



Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015

2015 dccc 2

Well-being of Future Generations (Wales) Act 2015

2015 anaw 2

Lluniwyd Nodiadau Esboniadol yn gymorth i ddeall y Deddf hon ac maent ar gael ar wahân.

Explanatory Notes have been produced to assist in the understanding of this Act and are available separately.

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Deddf Llesiant Cenedlaethau'r Dyfodol
(Cymru) 2015

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Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015

Deddf gan Gynulliad Cenedlaethol Cymru i wneud darpariaeth sy'n ei gwneud yn ofynnol i gyrff cyhoeddus wneud pethau er mwyn ymgymrydd at lesiant economaidd, cymdeithasol, amgylcheddol a diwylliannol Cymru mewn modd sy'n gydnaws â'r egwyddor datblygu cynaliadwy; i'w gwneud yn ofynnol i gyrff cyhoeddus adrodd ar weithredoedd o'r fath; i sefydlu Comisiynydd Cenedlaethau'r Dyfodol i gynghori a chynorthwyo gyrff cyhoeddus wrth iddynt wneud pethau yn unol â'r Ddeddf hon; i sefydlu byrddau gwasanaethau cyhoeddus mewn ardaloedd awdurdodau lleol; i wneud darpariaeth sy'n ei gwneud yn ofynnol i'r byrddau hynny gynllunio a gweithredu i ymgymrydd at lesiant economaidd, cymdeithasol, amgylcheddol a diwylliannol yn eu hardaloedd; ac at ddibenion cysylltiedig.

[29 Ebrill 2015]

Gan ei fod wedi ei basio gan Gynulliad Cenedlaethol Cymru ac wedi derbyn cydsyniad Ei Mawrhydi, deddfir fel a ganlyn:

RHAN 1

CYFLWYNIAD

1 Trosolwg

- (1) Mae'r adran hon yn rhoi trosolwg o brif ddarpariaethau'r Ddeddf.
- (2) Mae Rhan 2 o'r Ddeddf hon—
 - (a) yn egluro ystyr "datblygu cynaliadwy" ac yn ei gwneud yn ofynnol i gyrff cyhoeddus ymgymryd â datblygu cynaliadwy (adrannau 2 a 3);
 - (b) yn ei gwneud yn ofynnol i'r gyrff bennu amcanion llesiant sydd i gyfrannu at gyrraedd y nodau llesiant a chymryd camau i gyflawni'r amcanion hynny (adran 3);
 - (c) yn ei gwneud yn ofynnol i'r gyrff wneud y pethau hynny yn unol â'r egwyddor datblygu cynaliadwy (adran 3);
 - (d) yn egluro beth yw'r nodau llesiant a beth yw ystyr gwneud pethau yn unol â'r egwyddor datblygu cynaliadwy (adrannau 4 a 5);



Well-being of Future Generations (Wales) Act 2015

An Act of the National Assembly for Wales to make provision requiring public bodies to do things in pursuit of the economic, social, environmental and cultural well-being of Wales in a way that accords with the sustainable development principle; to require public bodies to report on such action; to establish a Commissioner for Future Generations to advise and assist public bodies in doing things in accordance with this Act; to establish public services boards in local authority areas; to make provision requiring those boards to plan and take action in pursuit of economic, social, environmental and cultural well-being in their area; and for connected purposes.

[29 April 2015]

Having been passed by the National Assembly for Wales and having received the assent of Her Majesty, it is enacted as follows:

PART 1

INTRODUCTION

1 Overview

- (1) This section is an overview of the main provisions of the Act.
- (2) Part 2 of this Act—
 - (a) explains what is meant by “sustainable development” and requires public bodies to carry out sustainable development (sections 2 and 3);
 - (b) requires the bodies to set well-being objectives that are to contribute to the achievement of well-being goals and to take steps to meet those objectives (section 3);
 - (c) requires the bodies to do those things in accordance with the sustainable development principle (section 3);
 - (d) explains what the well-being goals are and what it means to do things in accordance with the sustainable development principle (sections 4 and 5);

- (e) yn ei gwneud yn ofynnol bod Gweinidogion Cymru yn cyhoeddi dangosyddion sy'n mesur y cynnydd tuag at gyrraedd y nodau llesiant (adran 10) ac adroddiadau ar dueddiadau tebygol y dyfodol yn llesiant Cymru (adran 11);
 - (f) yn ei gwneud yn ofynnol bod cyrff yn adrodd yn flynyddol ar y cynnydd tuag at gyflawni yr amcanion llesiant (adrannau 12 a 13 ac Atodlen 1);
 - (g) yn ei gwneud yn ofynnol i Archwilydd Cyffredinol Cymru gynnal ymchwiliadau ynghylch i ba raddau y mae cyrff cyhoeddus yn gosod amcanion ac yn cymryd camau yn unol â'r egwyddor datblygu cynaliadwy (adran 15).
- (3) Mae Rhan 3 o'r Ddeddf hon –
- (a) yn sefydlu swydd Comisiynydd Cenedlaethau'r Dyfodol Cymru (adran 17 ac Atodlen 2);
 - (b) yn darparu y bydd y Comisiynydd yn hyrwyddo anghenion cenedlaethau'r dyfodol drwy fonitro i ba raddau y mae y cyrff cyhoeddus yn gosod eu hamcanion llesiant, ac yn ceisio eu cyflawni, yn unol â'r egwyddor datblygu cynaliadwy, ac yn adrodd ar hynny (adran 18);
 - (c) yn darparu y bydd y Comisiynydd yn cynnal adolygiadau o gyrrff cyhoeddus (adran 20);
 - (d) yn sefydlu panel o gynghorwyr i'r Comisiynydd (adrannau 26 i 28).
- (4) Mae Rhan 4 o'r Ddeddf hon –
- (a) yn sefydlu bwrdd gwasanaethau cyhoeddus ar gyfer ardal pob awdurdod lleol yng Nghymru ac yn pennu pwy arall y caiff bwrdd gydweithio ag ef (Pennod 1);
 - (b) yn ei gwneud yn ofynnol i fyrddau wella llesiant eu hardaloedd drwy gyfrannu at y nodau llesiant ac maent i wneud hynny drwy asesu llesiant yn eu hardaloedd, gosod amcanion lleol sy'n cael eu cynllunio i sicrhau bod y bwrdd yn cyfrannu i'r eithaf (o fewn ei ardal) at gyrraedd y nodau llesiant a chymryd camau i gyflawni'r amcanion hynny (Pennod 2, adran 36);
 - (c) yn ei gwneud yn ofynnol i fyrddau wneud y pethau hynny yn unol â'r egwyddor datblygu cynaliadwy (Pennod 2, adran 36);
 - (d) yn ei gwneud yn ofynnol i fyrddau gyhoeddi cynlluniau llesiant lleol sy'n nodi eu hamcanion lleol a sut y maent yn bwriadu cymryd camau i'w cyflawni (Pennod 2, adran 39);
 - (e) yn gwneud darpariaeth benodol ynghylch sut y mae cynlluniau llesiant lleol yn gymwys i gynghorau cymuned a sut, drwy hynny, y gall cyngor cymuned gyfrannu at weithgarwch y bwrdd gwasanaethau cyhoeddus yn ei ardal (Pennod 2, adran 40);
 - (f) yn gwneud darpariaeth i fyrddau uno neu gydlafurio fel arall (Pennod 3).

- (e) requires indicators that measure progress towards achieving the well-being goals (section 10), and reports on future trends in the well-being of Wales (section 11), to be published by the Welsh Ministers;
 - (f) requires the bodies to report annually on their progress towards meeting their well-being objectives (sections 12 and 13 and Schedule 1);
 - (g) requires the Auditor General for Wales to carry out examinations into the extent to which public bodies set objectives and take steps to meet them in accordance with the sustainable development principle (section 15).
- (3) Part 3 of this Act –
- (a) establishes the office of Future Generations Commissioner for Wales (section 17 and Schedule 2);
 - (b) provides for the Commissioner to promote the needs of future generations by monitoring and reporting on the extent to which the public bodies are setting and seeking to meet their well-being objectives in accordance with the sustainable development principle (section 18);
 - (c) provides for the Commissioner to carry out reviews of public bodies (section 20);
 - (d) establishes a panel of advisers to the Commissioner (sections 26 to 28).
- (4) Part 4 of this Act –
- (a) establishes a public services board for each local authority area in Wales and sets out who else a board may work with (Chapter 1);
 - (b) requires boards to improve the well-being of their area by contributing to the well-being goals, which they are to do by assessing well-being in their area, setting local objectives designed to maximise the board's contribution (within its area) to the achievement of the well-being goals and taking steps to meet those objectives (Chapter 2, section 36);
 - (c) requires boards to do those things in accordance with the sustainable development principle (Chapter 2, section 36);
 - (d) requires boards to publish local well-being plans setting out their local objectives and how they propose to take steps to meet them (Chapter 2, section 39);
 - (e) makes specific provision about how local well-being plans apply to community councils and how, in that way, a community council may contribute to the activity of the public services board in its area (Chapter 2, section 40);
 - (f) provides for boards to merge or otherwise collaborate (Chapter 3).

RHAN 2**GWELLA LLESIANT***Datblygu cynaliadwy a dyletswydd llesiant ar gyrff cyhoeddus***2 Datblygu cynaliadwy**

Yn y Ddeddf hon, ystyr "datblygu cynaliadwy" yw'r broses o wella llesiant economaidd, cymdeithasol, amgylcheddol a diwylliannol Cymru drwy weithredu, yn unol â'r egwyddor datblygu cynaliadwy (gweler adran 5), gan anelu at gyrraedd y nodau llesiant (gweler adran 4).

3 Dyletswydd llesiant ar gyrff cyhoeddus

- (1) Rhaid i bob corff cyhoeddus ymgymryd â datblygu cynaliadwy.
- (2) Rhaid i weithredoedd corff cyhoeddus wrth ymgymryd â datblygu cynaliadwy gynnwys—
 - (a) gosod a chyhoeddi amcanion ("amcanion llesiant") sy'n cael eu cynllunio i sicrhau ei fod yn cyfrannu i'r eithaf at gyrraedd pob un o'r nodau llesiant, a
 - (b) cymryd pob cam rhesymol (wrth arfer ei swyddogaethau) i gyflawni'r amcanion hynny.
- (3) Caiff corff cyhoeddus sy'n arfer swyddogaethau mewn perthynas â Chymru gyfan osod amcanion mewn perthynas â Chymru neu unrhyw ran o Gymru.
- (4) Caiff corff cyhoeddus sy'n arfer swyddogaethau mewn perthynas â rhan o Gymru yn unig osod amcanion mewn perthynas â'r rhan honno neu unrhyw ran ohoni.

4 Y nodau llesiant

Mae'r nodau llesiant wedi eu nodi a'u disgrifio yn Nhabl 1—

PART 2

IMPROVING WELL-BEING

Sustainable development and well-being duty on public bodies

2 Sustainable development

In this Act, “sustainable development” means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle (see section 5), aimed at achieving the well-being goals (see section 4).

3 Well-being duty on public bodies

- (1) Each public body must carry out sustainable development.
- (2) The action a public body takes in carrying out sustainable development must include—
 - (a) setting and publishing objectives (“well-being objectives”) that are designed to maximise its contribution to achieving each of the well-being goals, and
 - (b) taking all reasonable steps (in exercising its functions) to meet those objectives.
- (3) A public body that exercises functions in relation to the whole of Wales may set objectives relating to Wales or any part of Wales.
- (4) A public body that exercises functions in relation only to a part of Wales may set objectives relating to that part or any part of it.

4 The well-being goals

The well-being goals are listed and described in Table 1—

TABL 1

Nod	Disgrifiad o'r nod
Cymru lewyrchus.	Cymdeithas arloesol, gynhyrchiol, carbon isel sy'n cydnabod y terfynau sydd ar yr amgylchedd byd-eang ac sydd, o ganlyniad, yn defnyddio adnoddau mewn modd effeithlon a chymesur (gan gynnwys gweithredu ar newid yn yr hinsawdd); ac sy'n datblygu poblogaeth fedrus ac addysgedig mewn economi sy'n cynhyrchu cyfoeth ac yn cynnig cyfleoedd cyflogaeth, gan ganiatáu i bobl fanteisio ar y cyfoeth a gynhyrchir drwy gael gafael ar waith addas.
Cymru gydnherth.	Cenedl sy'n cynnal ac yn gwella amgylchedd naturiol bioamrywiol gydag ecosystemau iach gweithredol sy'n cynnal cydnherthedd cymdeithasol, economaidd ac ecolegol ynghyd â'r gallu i addasu i newid (er enghraifft newid yn yr hinsawdd).
Cymru iachach.	Cymdeithas lle mae llesiant corfforol a meddyliol pobl cystal â phosibl a lle deallir dewisiadau ac ymddygiadau sydd o fudd i iechyd yn y dyfodol.
Cymru sy'n fwy cyfartal.	Cymdeithas sy'n galluogi pobl i gyflawni eu potensial ni waeth beth fo'u cefndir neu eu hamgylchiadau (gan gynnwys eu cefndir a'u hamgylchiadau cymdeithasol-economaidd).
Cymru o gymunedau cydlynus.	Cymunedau atyniadol, hyfyw a diogel sydd â chysylltiadau da.
Cymru â diwylliant bywiog lle mae'r Gymraeg yn ffynnu.	Cymdeithas sy'n hyrwyddo ac yn gwarchod diwylliant, treftadaeth a'r Gymraeg ac sy'n annog pobl i gyfranogi yn y celfyddydau, a chwaraeon a gweithgareddau hamdden.
Cymru sy'n gyfrifol ar lefel fyd-eang.	Cenedl sydd, wrth iddi wneud unrhyw beth i wella llesiant economaidd, cymdeithasol, amgylcheddol a diwylliannol Cymru, yn ystyried a allai gwneud peth o'r fath gyfrannu'n gadarnhaol at lesiant byd-eang.

