

HYSBYSIAD YNGHYLCH GWELLIANNAU

NOTICE OF AMENDMENTS

Cyflwynwyd ar 19 Gorffennaf 2024
Tabled on 19 July 2024

Bil Senedd Cymru (Rhestrau Ymgeiswyr Etholiadol) Senedd Cymru (Electoral Candidate Lists) Bill

Darren Millar

1

Long title, page 1, line 1, leave out ‘proportion and placement of women’ and insert ‘placement of women and men’.

Teitl hir, tudalen 1, llinell 1, hepgorer ‘cyfran a gosodiad menywod’ a mewnosoder ‘gosodiad menywod a dynion’.

Darren Millar

2

Section 1, page 1, line 8, leave out –

‘At least half of candidates on a list submitted under section 7 must be women

- (1) This section applies to a list submitted by a registered political party under section 7 that includes two or more candidates to be Members of the Senedd for a Senedd constituency.
- (2) Where there is an even number of candidates on the list, at least half of the candidates must be women.
- (3) Where there is an odd number of candidates on the list, the majority of candidates must be women.
- (4) A candidate on a list who is not a woman must, unless the candidate is last on the list, be immediately followed on the list by a woman.

7B First or only candidate on at least half of the lists submitted by a party must be a woman

- (1) This section applies where a registered political party has, under section 7, submitted lists of candidates for two or more Senedd constituencies.
- (2) Where the party has submitted an even number of lists, the first or only candidate on at least half of those lists must be a woman.

- (3) Where the party has submitted an odd number of lists, the first or only candidate on the majority of those lists must be a woman.'

And insert –

'Placement of candidates on a list submitted under section 7

- (1) This section applies to a list submitted by a registered political party under section 7 that includes two or more candidates to be Members of the Senedd for a Senedd constituency.
- (2) The order in which candidates appear on the list must alternate between candidates who are women and candidates who are men.

7B First or only candidate on lists submitted by a party

- (1) This section applies where a registered political party has, under section 7, submitted lists of candidates for two or more Senedd constituencies.
- (2) Where the party has submitted an even number of lists, 50% of the candidates who are first on those lists must be women.
- (3) Where the party has submitted an odd number of lists, the percentage mentioned in subsection (2) applies as if the registered political party had (as the party may decide) submitted one more list or one fewer list.
- (4) In this section, references to a candidate who is first on a list include a candidate who is the only candidate on a list.'

Adran 1, tudalen 1, llinell 8, hepgorer –

'At least half of candidates on a list submitted under section 7 must be women

- (1) This section applies to a list submitted by a registered political party under section 7 that includes two or more candidates to be Members of the Senedd for a Senedd constituency.
- (2) Where there is an even number of candidates on the list, at least half of the candidates must be women.
- (3) Where there is an odd number of candidates on the list, the majority of candidates must be women.
- (4) A candidate on a list who is not a woman must, unless the candidate is last on the list, be immediately followed on the list by a woman.

7B First or only candidate on at least half of the lists submitted by a party must be a woman

- (1) This section applies where a registered political party has, under section 7, submitted lists of candidates for two or more Senedd constituencies.
- (2) Where the party has submitted an even number of lists, the first or only candidate on at least half of those lists must be a woman.
- (3) Where the party has submitted an odd number of lists, the first or only candidate on the majority of those lists must be a woman.'

A mewnosoder –

‘Placement of candidates on a list submitted under section 7

- (1) This section applies to a list submitted by a registered political party under section 7 that includes two or more candidates to be Members of the Senedd for a Senedd constituency.
- (2) The order in which candidates appear on the list must alternate between candidates who are women and candidates who are men.

7B First or only candidate on lists submitted by a party

- (1) This section applies where a registered political party has, under section 7, submitted lists of candidates for two or more Senedd constituencies.
- (2) Where the party has submitted an even number of lists, 50% of the candidates who are first on those lists must be women.
- (3) Where the party has submitted an odd number of lists, the percentage mentioned in subsection (2) applies as if the registered political party had (as the party may decide) submitted one more list or one fewer list.
- (4) In this section, references to a candidate who is first on a list include a candidate who is the only candidate on a list.’.

Darren Millar

3

Section 1, page 1, after line 31, insert –

- ‘(b) any function of the national nominations compliance officer to be discharged on the national nominations compliance officer’s behalf by any person authorised by the national nominations compliance officer to do so.’.

Adran 1, tudalen 1, ar ôl llinell 31, mewnosoder –

- ‘(b) any function of the national nominations compliance officer to be discharged on the national nominations compliance officer’s behalf by any person authorised by the national nominations compliance officer to do so.’.

