baragraff (i), ar y dechrau, “os oes gan y cyd-bwyllgor corfforedig swyddogaeth sy'n ymwneud ag addysg,” wedi ei fewnosod,
- (b) y canlynol wedi ei fewnosod ar ôl is-baragraff (i) (ac o flaen “a”)—
  - “(ia) pob cyngor cyfansoddol o'r cyd-bwyllgor corfforedig,
  - (ib) unrhyw awdurdod Parc Cenedlaethol y mae'n ofynnol iddo drwy reoliadau o dan Ran 5 benodi aelod o'r cyd-bwyllgor corfforedig.”.

*Ymateb Gweinidogion Cymru i argymhellion yr Archwilydd Cyffredinol*

**9.** Mae adran 97(2)(b) i'w darllen fel pe bai—

- (a) y canlynol wedi ei fewnosod ar ôl is-baragraff (ii) (ac o flaen “a”)—
  - “(ia) pob cyngor cyfansoddol o'r cyd-bwyllgor corfforedig hwnnw,
  - (iib) unrhyw awdurdod Parc Cenedlaethol y mae'n ofynnol iddo drwy reoliadau o dan Ran 5 benodi aelod o'r cyd-bwyllgor corfforedig hwnnw.”;
- (b) yn is-baragraff (iii), ar y dechrau, “os oes gan y cyd-bwyllgor corfforedig swyddogaeth sy'n ymwneud ag addysg,” wedi ei fewnosod.

*Pwerau mynediad ac arolygu etc. yr Archwilydd Cyffredinol*

**10.** Mae adran 98 i'w darllen fel pe bai—

- (a) y canlynol wedi ei roi yn lle is-adran (1)—
  - “(1) Caiff arolygydd, ar unrhyw adeg resymol, fynd i unrhyw fangre—
    - (a) cyd-bwyllgor corfforedig;
    - (b) cyngor cyfansoddol o'r cyd-bwyllgor corfforedig;
    - (c) awdurdod Parc Cenedlaethol y mae'n ofynnol iddo drwy reoliadau o dan Ran 5 benodi aelod o gyd-bwyllgor corfforedig,

*Response by corporate joint committee to Auditor General's recommendations*

**8.** Section 96(7)(b) is to be read as if—

- (a) in sub-paragraph (i), at the beginning, there were inserted “if the corporate joint committee has a function relating to education,”,
- (b) after sub-paragraph (i) (and before “and”) there were inserted—
  - “(ia) each constituent council of the corporate joint committee,
  - (ib) any National Park authority which is required by regulations under Part 5 to appoint a member of the corporate joint committee.”.

*Response by the Welsh Ministers to Auditor General's recommendations*

**9.** Section 97(2)(b) is to be read as if—

- (a) after sub-paragraph (ii) (and before “and”) there were inserted—
  - “(ia) each constituent council of that corporate joint committee,
  - (iib) any National Park authority which is required by regulations under Part 5 to appoint a member of that corporate joint committee.”;
- (b) in sub-paragraph (iii), at the beginning, there were inserted “if the corporate joint committee has a function relating to education,”.

*Auditor General's powers of entry and inspection etc.*

**10.** Section 98 is to be read as if—

- (a) for subsection (1) there were substituted—
  - “(1) An inspector may at any reasonable time enter any premises of—
    - (a) a corporate joint committee;
    - (b) a constituent council of a corporate joint committee;
    - (c) a National Park authority which is required by regulations under Part 5 to appoint a member of a corporate joint committee,

a gwneud unrhyw beth y mae'r arolygydd yn ystyried ei fod yn angenrheidiol at ddibenion arolygiad arbennig o'r cyd-bwyllgor corfforedig, gan gynnwys arolygu dogfen a ddelir gan yr awdurdod y mae'r arolygydd wedi mynd i'w fangre.”;

- (b) y canlynol wedi ei roi yn lle is-adran (2)—

“(2) Caiff arolygydd ei gwneud yn ofynnol i awdurdod a grybwyllir ym mharagraff (a), (b) neu (c) o is-adran (1) ddarparu i'r arolygydd unrhyw un neu ragor o'r canlynol y mae'r arolygydd yn ystyried eu bod yn angenrheidiol at ddibenion arolygiad arbennig o'r cyd-bwyllgor corfforedig—

(a) dogfen y mae'r awdurdod yn ei dal;

(b) cyfleusterau a chymorth.”;

- (c) y canlynol wedi ei roi yn lle paragraff (b) o is-adran (4)—

“(b) ei gwneud yn ofynnol i awdurdod a grybwyllir ym mharagraff (a), (b) neu (c) o is-adran (1) ddarparu i'r arolygydd gopi darllenadwy, gan gynnwys copi electronig darllenadwy, o ddogfen a arolygir yn ei fangre o dan is-adran (1) neu a ddarparwyd ganddo o dan is-adran (2)(a);”.

*Pwerau mynediad ac arolygu etc. yr Archwilydd Cyffredinol: rhybudd a thystiolaeth adnabod*

**11.** Mae adran 99 i'w darllen fel pe bai—

- (a) y canlynol wedi ei roi yn lle is-adran (1)—

“(1) Caiff arolygydd fynd i fangre awdurdod a grybwyllir ym mharagraff (a), (b) neu (c) o adran 98(1) wrth arfer y pwerau o dan yr is-adran honno o dan yr amgylchiadau a ganlyn yn unig —

(a) pan fo arolygydd wedi rhoi rhybudd ysgrifenedig i'r awdurdod, a

(b) pan fo o leiaf dri diwrnod gwaith rhwng y diwrnod y mae'r arolygydd yn rhoi'r rhybudd a'r diwrnod y mae'r arolygydd yn mynd i'r fangre.”;

and do anything that the inspector considers necessary for the purposes of a special inspection of the corporate joint committee, including inspecting a document held by the authority whose premises the inspector has entered.”;

- (b) for subsection (2) there were substituted—

“(2) An inspector may require an authority mentioned in paragraph (a), (b) or (c) of subsection (1) to provide the inspector with any of the following that the inspector considers necessary for the purposes of a special inspection of the corporate joint committee—

(a) a document held by the authority;

(b) facilities and assistance.”;

- (c) for paragraph (b) of subsection (4) there were substituted—

“(b) require an authority mentioned in paragraph (a), (b) or (c) of subsection (1) to provide the inspector with a legible copy, including a legible electronic copy, of a document inspected on its premises under subsection (1) or provided by it under subsection (2)(a);”.

*Auditor General's powers of entry and inspection etc.: notice and evidence of identity*

**11.** Section 99 is to be read as if—

- (a) for subsection (1) there were substituted—

“(1) An inspector may enter the premises of an authority mentioned in paragraph (a), (b) or (c) of section 98(1) in exercise of the powers under that subsection only if—

(a) an inspector has given notice in writing to the authority, and

(b) there are at least three working days between the day on which the inspector gives the notice and the day on which the inspector enters the premises.”;

(b) yn is-adran (2), “awdurdod” wedi ei roi yn lle “cyngor”, yn y ddau le y mae’n digwydd;

(c) y canlynol wedi ei roi yn lle is-adran (3)—

“(3) Nid yw’r gofyniad yn is-adran (1) yn gymwys os yw arolygydd yn ystyried y byddai rhoi rhybudd i awdurdod o arfer pŵer o dan adran 98(1) yn ei erbyn yn niweidio, neu’n debygol o niweidio, arfer y pŵer hwnnw.”