TABLE 1

Goal	Description of the goal
A prosperous Wales.	An innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work.
A resilient Wales.	A nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change (for example climate change).
A healthier Wales.	A society in which people's physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood.
A more equal Wales.	A society that enables people to fulfil their potential no matter what their background or circumstances (including their socio economic background and circumstances).
A Wales of cohesive communities.	Attractive, viable, safe and well-connected communities.
A Wales of vibrant culture and thriving Welsh language.	A society that promotes and protects culture, heritage and the Welsh language, and which encourages people to participate in the arts, and sports and recreation.
A globally responsible Wales.	A nation which, when doing anything to improve the economic, social, environmental and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being.

5 Yr egwyddor datblygu cynaliadwy

- (1) Yn y Ddeddf hon, mae unrhyw gyfeiriad at y ffaith bod corff cyhoeddus yn gwneud rhywbeth "yn unol â'r egwyddor datblygu cynaliadwy" yn golygu bod yn rhaid i'r corff weithredu mewn modd sy'n ceisio sicrhau bod anghenion y presennol yn cael eu diwallu heb beryglu gallu cenedlaethau'r dyfodol i ddiwallu eu hanghenion hwythau.
- (2) Er mwyn gweithredu yn y modd hwn, rhaid i gorff cyhoeddus ystyried y pethau canlynol—
 - (a) pwysigrwydd cydbwysu anghenion y tymor byr gyda'r angen i ddiogelu'r gallu i ddiwallu anghenion hirdymor, yn enwedig pan allai pethau a wneir i ddiwallu anghenion tymor byr gael effaith niweidiol yn yr hirdymor;
 - (b) yr angen i gymryd ymagwedd integredig, drwy ystyried—
 - (i) ym mha ffordd y gallai amcanion llesiant y corff effeithio ar bob un o'r nodau llesiant;
 - (ii) effaith amcanion llesiant y corff ar ei gilydd neu ar amcanion cyrff cyhoeddus eraill, yn arbennig pan all camau a gymerir gan y corff gyfrannu at gyflawni un amcan ond y gall fod yn niweidiol i gyflawni un arall;
 - (c) pwysigrwydd cynnwys personau eraill sydd â diddordeb mewn cyrraedd y nodau llesiant a sicrhau bod y personau hynny'n adlewyrchu amrywiaeth poblogaeth—
 - (i) Cymru (pan fo'r corff yn arfer swyddogaethau mewn perthynas â Chymru gyfan), neu
 - (ii) y rhan o Gymru y mae'r corff yn arfer swyddogaethau mewn perthynas â hi;
 - (d) ym mha ffordd y gallai cydlafurio ag unrhyw berson arall (neu wahanol rannau o'r corff yn gweithio ar y cyd) gynorthwyo'r corff i gyflawni ei amcanion llesiant, neu gynorthwyo corff arall i gyflawni ei amcanion;
 - (e) ym mha ffordd y gallai defnyddio adnoddau i atal problemau rhag digwydd neu waethygu gyfrannu at gyflawni amcanion llesiant y corff neu amcanion corff arall.

5 The sustainable development principle

- (1) In this Act, any reference to a public body doing something “in accordance with the sustainable development principle” means that the body must act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.
- (2) In order to act in that manner, a public body must take account of the following things –
 - (a) the importance of balancing short term needs with the need to safeguard the ability to meet long term needs, especially where things done to meet short term needs may have detrimental long term effect;
 - (b) the need to take an integrated approach, by considering how –
 - (i) the body’s well-being objectives may impact upon each of the well-being goals;
 - (ii) the body’s well-being objectives impact upon each other or upon other public bodies’ objectives, in particular where steps taken by the body may contribute to meeting one objective but may be detrimental to meeting another;
 - (c) the importance of involving other persons with an interest in achieving the well-being goals and of ensuring those persons reflect the diversity of the population of –
 - (i) Wales (where the body exercises functions in relation to the whole of Wales), or
 - (ii) the part of Wales in relation to which the body exercises functions;
 - (d) how acting in collaboration with any other person (or how different parts of the body acting together) could assist the body to meet its well-being objectives, or assist another body to meet its objectives;
 - (e) how deploying resources to prevent problems occurring or getting worse may contribute to meeting the body’s well-being objectives, or another body’s objectives.

6 Ystyr "corff cyhoeddus"

- (1) At ddibenion y Rhan hon a Rhan 3 o'r Ddeddf hon, mae pob un o'r personau canlynol yn "gorff cyhoeddus" –
- (a) Gweinidogion Cymru;
 - (b) awdurdod lleol;
 - (c) Bwrdd Iechyd Lleol;
 - (d) yr Ymddiriedolaethau GIG a ganlyn –
 - (i) Iechyd Cyhoeddus Cymru;
 - (ii) Felindre;
 - (e) awdurdod Parc Cenedlaethol ar gyfer Parc Cenedlaethol yng Nghymru;
 - (f) awdurdod tân ac achub yng Nghymru;
 - (g) Corff Adnoddau Naturiol Cymru;
 - (h) Cyngor Cyllido Addysg Uwch Cymru;
 - (i) Cyngor Celfyddydau Cymru;
 - (j) Cyngor Chwaraeon Cymru;
 - (k) Llyfrgell Genedlaethol Cymru;
 - (l) Amgueddfa Genedlaethol Cymru.
- (2) Mae adran 52 yn galluogi Gweinidogion Cymru i ddiwygio ystyr "corff cyhoeddus".
- (3) Mae Pennod 1 o Ran 4 yn darparu bod personau sydd wedi eu rhestru fel cyrff cyhoeddus yn is-adran (1) (yn ogystal â phersonau penodol eraill sy'n arfer swyddogaethau o natur gyhoeddus) naill ai yn aelodau o fyrddau gwasanaethau cyhoeddus a sefydlir o dan y Rhan honno, neu'n gyfranogwyr gwadd neu'n bartneriaid eraill i fyrddau.

*Amcanion llesiant***7 Datganiadau ynghylch amcanion llesiant**

- (1) Wrth gyhoeddi'r amcanion llesiant (gan gynnwys amcanion llesiant a adolygwyd o dan adran 8 neu 9) rhaid i gorff cyhoeddus hefyd gyhoeddi datganiad sy'n –
- (a) egluro pam y mae'r corff yn ystyried y bydd cyflawni'r amcanion yn cyfrannu at gyrraedd y nodau llesiant;
 - (b) egluro pam y mae'r corff cyhoeddus yn ystyried ei fod wedi gosod amcanion llesiant yn unol â'r egwyddor datblygu cynaliadwy, gan gynnwys sut y mae'r corff yn bwriadu cynnwys personau eraill sydd â diddordeb mewn cyrraedd y nodau llesiant a sicrhau bod y personau hynny'n adlewyrchu amrywiaeth poblogaeth –
 - (i) Cymru (pan fo'r corff yn arfer swyddogaethau mewn perthynas â Chymru gyfan), neu
 - (ii) y rhan o Gymru y mae'r corff yn arfer swyddogaethau mewn perthynas â hi;

6 Meaning of “public body”

- (1) For the purposes of this Part and Part 3 of this Act, each of the following persons is a “public body” –
 - (a) the Welsh Ministers;
 - (b) a local authority;
 - (c) a Local Health Board;
 - (d) the following NHS Trusts –
 - (i) Public Health Wales;
 - (ii) Velindre;
 - (e) a National Park authority for a National Park in Wales;
 - (f) a Welsh fire and rescue authority;
 - (g) the Natural Resources Body for Wales;
 - (h) the Higher Education Funding Council for Wales;
 - (i) the Arts Council of Wales;
 - (j) the Sports Council for Wales;
 - (k) the National Library of Wales;
 - (l) the National Museum of Wales.
- (2) Section 52 enables the Welsh Ministers to amend the meaning of a “public body”.
- (3) Chapter 1 of Part 4 provides for persons who are listed as public bodies in subsection (1) (as well as certain other persons who exercise functions of a public nature) to be either members, invited participants or other partners of the public services boards established under that Part.

Well-being objectives

7 Statements about well-being objectives

- (1) When publishing the well-being objectives (including well-being objectives revised under section 8 or 9) a public body must also publish a statement –
 - (a) explaining why the body considers that meeting the objectives will contribute to the achievement of the well-being goals;
 - (b) explaining why the public body considers it has set well-being objectives in accordance with the sustainable development principle, including how the body proposes to involve other persons with an interest in achieving the well-being goals and ensure that those persons reflect the diversity of the population of –
 - (i) Wales (where the body exercises functions in relation to the whole of Wales), or
 - (ii) the part of Wales in relation to which the body exercises functions;

- (c) nodi'r camau y mae'r corff cyhoeddus yn bwriadu eu cymryd i gyflawni'r amcanion hynny yn unol â'r egwyddor (gan gynnwys sut y mae'n bwriadu ei lywodraethu ei hun, sut y bydd yn parhau i adolygu'r camau a sut y mae'n bwriadu sicrhau bod adnoddau'n cael eu dyrannu'n flynyddol at ddiben cymryd camau o'r fath);
 - (d) pennu'r cyfnodau erbyn pryd y mae'r corff yn disgwyl y bydd yn cyflawni'r amcanion;
 - (e) darparu unrhyw wybodaeth arall y bydd y corff yn ei hystyried yn briodol ynghylch cymryd y camau a chyflawni'r amcanion.
- (2) Caniateir cynnwys amcanion llesiant corff cyhoeddus sydd hefyd yn aelod o fwrdd gwasanaethau cyhoeddus yng nghynllun llesiant lleol y bwrdd hwnnw (gweler Penodau 1 a 2 o Ran 4).

8 Amcanion Llesiant Gweinidogion Cymru

- (1) Rhaid i amcanion llesiant Gweinidogion Cymru gael eu gosod a'u cyhoeddi –
- (a) heb fod yn hwyrach na 6 mis ar ôl y dyddiad y cynhelir yr etholiad cyffredinol cyntaf ar ôl cychwyn yr adran hon, a
 - (b) heb fod yn hwyrach na 6 mis ar ôl dyddiad pob etholiad cyffredinol dilynol.
- (2) Rhaid i amcanion llesiant Gweinidogion Cymru gael eu gosod ar gyfer y cyfnod –
- (a) sy'n dechrau gyda'r diwrnod a bennir at y diben hwnnw yn y datganiad a gyhoeddir o dan adran 7(1), a
 - (b) sy'n dod i ben gyda diwrnod yr etholiad cyffredinol arferol nesaf o dan adran 3 o Ddeddf Llywodraeth Cymru 2006 (p.32).
- (3) Os yw'r nodau llesiant yn cael eu diwygio, rhaid i Weinidogion Cymru adolygu eu hamcanion llesiant.
- (4) Os yw Gweinidogion Cymru yn penderfynu, yn dilyn adolygiad o dan is-adran (3), nad yw un neu ragor o'u hamcanion llesiant yn briodol bellach, rhaid iddynt ddiwygio'r amcan neu'r amcanion perthnasol.
- (5) Caiff Gweinidogion Cymru, ar unrhyw adeg arall, adolygu a diwygio eu hamcanion llesiant.
- (6) Rhaid i amcanion llesiant a ddiwygir o dan is-adran (4) neu (5) gael eu gosod ar gyfer gweddill y cyfnod y cyfeirir ato yn is-adran (2).
- (7) Pan fo Gweinidogion Cymru yn diwygio eu hamcanion llesiant o dan is-adran (4) neu (5), rhaid iddynt eu cyhoeddi gyn gynted ag y bo'n rhesymol ymarferol.
- (8) Wrth osod neu ddiwygio eu hamcanion llesiant, rhaid i Weinidogion Cymru ystyried adroddiad y Comisiynydd a gyhoeddir o dan adran 23.
- (9) Yn is-adran (1), ystyr "etholiad cyffredinol" yw –
- (a) y bleidlais a gynhelir mewn etholiad cyffredinol arferol o dan adran 3 o Ddeddf Llywodraeth Cymru 2006 (p.32), neu
 - (b) y bleidlais a gynhelir mewn etholiad cyffredinol eithriadol o dan adran 5 o'r Ddeddf honno.

- (c) setting out the steps the public body proposes to take to meet those objectives in accordance with the principle (including how it proposes to govern itself, how it will keep the steps under review and how it proposes to ensure that resources are allocated annually for the purpose of taking such steps);
 - (d) specifying the periods of time within which the body expects to meet the objectives;
 - (e) providing such other information as the body considers appropriate about taking the steps and meeting the objectives.
- (2) The well-being objectives of a public body that is also a member of a public services board may be included in that board's local well-being plan (see Chapters 1 and 2 of Part 4).