Darren Millar

4

Section 1, page 2, leave out lines 26 to 29.

Adran 1, tudalen 2, hepgorer llinellau 26 hyd at 29.

Darren Millar

5

Section 1, page 2, line 35, leave out ‘not a woman’ and insert ‘a man’.

Adran 1, tudalen 2, llinell 35, hepgorer ‘not a woman’ a mewnosoder ‘a man’.

Darren Millar

6

Section 1, page 2, after line 35, insert –

- '(3) Subsection (4) applies where the Welsh Ministers intend to make an order under section 13 that includes provision about the effect of the removal of a candidate from a list of candidates on compliance with sections 7A and 7B (“the removal provisions”).
- (4) Before laying a draft of the statutory instrument containing the order before the Senedd, the Welsh Ministers must –
 - (a) consult on the removal provisions, including, in particular, the different ways a candidate may be removed from a list and which of those ways must be provided for in the removal provisions, and
 - (b) lay before the Senedd a statement about the consultation and the policy intention of the Welsh Ministers regarding the removal provisions.'

Adran 1, tudalen 2, ar ôl llinell 35, mewnosoder –

- '(3) Subsection (4) applies where the Welsh Ministers intend to make an order under section 13 that includes provision about the effect of the removal of a candidate from a list of candidates on compliance with sections 7A and 7B (“the removal provisions”).
- (4) Before laying a draft of the statutory instrument containing the order before the Senedd, the Welsh Ministers must –
 - (a) consult on the removal provisions, including, in particular, the different ways a candidate may be removed from a list and which of those ways must be provided for in the removal provisions, and
 - (b) lay before the Senedd a statement about the consultation and the policy intention of the Welsh Ministers regarding the removal provisions.'

Darren Millar

7

Section 1, page 2, after line 35, insert –

- '(3) An order under section 13 must make provision about the effect of the removal of a candidate from a list of candidates on compliance with sections 7A and 7B, including provision under which, despite the removal of a candidate, a list is to be treated as complying with those sections.'

Adran 1, tudalen 2, ar ôl llinell 35, mewnosoder –

- '(3) An order under section 13 must make provision about the effect of the removal of a candidate from a list of candidates on compliance with sections 7A and 7B, including provision under which, despite the removal of a candidate, a list is to be treated as complying with those sections.'

Darren Millar

8

Section 1, page 2, after line 35, insert –

- ‘(3) An order under section 13 must make provision enabling a constituency returning officer to require a candidate to provide evidence to verify the candidate’s statement under section 7D(2).’.

Adran 1, tudalen 2, ar ôl llinell 35, mewnosoder –

- ‘(3) An order under section 13 must make provision enabling a constituency returning officer to require a candidate to provide evidence to verify the candidate’s statement under section 7D(2).’.

Darren Millar

9

Section 1, page 2, after line 35, insert –

- ‘(3) In sections 7A to 7D, “woman” and “man” have the same meanings as in section 212(1) of the Equality Act 2010 (c. 15) (but see also paragraph 1 of Schedule 1A to this Act).’.

Adran 1, tudalen 2, ar ôl llinell 35, mewnosoder –

- ‘(3) In sections 7A to 7D, “woman” and “man” have the same meanings as in section 212(1) of the Equality Act 2010 (c. 15) (but see also paragraph 1 of Schedule 1A to this Act).’.

Darren Millar

10

Section 1, page 2, after line 35, insert –

- ‘(3) In sections 7A to 7D, “woman” has the same meaning as in section 212(1) of the Equality Act 2010 (c. 15) (but see also paragraph 1 of Schedule 1A to this Act).’.

Adran 1, tudalen 2, ar ôl llinell 35, mewnosoder –

- ‘(3) In sections 7A to 7D, “woman” has the same meaning as in section 212(1) of the Equality Act 2010 (c. 15) (but see also paragraph 1 of Schedule 1A to this Act).’.

Darren Millar

11

Section 1, page 2, after line 35, insert –

- 7E Further provision relating to the removal of a candidate and compliance with sections 7A and 7B**
- (1) This section applies where an order under section 13 makes provision about the effect of the removal of a candidate from a list of candidates on compliance with sections 7A and 7B.