(3A) Nid yw’r gofyniad yn is-adran (2) yn gymwys os yw arolygydd yn ystyried y byddai rhoi rhybudd i awdurdod o arfer pŵer o dan adran 98(2) yn ei erbyn yn niweidio, neu’n debygol o niweidio, arfer y pŵer hwnnw.”;

(d) yn is-adran (4)(b)(i), “aelod o brif gyngor neu awdurdod Parc Cenedlaethol neu’n aelod o staff prif gyngor neu awdurdod Parc Cenedlaethol (pa un a yw’r person hwnnw hefyd yn aelod o gyd-bwyllgor corfforedig neu’n aelod o staff cyd-bwyllgor corfforedig ai peidio)” wedi ei roi yn lle “aelod o brif gyngor neu’n aelod o staff prif gyngor”;

(e) yn is-adran (5)—

(i) “awdurdod a grybwyllir ym mharagraff (a), (b) neu (c) o adran 98(1)” wedi ei roi yn lle “brif gyngor”;

(ii) “awdurdod” wedi ei roi yn lle “cyngor”, ym mhob lle y mae’n digwydd ym mharagraffau (a), (b) ac (c);

(iii) y canlynol wedi ei fewnosod ar ôl paragraff (c)—

“(d) os yw’r awdurdod y mae’r rhybudd i’w roi iddo yn gyd-bwyllgor corfforedig—

(i) gadael y rhybudd ym mhrif swyddfa cyngor cyfansoddol o’r cyd-bwyllgor corfforedig;

(ii) anfon y rhybudd drwy’r post dosbarth cyntaf, neu drwy wasanaeth arall sy’n darparu ar gyfer ei ddanfon yn ddim hwyrach na’r diwrnod gwaith nesaf, i brif swyddfa cyngor cyfansoddol o’r cyd-bwyllgor corfforedig.”;

(b) in subsection (2), for “council”, in both places it appears, there were substituted “authority”;

(c) for subsection (3) there were substituted—

“(3) The requirement in subsection (1) does not apply if an inspector considers that giving an authority notice of the exercise of a power under section 98(1) against it would, or would be likely to, prejudice that exercise of the power.

(3A) The requirement in subsection (2) does not apply if an inspector considers that giving an authority notice of the exercise of a power under section 98(2) against it would, or would be likely to, prejudice that exercise of the power.”;

(d) in subsection (4)(b)(i), for “member of a principal council or a member of the staff of a principal council” there were substituted “member of, or a member of the staff of, a principal council or a National Park authority (whether or not that person is also a member of, or a member of the staff of, a corporate joint committee)”;

(e) in subsection (5)—

(i) for “a principal council” there were substituted “an authority mentioned in paragraph (a), (b) or (c) of section 98(1)”;

(ii) for “council”, in each place it appears in paragraphs (a), (b) and (c), there were substituted “authority”;

(iii) after paragraph (c) there were inserted—

“(d) if the authority to which the notice is to be given is a corporate joint committee—

(i) leaving the notice at the principal office of a constituent council of the corporate joint committee;

(ii) sending the notice by first class post, or by an alternative service which provides for delivery no later than the next working day, to the principal office of a constituent council of the corporate joint committee.”;

- (f) yn is-adran (6)—
- (i) “aelod o brif gyngor neu awdurdod Parc Cenedlaethol neu aelod o staff prif gyngor neu awdurdod Parc Cenedlaethol (pa un a yw'r person hwnnw hefyd yn aelod o gyd-bwyllgor corfforedig neu aelod o staff cyd-bwyllgor corfforedig ai peidio)” wedi ei roi yn lle “aelod o brif gyngor neu aelod o staff prif gyngor”;
  - (ii) ym mharagraffau (a) a (b), “prif gyngor neu awdurdod Parc Cenedlaethol” wedi ei roi yn lle “cyngor”;
- (g) yn is-adran (7), “aelod o brif gyngor neu awdurdod Parc Cenedlaethol neu aelod o staff prif gyngor neu awdurdod Parc Cenedlaethol” wedi ei roi yn lle “aelod o brif gyngor neu aelod o staff prif gyngor”.

*Ymgynghori ar ffioedd yr Archwilydd Cyffredinol*

**12.** Mae adran 101(5)(b) i'w darllen fel pe bai “cyd-bwyllgorau corfforedig” wedi ei roi yn lle “prif gynghorau”.

*Cyfarwyddyd i ddarparu cefnogaeth a chymorth*

**13.** Mae adran 103 i'w darllen fel pe bai—

- (a) y canlynol wedi ei roi yn lle is-adran (1)—
  - “(1) Caiff Gweinidogion Cymru gyfarwyddo awdurdod a grybwyllir yn is-adran (1A) i ddarparu i gyd-bwyllgor corfforedig (“y cyd-bwyllgor corfforedig a gefnogir”) unrhyw gefnogaeth a chymorth y mae Gweinidogion Cymru yn ystyried eu bod yn briodol er mwyn cynyddu'r graddau y mae'r cyd-bwyllgor corfforedig a gefnogir yn bodloni'r gofynion perfformiad.
  - (1A) Yr awdurdodau a grybwyllir yn yr is-adran hon yw—
    - (a) cyd-bwyllgor corfforedig;
    - (b) prif gyngor.”;
- (b) yn is-adran (3), “awdurdod y mae Gweinidogion Cymru yn bwriadu rhoi'r cyfarwyddyd iddo a'r cyd-bwyllgor corfforedig a gefnogir” wedi ei roi yn lle “ddau gyngor”;

- (f) in subsection (6)—
- (i) for “member of a principal council or a member of the staff of a principal council” there were substituted “member of, or a member of the staff of, a principal council or a National Park authority (whether or not that person is also a member of, or a member of the staff of, a corporate joint committee)”;
  - (ii) in paragraphs (a) and (b), for “council” there were substituted “principal council or National Park authority”;
- (g) in subsection (7), for “member of a principal council or a member of the staff of a principal council” there were substituted “member of, or a member of the staff of, a principal council or a National Park authority”.

*Consultation on Auditor General's fees*

**12.** Section 101(5)(b) is to be read as if for “principal councils” there were substituted “corporate joint committees”.

*Direction to provide support and assistance*

**13.** Section 103 is to be read as if—

- (a) for subsection (1) there were substituted—
  - “(1) The Welsh Ministers may direct an authority mentioned in subsection (1A) to provide a corporate joint committee (“the supported corporate joint committee”) with such support and assistance as the Welsh Ministers consider appropriate to increase the extent to which the supported corporate joint committee meets the performance requirements.
  - (1A) The authorities mentioned in this subsection are—
    - (a) a corporate joint committee;
    - (b) a principal council.”;
- (b) in subsection (3), for “both councils” there were substituted “the authority to which the Welsh Ministers are proposing to give the direction and the supported corporate joint committee”;

- (c) yn is-adran (4)—
- (i) “awdurdod” wedi ei roi yn lle “prif gyngor”;
  - (ii) “cyd-bwyllgor corfforedig a gefnogir” wedi ei roi yn lle “cyngor a gefnogir”, ym mhob lle y mae’n digwydd.”

*Pwerau Gweinidogion Cymru i ymyrryd*

**14.** Mae adran 104(2)(a) i’w darllen fel pe bai “awdurdod arall” wedi ei roi yn lle “cyngor arall”.

*Cyfarwyddyd i gydweithredu â darparu cefnogaeth a chymorth*

**15.** Mae adran 105 i’w darllen fel pe bai—

- (a) yn is-adran (1)—
  - (i) “cyd-bwyllgor corfforedig (“y cyd-bwyllgor corfforedig a gefnogir”)” wedi ei roi yn lle “prif gyngor (“y cyngor a gefnogir”);
  - (ii) ym mharagraff (b), “awdurdod” wedi ei roi yn lle “prif gyngor”;
  - (iii) “i’r cyd-bwyllgor corfforedig a gefnogir” wedi ei roi yn lle “i’r cyngor a gefnogir”;
- (b) yn is-adrannau (2), (3) a (4), “cyd-bwyllgor corfforedig” wedi ei roi yn lle “cyngor”, ym mhob lle y mae’n digwydd;
- (c) yn is-adran (5), “ac awdurdod” wedi ei roi yn lle “a phrif gyngor”.