8 Welsh Ministers' well-being objectives

- (1) The Welsh Ministers' well-being objectives must be set and published –
- (a) no later than 6 months after the date on which the first general election is held following the commencement of this section, and
 - (b) no later than 6 months after the date of each subsequent general election.
- (2) The Welsh Ministers' well-being objectives must be set for the period –
- (a) beginning with the day specified for that purpose in the statement published under section 7(1), and
 - (b) ending with the day of the next ordinary general election under section 3 of the Government of Wales Act 2006 (c.32).
- (3) If the well-being goals are amended, the Welsh Ministers must review their well-being objectives.
- (4) If, on a review under subsection (3), the Welsh Ministers determine that one or more of their well-being objectives are no longer appropriate, they must revise the objective or objectives concerned.
- (5) The Welsh Ministers may at any other time review and revise their well-being objectives.
- (6) Well-being objectives revised under subsection (4) or (5) must be set for the remainder of the period referred to in subsection (2).
- (7) Where the Welsh Ministers revise their well-being objectives under subsection (4) or (5), they must publish them as soon as is reasonably practicable.
- (8) In setting or revising their well-being objectives, the Welsh Ministers must take into account the Commissioner's report under section 23.
- (9) In subsection (1), "general election" means –
- (a) the poll held at an ordinary general election under section 3 of the Government of Wales Act 2006 (c.32), or
 - (b) the poll held at an extraordinary general election under section 5 of that Act.

9 Amcanion llesiant cyrff cyhoeddus eraill

- (1) Nid yw cyfeiriadau yn yr adran hon at gorff cyhoeddus yn cynnwys Gweinidogion Cymru.
- (2) Rhaid i amcanion llesiant corff cyhoeddus gael eu gosod a'u cyhoeddi –
 - (a) heb fod yn hwyrach na dechrau'r flwyddyn ariannol sy'n dilyn cychwyn yr adran hon, a
 - (b) ar ba adegau dilynol bynnag ag y bo'r corff yn eu hystyried yn briodol.
- (3) Os yw'r nodau llesiant yn cael eu diwygio, rhaid i gorff cyhoeddus adolygu ei amcanion llesiant.
- (4) Os yw corff cyhoeddus yn penderfynu, yn dilyn adolygiad o dan is-adran (3), nad yw un neu ragor o'i amcanion llesiant yn briodol bellach, rhaid iddo ddiwygio'r amcan neu'r amcanion perthnasol.
- (5) Caiff corff cyhoeddus, ar unrhyw adeg arall, adolygu a diwygio ei amcanion llesiant.
- (6) Pan fo corff cyhoeddus yn diwygio ei amcanion llesiant o dan is-adran (3) neu (4), rhaid iddo eu cyhoeddi gyn gynted ag sy'n rhesymol ymarferol.
- (7) Wrth osod neu ddiwygio ei amcanion llesiant, rhaid i gorff cyhoeddus ystyried adroddiad y Comisiynydd o dan adran 23.

Mesur perfformiad tuag at gyrraedd y nodau

10 Dangosyddion cenedlaethol ac adroddiad llesiant blynyddol

- (1) Rhaid i Weinidogion Cymru –
 - (a) cyhoeddi dangosyddion (“dangosyddion cenedlaethol”) y mae'n rhaid eu cymhwyso er mwyn mesur cynnydd tuag at gyrraedd y nodau llesiant, a
 - (b) gosod copi o'r dangosyddion cenedlaethol gerbron y Cynulliad Cenedlaethol.
- (2) Mewn perthynas â dangosydd cenedlaethol –
 - (a) rhaid iddo gael ei ddatgan ar ffurf gwerth y gellir eu fesur, neu nodwedd y gellir ei mesur, yn feintiol neu'n ansoddol yn erbyn canlyniad penodol;
 - (b) caniateir ei fesur dros unrhyw gyfnod y mae Gweinidogion Cymru yn ei ystyried yn briodol;
 - (c) caniateir ei fesur mewn perthynas â Chymru neu unrhyw ran o Gymru.
- (3) Rhaid i Weinidogion Cymru osod cerrig milltir mewn perthynas â'r dangosyddion cenedlaethol y mae Gweinidogion Cymru yn ystyried y byddent yn cynorthwyo i fesur a oes cynnydd yn cael ei wneud tuag at gyrraedd y nodau llesiant.
- (4) Wrth osod carreg filltir rhaid i Weinidogion Cymru bennu –
 - (a) y meini prawf ar gyfer penderfynu a yw'r garreg filltir wedi ei chyflawni (drwy gyfeirio at y gwerth y mesurir y dangosydd yn ei erbyn neu'r nodwedd y'i mesurir yn ei herbyn), a
 - (b) erbyn pryd y mae'r garreg filltir i gael ei chyflawni.
- (5) Os yw'r nodau llesiant yn cael eu diwygio, rhaid i Weinidogion Cymru adolygu'r dangosyddion cenedlaethol a'r cerrig milltir.

9 Other public bodies' well-being objectives

- (1) In this section references to a public body do not include the Welsh Ministers.
- (2) A public body's well-being objectives must be set and published –
 - (a) no later than the beginning of the financial year following the commencement of this section, and
 - (b) at such subsequent times as the body considers appropriate.
- (3) If the well-being goals are amended, a public body must review its well-being objectives.
- (4) If, on a review under subsection (3), a public body determines that one or more of its well-being objectives are no longer appropriate, it must revise the objective or objectives concerned.
- (5) A public body may at any other time review and revise its well-being objectives.
- (6) Where a public body revises its well-being objectives under subsection (3) or (4), it must publish them as soon as is reasonably practicable.
- (7) In setting or revising its well-being objectives, a public body must take into account the Commissioner's report under section 23.

Measuring performance towards achieving the goals

10 National indicators and annual well-being report

- (1) The Welsh Ministers must –
 - (a) publish indicators ("national indicators") that must be applied for the purpose of measuring progress towards the achievement of the well-being goals, and
 - (b) lay a copy of the national indicators before the National Assembly.
- (2) A national indicator –
 - (a) must be expressed as a value or characteristic that can be measured quantitatively or qualitatively against a particular outcome;
 - (b) may be measured over such period of time as the Welsh Ministers consider appropriate;
 - (c) may be measurable in relation to Wales or any part of Wales.
- (3) The Welsh Ministers must set milestones in relation to the national indicators which the Welsh Ministers consider would assist in measuring whether progress is being made towards the achievement of the well-being goals.
- (4) In setting a milestone the Welsh Ministers must specify –
 - (a) the criteria for determining whether the milestone has been achieved (by reference to the value or characteristic by which the indicator is measured), and
 - (b) the time by which the milestone is to be achieved.
- (5) If the well-being goals are amended, the Welsh Ministers must review the national indicators and milestones.

- (6) Os yw Gweinidogion Cymru yn penderfynu, yn dilyn adolygiad o dan is-adran (5), nad yw un neu ragor o'r dangosyddion cenedlaethol neu'r cerrig milltir yn briodol bellach, rhaid iddynt ei ddiwygio neu eu dwygio.
- (7) Caiff Gweinidogion Cymru, ar unrhyw adeg arall, adolygu a diwygio'r dangosyddion cenedlaethol a'r cerrig milltir.
- (8) Pan fo Gweinidogion Cymru yn diwygio'r dangosyddion cenedlaethol a'r cerrig milltir o dan is-adran (6) neu (7), cyn gynted ag y bo'n rhesymol ymarferol rhaid iddynt –
 - (a) cyhoeddi'r dangosyddion a'r cerrig milltir fel y'u diwygiwyd, a
 - (b) gosod copi ohonynt gerbron y Cynulliad Cenedlaethol.
- (9) Cyn cyhoeddi dangosyddion cenedlaethol a cherrig milltir (gan gynnwys dangosyddion a cherrig milltir a ddiwygiwyd o dan is-adran (6) neu (7)), rhaid i Weinidogion Cymru ymgynghori â'r canlynol –
 - (a) y Comisiynydd;
 - (b) y cyrff cyhoeddus eraill;
 - (c) y personau eraill hynny sy'n briodol yn eu barn hwy.
- (10) Rhaid i Weinidogion Cymru, mewn perthynas â phob blwyddyn ariannol sy'n dechrau ar ôl y dyddiad y cyhoeddir dangosyddion cenedlaethol o dan is-adran (1), gyhoeddi adroddiad ("adroddiad llesiant blynyddol") ar y cynnydd a wnaed tuag at gyflawni'r nodau llesiant drwy gyfeirio at y dangosyddion cenedlaethol a'r cerrig milltir.
- (11) Rhaid i adroddiad llesiant blynyddol o dan is-adran (10) bennu'r cyfnodau o amser y mae'r mesuriad o bob dangosydd yn berthnasol iddynt.

11 Adroddiad tueddiadau tebygol y dyfodol

- (1) Rhaid i Weinidogion Cymru, yn ystod y cyfnod o 12 mis gan ddechrau gyda dyddiad etholiad cyffredinol, gyhoeddi adroddiad ("adroddiad tueddiadau tebygol y dyfodol") sy'n cynnwys –
 - (a) rhagfynegiadau ynghylch y tueddiadau tebygol yn llesiant economaidd, cymdeithasol, amgylcheddol a diwylliannol Cymru yn y dyfodol, a
 - (b) unrhyw ddata dadansoddol a gwybodaeth gysylltiedig y mae Gweinidogion Cymru yn eu hystyried yn briodol.
- (2) Wrth baratoi adroddiad tueddiadau tebygol y dyfodol rhaid i Weinidogion Cymru –
 - (a) ystyried unrhyw gam a gymerir gan y Cenhedloedd Unedig mewn perthynas â Nodau Datblygu Cynaliadwy'r Cenhedloedd Unedig ac asesu effaith posibl y cam hwnnw ar lesiant economaidd, cymdeithasol, amgylcheddol a diwylliannol Cymru, a
 - (b) ystyried yr adroddiad sy'n cynnwys asesiad o'r risgiau i'r Deyrnas Unedig o ganlyniad i effaith bresennol newid yn yr hinsawdd, a'r effaith a ragwelir, a anfonwyd yn fwyaf diweddar at Weinidogion Cymru o dan adran 56(6) o Ddeddf Newid yn yr Hinsawdd 2008 (p. 27).

- (6) If, on a review under subsection (5), the Welsh Ministers determine that one or more of the national indicators or milestones are no longer appropriate, they must revise it or them.
- (7) The Welsh Ministers may at any other time review and revise the national indicators and milestones.
- (8) Where the Welsh Ministers revise the national indicators and milestones under subsection (6) or (7), they must as soon as reasonably practicable –
 - (a) publish the indicators and milestones as revised, and
 - (b) lay a copy of them before the National Assembly.
- (9) Before publishing national indicators and milestones (including indicators and milestones revised under subsection (6) or (7)), the Welsh Ministers must consult –
 - (a) the Commissioner;
 - (b) the other public bodies;
 - (c) such other persons as they consider appropriate.
- (10) The Welsh Ministers must, in respect of each financial year beginning after the date on which national indicators are published under subsection (1), publish a report (an “annual well-being report”) on the progress made towards the achievement of the well-being goals by reference to the national indicators and milestones.
- (11) An annual well-being report under subsection (10) must specify the periods of time to which the measurement of each indicator relates.

11 Future trends report

- (1) The Welsh Ministers must, during the period of 12 months beginning with the date of a general election, publish a report (a “future trends report”) that contains –
 - (a) predictions of likely future trends in the economic, social, environmental and cultural well-being of Wales, and
 - (b) any related analytical data and information that the Welsh Ministers consider appropriate.
- (2) In preparing a future trends report the Welsh Ministers must –
 - (a) take account of any action taken by the United Nations in relation to the UN Sustainable Development Goals and assess the potential impact of that action on the economic, social, environmental and cultural well-being of Wales, and
 - (b) take account of the report containing an assessment of the risks for the United Kingdom of the current and predicted impact of climate change most recently sent to the Welsh Ministers under section 56(6) of the Climate Change Act 2008 (c.27).

- (3) Yn is-adran (2)(a), ystyr "Nodau Datblygu Cynaliadwy'r Cenedloedd Unedig" yw'r nodau drafft a gynigir yn adroddiad Gweithgor Agored y Cenedloedd Unedig ar Nodau Datblygu Cynaliadwy (cyfeirnod dogfen y Cenedloedd Unedig A/68/970) y cyfeirir ato ym mhenderfyniad 68/309 y Cenedloedd Unedig a fabwysiadwyd gan Gynulliad Cyffredinol y Cenedloedd Unedig ar 10 Medi 2014.
- (4) Yn is-adran (1), mae'r cyfeiriad at ddyddiad etholiad cyffredinol yn gyfeiriad at y dyddiad y cynhelir etholiad cyffredinol arferol o dan adran 3 o Ddeddf Llywodraeth Cymru 2006 (p.32) (neu'r dyddiad y byddai wedi ei gynnal heblaw am adran 5(5) o'r Ddeddf honno).