- (2) Where, for any reason other than the candidate's death, the candidate is removed from a list after it has been submitted, the order must provide for –
- (a) the assessment by a constituency returning officer of the list for compliance with section 7A;
 - (b) where section 7B applies, the assessment by the national nominations compliance officer of lists submitted by the relevant registered political party for compliance with section 7B.
- (3) Where the constituency returning officer decides that the list complies with section 7A and –
- (a) section 7B does not apply, or
 - (b) the national nominations compliance officer decides that the lists submitted by the relevant registered political party under section 7 comply with section 7B,
- the order must provide that the list is to be treated as complying with section 7A.
- (4) Where –
- (a) the constituency returning officer decides that the list does not comply with section 7A;
 - (b) the national nominations compliance officer decides that the lists submitted by the relevant registered political party under section 7 do not, as a result of the removal of the candidate, comply with section 7B,
- the order must provide that the list is to be treated as not complying with section 7A and that the relevant registered political party may submit a new list under section 7.
- (5) The order must provide that a person who was not included on a list of candidates first submitted by the relevant registered political party under section 7 may be included on a new list submitted under subsection (4) only where the person makes the same statement under section 7D(2) as the candidate who was removed from the list.
- (6) In this section, “relevant registered political party” means the registered political party that submitted the list from which the candidate has been removed.”.

Adran 1, tudalen 2, ar ôl llinell 35, mewnosoder –

‘7E Further provision relating to the removal of a candidate and compliance with sections 7A and 7B

- (1) This section applies where an order under section 13 makes provision about the effect of the removal of a candidate from a list of candidates on compliance with sections 7A and 7B.
- (2) Where, for any reason other than the candidate's death, the candidate is removed from a list after it has been submitted, the order must provide for –

- (a) the assessment by a constituency returning officer of the list for compliance with section 7A;
 - (b) where section 7B applies, the assessment by the national nominations compliance officer of lists submitted by the relevant registered political party for compliance with section 7B.
- (3) Where the constituency returning officer decides that the list complies with section 7A and –
- (a) section 7B does not apply, or
 - (b) the national nominations compliance officer decides that the lists submitted by the relevant registered political party under section 7 comply with section 7B,
- the order must provide that the list is to be treated as complying with section 7A.
- (4) Where –
- (a) the constituency returning officer decides that the list does not comply with section 7A;
 - (b) the national nominations compliance officer decides that the lists submitted by the relevant registered political party under section 7 do not, as a result of the removal of the candidate, comply with section 7B,
- the order must provide that the list is to be treated as not complying with section 7A and that the relevant registered political party may submit a new list under section 7.
- (5) The order must provide that a person who was not included on a list of candidates first submitted by the relevant registered political party under section 7 may be included on a new list submitted under subsection (4) only where the person makes the same statement under section 7D(2) as the candidate who was removed from the list.
- (6) In this section, “relevant registered political party” means the registered political party that submitted the list from which the candidate has been removed.”.

Darren Millar

12

Section 1, page 2, after line 35, insert –

‘7E False statements under section 7D(2)

Making a false statement under section 7D(2) is a corrupt practice for the purposes of an order under section 13.”.

Adran 1, tudalen 2, ar ôl llinell 35, mewnosoder –

‘7E False statements under section 7D(2)

Making a false statement under section 7D(2) is a corrupt practice for the purposes of an order under section 13.”.

Darren Millar

13

Page 2, after line 35, insert a new section –

[] Vacant seats

In section 11 (vacant seats) of the 2006 Act –

- (a) in subsection (3) after “party” insert “(“the outgoing list Member”);
- (b) in subsection (4)(b) omit “and”;
- (c) at the end of subsection (4)(c) omit the full stop and insert –
“, and”;
- (d) after subsection (4)(c) insert –
“(d) made the same statement under section 7D(2) as the outgoing list Member (but see subsection (6A)).”;
- (e) after subsection (6) insert –
“(6A) Subsection (4)(d) does not apply where the list mentioned in subsection (3) –
 - (a) does not include a person who made the same statement under section 7D(2) as the outgoing list Member, or
 - (b) includes one or more persons who made the same statement under section 7D(2) as the outgoing list Member, none of whom satisfies the conditions in subsections (4)(b) and (c).”.

Tudalen 2, ar ôl llinell 35, mewnosoder adran newydd –

[] Seddi gwag

Yn adran 11 (seddi gwag) o Ddeddf 2006 –

- (a) yn is-adran (3) ar ôl “party” mewnosoder “(“the outgoing list Member”);
- (b) yn is-adran (4)(b) hepgorer “and”;
- (c) ar ddiwedd is-adran (4)(c) hepgorer yr atalnod llawn a mewnosoder –
“, and”;
- (d) ar ôl is-adran (4)(c) mewnosoder –
“(d) made the same statement under section 7D(2) as the outgoing list Member (but see subsection (6A)).”;
- (e) ar ôl is-adran (6) mewnosoder –
“(6A) Subsection (4)(d) does not apply where the list mentioned in subsection (3) –
 - (a) does not include a person who made the same statement under section 7D(2) as the outgoing list Member, or
 - (b) includes one or more persons who made the same statement under section 7D(2) as the outgoing list Member, none of whom satisfies the conditions in subsections (4)(b) and (c).”.