*Arfer swyddogaethau*

**16.** Mae adran 108 i’w darllen fel pe bai’r canlynol wedi ei roi yn lle is-adrannau (1) i (3)—

“(1) Nid yw rheoliad 13 o Reoliadau Cyd-bwyllgorau Corfforedig (Cyffredinol) (Rhif 2) (Cymru) 2021 (trefniadau ar gyfer cyflawni swyddogaethau) yn gymwys i swyddogaethau cyd-bwyllgor corfforedig a grybwyllir yn is-adran (4).”

*Dehongli*

**17.** Mae adran 112 i’w darllen fel pe bai’r canlynol wedi ei fewnosod yn y lle priodol—

“ystyr “cyngor cyfansoddol” (“constituent council”), mewn perthynas â chyd-bwyllgor corfforedig penodol, yw cyngor

- (c) in subsection (4)—
- (i) for “a principal council” there were substituted “an authority”;
  - (ii) for “supported council”, in each place it appears there were substituted “supported corporate joint committee”.

*Powers of the Welsh Ministers to intervene*

**14.** Section 104(2)(a) is to be read as if for “another council” there were substituted “another authority”.

*Direction to co-operate with provision of support and assistance*

**15.** Section 105 is to be read as if—

- (a) in subsection (1)—
  - (i) for “principal council (“the supported council”)” there were substituted “corporate joint committee (“the supported corporate joint committee”)”;
  - (ii) in paragraph (b), for “a principal council” there were substituted “an authority”;
  - (iii) for “to the supported council” there were substituted “to the supported corporate joint committee”;
- (b) in subsections (2), (3) and (4), for “council”, in each place it appears, there were substituted “corporate joint committee”;
- (c) in subsection (5), for “a principal council” there were substituted “an authority”.

*Exercise of functions*

**16.** Section 108 is to be read as if, for subsections (1) to (3), there were substituted—

“(1) Regulation 13 of the Corporate Joint Committees (General) (No. 2) (Wales) Regulations 2021 (arrangements for the discharge of functions) does not apply to the functions of a corporate joint committee mentioned in subsection (4).”

*Interpretation*

**17.** Section 112 is to be read as if, in the appropriate place, were inserted—

““constituent council” (“*cyngor cyfansoddol*”), in relation to a particular corporate joint committee, means a constituent council as set out

cyfansoddol fel y nodir yn y rheoliadau o dan Ran 5 sy'n sefydlu'r cyd-bwyllgor corfforedig;”.

6.—(1) Yn nheitol Rhan 6 o Ddeddf 2021, ar ôl “PRIF GYNGHORAU” mewnosoder “A CHYD-BWYLLGORAU CORFFOREDIG”.

(2) Yn nheitol Pennod 1 o'r Rhan honno, ar ôl “YMYRRAETH” mewnosoder “: PRIF GYNGHORAU”.

### **Diwygio adran 159 o Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021**

7. Yn adran 159 o Ddeddf 2021 (rhannu gwybodaeth rhwng rheoleiddwyr, Archwilydd Cyffredinol Cymru a Gweinidogion Cymru)—

- (a) yn is-adran (1), ar ôl “phrif gyngor” mewnosoder “neu gyd-bwyllgor corfforedig”;
- (b) yn is-adran (4), ar ôl paragraff (b) mewnosoder—
  - “(ba) swyddogaethau Archwilydd Cyffredinol Cymru neu Weinidogion Cymru o dan Bennod 1A o Ran 6 (perfformiad cyd-bwyllgorau corfforedig);”;
- (c) yn is-adran (5), yn Nhabl 2 —
  - (i) ar ôl y trydydd cofnod yn yr ail golofn sy'n ymwneud ag Archwilydd Cyffredinol Cymru mewnosoder—

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“ Swyddogaethau o dan Bennod 1A o Ran 6 o'r Ddeddf hon (arolygiadau arbennig o berfformiad cyd-bwyllgorau corfforedig)”

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- (ii) yn yr ail golofn, yn yr ail gofnod sy'n ymwneud â Gweinidogion Cymru, ar ôl “(perfformiad prif gynghorau)” mewnosoder “, Pennod 1A o Ran 6 (perfformiad cyd-bwyllgorau corfforedig)”.

### **RHAN 3**

#### **Trosolwg a chraffu**

*Dyletswyddau mewn perthynas â throsolwg a chraffu*

### **Dyletswydd i gydweithredu o ran trosolwg a chraffu**

8.—(1) Mae'r rheoliad hwn yn gymwys—

in the regulations under Part 5 establishing the corporate joint committee;”.

6.—(1) In the title of Part 6 of the 2021 Act, after “PRINCIPAL COUNCILS” insert “AND CORPORATE JOINT COMMITTEES”.

(2) In the title of Chapter 1 of that Part, after “INTERVENTION” insert “: PRINCIPAL COUNCILS”.

### **Amendment of section 159 of the Local Government and Elections (Wales) Act 2021**

7. In section 159 of the 2021 Act (information sharing between regulators, the Auditor General for Wales and the Welsh Ministers)—

- (a) in subsection (1), after “principal council” insert “or a corporate joint committee”;
- (b) in subsection (4), after paragraph (b) insert—
  - “(ba) functions of the Auditor General for Wales or the Welsh Ministers under Chapter 1A of Part 6 (performance of corporate joint committees);”;
- (c) in subsection (5), in Table 2 —
  - (i) after the third entry in the second column relating to the Auditor General for Wales insert—

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“ Functions under Chapter 1A of Part 6 of this Act (special inspections of performance of corporate joint committees)”

---

- (ii) in the second column, in the second entry relating to the Welsh Ministers, after “(performance of principal councils)” insert “, Chapter 1A of Part 6 (performance of corporate joint committees).”

### **PART 3**

#### **Overview and Scrutiny**

*Duties in relation to overview and scrutiny*

### **Duty to co-operate on overview and scrutiny**

8.—(1) This Regulation applies where—

- (a) pan fo pwyllgor trosolwg a chraffu perthnasol (“y pwyllgor”) yn gwneud adroddiad neu argymhellion o dan adran 21(2)(e) o Ddeddf 2000, a
- (b) pan fo'r adroddiad neu'r argymhellion yn ymwneud ag arfer swyddogaeth cyd-bwyllgor corfforedig.

(2) Rhaid i'r cyd-bwyllgor corfforedig gydweithredu â'r pwyllgor a rhoi iddo'r cymorth rhesymol hwnnw y mae'n gofyn amdano mewn cysylltiad ag arfer ei swyddogaethau.

(3) Caiff y cymorth a ddarperir o dan baragraff (2) gynnwys—

- (a) trefnu i aelod o'r cyd-bwyllgor corfforedig fynychu cyfarfod o'r pwyllgor ac ateb cwestiynau yn y cyfarfod;
- (b) trefnu i aelod o staff y cyd-bwyllgor corfforedig fynychu cyfarfod o'r pwyllgor ac ateb cwestiynau yn y cyfarfod;
- (c) darparu gwybodaeth;
- (d) darparu copïau o ddogfennau sydd ym meddiant y cyd-bwyllgor corfforedig neu o dan ei reolaeth.

(4) Pan fo'r pwyllgor yn gwneud cais i'r cyd-bwyllgor corfforedig ddarparu gwybodaeth gyfrinachol neu wybodaeth esempt, neu gopi o unrhyw ddogfen neu ran o ddogfen sy'n cynnwys gwybodaeth gyfrinachol neu wybodaeth esempt, nid yw paragraff (2) yn ei gwneud yn ofynnol i'r cyd-bwyllgor corfforedig ddarparu'r wybodaeth honno neu'r ddogfen honno i'r pwyllgor oni bai bod yr wybodaeth yn berthnasol.