12 Adroddiadau blynyddol gan Weinidogion Cymru

- (1) Rhaid i Weinidogion Cymru –
 - (a) cyhoeddi, mewn cysylltiad â phob blwyddyn ariannol, adroddiad ar y cynnydd a wnaed ganddynt at gyflawni eu hamcanion llesiant, a
 - (b) gosod copi o'r adroddiad gerbron y Cynulliad Cenedlaethol.
- (2) Wrth baratoi adroddiad o dan yr adran hon, rhaid i Weinidogion Cymru adolygu eu hamcanion llesiant.
- (3) Os yw Gweinidogion Cymru yn penderfynu, yn dilyn adolygiad o dan is-adran (2), nad yw un neu ragor o'u hamcanion llesiant yn briodol bellach, rhaid iddynt ddiwygio'r amcan neu'r amcanion perthnasol a chyhoeddi'r amcan neu'r amcanion diwygiedig cyn gynted ag y bo'n ymarferol.
- (4) Pan fo Gweinidogion Cymru yn diwygio un neu ragor o'u hamcanion o dan is-adran (3), rhaid i'r adroddiad gynnwys eglurhad am y diwygiad a'r rhesymau dros ei wneud.
- (5) Rhaid i adroddiad o dan yr adran hon gael ei gyhoeddi a'i osod gerbron y Cynulliad Cenedlaethol cyn gynted ag y bo'n rhesymol ymarferol yn dilyn diwedd y flwyddyn ariannol y mae'r adroddiad yn cyfeirio ati.

13 Adroddiadau blynyddol gan gyrrff cyhoeddus eraill

- (1) Mae Atodlen 1 yn gwneud darpariaeth sy'n ei gwneud yn ofynnol i bob corff cyhoeddus ac eithrio Gweinidogion Cymru gyhoeddi adroddiadau blynyddol ar y cynnydd a wnaed ganddo at gyflawni ei amcanion llesiant.
- (2) Wrth baratoi adroddiad o dan Atodlen 1, neu o dan ddarpariaeth a ddiwygir gan yr Atodlen honno, rhaid i gorff cyhoeddus adolygu ei amcanion llesiant.
- (3) Os yw corff cyhoeddus yn penderfynu, yn dilyn adolygiad o dan is-adran (2), nad yw un neu ragor o'i amcanion llesiant yn briodol bellach, rhaid iddo ddiwygio'r amcan neu'r amcanion perthnasol a chyhoeddi'r amcan neu'r amcanion diwygiedig cyn gynted ag y bo'n ymarferol.
- (4) Pan fo corff cyhoeddus yn diwygio un neu ragor o'i amcanion o dan is-adran (3), rhaid i'r adroddiad gynnwys eglurhad am y diwygiad a'r rhesymau dros ei wneud.

- (3) In subsection (2)(a), “UN Sustainable Development Goals” means the draft goals proposed in the report of the United Nations Open Working Group on Sustainable Development Goals (UN document reference A/68/970) referred to in UN resolution 68/309 which was adopted by the General Assembly of the United Nations on 10 September 2014.
- (4) In subsection (1), the reference to the date of a general election is to the date on which an ordinary general election is held under section 3 of the Government of Wales Act 2006 (c.32) (or would be apart from section 5(5) of that Act).

12 Annual reports by the Welsh Ministers

- (1) The Welsh Ministers must –
 - (a) publish, in respect of each financial year, a report of the progress they have made towards meeting their well-being objectives, and
 - (b) lay a copy of the report before the National Assembly.
- (2) In preparing a report under this section, the Welsh Ministers must review their well-being objectives.
- (3) If, on a review under subsection (2), the Welsh Ministers determine that one or more of their well-being objectives are no longer appropriate, they must revise the objective or objectives concerned and publish the revised objective or objectives as soon as practicable.
- (4) Where the Welsh Ministers revise one or more of their objectives under subsection (3), the report must include an explanation of the revision and the reasons for making it.
- (5) A report under this section must be published and laid before the National Assembly as soon as reasonably practicable following the end of the financial year to which the report relates.

13 Annual reports by other public bodies

- (1) Schedule 1 makes provision requiring each public body other than the Welsh Ministers to publish annual reports of the progress it has made in meeting its well-being objectives.
- (2) In preparing a report under Schedule 1, or under a provision amended by that Schedule, a public body must review its well-being objectives.
- (3) If, on a review under subsection (2), a public body determines that one or more of its well-being objectives are no longer appropriate, it must revise the objective or objectives concerned and publish the revised objective or objectives as soon as practicable.
- (4) Where a public body revises one or more of its objectives under subsection (3), the report must include an explanation of the revision and the reasons for making it.

*Canllawiau***14 Canllawiau**

- (1) Rhaid i Weinidogion Cymru ddyroddi canllawiau i gyrff cyhoeddus eraill ynghylch arfer swyddogaethau o dan y Rhan hon.
- (2) Wrth arfer swyddogaeth o dan y Rhan hon, rhaid i gorff cyhoeddus roi sylw i ganllawiau o'r fath.

*Swyddogaeth Archwilydd Cyffredinol Cymru***15 Yr egwyddor datblygu cynaliadwy: ymchwiliadau'r Archwilydd Cyffredinol**

- (1) Caiff Archwilydd Cyffredinol Cymru gynnal ymchwiliadau o gyrff cyhoeddus at ddibenion asesu i ba raddau y mae corff wedi gweithredu yn unol â'r egwyddor datblygu cynaliadwy wrth—
 - (a) gosod amcanion llesiant, a
 - (b) cymryd camau i gyflawni'r amcanion hynny.
- (2) Rhaid i'r Archwilydd Cyffredinol gynnal ymchwiliad o'r fath o bob corff cyhoeddus o leiaf unwaith yn ystod y cyfnod a grybwyllir yn is-adran (6).
- (3) Cyn diwedd y cyfnod a grybwyllir yn is-adran (6), rhaid i'r Archwilydd Cyffredinol roi adroddiad ar ganlyniadau'r ymchwiliadau a gynhaliwyd o dan is-adran (1) yn ystod y cyfnod hwnnw i'r Cynulliad Cenedlaethol.
- (4) Rhaid i'r Archwilydd Cyffredinol osod unrhyw adroddiad y mae'n paratoi o dan is-adran (3) gerbron y Cynulliad Cenedlaethol.
- (5) Wrth gynnal ymchwiliad o dan is-adran (1), rhaid i'r Archwilydd Cyffredinol—
 - (a) ystyried unrhyw gyngor neu gymorth a roddwyd i'r corff cyhoeddus, neu unrhyw adolygiad o'r corff ac argymhellion a roddwyd i'r corff, gan Gomisiynydd Cenedlaethau'r Dyfodol Cymru (gweler Rhan 3), a
 - (b) ymgynghori â'r Comisiynydd.
- (6) Mae'r cyfnod y cyfeirir ato yn is-adrannau (2) a (3)—
 - (a) yn dechrau ar y dyddiad sy'n digwydd un flwyddyn cyn y dyddiad y mae etholiad cyffredinol arferol i'w gynnal o dan adran 3 o Ddeddf Llywodraeth Cymru 2006, a
 - (b) yn dod i ben ar y dyddiad sy'n digwydd un diwrnod ac un flwyddyn cyn y dyddiad y mae'r etholiad nesaf o'r fath i'w gynnal.

Guidance

14 Guidance

- (1) The Welsh Ministers must issue guidance to other public bodies about the exercise of functions under this Part.
- (2) In exercising a function under this Part, a public body must take such guidance into account.

Role of the Auditor General for Wales

15 The sustainable development principle: Auditor General's examinations

- (1) The Auditor General for Wales may carry out examinations of public bodies for the purposes of assessing the extent to which a body has acted in accordance with the sustainable development principle when—
 - (a) setting well-being objectives, and
 - (b) taking steps to meet those objectives.
- (2) The Auditor General must carry out such an examination of each public body at least once during the period mentioned in subsection (6).
- (3) Before the end of the period mentioned in subsection (6), the Auditor General must report on the results of the examinations carried out under subsection (1) during that period to the National Assembly.
- (4) The Auditor General must lay any report prepared under subsection (3) before the National Assembly.
- (5) In carrying out an examination under subsection (1), the Auditor General must—
 - (a) take into account any advice or assistance given to the public body, or any review of and recommendations made to the body, by the Future Generations Commissioner for Wales (see Part 3), and
 - (b) consult the Commissioner.
- (6) The period referred to in subsections (2) and (3)—
 - (a) begins on the date falling one year before the date on which an ordinary general election is to be held under section 3 of the Government of Wales Act 2006, and
 - (b) ends on the date falling one day and one year before the date on which the next such election is to be held.

*Hyrwyddo datblygu cynaliadwy***16 Hyrwyddo datblygu cynaliadwy**

Yn lle adran 79 o Ddeddf Llywodraeth Cymru 2006 (p. 32) (datblygu cynaliadwy) rhodder—

“79 Sustainable development

- (1) The Welsh Ministers must, in the exercise of their functions, make appropriate arrangements to promote sustainable development.
- (2) After each financial year the Welsh Ministers must publish a report containing a statement of the arrangements made in pursuance of subsection (1) that had effect during that financial year and must lay a copy of the report before the Assembly.
- (3) The arrangements referred to in subsection (1) may be made by the Welsh Ministers exercising their functions under section 3(2) of the Well-being of Future Generations (Wales) Act 2015 (duty of Welsh public bodies to set objectives and take steps to meet them in accordance with the sustainable development principle).”.

RHAN 3**COMISIYNYDD CENEDLAETHAU'R DYFODOL CYMRU***Y Comisiynydd***17 Comisiynydd Cenedlaethau'r Dyfodol Cymru**

- (1) Sefydli'r swydd Comisiynydd Cenedlaethau'r Dyfodol Cymru (y cyfeirir ato yn y Ddeddf hon fel y “Comisiynydd”).
- (2) Rhaid i'r Comisiynydd fod yn unigolyn a benodir gan Weinidogion Cymru.
- (3) Cyn gwneud y penodiad o dan is-adran (2), rhaid i Weinidogion Cymru ymgynghori â'r Cynulliad Cenedlaethol drwy ei bwyllgor cyfrifol.
- (4) Mae Atodlen 2 yn gwneud darpariaeth bellach ynghylch y Comisiynydd.

18 Dyletswydd gyffredinol y Comisiynydd

Dyletswydd gyffredinol y Comisiynydd yw—

- (a) hyrwyddo'r egwyddor datblygu cynaliadwy, yn arbennig er mwyn—
 - (i) gweithredu fel gwarchodwr gallu cenedlaethau'r dyfodol i ddiwallu eu hanghenion, a
 - (ii) annog cyrff cyhoeddus i roi rhagor o ystyriaeth i effaith hirdymor yr hyn a wnânt, a
- (b) at y diben hwnnw i fonitro ac asesu cyflawniad yr amcanion llesiant a osodir gan gyrrff cyhoeddus.

Promotion of sustainable development

16 Promotion of sustainable development

For section 79 of the Government of Wales Act 2006 (c.32) (sustainable development) substitute –

“79 Sustainable development

- (1) The Welsh Ministers must, in the exercise of their functions, make appropriate arrangements to promote sustainable development.
- (2) After each financial year the Welsh Ministers must publish a report containing a statement of the arrangements made in pursuance of subsection (1) that had effect during that financial year and must lay a copy of the report before the Assembly.
- (3) The arrangements referred to in subsection (1) may be made by the Welsh Ministers exercising their functions under section 3(2) of the Well-being of Future Generations (Wales) Act 2015 (duty of Welsh public bodies to set objectives and take steps to meet them in accordance with the sustainable development principle).”.

PART 3

THE FUTURE GENERATIONS COMMISSIONER FOR WALES

The Commissioner

17 Future Generations Commissioner for Wales

- (1) There is to be a Future Generations Commissioner for Wales (referred to in this Act as the “Commissioner”).
- (2) The Commissioner is to be an individual appointed by the Welsh Ministers.
- (3) Before making the appointment under subsection (2), the Welsh Ministers must consult with the National Assembly through its responsible committee.
- (4) Schedule 2 makes further provision about the Commissioner.

18 Commissioner’s general duty

The general duty of the Commissioner is –

- (a) to promote the sustainable development principle, in particular to –
 - (i) act as a guardian of the ability of future generations to meet their needs, and
 - (ii) encourage public bodies to take greater account of the long-term impact of the things that they do, and
- (b) for that purpose to monitor and assess the extent to which well-being objectives set by public bodies are being met.

*Swyddogaethau'r Comisiynydd***19 Swyddogaethau'r Comisiynydd**

- (1) Caiff y Comisiynydd, wrth gyflawni dyletswydd gyffredinol y Comisiynydd –
- (a) darparu cyngor neu gymorth i gorff cyhoeddus (gan gynnwys darparu cyngor ar newid hinsawdd);
 - (b) darparu cyngor i Archwilydd Cyffredinol Cymru ar yr egwyddor datblygu cynaliadwy;
 - (c) darparu cyngor neu gymorth i fwrdd gwasanaethau cyhoeddus ynghylch paratoi ei gynllun llesiant lleol (gweler adran 42);
 - (d) darparu cyngor neu gymorth i unrhyw berson arall y mae'r Comisiynydd yn ystyried ei fod yn cymryd camau (neu'n dymuno cymryd camau) a allai gyfrannu at gyrraedd y nodau llesiant;
 - (e) hybu'r arferion gorau ymhlith cyrff cyhoeddus wrth iddynt gymryd camau i gyflawni eu hamcanion llesiant yn unol â'r egwyddor datblygu cynaliadwy;
 - (f) hyrwyddo ymwybyddiaeth ymysg cyrff cyhoeddus o'r angen i gymryd camau i gyflawni eu hamcanion llesiant yn unol â'r egwyddor datblygu cynaliadwy;
 - (g) annog cyrff cyhoeddus i gydweithio ac i weithio gyda phersonau eraill pe gallai hynny eu cynorthwyo i gyflawni eu hamcanion llesiant;
 - (h) ceisio cyngor gan banel gynghori (gweler adran 26) mewn perthynas ag arfer unrhyw un neu ragor o swyddogaethau'r Comisiynydd.
- (2) Caiff y Comisiynydd ymgymryd â gwaith ymchwil neu astudiaethau eraill mewn perthynas â'r canlynol –
- (a) i ba raddau y mae'r nodau llesiant a'r dangosyddion cenedlaethol yn gyson â'r egwyddor datblygu cynaliadwy,
 - (b) i ba raddau y mae'r egwyddor datblygu cynaliadwy yn cael ei hystyried yn y dangosyddion cenedlaethol,
 - (c) yr egwyddor datblygu cynaliadwy ei hun (gan gynnwys sut y cymhwysir yr egwyddor i osod a chyflawni amcanion llesiant), a
 - (d) unrhyw beth sy'n gysylltiedig ag unrhyw un neu ragor o'r pethau hynny sy'n effeithio ar lesiant economaidd, cymdeithasol, amgylcheddol a diwylliannol Cymru (neu unrhyw ran o Gymru).
- (3) Nid yw'r cyfeiriadau yn yr adran hon at ddarparu cymorth i gorff cyhoeddus yn cynnwys darparu cymorth ariannol.