Darren Millar

14

Page 2, after line 35, insert a new section –

[] Impact of election timetable

- (1) This section applies where the Welsh Ministers intend to make an order under section 13 of the 2006 Act that includes provision about the timetabling of a general election mentioned in section 2(3) as the timetabling relates to sections 7A to 7D of the 2006 Act (“the timetable provisions”).
- (2) Before laying a draft of the statutory instrument containing the order before Senedd Cymru, the Welsh Ministers must carry out and publish an equality impact assessment of the timetable provisions.
- (3) An assessment under subsection (2) must include an assessment of the impact of the timetable provisions on people from different socio-economic backgrounds.’.

Tudalen 2, ar ôl llinell 35, mewnosoder adran newydd –

[] Effaith amserlen yr etholiad

- (1) Mae’r adran hon yn gymwys pan fo Gweinidogion Cymru yn bwriadu gwneud gorchymyn o dan adran 13 o Ddeddf 2006 sy’n cynnwys darpariaeth ynghylch amserlennu etholiad cyffredinol a grybwyllir yn adran 2(3) gan fod yr amserlennu yn ymwneud ag adrannau 7A i 7D o Ddeddf 2006 (“y darpariaethau amserlennu”).
- (2) Cyn gosod drafft o’r offeryn statudol sy’n cynnwys y gorchymyn gerbron Senedd Cymru, rhaid i Weinidogion Cymru gynnal a chyhoeddi asesiad o effaith y darpariaethau amserlennu ar gydraddoldeb.
- (3) Rhaid i asesiad o dan is-adran (2) gynnwys asesiad o effaith y darpariaethau amserlennu ar bobl o gefndiroedd economaidd-gymdeithasol gwahanol.’.

Darren Millar

15

Section 2, page 2, line 37, leave out –

‘Presiding Officer must table a motion that complies with subsection (2) –

- (a) as soon as practicable after the first meeting of Senedd Cymru (“the Senedd”) held after the general election mentioned in subsection (3), and
 - (b) in any event, no later than six months after that meeting.
- (2) The motion must propose that –
- (a) the Senedd establish a committee for the purposes of carrying out a review of the operation and effect of sections 7A to 7D of the 2006 Act (as inserted by section 1 of this Act), and any related provision made under section 13 of that Act or under this Act, and
 - (b) a report on the review must be completed by the committee no later than twelve months after the meeting of the Senedd described in subsection (1)(a).
- (3) The general election referred to in subsection (1) is the first general election held, under Part 1 of the 2006 Act, after the day on which section 1 of this Act comes into force for all purposes.

- (4) Subsection (5) applies if, following a review of the matters mentioned in subsection (2)(a) by a committee established pursuant to a motion tabled in accordance with subsection (1), a report on the review is laid before the Senedd by the committee.
- (5) If this subsection applies, the Welsh Ministers must lay before the Senedd a statement that sets out the Welsh Ministers' response to the report mentioned in subsection (4).'

And insert –

'Welsh Ministers must prepare and publish a report on the operation and effect of sections 7A to 7D of the 2006 Act (as inserted by section 1 of this Act), and any related provision made under section 13 of that Act or under this Act.

- (2) Before preparing a report under subsection (1), the Welsh Ministers must –
 - (a) engage with relevant stakeholders, and
 - (b) carry out a public consultation.
- (3) The report must be –
 - (a) published within twelve months after the first general election held, under Part 1 of the 2006 Act, after the day on which section 1 of this Act comes into force for all purposes;
 - (b) laid before Senedd Cymru.'