(5) At ddibenion paragraff (4) mae gwybodaeth yn berthnasol os yw swyddog priodol y cyd-bwyllgor corfforedig yn penderfynu bod yr wybodaeth—

- (a) yn ymwneud â gweithred neu benderfyniad sy'n cael ei adolygu neu y creffir arno gan y pwyllgor, neu
- (b) yn berthnasol i unrhyw adolygiad sydd wedi ei gynnwys yn unrhyw un o raglenni gwaith y pwyllgor.

(6) Nid oes dim yn y rheoliad hwn yn caniatáu datgelu gwybodaeth gyfrinachol neu wybodaeth esempt gan bwyllgor trosolwg a chraffu ac eithrio fel yr awdurdodir gan unrhyw ddeddfiad arall.

(7) At ddibenion y rheoliad hwn “pwyllgor trosolwg a chraffu perthnasol”, mewn perthynas â chyd-bwyllgor corfforedig yw—

- (a) pwyllgor trosolwg a chraffu a benodwyd gan gyngor cyfansoddol o dan adran 21(2) o Ddeddf 2000;

- (a) a relevant overview and scrutiny committee (“the committee”) makes a report or recommendations under section 21(2)(e) of the 2000 Act, and

- (b) the report or recommendations relate to the exercise of a function of a corporate joint committee.

(2) The corporate joint committee must co-operate with the committee and give it such reasonable assistance as it requests in connection with the exercise of its functions.

(3) Assistance provided under paragraph (2) may include—

- (a) arranging for a member of the corporate joint committee to attend and answer questions at a meeting of the committee;
- (b) arranging for a member of the staff of the corporate joint committee to attend and answer questions at a meeting of the committee;
- (c) providing information;
- (d) providing copies of documents in the possession or under the control of the corporate joint committee.

(4) Where the committee requests that the corporate joint committee provides confidential or exempt information, or a copy of any document or part of a document that contains confidential or exempt information, paragraph (2) does not require the corporate joint committee to provide such information or document to the committee unless the information is relevant.

(5) For the purposes of paragraph (4) information is relevant if a proper officer of the corporate joint committee determines that the information—

- (a) relates to an action or decision that is being reviewed or scrutinised by the committee, or
- (b) is relevant to any review contained in any programme of work of the committee.

(6) Nothing in this regulation permits the disclosure of confidential or exempt information by an overview and scrutiny committee other than may be authorised by any other enactment.

(7) For the purposes of this regulation a “relevant overview and scrutiny committee”, in relation to a corporate joint committee is—

- (a) an overview and scrutiny committee appointed by a constituent council under section 21(2) of the 2000 Act;



- (b) cyd-bwyllgor trosolwg a chraffu a benodwyd o dan Reoliadau Awdurdodau Lleol (Cyd-bwyllgorau Trosolwg a Chraffu) (Cymru) 2013(1) pan fo'r awdurdodau sy'n penodi yn gynghorau cyfansoddol o'r cyd-bwyllgor corfforedig;
- (c) is-bwyllgor i bwyllgor a ddisgrifir ym mharagraff (a) neu (b).

### Dyletswydd i roi sylw

- 9.—(1) Mae'r rheoliad hwn yn gymwys pan fo—
- (a) rheoliad 8 yn gymwys, a
  - (b) y pwyllgor yn cyhoeddi yr adroddiad neu'r argymhelliad o dan—
    - (i) adran 21B(2) o Ddeddf 2000;
    - (ii) rheoliad 13(2) o Reoliadau Awdurdodau Lleol (Cyd-bwyllgorau Trosolwg a Chraffu) (Cymru) 2013.
- (2) Rhaid i'r cyd-bwyllgor corfforedig—
- (a) ystyried yr adroddiad neu'r argymhelliad, a
  - (b) cyhoeddi datganiad yn nodi'r camau y mae'n bwriadu eu cymryd yng ngoleuni'r adroddiad neu'r argymhelliad wrth arfer ei swyddogaethau.
- (3) Rhaid i ddatganiad o dan baragraff (2)(b) gael ei gyhoeddi cyn diwedd y cyfnod o 2 fis sy'n dechrau â'r diwrnod y cyhoeddir yr adroddiad gan y pwyllgor.
- (4) Nid yw rheoliad 13 o Reoliadau Cyd-bwyllgorau Corfforedig (Cyffredinol) (Rhif 2) (Cymru) 2021 (cyflawni swyddogaethau gan bersonau eraill)(2) yn gymwys i'r ddyletswydd a osodir gan baragraff (2)(a).

### Gwybodaeth esempt

- 10.—(1) Y disgrifiadau o wybodaeth sydd, at ddibenion y Rhan hon, yn wybodaeth esempt yw'r rheini sydd am y tro wedi eu pennu yn Rhan 4 o Atodlen 12A i Ddeddf Llywodraeth Leol 1972 fel y'i haddaswyd wrth ei chymhwyso i'r Rhan hon gan baragraff (2) yn ddarostyngedig i unrhyw amodau a geir yn Rhan 5 o'r Atodlen honno fel y'i haddaswyd.
- (2) At ddibenion paragraff (1), mae Rhannau 4 i 6 o Atodlen 12A i Ddeddf Llywodraeth Leol 1972 yn gymwys fel pe mewnosodwyd yn lle paragraff 22(2) o'r Atodlen honno—
- “(2) Any reference in Parts 4 and 5 and this Part of this Schedule to “the authority” is a reference to the corporate joint committee or, as the case may be, the sub-committee of the

- (b) a joint overview and scrutiny committee appointed under the Local Authorities (Joint Overview and Scrutiny Committees) (Wales) Regulations 2013(1) where the appointing authorities are constituent councils of the corporate joint committee;
- (c) a sub-committee of a committee described in paragraph (a) or (b).

### Duty to have regard

- 9.—(1) This regulation applies where—
- (a) regulation 8 applies, and
  - (b) the committee publishes the report or recommendation under—
    - (i) section 21B(2) of the 2000 Act;
    - (ii) regulation 13(2) of the Local Authorities (Joint Overview and Scrutiny Committees) (Wales) Regulations 2013.
- (2) The corporate joint committee must—
- (a) consider the report or recommendation, and
  - (b) publish a statement setting out the steps it intends to take in light of the report or recommendation in exercising its functions.
- (3) A statement under paragraph (2)(b) must be published before the end of the period of 2 months beginning with the day the report by the committee is published.
- (4) Regulation 13 of the Corporate Joint Committees (General) (No. 2) (Wales) Regulations 2021 (discharge of functions by other persons)(2) does not apply to the duty imposed by paragraph (2)(a).

### Exempt Information

- 10.—(1) The descriptions of information which are, for the purposes of this Part, exempt information are those for the time being specified in Part 4 of Schedule 12A to the Local Government Act 1972 as modified in its application to this Part by paragraph (2) subject to any qualifications contained in Part 5 of that Schedule as so modified.
- (2) For the purposes of paragraph (1), Parts 4 to 6 of Schedule 12A to the Local Government Act 1972 apply as if, for paragraph 22(2) of that Schedule, there were substituted—
- “(2) Any reference in Parts 4 and 5 and this Part of this Schedule to “the authority” is a reference to the corporate joint committee or, as the case may be, the sub-committee of the

(1) O.S. 2013/1050 (Cy. 112).  
 (2) O.S. 2021/1349 (Cy. 348).

(1) S.I. 2013/1050 (W. 112).  
 (2) S.I. 2021/1349 (W. 348).

corporate joint committee in relation to whose proceedings or documents the question whether information is exempt or not falls to be determined and includes a reference—

- (a) in the case of a corporate joint committee, to any sub-committee of the corporate joint committee, and
- (b) in the case of a sub-committee, to the corporate joint committee of which it is a sub-committee.”

#### *Is-bwyllgorau llywodraethu ac archwilio*

### **Penodi cadeirydd a dirprwy**

**11.**—(1) Rhaid i is-bwyllgor llywodraethu ac archwilio i gyd-bwyllgor corfforedig benodi—

- (a) cadeirydd, a
- (b) dirprwy gadeirydd.