20 Adolygiadau gan y Comisiynydd

- (1) Caiff y Comisiynydd gynnal adolygiad ynghylch i ba raddau y mae corff cyhoeddus yn diogelu gallu cenedlaethau'r dyfodol i ddiwallu eu hanghenion drwy ystyried effaith hirdymor y pethau y mae'r corff yn eu gwneud o dan adran 3.

The Commissioner's functions

19 Commissioner's functions

- (1) The Commissioner may, in carrying out the Commissioner's general duty –
 - (a) provide advice or assistance to a public body (which includes providing advice on climate change);
 - (b) provide advice to the Auditor General for Wales on the sustainable development principle;
 - (c) provide advice or assistance to a public services board in relation to the preparation of its local well-being plan (see section 42);
 - (d) provide advice or assistance to any other person who the Commissioner considers is taking (or wishes to take) steps that may contribute to the achievement of the well-being goals;
 - (e) encourage best practice amongst public bodies in taking steps to meet their well-being objectives in accordance with the sustainable development principle;
 - (f) promote awareness amongst public bodies of the need to take steps to meet their well-being objectives in accordance with the sustainable development principle;
 - (g) encourage public bodies to work with each other and with other persons if this could assist them to meet their well-being objectives;
 - (h) seek the advice of an advisory panel (see section 26) in relation to the exercise of any of the Commissioner's functions.
- (2) The Commissioner may undertake research or other study into –
 - (a) the extent to which the well-being goals and national indicators are consistent with the sustainable development principle,
 - (b) the extent to which the sustainable development principle is taken into account in the national indicators,
 - (c) the sustainable development principle itself (including how it is applied to setting and meeting objectives), and
 - (d) anything related to any of those things that impacts upon the economic, social, environmental and cultural well-being of Wales (or any part of Wales).
- (3) References in this section to providing assistance to a public body do not include providing financial assistance.

20 Reviews by the Commissioner

- (1) The Commissioner may conduct a review into the extent to which a public body is safeguarding the ability of future generations to meet their needs by taking account of the long term impact of things the body does under section 3.

- (2) Wrth gynnal adolygiad, caiff y Comisiynydd adolygu—
 - (a) y camau y mae'r corff wedi eu cymryd neu'n bwriadu eu cymryd er mwyn cyflawni ei amcanion llesiant;
 - (b) i ba raddau y mae'r corff yn cyflawni ei amcanion llesiant;
 - (c) a yw corff wedi gosod amcanion llesiant ac wedi cymryd camau i'w cyflawni yn unol â'r egwyddor datblygu cynaliadwy.
- (3) Wrth gynnal adolygiad, rhaid i'r Comisiynydd roi sylw i unrhyw ymchwiliad o'r corff a gynhelir gan Archwilydd Cyffredinol Cymru o dan adran 15.
- (4) Wrth gynnal adolygiad, caiff y Comisiynydd wneud argymhellion i'r corff cyhoeddus ynghylch—
 - (a) y camau y mae'r corff wedi eu cymryd neu'n bwriadu eu cymryd er mwyn cyflawni ei amcanion llesiant;
 - (b) sut i osod amcanion llesiant a chymryd camau i'w cyflawni yn unol â'r egwyddor datblygu cynaliadwy.
- (5) Caiff y Comisiynydd gynnal un adolygiad o ddau gorff cyhoeddus neu ragor.
- (6) Rhaid i'r Comisiynydd gyhoeddi adroddiad ar adolygiad (gan gynnwys unrhyw argymhellion a wneir) ac anfon copi ohono at Weinidogion Cymru.
- (7) Wrth gynnal adolygiad, caiff y Comisiynydd ei gwneud yn ofynnol i gorff cyhoeddus ddarparu'r wybodaeth honno y mae'r Comisiynydd yn ei hystyried yn berthnasol i'r adolygiad.
- (8) Ond nid yw'n ofynnol i gorff cyhoeddus ddarparu gwybodaeth i'r Comisiynydd os yw'r corff wedi ei wahardd rhag ei darparu yn rhinwedd deddfiad neu unrhyw reol gyfreithiol arall.

21 Argymhellion gan y Comisiynydd

- (1) Wrth ddarparu cyngor neu gymorth i Weinidogion Cymru, caiff y Comisiynydd hefyd wneud argymhellion i'r Gweinidogion ynghylch y nodau llesiant neu'r dangosyddion cenedlaethol.
- (2) Os yw'r Comisiynydd yn gwneud argymhellion o dan yr adran hon, rhaid i'r Comisiynydd gyhoeddi'r argymhellion hynny.

22 Dyletswydd i ddilyn argymhellion

- (1) Rhaid i gorff cyhoeddus gymryd pob cam rhesymol i ddilyn y ffordd o weithredu a nodir yn yr argymhellion a wneir iddo gan y Comisiynydd o dan adran 20(4) oni bai bod—
 - (a) y corff cyhoeddus yn fodlon bod rheswm da iddo beidio â dilyn yr argymhelliad mewn categorïau penodol o achosion neu o gwbl, neu
 - (b) yn penderfynu ar ddull gweithredu amgen mewn perthynas â phwnc yr argymhelliad.
- (2) Caiff Gweinidogion Cymru ddyroddi canllawiau i gyrff cyhoeddus eraill ynghylch sut i ymateb i argymhelliad a wneir gan y Comisiynydd.
- (3) Wrth benderfynu sut i ymateb i argymhelliad o'r fath, rhaid i gorff cyhoeddus ystyried canllawiau o'r fath.

- (2) In conducting a review, the Commissioner may review –
 - (a) the steps the body has taken or proposes to take to meet its well-being objectives;
 - (b) the extent to which the body is meeting its well-being objectives;
 - (c) whether a body has set well-being objectives and taken steps to meet them in accordance with the sustainable development principle.
- (3) In conducting a review, the Commissioner must have regard to any examination of the body carried out by the Auditor General for Wales under section 15.
- (4) In conducting a review, the Commissioner may make recommendations to the public body about –
 - (a) the steps the body has taken or proposes to take to meet its well-being objectives;
 - (b) how to set well-being objectives and take steps to meet them in accordance with the sustainable development principle.
- (5) The Commissioner may conduct a single review of two or more public bodies.
- (6) The Commissioner must publish a report of a review (including any recommendations made) and send a copy of it to the Welsh Ministers.
- (7) In conducting a review, the Commissioner may require a public body to provide such information as the Commissioner considers relevant to the review.
- (8) But a public body is not required to provide information to the Commissioner if the body is prohibited from providing it by virtue of an enactment or any other rule of law.

21 Recommendations made by the Commissioner

- (1) In providing advice or assistance to the Welsh Ministers, the Commissioner may also make recommendations to the Ministers about the well-being goals or the national indicators.
- (2) If the Commissioner makes recommendations under this section, the Commissioner must publish those recommendations.

22 Duty to follow recommendations

- (1) A public body must take all reasonable steps to follow the course of action set out in a recommendation made to it by the Commissioner under section 20(4) unless –
 - (a) the public body is satisfied that there is good reason for it not to follow the recommendation in particular categories of case or at all, or
 - (b) it decides on an alternative course of action in respect of the subject matter of the recommendation.
- (2) The Welsh Ministers may issue guidance to other public bodies about how to respond to a recommendation made by the Commissioner.
- (3) In deciding how to respond to such a recommendation, a public body must take such guidance into account.

- (4) Rhaid i gorff cyhoeddus gyhoeddi ei ymateb i argymhelliad a wneir gan y Comisiynydd ac os nad yw'r corff yn dilyn argymhelliad, rhaid i'r ymateb gynnwys rheswm y corff dros wneud hynny ac egluro pa gamau gweithredu amgen, os o gwbl, y mae'n bwriadu eu cymryd.

23 Adroddiad Cenedlaethau'r Dyfodol

- (1) Rhaid i'r Comisiynydd baratoi a chyhoeddi, cyn diwedd pob cyfnod adrodd, adroddiad sy'n cynnwys asesiad y Comisiynydd o'r gwelliannau y dylai cyrff cyhoeddus eu gwneud er mwyn gosod amcanion llesiant, a'u cyflawni, yn unol â'r egwyddor datblygu cynaliadwy.
- (2) Rhaid i adroddiad y Comisiynydd gynnwys, yn benodol, asesiad o sut y dylai cyrff cyhoeddus –
- gwella'r modd o ddiogelu gallu cenedlaethau'r dyfodol i ddiwallu eu hanghenion, a
 - cymryd mwy o ystyriaeth o effaith hirdymor yr hyn a wnânt.
- (3) Yn yr adran hon ac yn adran 24, y "cyfnod adrodd" yw'r cyfnod –
- sy'n dechrau gyda'r diwrnod ar ôl y diwrnod y cyhoeddir adroddiad tueddiadau tebygol y dyfodol o dan adran 11, a
 - sy'n dod i ben ar y diwrnod cyn y dyddiad sydd flwyddyn union cyn y dyddiad y cynhelir y bleidlais yn yr etholiad cyffredinol nesaf o dan adran 3 o Ddeddf Llywodraeth Cymru 2006 (p.32).
- (4) Yn ogystal â'r asesiad a grybwyllir yn is-adran (1), rhaid i adroddiad o dan yr adran hon gynnwys y canlynol –
- crynodeb o'r dystiolaeth a gasglodd y Comisiynydd a'r gweithgareddau yr ymgwymerodd y Comisiynydd â hwy yn ystod y cyfnod adrodd (gweler adran 24);
 - crynodeb o'r adolygiadau a gynhaliwyd gan y Comisiynydd yn ystod y cyfnod adrodd (gweler adran 20);
 - crynodeb o unrhyw gamau eraill a gymerodd y Comisiynydd yn ystod y cyfnod adrodd wrth arfer swyddogaethau'r Comisiynydd.
- (5) Caiff adroddiad o dan yr adran hon gynnwys –
- adroddiad ar unrhyw waith ymchwil neu astudiaethau eraill yr ymgwymerwyd â hwy o dan adran 19(2);
 - unrhyw wybodaeth arall y mae'r Comisiynydd yn ei ystyried yn briodol.
- (6) Rhaid i'r Comisiynydd anfon copi o adroddiad a gyhoeddir o dan yr adran hon at Weinidogion Cymru.
- (7) Rhaid i Weinidogion Cymru osod copi o adroddiad a anfonir atynt o dan is-adran (6) gerbron y Cynulliad Cenedlaethol.
- (8) Caiff Gweinidogion Cymru ddiwygio'r cyfnod adrodd drwy reoliadau.

- (4) A public body must publish its response to a recommendation made by the Commissioner and if the body does not follow a recommendation, the response must include the body's reasons for that and explain what alternative course of action, if any, it proposes to take.

23 Future Generations report

- (1) The Commissioner must prepare and publish, before the end of each reporting period, a report containing the Commissioner's assessment of the improvements public bodies should make in order to set and meet well-being objectives in accordance with the sustainable development principle.
- (2) The Commissioner's report must include, in particular, an assessment of how public bodies should –
 - (a) better safeguard the ability of future generations to meet their needs, and
 - (b) take greater account of the long-term impact of the things that they do.
- (3) In this section and section 24, the "reporting period" is the period –
 - (a) beginning with the day after that on which a future trends report under section 11 is published, and
 - (b) ending on the day before the date falling one year before the date on which the poll is to be held at the next general election under section 3 of the Government of Wales Act 2006 (c.32).
- (4) In addition to the assessment mentioned in subsection (1), a report under this section must also include –
 - (a) a summary of the evidence gathered and activities undertaken by the Commissioner during the reporting period (see section 24);
 - (b) a summary of the reviews conducted by the Commissioner during the reporting period (see section 20);
 - (c) a summary of any other action taken by the Commissioner during the reporting period in the exercise of the Commissioner's functions.
- (5) A report under this section may include –
 - (a) an account of any research or other study undertaken under section 19(2);
 - (b) any other information the Commissioner considers appropriate.
- (6) The Commissioner must send the Welsh Ministers a copy of a report published under this section.
- (7) The Welsh Ministers must lay a copy of a report sent to them under subsection (6) before the National Assembly.
- (8) The Welsh Ministers may by regulations amend the reporting period.