Adran 2, tudalen 2, llinell 37, hepgorer –

'i'r Llywydd gyflwyno cynnig sy'n cydymffurfio ag is-adran (2) –

- (a) cyn gynted ag y bo'n ymarferol ar ôl cyfarfod cyntaf Senedd Cymru ("y Senedd") a gynhelir ar ôl yr etholiad cyffredinol a grybwyllir yn is-adran (3), a
 - (b) sut bynnag, heb fod yn hwyrach na chwe mis ar ôl y cyfarfod hwnnw.
- (2) Rhaid i'r cynnig gynnig –
 - (a) bod y Senedd yn sefydlu pwyllgor at ddibenion cynnal adolygiad o weithrediad ac effaith adrannau 7A i 7D o Ddeddf 2006 (fel y'i mewnosodir gan adran 1 o'r Ddeddf hon), ac unrhyw ddarpariaeth gysylltiedig a wneir o dan adran 13 o'r Ddeddf honno neu o dan y Ddeddf hon, a
 - (b) bod rhaid i adroddiad ar yr adolygiad gael ei gwblhau gan y pwyllgor heb fod yn hwyrach na deuddeng mis ar ôl cyfarfod y Senedd a ddisgrifir yn is-adran (1)(a).
- (3) Yr etholiad cyffredinol y cyfeirir ato yn is-adran (1) yw'r etholiad cyffredinol cyntaf a gynhelir, o dan Ran 1 o Ddeddf 2006, ar ôl y diwrnod y daw adran 1 o'r Ddeddf hon i rym at bob diben.
- (4) Mae is-adran (5) yn gymwys os, yn dilyn adolygiad o'r materion a grybwyllir yn is-adran (2)(a) gan bwyllgor a sefydlir yn unol â chynnig a gyflwynir yn unol ag is-adran (1), y gosodir adroddiad ar yr adolygiad gerbron y Senedd gan y pwyllgor.
- (5) Os yw'r is-adran hon yn gymwys, rhaid i Weinidogion Cymru osod gerbron y Senedd ddatganiad yn nodi ymateb Gweinidogion Cymru i'r adroddiad a grybwyllir yn is-adran (4).'

A mewnosoder –

'i Weinidogion Cymru lunio a chyhoeddi adroddiad ar weithrediad ac effaith adrannau 7A i 7D o Ddeddf 2006 (fel y'u mewnosodir gan adran 1 o'r Ddeddf hon), ac unrhyw ddarpariaeth gysylltiedig a wneir o dan adran 13 o'r Ddeddf honno neu o dan y Ddeddf hon.

(2) Cyn llunio adroddiad o dan is-adran (1), rhaid i Weinidogion Cymru –

- (a) ymgysylltu â rhanddeiliaid perthnasol, a
- (b) cynnal ymgynghoriad cyhoeddus.

(3) O ran yr adroddiad, rhaid –

- (a) ei gyhoeddi o fewn deuddeg mis ar ôl yr etholiad cyffredinol cyntaf a gynhelir, o dan Ran 1 o Ddeddf 2006, ar ôl y diwrnod y daw adran 1 o'r Ddeddf hon i rym i bob pwrpas;
- (b) ei osod gerbron Senedd Cymru.'.

Darren Millar

16

Section 2, page 3, leave out lines 6 to 7 and insert –

- '() The motion may propose a date before which a report on the review must be completed by the committee.'

Adran 2, tudalen 3, hepgorer llinellau 6 hyd at 7 a mewnosoder –

- '() Caiff y cynnig gynnig dyddiad y mae rhaid i'r pwyllgor gwblhau adroddiad ar yr adolygiad yn gynharach nag ef.'

Darren Millar

17

Section 2, page 3, leave out lines 6 to 7.

Adran 2, tudalen 3, hepgorer llinellau 6 hyd at 7.

Darren Millar

18

Page 3, after line 34, insert a new section –

{ [] Consequential amendment

In section 159 (index of defined expressions) of the 2006 Act, at the appropriate place insert –

"the removal provisions	Section 7D(3)"
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Tudalen 3, ar ôl llinell 37, mewnosoder adran newydd –

{ [] Diwygiad canlyniadol

Yn adran 159 (mynegai o ymadroddion wedi eu diffinio) o Ddeddf 2006, yn y lle priodol, mewnosoder –

"the removal provisions	Section 7D(3)"
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Darren Millar

19

Page 3, after line 34, insert a new section –

{} **Consequential amendment**

In section 159 (index of defined expressions) of the 2006 Act, at the appropriate place insert –

“relevant registered political party	Section 7E(6)”
--------------------------------------	----------------

’.

Tudalen 3, ar ôl llinell 37, mewnosoder adran newydd –

{} **Diwygiad canlyniadol**

Yn adran 159 (mynegai o ymadroddion wedi eu diffinio) o Ddeddf 2006, yn y lle priodol mewnosoder –

“relevant registered political party	Section 7E(6)”
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’.

Darren Millar

20

Page 3, after line 34, insert a new section –

{} **Consequential amendment**

In section 159 (index of defined expressions) of the 2006 Act, at the appropriate place insert –

“outgoing list Member	Section 11(3)”
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’.

Tudalen 3, ar ôl llinell 37, mewnosoder adran newydd –

{} **Diwygiad canlyniadol**

Yn adran 159 (mynegai o ymadroddion wedi eu diffinio) o Ddeddf 2006, yn y lle priodol mewnosoder –

“outgoing list Member	Section 11(3)”
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