(2) Rhaid penodi'r cadeirydd a'r dirprwy gadeirydd o blith aelodau'r is-bwyllgor llywodraethu ac archwilio.

(3) Ni chaiff yr aelod a benodir yn gadeirydd hefyd fod yn aelod o gyngor sir neu gyngor bwrdeistref sirol yng Nghymru.

### **Trafodion etc.**

**12.**—(1) Mae cyfarfod is-bwyllgor llywodraethu ac archwilio i gyd-bwyllgor corfforedig (“yr is-bwyllgor”) i'w gadeirio—

- (a) gan y cadeirydd, neu
- (b) os yw'r cadeirydd yn absennol, y dirprwy gadeirydd.

(2) Os yw'r cadeirydd a'r dirprwy gadeirydd ill dau yn absennol caiff yr is-bwyllgor benodi un o'i aelodau eraill i gadeirio'r cyfarfod.

(3) Caiff pob aelod o'r is-bwyllgor bleidleisio ar unrhyw gwestiwn sydd i'w benderfynu gan yr is-bwyllgor.

(4) Caiff yr is-bwyllgor—

- (a) ei gwneud yn ofynnol i aelodau ac aelodau o staff y cyd-bwyllgor corfforedig fod yn bresennol ger ei fron i ateb cwestiynau, a
- (b) gwahodd personau eraill i fynychu cyfarfodydd o'r is-bwyllgor.

(5) Mae dyletswydd ar unrhyw aelod neu aelod o staff y cyd-bwyllgor corfforedig i gydymffurfio ag unrhyw ofyniad a osodir o dan baragraff (4)(a).

(6) Ond nid oes rhwymedigaeth ar berson o dan baragraff (5) i ateb unrhyw gwestiwn y byddai gan y person yr hawl i wrthod ei ateb mewn achos llys yng Nghymru a Lloegr, neu at ddibenion achos llys o'r fath.

corporate joint committee in relation to whose proceedings or documents the question whether information is exempt or not falls to be determined and includes a reference—

- (a) in the case of a corporate joint committee, to any sub-committee of the corporate joint committee, and
- (b) in the case of a sub-committee, to the corporate joint committee of which it is a sub-committee.”

#### *Governance and audit sub-committees*

### **Appointment of a chairperson and deputy**

**11.**—(1) A governance and audit sub-committee of a corporate joint committee must appoint—

- (a) a chairperson, and
- (b) a deputy chairperson.

(2) The chairperson and the deputy chairperson must be appointed from among the members of the governance and audit sub-committee.

(3) The member appointed as the chairperson may not also be a member of a county council or county borough council in Wales.

### **Proceedings etc.**

**12.**—(1) A meeting of the governance and audit sub-committee of a corporate joint committee (“the sub-committee”) is to be chaired—

- (a) by the chairperson, or
- (b) if the chairperson is absent, the deputy chairperson.

(2) If both the chairperson and the deputy chairperson are absent the sub-committee may appoint another of its members to chair the meeting.

(3) All members of the sub-committee may vote on any question that falls to be decided by the sub-committee.

(4) The sub-committee may—

- (a) require members and members of staff of the corporate joint committee to attend before it to answer questions, and
- (b) may invite other persons to attend meetings of the sub-committee.

(5) It is the duty of any member or member of staff of the corporate joint committee to comply with any requirement imposed under paragraph (4)(a).

(6) But a person is not obliged under paragraph (5) to answer any question which the person would be entitled to refuse to answer in, or for the purposes of, proceedings in a court in England and Wales.

## Pa mor aml y cynhelir cyfarfodydd is-bwyllgor llywodraethu ac archwilio

13.—(1) Rhaid i is-bwyllgor llywodraethu ac archwilio i gyd-bwyllgor corfforedig (“yr is-bwyllgor”) gyfarfod unwaith ym mhob blwyddyn galendr.

(2) Rhaid i'r is-bwyllgor hefyd gyfarfod—

- (a) os yw'r cyd-bwyllgor corfforedig yn penderfynu y dylai'r is-bwyllgor gyfarfod, neu
- (b) os yw o leiaf un rhan o dair o aelodau'r is-bwyllgor yn hawlio cyfarfod drwy un neu ragor o hysbysiadau mewn ysgrifen a roddir i'r cadeirydd.

(3) Mae dyletswydd ar y person sy'n cadeirio'r is-bwyllgor i sicrhau y cynhelir cyfarfodydd o'r is-bwyllgor fel sy'n ofynnol gan baragraffau (1) a (2).

(4) Nid yw'r rheoliad hwn yn atal yr is-bwyllgor rhag cyfarfod yn ychwanegol at yr hyn sy'n ofynnol gan y rheoliad hwn.

*Dehongli etc.*

## Dehongli'r Rhan hon

14. Yn y Rhan hon—

ystyr “cyngor cyfansoddol” (“*constituent council*”) mewn perthynas â chyd-bwyllgor corfforedig yw cyngor cyfansoddol fel y'i nodir yn y rheoliadau o dan Ran 5 o Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021 sy'n sefydlu'r cyd-bwyllgor corfforedig hwnnw;

mae i “gwybodaeth esempt” (“*exempt information*”) yr ystyr a roddir yn rheoliad 10;

ystyr “gwybodaeth gyfrinachol” (“*confidential information*”) yw—

(a) gwybodaeth a roddir i'r cyd-bwyllgor corfforedig gan Weinidogion Cymru o dan delerau (sut bynnag y'u mynegir) sy'n gwahardd datgelu'r wybodaeth i'r cyhoedd, a

(b) gwybodaeth y mae ei datgelu i'r cyhoedd wedi ei wahardd drwy neu o dan unrhyw ddeddfiad neu drwy orchymyn llys,

ac yn y naill achos neu'r llall mae cyfeiriad at y rhwymedigaeth i gyfrinachedd i'w ddehongli yn unol â hynny;

ystyr “is-bwyllgor llywodraethu ac archwilio” (“*governance and audit sub-committee*”) mewn perthynas â chyd-bwyllgor corfforedig, yw'r is-

## Frequency of governance and audit sub-committee meetings

13.—(1) The governance and audit sub-committee of a corporate joint committee (“the sub-committee”) must meet once in every calendar year.

(2) The sub-committee must also meet if—

- (a) the corporate joint committee resolves that the sub-committee should meet, or
- (b) at least one-third of the members of the sub-committee requisition a meeting by one or more notices in writing given to the chairperson.

(3) It is the duty of the person who chairs the sub-committee to secure that meetings of the sub-committee are held as required by paragraphs (1) and (2).

(4) This regulation does not prevent the sub-committee from meeting otherwise than as required by this regulation.

*Interpretation etc.*

## Interpretation of this Part

14. In this Part—

“confidential information” (“*gwybodaeth gyfrinachol*”) means—

- (a) information furnished to the corporate joint committee by the Welsh Ministers upon terms (however expressed) which forbid the disclosure of the information to the public, and
- (b) information the disclosure of which to the public is prohibited by or under any enactment or by order of a court,

and in either case a reference to the obligation of confidence is to be construed accordingly;

“constituent council” (“*cyngor cyfansoddol*”) in relation to a corporate joint committee means a constituent council as set out in the regulations under Part 5 of the Local Government and Elections (Wales) Act 2021 establishing that corporate joint committee;

“exempt information” (“*gwybodaeth esempt*”) has the meaning given in regulation 10;

“governance and audit sub-committee” (“*is-bwyllgor llywodraethu ac archwilio*”) in relation to a corporate joint committee, means the sub-

bwyllgor o'r enw hwnnw a benodwyd gan y cyd-bwyllgor corfforedig o dan reoliadau o dan Ran 5 o Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021 sy'n sefydlu'r cyd-bwyllgor corfforedig.