24 Adroddiad Cenedlaethau'r Dyfodol: gweithgareddau yn ystod y cyfnod adrodd

- (1) Yn ystod cyfnod adrodd (ond cyn i'r adroddiad o dan adran 23 gael ei gyhoeddi) rhaid i'r Comisiynydd ymgynghori â'r canlynol—
 - (a) y panel cynghori (gweler adran 26);
 - (b) pob corff cyhoeddus;
 - (c) cynrychiolwyr mudiadau gwirfoddol yng Nghymru;
 - (d) unrhyw berson arall y mae'r Comisiynydd yn ystyried ei fod yn cymryd camau (neu'n dymuno cymryd camau) a allai gyfrannu at gyrraedd y nodau llesiant;
 - (e) cynrychiolwyr personau sy'n preswyllo ym mhob ardal awdurdod lleol yng Nghymru;
 - (f) cynrychiolwyr personau sy'n cynnal busnes yng Nghymru;
 - (g) undebau llafur sy'n cynrychioli gweithwyr yng Nghymru;
 - (h) unrhyw berson arall y mae'r Comisiynydd yn ei ystyried yn briodol er mwyn sicrhau bod buddiannau economaidd, cymdeithasol, amgylcheddol a diwylliannol yn cael eu cynrychioli'n llawn.
- (2) Wrth baratoi adroddiad o dan adran 23 rhaid i'r Comisiynydd (yn ogystal ag ystyried unrhyw sylwadau a gyflwynwyd gan bersonau yr ymgynghorwyd â hwy o dan is-adran (1)) ystyried y canlynol—
 - (a) pob adroddiad llesiant blynyddol o dan adran 10(10) a gyhoeddwyd yn ystod y cyfnod adrodd;
 - (b) yr adroddiad tueddiadau tebygol y dyfodol a gyhoeddir o dan adran 11 ar y diwrnod cyn i'r cyfnod adrodd ddechrau;
 - (c) adroddiadau perthnasol gan Archwilydd Cyffredinol Cymru.

*Cydweithio***25 Cydweithio**

- (1) Mae'r adran hon yn gymwys os yw'r Comisiynydd yn bwriadu cynnal adolygiad o gorff o dan adran 20 a'i bod yn ymddangos i'r Comisiynydd bod yr adolygiad hwnnw yn ymwneud â mater sydd yr un fath â phwnc y canlynol, neu'n sylweddol debyg i'r canlynol—
 - (a) adolygiad gan Gomisiynydd Plant Cymru o dan adran 72B o Ddeddf Safonau Gofal 2000 (p.14);
 - (b) adolygiad gan Gomisiynydd Pobl Hŷn Cymru o dan adran 3 o Ddeddf Comisiynydd Pobl Hŷn (Cymru) 2006 (p.30);
 - (c) ymholiad gan Gomisiynydd y Gymraeg o dan adran 7 o Fesur y Gymraeg (Cymru) 2011 (mccc 1).
- (2) Caiff y Comisiynydd—
 - (a) hysbysu'r Comisiynydd arall am y bwriad i gynnal yr adolygiad, a
 - (b) ymgynghori â'r Comisiynydd arall ynghylch yr adolygiad.

24 Future Generations report: activity during the reporting period

- (1) During a reporting period (but before the report under section 23 is published) the Commissioner must consult—
 - (a) the advisory panel (see section 26);
 - (b) each public body;
 - (c) representatives of voluntary organisations in Wales;
 - (d) any other person who the Commissioner considers is taking steps (or wishes to take steps) that may contribute to the achievement of the well-being goals;
 - (e) representatives of persons resident in each local authority area in Wales;
 - (f) representatives of persons carrying on business in Wales;
 - (g) trade unions representing workers in Wales;
 - (h) any other person the Commissioner considers appropriate to ensure that economic, social, environmental and cultural interests are fully represented.
- (2) In preparing a report under section 23 the Commissioner must (in addition to taking into account representations made by the persons consulted under subsection (1)) take into account—
 - (a) each annual well-being report under section 10(10) published during the reporting period;
 - (b) the future trends report published under section 11 on the day before the beginning of the reporting period;
 - (c) relevant reports of the Auditor General for Wales.

Joint working

25 Joint working

- (1) This section applies if the Commissioner intends to conduct a review of a body under section 20 and it appears to the Commissioner that such a review relates to a matter that is the same as, or substantially similar to, the subject matter of—
 - (a) a review under section 72B of the Care Standards Act 2000 (c.14) by the Children's Commissioner for Wales;
 - (b) a review under section 3 of the Commissioner for Older People (Wales) Act 2006 (c.30) by the Commissioner for Older People in Wales;
 - (c) an inquiry under section 7 of the Welsh Language (Wales) Measure 2011 (nawm 1) by the Welsh Language Commissioner.
- (2) The Commissioner may—
 - (a) inform the other Commissioner about the intention to conduct the review, and
 - (b) consult the other Commissioner about the review.

- (3) Caiff y Comisiynwyr –
 - (a) cydweithredu;
 - (b) paratoi a chyhoeddi dogfen ar y cyd sydd i'w thrin fel y ddau beth hyn –
 - (i) yr adroddiad ar yr adolygiad sy'n ofynnol gan adran 20(6), a
 - (ii) adroddiad ar yr adolygiad neu'r ymchwiliad y cyfeirir ato yn is-adran (1) o'r adran hon.

Panel cynghori'r Comisiynydd

26 Panel cynghori

- (1) Sefydlir panel o gynghorwyr (y "panel cynghori") at y diben o ddarparu cyngor i'r Comisiynydd ynghylch arfer swyddogaethau'r Comisiynydd.
- (2) Dyma aelodau'r panel cynghori –
 - (a) Comisiynydd Plant Cymru;
 - (b) Comisiynydd y Gymraeg;
 - (c) Comisiynydd Pobl Hŷn Cymru;
 - (d) yr aelod staff o fewn Llywodraeth Cymru a ddynodwyd yn Brif Swyddog Meddygol Cymru gan Weinidogion Cymru;
 - (e) cadeirydd Corff Adnoddau Naturiol Cymru neu aelod anweithredol arall o'r corff hwnnw a ddetholir gan y cadeirydd;
 - (f) swyddog o'r corff sy'n cynrychioli undebau llafur yng Nghymru a elwir yn Wales TUC Cymru a enwebir gan y corff hwnnw;
 - (g) cadeirydd, cyfarwyddwr neu swyddog tebyg y caiff Gweinidogion Cymru ei benodi mewn corff sy'n cynrychioli personau sy'n cynnal busnes yng Nghymru;
 - (h) y cyfryw berson arall ag y caiff Gweinidogion Cymru ei benodi.

27 Aelodau penodedig

- (1) Cyn penodi aelod o dan adran 26(2)(h) rhaid i Weinidogion Cymru ymgynghori â'r Comisiynydd.
- (2) Mae aelod penodedig yn dal y swydd am gyfnod o ddim llai na 3 blynedd a dim mwy na 5 mlynedd fel y penderfynir gan Weinidogion Cymru.
- (3) Caniateir ailbenodi aelod penodedig unwaith, am gyfnod pellach o ddim llai na 3 blynedd a dim mwy na 5 mlynedd (pa un a yw'r cyfnod hwn yn gyfnod olynol wedi penodiad cyntaf yr aelod ai peidio).
- (4) Caiff Gweinidogion Cymru roi taliad cydnabyddiaeth i aelodau penodedig.
- (5) Caiff aelod penodedig ymddiswyddo o'r panel drwy roi hysbysiad ysgrifenedig o ddim llai na 3 mis i Weinidogion Cymru o fwriad yr aelod i wneud hynny.
- (6) Caiff Gweinidogion Cymru ar ôl ymgynghori â'r Comisiynydd ddiswyddo aelod penodedig os yw'n fodlon bod yr aelod –
 - (a) yn anaddas i barhau i fod yn aelod o'r panel, neu
 - (b) yn analluog neu'n anfodlon i weithredu fel aelod.

- (3) The Commissioners may –
 - (a) co-operate with each other;
 - (b) jointly prepare and publish a document that is to be treated as both –
 - (i) the report of the review required by section 20(6), and
 - (ii) a report of the review or inquiry referred to in subsection (1) of this section.

Advisory panel to the Commissioner

26 Advisory panel

- (1) There is to be a panel of advisers (the “advisory panel”) for the purpose of providing advice to the Commissioner on the exercise of the Commissioner’s functions.
- (2) The members of the advisory panel are –
 - (a) the Children’s Commissioner for Wales;
 - (b) the Welsh Language Commissioner;
 - (c) the Commissioner for Older People in Wales;
 - (d) the member of staff of the Welsh Government designated by the Welsh Ministers as the Chief Medical Officer for Wales;
 - (e) the chairperson of the Natural Resources Body for Wales or another non-executive member of that body selected by the chairperson;
 - (f) an officer of the body representing trade unions in Wales known as Wales TUC Cymru nominated by that body;
 - (g) the chairperson, director or similar officer as the Welsh Ministers may appoint of a body representing persons carrying on business in Wales;
 - (h) such other person as the Welsh Ministers may appoint.

27 Appointed members

- (1) Before appointing a member under section 26(2)(h), the Welsh Ministers must consult the Commissioner.
- (2) An appointed member holds office for a period of no less than 3 years and no more than 5 years as the Welsh Ministers may determine.
- (3) An appointed member may be reappointed once for a further period of no less than 3 years and no more than 5 years (whether or not this period runs consecutively from the member’s first appointment).
- (4) The Welsh Ministers may pay remuneration to appointed members.
- (5) An appointed member may resign from the panel by giving the Welsh Ministers not less than 3 months’ notice in writing of the member’s intention to do so.
- (6) The Welsh Ministers may following consultation with the Commissioner dismiss an appointed member if satisfied that the member –
 - (a) is unfit to continue as a panel member, or
 - (b) is unable or unwilling to act as a member.

28 Talu treuliau aelodau'r panel

Caiff Gweinidogion Cymru dalu lwfansau (gan gynnwys lwfansau teithio a chynhaliaeth) ac arian rhodd i aelodau'r panel cynghori.

RHAN 4**BYRDDAU GWASANAETHAU CYHOEDDUS****PENNOD 1****SEFYDLU, CYFRANOGIAD A CHRAFFU****29 Byrddau gwasanaethau cyhoeddus**

- (1) Sefydlir bwrdd gwasanaethau cyhoeddus ar gyfer pob ardal awdurdod lleol yng Nghymru.
- (2) Dyma aelodau pob bwrdd –
 - (a) yr awdurdod lleol;
 - (b) y Bwrdd Iechyd Lleol ar gyfer ardal y mae unrhyw ran ohoni o fewn yr ardal awdurdod lleol;
 - (c) yr awdurdod tân ac achub yng Nghymru ar gyfer ardal y mae unrhyw ran ohoni o fewn yr ardal awdurdod lleol;
 - (d) Corff Adnoddau Naturiol Cymru.
- (3) Yn y Rhan hon, mae unrhyw gyfeiriad at “bwrdd gwasanaethau cyhoeddus” (neu “fwrdd”) yn gyfeiriad at aelodau'r bwrdd hwnnw yn gweithredu ar y cyd; yn unol â hynny, mae swyddogaeth a fynegir fel un o swyddogaethau bwrdd gwasanaethau cyhoeddus yn swyddogaeth i bob aelod o'r bwrdd na ellir ond ei harfer ar y cyd â'r aelodau eraill.

30 Gwahoddiadau i gyfranogi

- (1) Rhaid i fwrdd gwasanaethau cyhoeddus ar gyfer ardal awdurdod lleol wahodd y personau a ganlyn i gyfranogi yng ngweithgarwch y bwrdd –
 - (a) Gweinidogion Cymru;
 - (b) prif gwnstabl yr heddlu ar gyfer ardal heddlu y mae unrhyw ran ohoni o fewn yr ardal awdurdod lleol;
 - (c) y comisiynydd heddlu a throseddau ar gyfer ardal heddlu y mae unrhyw ran ohoni o fewn yr ardal awdurdod lleol;
 - (d) person y mae'n ofynnol iddo, yn unol â threfniadau o dan adran 3(2) o Ddeddf Rheoli Troseddwyr 2007 (p.21), ddarparu gwasanaethau prawf mewn perthynas â'r ardal awdurdod leol;
 - (e) o leiaf un corff sy'n cynrychioli mudiadau gwirfoddol perthnasol (pa un ai Cyngor Gwirfoddol Sirol y gelwir y corff ai peidio).

28 Payment of panel members' expenses

The Welsh Ministers may pay allowances (including travelling and subsistence allowances) and gratuities to the members of the advisory panel.

PART 4

PUBLIC SERVICES BOARDS

CHAPTER 1

ESTABLISHMENT, PARTICIPATION AND SCRUTINY

29 Public services boards

- (1) There is to be a public services board for each local authority area in Wales.
- (2) The members of each board are—
 - (a) the local authority;
 - (b) the Local Health Board for an area any part of which falls within the local authority area;
 - (c) the Welsh fire and rescue authority for an area any part of which falls within the local authority area;
 - (d) the Natural Resources Body for Wales.
- (3) In this Part, a reference to a “public services board” (or “board”) is a reference to the members of that board acting jointly; accordingly, a function expressed as a function of a public services board is a function of each member of the board that may only be exercised jointly with the other members.

30 Invitations to participate

- (1) A public services board for a local authority area must invite the following persons to participate in the activity of the board—
 - (a) the Welsh Ministers;
 - (b) the chief constable of the police force for a police area any part of which falls within the local authority area;
 - (c) the police and crime commissioner for a police area any part of which falls within the local authority area;
 - (d) a person required by arrangements under section 3(2) of the Offender Management Act 2007 (c.21) to provide probation services in relation to the local authority area;
 - (e) at least one body representing relevant voluntary organisations (whether or not the body is known as a County Voluntary Council).

- (2) Caiff pob bwrdd wahodd unrhyw berson arall sy'n arfer swyddogaethau o natur gyhoeddus i gyfranogi yng ngweithgarwch y bwrdd, hyd yn oed os yw'r person hwnnw hefyd yn arfer swyddogaethau eraill.
- (3) Yn yr adran hon ac yn adran 31, mae unrhyw gyfeiriad at gyfranogi yng ngweithgarwch bwrdd gwasanaethau cyhoeddus yn gyfeiriad at gydweithio â'r bwrdd, unrhyw aelod ohono neu unrhyw berson arall sy'n derbyn gwahoddiad i gyfranogi o dan yr adran hon, ar unrhyw beth a wna'r bwrdd o dan adran 36 (Dyletswydd llesiant ar fyrddau gwasanaethau cyhoeddus).
- (4) Yn is-adran (3), mae "cydweithio" yn cynnwys –
 - (a) cyflwyno sylwadau i'r bwrdd ynghylch cynnwys –
 - (i) asesiad o dan adran 37, neu
 - (ii) cynllun llesiant lleol, cynllun drafft neu ddiwygiadau arfaethedig i gynllun (gweler adrannau 43(1) a 44(4)),
 - (b) cymryd rhan yng nghyfarfodydd y bwrdd (sy'n cynnwys, ar wahoddiad aelodau'r bwrdd ac yn ddarostyngedig i baragraffau 2(1) a 3(1) o Atodlen 3, cadeirio'r cyfarfodydd), ac
 - (c) darparu cyngor a chymorth arall i'r bwrdd.
- (5) Mewn perthynas â pherson sy'n derbyn gwahoddiad i gyfranogi yng ngweithgarwch bwrdd gwasanaethau cyhoeddus –
 - (a) cyfeirir ato yn y Rhan hon fel "cyfranogwr gwadd"; ond
 - (b) nid yw'n dod yn aelod o'r bwrdd yn rhinwedd y ffaith ei fod yn derbyn y gwahoddiad.
- (6) Nid yw'r cyfeiriad yn is-adran (4)(c) at ddarparu cymorth i'r bwrdd yn cynnwys darparu cymorth ariannol.

31 Gwahoddiadau i gyfranogi: dyroddi, ymateb a hyd y cyfranogiad

- (1) Rhaid i wahoddiad o dan adran 30(1) gael ei ddyroddi cyn gynted ag y bo'n rhesymol ymarferol yn dilyn –
 - (a) cyfarfod cyntaf bwrdd gwasanaethau cyhoeddus (gweler paragraff 2(1) o Atodlen 3), a
 - (b) pob cyfarfod a gynhelir o dan baragraff 3(1) o'r Atodlen honno.
- (2) Mewn perthynas â gwahoddiad o dan adran 30(1) neu (2) –
 - (a) caiff fod ar ba ffurf bynnag y bydd y bwrdd yn penderfynu arno; ond
 - (b) rhaid iddo bennu'r person y dylid anfon ymateb ato.
- (3) Caiff cyfranogwr gwadd gyfranogi yng ngweithgarwch bwrdd yn y cyfnod –
 - (a) sy'n dechrau gyda'r diwrnod y daw'r ymateb yn derbyn y gwahoddiad i law'r person y dylid anfon ymateb ato, a
 - (b) sy'n dod i ben ar y dyddiad y cynhelir yr etholiad arferol nesaf o dan adran 26 o Ddeddf Llywodraeth Leol 1972 (p.70) (ethol cynghorwyr).

- (2) Each board may invite any other person who exercises functions of a public nature to participate in the activity of the board, even if that person also exercises other functions.
- (3) In this section and section 31, a reference to participating in the activity of a public services board is a reference to working jointly with the board, any member of it or any other person who accepts an invitation to participate under this section, on anything the board does under section 36 (Well-being duty on public services boards).
- (4) In subsection (3), “working jointly” includes –
 - (a) making representations to the board about the content of –
 - (i) an assessment under section 37, or
 - (ii) a local well-being plan, a draft plan or proposed amendments to a plan (see sections 43(1) and 44(4)),
 - (b) taking part in meetings of the board (which includes, upon the invitation of the members of the board and subject to paragraphs 2(1) and 3(1) of Schedule 3, charring meetings), and
 - (c) providing other advice and assistance to the board.
- (5) A person who accepts an invitation to participate in the activity of a public services board –
 - (a) is referred to in this Part as an “invited participant”; but
 - (b) does not become a member of the board by virtue of accepting the invitation.
- (6) The reference in subsection (4)(c) to providing assistance does not include providing financial assistance.

31 Invitations to participate: issue, response and duration of participation

- (1) An invitation under section 30(1) must be issued as soon as is reasonably practicable following –
 - (a) the first meeting of a public services board (see paragraph 2(1) of Schedule 3), and
 - (b) each meeting held under paragraph 3(1) of that Schedule.
- (2) An invitation under section 30(1) or (2) –
 - (a) may be in such form as the board determines; but
 - (b) must specify the person to whom a response is to be sent.
- (3) An invited participant may participate in the activity of a board in the period –
 - (a) beginning with the date on which the response accepting the invitation is received by the person to whom it is to be sent, and
 - (b) ending on the date on which the next ordinary election is held under section 26 of the Local Government Act 1972 (c.70) (election of councillors).

32 Partneriaid eraill

- (1) Dyma bartneriaid eraill bwrdd gwasanaethau cyhoeddus –
- (a) cyngor cymuned ar gyfer cymuned mewn ardal sydd o fewn yr ardal awdurdod lleol (neu y mae unrhyw ran ohoni o fewn yr ardal awdurdod lleol) (ond gweler hefyd adran 40);
 - (b) ymddiriedolaeth GIG Iechyd Cyhoeddus Cymru;
 - (c) Cyngor Iechyd Cymuned ar gyfer ardal sydd o fewn yr ardal awdurdod lleol (neu y mae unrhyw rhan ohoni o fewn yr ardal awdurdod lleol);
 - (d) awdurdod Parc Cenedlaethol ar gyfer Parc Cenedlaethol yng Nghymru y mae unrhyw ran ohono o fewn yr ardal awdurdod lleol;
 - (e) Cyngor Cyllido Addysg Uwch Cymru;
 - (f) sefydliad yn y sector addysg bellach neu'r sector addysg uwch sydd wedi ei leoli yn gyfan gwbl neu'n rhannol o fewn yr ardal awdurdod lleol;
 - (g) Cyngor Celfyddydau Cymru;
 - (h) Cyngor Chwaraeon Cymru;
 - (i) Llyfrgell Genedlaethol Cymru;
 - (j) Amgueddfa Genedlaethol Cymru.
- (2) Wrth arfer ei swyddogaethau, rhaid i fwrdd –
- (a) gofyn am gyngor ei bartneriaid eraill, a
 - (b) eu cynnwys fel arall yn y fath fodd ac i'r fath raddau ag sy'n briodol yn eu barn hwy.
- (3) Yn is-adran (1)(f), mae i "sector addysg bellach" a "sector addysg uwch" yr un ystyr ag a roddir i "further education sector" a "higher education sector" yn Neddf Addysg Bellach ac Uwch 1992 (p.13).

33 Newidiadau mewn cyfranogiad

- (1) Caiff Gweinidogion Cymru, drwy reoliadau, ddiwygio adrannau 29(2), 30(1) neu 32(1) drwy –
- (a) ychwanegu person,
 - (b) tynnu person ymaith, neu
 - (c) diwygio'r disgrifiad o berson.
- (2) Ond ni chaiff Gweinidogion Cymru ond ddiwygio adrannau 29(2), 30(1) neu 32(1) drwy ychwanegu person os yw'r person hwnnw yn arfer swyddogaethau o natur gyhoeddus.
- (3) Os yw Gweinidogion Cymru yn diwygio adran 29(2), 30(1) neu 32(1) er mwyn ychwanegu person sydd â swyddogaethau o natur gyhoeddus a swyddogaethau eraill, nid yw'r Rhan hon ond yn gymwys i'r person hwnnw mewn perthynas â'r swyddogaethau hynny sydd ganddo o natur gyhoeddus.

32 Other partners

- (1) A public services board's other partners are—
 - (a) a community council for a community in an area which (or any part of which) falls within the local authority area (but see also section 40);
 - (b) the Public Health Wales NHS trust;
 - (c) a Community Health Council for an area which (or any part of which) falls within the local authority area;
 - (d) a National Park authority for a National Park in Wales any part of which falls within the local authority area;
 - (e) the Higher Education Funding Council for Wales;
 - (f) an institution in the further education sector or the higher education sector situated in whole or in part within the local authority area;
 - (g) the Arts Council of Wales;
 - (h) the Sports Council for Wales;
 - (i) the National Library of Wales;
 - (j) the National Museum of Wales.
- (2) In exercising its functions, a board—
 - (a) must seek advice from its other partners, and
 - (b) must otherwise involve them in such manner and to such extent as it considers appropriate.
- (3) In subsection (1)(f), “further education sector” and “higher education sector” have the same meaning as in the Further and Higher Education Act 1992 (c.13).

33 Changes in participation

- (1) The Welsh Ministers may, by regulations, amend section 29(2), 30(1) or 32(1) by—
 - (a) adding a person,
 - (b) removing a person, or
 - (c) amending the description of a person.
- (2) But the Welsh Ministers may amend section 29(2), 30(1) or 32(1) by adding a person only if that person exercises functions of a public nature.
- (3) If the Welsh Ministers amend section 29(2), 30(1) or 32(1) so as to add a person who has functions of a public nature and other functions, this Part applies to that person only in relation to those of the person's functions that are of a public nature.

- (4) Cyn gwneud rheoliadau o dan is-adran (1), rhaid i Weinidogion Cymru ymgynghori â'r canlynol—
- (a) aelodau, cyfranogwyr gwadd a phartneriaid eraill y bwrdd gwasanaethau cyhoeddus y mae'r rheoliadau arfaethedig yn ymwneud â hwy, a
 - (b) os bydd y rheoliadau hynny yn diwygio adran 29(2), 30(1) neu 32(1) er mwyn ychwanegu person, y person hwnnw.

34 Cyfarfodydd a chylch gorchwyl

Mae Atodlen 3 yn gwneud darpariaeth bellach ynghylch byrddau gwasanaethau cyhoeddus (gan gynnwys darpariaeth ynghylch eu cyfarfodydd a'u cylch gorchwyl).

35 Pwyllgor trosolwg a chraffu awdurdod lleol

- (1) Rhaid i drefniadau gweithredol awdurdod lleol o dan Adran 2 o Ddeddf Llywodraeth Leol 2000 (p. 22) sicrhau bod gan ei bwyllgor trosolwg a chraffu y pŵer—
- (a) i adolygu'r penderfyniadau, neu i graffu ar y penderfyniadau, a wneir gan y bwrdd gwasanaethau cyhoeddus ar gyfer yr ardal awdurdod lleol wrth arfer ei swyddogaethau, neu i wneud hynny mewn perthynas â'r camau eraill a gymerir ganddo wrth arfer ei swyddogaethau;
 - (b) i adolygu trefniadau llywodraethu y bwrdd neu i graffu arnynt;
 - (c) i gyflwyno adroddiadau neu argymhellion i'r bwrdd mewn perthynas â swyddogaethau neu drefniadau llywodraethu y bwrdd;
 - (d) i ystyried y materion hynny mewn perthynas â'r bwrdd y caiff Gweinidogion Cymru eu cyfeirio ato, ac i adrodd i Weinidogion Cymru yn unol â hynny;
 - (e) i ymgymryd â'r swyddogaethau eraill hynny mewn perthynas â'r bwrdd a osodir arno gan y Ddeddf hon.
- (2) Rhaid i bwyllgor trosolwg a chraffu anfon copi o unrhyw adroddiad neu argymhelliad a wneir o dan is-adran (1)(c) at—
- (a) Gweinidogion Cymru;
 - (b) y Comisiynydd;
 - (c) Archwilydd Cyffredinol Cymru.
- (3) Caiff pwyllgor trosolwg a chraffu, at ddiben arfer pŵer a grybwyllir yn is-adran (1), ei gwneud yn ofynnol i un neu ragor o'r personau a gaiff fynychu un o gyfarfodydd y bwrdd gwasanaethau cyhoeddus (gweler paragraff 7 o Atodlen 3), neu unrhyw un a ddynodir gan berson o'r fath, fynychu un o gyfarfodydd y pwyllgor a darparu eglurhad iddo ar y materion hynny y caiff y pwyllgor eu pennu.
- (4) Pan fo gan awdurdod lleol fwy nag un pwyllgor trosolwg a chraffu, mae'r cyfeiriadau yn y Rhan hon at ei bwyllgor trosolwg a chraffu yn gyfeiriad at y pwyllgor a ddynodir gan yr awdurdod lleol at ddibenion yr adran hon.