## RHAN 4

### Rheolau Sefydlog

#### Rheolau sefydlog mewn cysylltiad â gweithdrefnau

**15.** Yn adran 20 o Ddeddf Llywodraeth Leol a Thai 1989(1) (dyletswydd awdurdodau perthnasol i fabwysiadu rheolau sefydlog gweithdrefnol penodol), yn is-adran (4)(a), ar ôl “below” mewnosoder “, a corporate joint committee”.

#### Rheolau sefydlog mewn cysylltiad â chontractau

**16.—(1)** Rhaid i gyd-bwyllgor corfforedig wneud rheolau sefydlog mewn cysylltiad â gwneud contractau gan neu ar ran y cyd-bwyllgor corfforedig ar gyfer—

- (a) cyflenwi nwyddau neu ddeunyddiau;
- (b) cyflawni gwaith.

(2) Rhaid i reolau sefydlog a wneir o dan baragraff (1) gynnwys darpariaeth i sicrhau cystadleuaeth am y contractau hynny ac ar gyfer rheoleiddio'r ffordd y gwahoddir tendrau.

(3) Caiff rheolau sefydlog a wneir o dan baragraff (1) gynnwys darpariaeth—

- (a) yn esemptio contractau am bris sy'n is na'r hyn a bennir yn y rheolau sefydlog o'r ddarpariaeth a grybwyllir ym mharagraff (2);
- (b) yn awdurdodi'r cyd-bwyllgor corfforedig i esemptio unrhyw gontract o'r ddarpariaeth a grybwyllir ym mharagraff (2) os yw'r cyd-bwyllgor corfforedig wedi ei fodloni bod yr esemptiad wedi ei gyfiawnhau gan amgylchiadau arbennig.

(4) Nid oes rhwymedigaeth ar berson sy'n ymrwymo i gontract gyda chyd-bwyllgor corfforedig i holi pa un a gydymffurfiwyd â rheolau sefydlog y cyd-bwyllgor corfforedig sy'n gymwys i'r contract, ac nid yw unrhyw gontract yr ymrwymwyd iddo gan y cyd-bwyllgor corfforedig neu ar ei ran wedi ei annilysu oherwydd diffyg cydymffurfiaeth â'r gorchmynion hynny.

committee of that name appointed by the corporate joint committee under regulations under Part 5 of the Local Government and Elections (Wales) Act 2021 establishing the corporate joint committee.

## PART 4

### Standing Orders

#### Standing orders in respect of procedures

**15.** In section 20 of the Local Government and Housing Act 1989(1) (duty of relevant authorities to adopt certain procedural standing orders), in subsection (4)(a), after “below” insert “, a corporate joint committee”.

#### Standing orders in respect of contracts

**16.—(1)** A corporate joint committee must make standing orders with respect to the making of contracts by or on behalf of the corporate joint committee for—

- (a) the supply of goods or materials;
- (b) the execution of works.

(2) Standing orders made under paragraph (1) must include provision for securing competition for such contracts and for regulating the manner in which tenders are invited.

(3) Standing orders made under paragraph (1) may include provision—

- (a) exempting contracts for a price below that specified in the standing orders from the provision mentioned in paragraph (2);
- (b) authorising the corporate joint committee to exempt any contract from the provision mentioned in paragraph (2) if the corporate joint committee is satisfied that the exemption is justified by special circumstances.

(4) A person entering into a contract with a corporate joint committee is not bound to inquire whether the standing orders of the corporate joint committee which apply to the contract have been complied with, and any contract entered into by or on behalf of the corporate joint committee is not invalidated by non-compliance with such orders.

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(1) 1989 p. 42.

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(1) 1989 c. 42.

## RHAN 5

### Diwygiadau amrywiol a chanlyniadol

#### Rheoliadau Cyd-bwyllgor Corfforedig y Canolbarth (Cymru) 2021

17.—(1) Mae Rheoliadau Cyd-bwyllgor Corfforedig y Canolbarth (Cymru) 2021(1) wedi eu diwygio fel a ganlyn.

(2) Ym mharagraff 16 o'r Atodlen—

(a) yn is-baragraff (1)(c), ar ôl “rheolaeth fewnol” mewnosoder “, rheoli perfformiad”;

(b) ar ôl is-baragraff (1)(d) mewnosoder—

“(da) adolygu ac asesu gallu CBC y Canolbarth i ymdrin â chwynion yn effeithiol;

(db) gwneud adroddiadau ac argymhellion mewn perthynas â gallu CBC y Canolbarth i ymdrin â chwynion yn effeithiol;”;

(c) ar ôl is-baragraff (1) mewnosoder—

“(1A) Gweler Pennod 1 o Ran 6 o Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021 (perfformiad prif gynghorau a'u llywodraethu), fel y'i cymhwysir gan adran 115A o'r Ddeddf honno ac Atodlen 10A iddi, ar gyfer swyddogaethau pellach yr is-bwyllgor llywodraethu ac archwilio.”;

(d) yn is-baragraff (2)(a), yn lle “bod o leiaf un aelod o'r is-bwyllgor yn berson nad yw'n aelod” rhodder “nad yw traean o aelodau'r is-bwyllgor hefyd yn aelodau”;

(e) yn is-baragraff (2)(b) yn lle “y cyfansoddir o leiaf ddau draean o'r aelodaeth gan” rhodder “bod dau draean o aelodau'r is-bwyllgor hefyd yn”;

(f) hepgorer is-baragraff (2)(c)(iv) a'r “neu” sy'n dod o'i flaen;

(g) ar ôl is-baragraff (2) mewnosoder—

“(2A) Os yw person a ddisgrifir yn is-baragraff (2)(b) (“P”) yn peidio â bod yn aelod o gyngor cyfansoddol, mae P hefyd yn peidio â bod yn aelod o'r is-bwyllgor llywodraethu ac archwilio.”

## PART 5

### Miscellaneous and consequential amendments

#### The Mid Wales Corporate Joint Committee Regulations 2021

17.—(1) The Mid Wales Corporate Joint Committee Regulations 2021(1) are amended as follows.

(2) In paragraph 16 of the Schedule—

(a) in sub-paragraph (1)(c), after “internal control” insert “, performance management”;

(b) after sub-paragraph (1)(d) insert—

“(da) review and assess the Mid Wales CJC's ability to handle complaints effectively;

(db) make reports and recommendations in relation to the ability of the Mid Wales CJC to handle complaints effectively;”;

(c) after sub-paragraph (1) insert—

“(1A) See Chapter 1 of Part 6 of the Local Government and Elections (Wales) Act 2021 (performance and governance of principal councils), as applied by section 115A of and Schedule 10A to that Act, for further functions of the governance and audit sub-committee.”;

(d) in sub-paragraph (2)(a), for “at least one member of the sub-committee is a person who is not a member” substitute “one third of the members of the sub-committee are not also members”;

(e) in sub-paragraph (2)(b) for “at least two thirds of the membership is constituted of” substitute “two thirds of the members of the sub-committee are also”;

(f) omit sub-paragraph (2)(c)(iv) and the “or” that precedes it;

(g) after sub-paragraph (2) insert—

“(2A) If a person described in sub-paragraph (2)(b) (“P”) ceases to be a member of a constituent council, P also ceases to be a member of the governance and audit sub-committee.”

## Rheoliadau Cyd-bwyllgor Corfforedig De-ddwyrain (Cymru) 2021

**18.**—(1) Mae Rheoliadau Cyd-bwyllgor Corfforedig De-ddwyrain (Cymru) 2021(1) wedi eu diwygio fel a ganlyn.

(2) Ym mharagraff 16 o'r Atodlen—

(a) yn is-baragraff (1)(c), ar ôl “rheolaeth fewnol” mewnosoder “, rheoli perfformiad”;

(b) ar ôl is-baragraff (1)(d) mewnosoder—

“(da) adolygu ac asesu gallu CBC y De-ddwyrain i ymdrin â chwynion yn effeithiol;

(db) gwneud adroddiadau ac argymhellion mewn perthynas â gallu CBC y De-ddwyrain i ymdrin â chwynion yn effeithiol;”;

(c) ar ôl is-baragraff (1) mewnosoder—

“(1A) Gweler Pennod 1 o Ran 6 o Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021 (perfformiad prif gynghorau a'u llywodraethu), fel y'i cymhwysir gan adran 115A o'r Ddeddf honno ac Atodlen 10A iddi, ar gyfer swyddogaethau pellach yr is-bwyllgor llywodraethu ac archwilio.”;

(d) yn is-baragraff (2)(a), yn lle “bod o leiaf un aelod o'r is-bwyllgor yn berson nad yw'n aelod” rhodder “nad yw traean o aelodau'r is-bwyllgor hefyd yn aelodau”;

(e) yn is-baragraff (2)(b) yn lle “y cyfansoddir o leiaf ddau draean o'r aelodaeth gan” rhodder “bod dau draean o aelodau'r is-bwyllgor hefyd yn”;

(f) hepgorer is-baragraff (2)(c)(iv) a'r “neu” sy'n dod o'i flaen;

(g) ar ôl is-baragraff (2) mewnosoder—

“(2A) Os yw person a ddisgrifir yn is-baragraff (2)(b) (“P”) yn peidio â bod yn aelod o gyngor cyfansoddol, mae P hefyd yn peidio â bod yn aelod o'r is-bwyllgor llywodraethu ac archwilio.”

## Rheoliadau Cyd-bwyllgor Corfforedig y Gogledd (Cymru) 2021

**19.**—(1) Mae Rheoliadau Cyd-bwyllgor Corfforedig y Gogledd (Cymru) 2021(2) wedi eu diwygio fel a ganlyn.

## The South East Wales Corporate Joint Committee Regulations 2021

**18.**—(1) The South East Wales Corporate Joint Committee Regulations 2021(1) are amended as follows.

(2) In paragraph 16 of the Schedule—

(a) in sub-paragraph (1)(c), after “internal control” insert “, performance management”;

(b) after sub-paragraph (1)(d) insert—

“(da) review and assess the South East Wales CJC's ability to handle complaints effectively;

(db) make reports and recommendations in relation to the ability of the South East Wales CJC to handle complaints effectively;”;

(c) after sub-paragraph (1) insert—

“(1A) See Chapter 1 of Part 6 of the Local Government and Elections (Wales) Act 2021 (performance and governance of principal councils) as applied by section 115A of and Schedule 10A to that Act, for further functions of the governance and audit sub-committee.”;

(d) in sub-paragraph (2)(a), for “at least one member of the sub-committee is a person who is not a member” substitute “one third of the members of the sub-committee are not also members”;

(e) in sub-paragraph (2)(b) for “at least two thirds of the membership is constituted of” substitute “two thirds of the members of the sub-committee are also”;

(f) omit sub-paragraph (2)(c)(iv) and the “or” that precedes it;

(g) after sub-paragraph (2) insert—

“(2A) If a person described in sub-paragraph (2)(b) (“P”) ceases to be a member of a constituent council, P also ceases to be a member of the governance and audit sub-committee.”

## The North Wales Corporate Joint Committee Regulations 2021

**19.**—(1) The North Wales Corporate Joint Committee Regulations 2021(2) are amended as follows.

(1) O.S. 2021/343 (Cy. 97).

(2) O.S. 2021/339 (Cy. 93).

(1) S.I. 2021/343 (W. 97).

(2) S.I. 2021/339 (W. 93).

- (2) Ym mharagraff 16 o'r Atodlen—
- (a) yn is-baragraff (1)(c), ar ôl “rheolaeth fewnol” mewnosoder “, rheoli perfformiad”;
- (b) ar ôl is-baragraff (1)(d) mewnosoder—
- “(da) adolygu ac asesu gallu CBC y Gogledd i ymdrin â chwynion yn effeithiol;
- (db) gwneud adroddiadau ac argymhellion mewn perthynas â gallu CBC y Gogledd i ymdrin â chwynion yn effeithiol;”;
- (c) ar ôl is-baragraff (1) mewnosoder—
- “(1A) Gweler Pennod 1 o Ran 6 o Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021 (perfformiad prif gynghorau a'u llywodraethu), fel y'i cymhwysir gan adran 115A o'r Ddeddf honno ac Atodlen 10A iddi, ar gyfer swyddogaethau pellach yr is-bwyllgor llywodraethu ac archwilio.”;
- (d) yn is-baragraff (2)(a), yn lle “bod o leiaf un aelod o'r is-bwyllgor yn berson nad yw'n aelod” rhodder “nad yw traean o aelodau'r is-bwyllgor hefyd yn aelodau”;
- (e) yn is-baragraff (2)(b) yn lle “y cyfansoddir o leiaf ddau draean o'r aelodaeth gan” rhodder “bod dau draean o aelodau'r is-bwyllgor hefyd yn”;
- (f) hepgorer is-baragraff (2)(c)(iv) a'r “neu” sy'n dod o'i flaen;
- (g) ar ôl is-baragraff (2) mewnosoder—
- “(2A) Os yw person a ddisgrifir yn is-baragraff (2)(b) (“P”) yn peidio â bod yn aelod o gyngor cyfansoddol, mae P hefyd yn peidio â bod yn aelod o'r is-bwyllgor llywodraethu ac archwilio.”

### **Rheoliadau Cyd-bwyllgor Corfforedig y De-orllewin (Cymru) 2021**

**20.**—(1) Mae Rheoliadau Cyd-bwyllgor Corfforedig y De-orllewin (Cymru) 2021(1) wedi eu diwygio fel a ganlyn.

- (2) Ym mharagraff 16 o'r Atodlen—
- (a) yn is-baragraff (1)(c), ar ôl “rheolaeth fewnol” mewnosoder “, rheoli perfformiad”;
- (b) ar ôl is-baragraff (1)(d) mewnosoder—
- “(da) adolygu ac asesu gallu CBC y De-orllewin i ymdrin â chwynion yn effeithiol;

- (2) In paragraph 16 of the Schedule—
- (a) in sub-paragraph (1)(c), after “internal control” insert “, performance management”;
- (b) after sub-paragraph (1)(d) insert—
- “(da) review and assess the North Wales CJC’s ability to handle complaints effectively;
- (db) make reports and recommendations in relation to the ability of the North Wales CJC to handle complaints effectively;”;
- (c) after sub-paragraph (1) insert—
- “(1A) See Chapter 1 of Part 6 of the Local Government and Elections (Wales) Act 2021 (performance and governance of principal councils) as applied by section 115A of and Schedule 10A to that Act, for further functions of the governance and audit sub-committee.”;
- (d) in sub-paragraph (2)(a), for “at least one member of the sub-committee is a person who is not a member” substitute “one third of the members of the sub-committee are not also members”;
- (e) in sub-paragraph (2)(b) for “at least two thirds of the membership is constituted of” substitute “two thirds of the members of the sub-committee are also”;
- (f) omit sub-paragraph (2)(c)(iv) and the “or” that precedes it;
- (g) after sub-paragraph (2) insert—
- “(2A) If a person described in sub-paragraph (2)(b) (“P”) ceases to be a member of a constituent council, P also ceases to be a member of the governance and audit sub-committee.”

### **The South West Wales Corporate Joint Committee Regulations 2021**

**20.**—(1) The South West Wales Corporate Joint Committee Regulations 2021(1) are amended as follows.

- (2) In paragraph 16 of the Schedule—
- (a) in sub-paragraph (1)(c), after “internal control” insert “, performance management”;
- (b) after sub-paragraph (1)(d) insert—
- “(da) review and assess the South West Wales CJC’s ability to handle complaints effectively;

- (db) gwneud adroddiadau ac argymhellion mewn perthynas â gallu CBC y De-orllewin i ymdrin â chwynion yn effeithiol;”;
- (c) ar ôl is-baragraff (1) mewnosoder—  
“(1A) Gweler Pennod 1 o Ran 6 o Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021 (perfformiad prif gynghorau a’u llywodraethu), fel y’i cymhwysir gan adran 115A o’r Ddeddf honno ac Atodlen 10A iddi, ar gyfer swyddogaethau pellach yr is-bwyllgor llywodraethu ac archwilio.”;
- (d) yn is-baragraff (2)(a), yn lle “bod o leiaf un aelod o’r is-bwyllgor yn berson nad yw’n aelod” rhodder “nad yw traean o aelodau’r is-bwyllgor hefyd yn aelodau”;
- (e) yn is-baragraff (2)(b) yn lle “y cyfansoddir o leiaf ddau draean o’r aelodaeth gan” rhodder “bod dau draean o aelodau’r is-bwyllgor hefyd yn”;
- (f) hepgorer is-baragraff (2)(c)(iv) a’r “neu” sy’n dod o’i flaen;
- (g) ar ôl is-baragraff (2) mewnosoder—  
“(2A) Os yw person a ddisgrifir yn is-baragraff (2)(b) (“P”) yn peidio â bod yn aelod o gyngor cyfansoddol, mae P hefyd yn peidio â bod yn aelod o’r is-bwyllgor llywodraethu ac archwilio.”

### Deddf Llywodraeth Leol 2003

**21.—(1)** Mae Deddf Llywodraeth Leol 2003(1) wedi ei diwygio fel a ganlyn.

(2) Yn adran 101(7A) (materion trosglwyddo staff: cyffredinol) ar ôl paragraff (ac) mewnosoder—

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

(3) Yn adran 102, yn lle is-adran (7B) (materion trosglwyddo staff: pensiynau) rhodder—

“(7B) In this section, in relation to Wales, “local authority” means—

- (a) a county council, county borough council or community council in Wales;
- (b) a corporate joint committee established by regulations made under Part 5 of the Local Government and Elections (Wales) Act 2021.”

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(1) 2003 p. 26.

- (db) make reports and recommendations in relation to the ability of the South West Wales CJC to handle complaints effectively;”;
- (c) after sub-paragraph (1) insert—  
“(1A) See Chapter 1 of Part 6 of the Local Government and Elections (Wales) Act 2021 (performance and governance of principal councils), as applied by section 115A of and Schedule 10A to that Act, for further functions of the governance and audit sub-committee.”;
- (d) in sub-paragraph (2)(a), for “at least one member of the sub-committee is a person who is not a member” substitute “one third of the members of the sub-committee are not also members”;
- (e) in sub-paragraph (2)(b) for “at least two thirds of the membership is constituted of” substitute “two thirds of the members of the sub-committee are also”;
- (f) omit sub-paragraph (2)(c)(iv) and the “or” that precedes it;
- (g) after sub-paragraph (2) insert—  
“(2A) If a person described in sub-paragraph (2)(b) (“P”) ceases to be a member of a constituent council, P also ceases to be a member of the governance and audit sub-committee.”

### Local Government Act 2003

**21.—(1)** The Local Government Act 2003(1) is amended as follows.

(2) In section 101(7A) (staff transfer matters: general) after paragraph (ac) insert—

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

(3) In section 102, for subsection (7B) (staff transfer matters: pensions) substitute—

“(7B) In this section, in relation to Wales, “local authority” means—

- (a) a county council, county borough council or community council in Wales;
- (b) a corporate joint committee established by regulations made under Part 5 of the Local Government and Elections (Wales) Act 2021.”

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(1) 2003 c. 26.



## **Deddf Archwilio Cyhoeddus (Cymru) 2004**

**22.** Yn adran 54 o Ddeddf Archwilio Cyhoeddus (Cymru) 2004 (cyfyngiad ar ddatgelu gwybodaeth)—

- (a) yn is-adran (1)—
  - (i) ym mharagraff (aa), ar ôl “Chapter 1” mewnosoder “or 1A”;
  - (ii) ym mharagraff (b), ar ôl “Chapter 1” mewnosoder “or 1A”;
- (b) yn is-adran (2)(b), ar ôl “Chapter 1” mewnosoder “or 1A”.

## **Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015**

**23.** Ym mharagraff 1 o Atodlen 1 i Ddeddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015(1) (adroddiadau gan gyrff cyhoeddus ar gynnydd tuag at gyflawni amcanion llesiant), ar ôl is-baragraff (2A) mewnosoder—

“(2B) Mewn cysylltiad ag unrhyw flwyddyn ariannol, caiff cyd-bwyllgor corfforedig gyhoeddi ei adroddiad o dan y paragraff hwn a'i adroddiad o dan adran 91(1) o Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021 (fel y'i cymhwysir i gyd-bwyllgorau corfforedig gan adran 115A o'r Ddeddf honno ac Atodlen 10A iddi) yn yr un ddogfen.”

## **Deddf Llywodraeth Leol ac Etholiadau (Cymru) 2021**

**24.** Yn adran 174(5) o Ddeddf 2021 (rheoliadau o dan Ddeddf 2021)—

- (a) ar ôl paragraff (m) mewnosoder—

“(ma) adran 94 fel y'i cymhwysir i gyd-bwyllgorau corfforedig gan adran 115A ac Atodlen 10A;”;
- (b) ar ôl paragraff (n) mewnosoder—

“(na) adran 107(3) fel y'i cymhwysir i gyd-bwyllgorau corfforedig gan adran 115A ac Atodlen 10A;”;
- (c) ar ôl paragraff (o) mewnosoder—

“(oa) adran 110(1) neu (2) fel y'u cymhwysir i gyd-bwyllgorau corfforedig gan adran 115A ac Atodlen 10A;”.

## **Public Audit (Wales) Act 2004**

**22.** In section 54 of the Public Audit (Wales) Act 2004 (restriction on disclosure of information)—

- (a) in subsection (1)—
  - (i) in paragraph (aa), after “Chapter 1” insert “or 1A”;
  - (ii) in paragraph (b), after “Chapter 1” insert “or 1A”;
- (b) in subsection (2)(b), after “Chapter 1” insert “or 1A”.

## **Well-being of Future Generations (Wales) Act 2015**

**23.** In paragraph 1 of Schedule 1 to the Well-being of Future Generations (Wales) Act 2015(1) (reports by public bodies of progress in meeting well-being objectives), after sub-paragraph (2A) insert—

“(2B) In respect of any financial year, a corporate joint committee may publish its report under this paragraph and its report under section 91(1) of the Local Government and Elections (Wales) Act 2021 (as applied to corporate joint committees by section 115A of and Schedule 10A to that Act) in the same document.”

## **Local Government and Elections (Wales) Act 2021**

**24.** In section 174(5) of the 2021 Act (regulations under the 2021 Act)—

- (a) after paragraph (m) insert—

“(ma) section 94 as applied to corporate joint committees by section 115A and Schedule 10A;”;
- (b) after paragraph (n) insert—

“(na) section 107(3) as applied to corporate joint committees by section 115A and Schedule 10A;”;
- (c) after paragraph (o) insert—

“(oa) section 110(1) or (2) as applied to corporate joint committees by section 115A and Schedule 10A;”.

*Rebecca Evans*

Y Gweinidog Cyllid a Llywodraeth Leol, un o  
Weinidogion Cymru  
13 Gorffennaf 2022

Minister for Finance and Local Government, one of  
the Welsh Ministers  
13 July 2022

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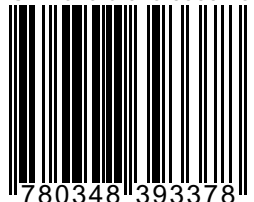
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