- (4) Before making regulations under subsection (1), the Welsh Ministers must consult—
 - (a) the members, invited participants and other partners of the public services board to which the proposed regulations relate, and
 - (b) if such regulations are to amend section 29(2), 30(1) or 32(1) so as to add a person, that person.

34 Meetings and terms of reference

Schedule 3 makes further provision about public services boards (including provision about their meetings and terms of reference).

35 Overview and scrutiny committee of local authority

- (1) Executive arrangements by a local authority under Part 2 of the Local Government Act 2000 (c. 22) must ensure that its overview and scrutiny committee has power—
 - (a) to review or scrutinise decisions made, or other action taken, by the public services board for the local authority area in the exercise of its functions;
 - (b) to review or scrutinise the board’s governance arrangements;
 - (c) to make reports or recommendations to the board with respect to the board’s functions or governance arrangements;
 - (d) to consider such matters relating to the board as the Welsh Ministers may refer to it and to report to the Welsh Ministers accordingly;
 - (e) to carry out such other functions in relation to the board as are imposed on it by this Act.
- (2) An overview and scrutiny committee must send a copy of any report or recommendation made under subsection (1)(c) to—
 - (a) the Welsh Ministers;
 - (b) the Commissioner;
 - (c) the Auditor General for Wales.
- (3) An overview and scrutiny committee may, for the purpose of exercising a power mentioned in subsection (1), require one or more of the persons who may attend a meeting of the public services board (see paragraph 7 of Schedule 3), or anyone designated by such a person, to attend a meeting of the committee and provide it with explanations of such matters as it may specify.
- (4) Where a local authority has more than one overview and scrutiny committee, the references in this Part to its overview and scrutiny committee are to the committee that the local authority designates for the purposes of this section.

PENNOD 2**GWELLA LLESIANT LLEOL***Dyletswydd llesiant ar fyrddau gwasanaethau cyhoeddus***36 Dyletswydd llesiant ar fyrddau gwasanaethau cyhoeddus**

- (1) Rhaid i bob bwrdd gwasanaethau cyhoeddus wella llesiant economaidd, cymdeithasol, amgylcheddol a diwylliannol ei ardal drwy gyfrannu at gyrraedd y nodau llesiant.
- (2) Rhaid i gyfraniad bwrdd gwasanaethau cyhoeddus at gyrraedd y nodau gynnwys –
 - (a) asesu cyflwr llesiant economaidd, cymdeithasol, amgylcheddol a diwylliannol yn ei ardal (gweler adrannau 37 a 38),
 - (b) gosod amcanion (“amcanion lleol”) sy’n cael eu cynllunio i sicrhau ei fod yn cyfrannu i’r eithaf o fewn ei ardal at gyrraedd y nodau hynny, ac
 - (c) bod aelodau’r bwrdd yn cymryd pob cam rhesymol (wrth arfer eu swyddogaethau) i gyflawni’r amcanion hynny (ond gweler adran 39(2)(b)).
- (3) Rhaid i unrhyw beth y mae bwrdd gwasanaethau cyhoeddus yn ei wneud o dan yr adran hon gael ei wneud yn unol â’r egwyddor datblygu cynaliadwy.
- (4) Mae adrannau 39 i 45 yn gwneud darpariaeth ynghylch cynlluniau llesiant lleol gan gynnwys darpariaeth sy’n ei gwneud yn ofynnol i fyrddau gwasanaethau cyhoeddus nodi mewn cynlluniau o’r fath eu hamcanion lleol a’r camau y maent yn bwriadu eu cymryd i’w cyflawni.

*Asesiadau llesiant lleol***37 Asesiadau llesiant lleol**

- (1) Rhaid i bob bwrdd gwasanaethau cyhoeddus baratoi a chyhoeddi asesiad o gyflwr llesiant economaidd, cymdeithasol, amgylcheddol a diwylliannol yn ei ardal.
- (2) Rhaid i bob bwrdd gyhoeddi’r asesiad ymhen dim mwy na blwyddyn cyn y dyddiad y mae cynllun llesiant lleol i’w gyhoeddi o dan is-adran (6) neu (7) o adran 39.
- (3) Rhaid i asesiad –
 - (a) pennu’r ardaloedd cymunedol sy’n ffurfio ardal y bwrdd;
 - (b) cynnwys dadansoddiad o gyflwr llesiant ym mhob ardal gymunedol ac yn yr ardal yn ei chyfanrwydd;
 - (c) cynnwys dadansoddiad o gyflwr llesiant y bobl yn yr ardal;
 - (d) cynnwys unrhyw ddadansoddiad pellach y mae’r bwrdd yn ei gynnal drwy gyfeirio at feini prawf a osodir ac a gymhwysir ganddo at ddiben asesu llesiant economaidd, cymdeithasol, amgylcheddol a diwylliannol yr ardal neu mewn unrhyw gymuned o fewn yr ardal;
 - (e) cynnwys rhagfynegiadau o dueddiadau tebygol ar gyfer y dyfodol yn llesiant economaidd, cymdeithasol, amgylcheddol a diwylliannol yr ardal;

CHAPTER 2

IMPROVING LOCAL WELL-BEING

Well-being duty on public services boards

36 Well-being duty on public services boards

- (1) Each public services board must improve the economic, social, environmental and cultural well-being of its area by contributing to the achievement of the well-being goals.
- (2) A public services board's contribution to the achievement of the goals must include –
 - (a) assessing the state of economic, social, environmental and cultural well-being in its area (see sections 37 and 38),
 - (b) setting objectives ("local objectives") that are designed to maximise its contribution within its area to achieving those goals, and
 - (c) the taking of all reasonable steps by members of the board (in exercising their functions) to meet those objectives (but see section 39(2)(b)).
- (3) Anything a public services board does under this section must be done in accordance with the sustainable development principle.
- (4) Sections 39 to 45 make provision about local well-being plans including provision requiring public services boards to set out in such plans their local objectives and the steps they propose to take to meet them.

Local well-being assessments

37 Assessments of local well-being

- (1) A public services board must prepare and publish an assessment of the state of economic, social, environmental and cultural well-being in its area.
- (2) Each board must publish the assessment no later than one year before the date on which a local well-being plan is to be published under subsection (6) or (7) of section 39.
- (3) An assessment must –
 - (a) set out which community areas comprise the area of the board;
 - (b) include an analysis of the state of well-being in each community area and in the area as a whole;
 - (c) include an analysis of the state of well-being of the people in the area;
 - (d) include any further analysis that the board carries out by reference to criteria set and applied by it for the purpose of assessing economic, social, environmental and cultural well-being in the area or in any community situated in the area;
 - (e) include predictions of likely future trends in the economic, social, environmental and cultural well-being of the area;

- (f) cynnwys unrhyw ddata a gwybodaeth ddadansoddol gysylltiedig arall y mae'r bwrdd yn eu hystyried yn briodol.
- (4) Rhaid i ddadansoddiad y cyfeirir ato yn is-adran (3) –
- (a) cyfeirio at unrhyw ddangosyddion cenedlaethol a gyhoeddwyd o dan adran 10;
 - (b) cyfeirio at adroddiad tueddiadau tebygol y dyfodol o dan adran 11 i'r graddau y mae'n berthnasol i asesu llesiant yn yr ardal.
- (5) Mae'r ardaloedd cymunedol sy'n ffurfio ardal bwrdd i'w pennu –
- (a) yn unol â rheoliadau a wnaed gan Weinidogion Cymru, neu
 - (b) os nad oes rheoliadau o'r fath wedi eu gwneud, gan y bwrdd.
- (6) Caiff y dadansoddiad y cyfeirir ato yn is-adran (3)(c) gynnwys dadansoddiadau o gategoriâu penodol o bersonau y penderfyna'r bwrdd arnynt drwy gyfeirio at –
- (a) y ffaith bod personau'n hyglwyf neu o dan anfantais fel arall am yr un rhesymau neu am resymau tebyg;
 - (b) bod y personau'n meddu ar nodwedd warchoddedig gyffredin o fewn ystyr Pennod 1 o Ran 2 o Ddeddf Cydraddoldeb 2010 (p.15);
 - (c) bod y personau'n blant (personau o dan 18 oed);
 - (d) bod y personau'n bobl ifanc sydd â'r hawlogaeth i gael cymorth o dan adrannau 105 i 115 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 (dccc 4) fel y'u disgrifir yn adran 104 o'r Ddeddf honno;
 - (e) a yw'r personau –
 - (i) yn bersonau y gallai fod arnynt angen gofal a chymorth (fel y'u disgrifir yn Rhan 3 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 (dccc 4)); neu
 - (ii) yn darparu neu'n bwriadu darparu gofal a chymorth i bersonau y gallai fod ei angen arnynt;
 - (f) unrhyw ffactor cyffredin arall y mae'r Bwrdd yn ei ystyried yn briodol wrth ddisgrifio categori o bersonau.
- (7) Rhaid i bob bwrdd anfon copi o'i asesiad at –
- (a) Gweinidogion Cymru;
 - (b) y Comisiynydd;
 - (c) Archwilydd Cyffredinol Cymru;
 - (d) pwyllgor trosolwg a chraffu'r awdurdod lleol.

- (f) include any other related analytical data and information that the board considers appropriate.
- (4) An analysis referred to in subsection (3) –
 - (a) must refer to any national indicators published under section 10;
 - (b) must refer to a future trends reports under section 11 to the extent that it is relevant to the assessment of well-being in the area.
- (5) The community areas that comprise the area of a board are to be determined –
 - (a) in accordance with regulations made by the Welsh Ministers, or
 - (b) if no such regulations have been made, by the board.
- (6) The analysis referred to in subsection (3)(c) may include analyses of particular categories of persons determined by the board by reference to –
 - (a) the fact that persons are vulnerable or otherwise disadvantaged for the same or similar reasons;
 - (b) the persons possessing a common protected characteristic within the meaning of Chapter 1 of Part 2 of the Equality Act 2010 (c.15);
 - (c) the persons being children (persons under the age of 18);
 - (d) the persons being young people entitled to support under sections 105 to 115 of the Social Services and Well-being (Wales) Act 2014 (anaw 4) as described in section 104 of that Act;
 - (e) whether the persons –
 - (i) may have need for care and support (as described in Part 3 of the Social Services and Well-being (Wales) Act 2014) (anaw 4)); or
 - (ii) provide or intend to provide care and support for persons who may need it;
 - (f) any other common factor the Board considers appropriate in describing a category of persons.
- (7) Each board must send a copy of its assessment to –
 - (a) the Welsh Ministers;
 - (b) the Commissioner;
 - (c) the Auditor General for Wales;
 - (d) the local authority's overview and scrutiny committee.

38 Paratoi asesiadau

- (1) Cyn cyhoeddi ei asesiad o dan adran 37, rhaid i fwrdd gwasanaethau cyhoeddus ymgynghori â'r canlynol—
 - (a) y Comisiynydd;
 - (b) cyfranogwyr gwadd y bwrdd;
 - (c) ei bartneriaid eraill;
 - (d) y cyfryw bersonau na wnaethant dderbyn gwahoddiad a gawsant gan y bwrdd o dan adran 30 ag y mae'r bwrdd yn eu hystyried yn briodol;
 - (e) pwyllgor trosolwg a chraffu'r awdurdod lleol;
 - (f) unrhyw fudiad gwirfoddol perthnasol y mae'r bwrdd yn ei ystyried yn briodol;
 - (g) cynrychiolwyr personau sy'n preswyllo yn ei ardal;
 - (h) cynrychiolwyr personau sy'n cynnal busnes yn ei ardal;
 - (i) undebau llafur sy'n cynrychioli gweithwyr yn ei ardal;
 - (j) y personau hynny sydd â diddordeb mewn cynnal a gwella adnoddau naturiol y mae'r bwrdd yn eu hystyried yn briodol;
 - (k) unrhyw bersonau eraill y mae ganddynt, ym marn y bwrdd, ddiddordeb mewn gwella llesiant economaidd, cymdeithasol, amgylcheddol a diwylliannol yr ardal.
- (2) Fel rhan o'r ymgynghoriad o dan is-adran (1), rhaid i fwrdd gwasanaethau cyhoeddus ddarparu drafft o'i asesiad i bob ymgynghorai.
- (3) Wrth baratoi ei asesiad, rhaid i fwrdd gwasanaethau cyhoeddus ystyried pob un o'r canlynol—
 - (a) yr adroddiad sy'n cynnwys asesiad o'r risgiau i'r Deyrnas Unedig o ganlyniad i effaith bresennol newid yn yr hinsawdd, a'r effaith a ragwelir, a anfonwyd yn fwyaf diweddar at Weinidogion Cymru o dan adran 56(6) o Ddeddf Newid yn yr Hinsawdd 2008 (p. 27);
 - (b) yr adolygiad diweddaraf o ddigonolrwydd y ddarpariaeth addysg feithrin ar gyfer yr ardal awdurdod lleol a gynhaliwyd o dan adran 119(5)(a) o Ddeddf Safonau a Fframwaith Ysgolion 1998 (p.31);
 - (c) yr asesiad diweddaraf o ddigonolrwydd y ddarpariaeth gofal plant yn yr ardal awdurdod lleol a gynhaliwyd yn unol â rheoliadau a wnaed o dan adran 26(1) o Ddeddf Gofal Plant 2006 (p.21);
 - (d) yr asesiad diweddaraf o ddigonolrwydd cyfleoedd chwarae yn yr ardal awdurdod lleol a gynhaliwyd o dan adran 11(1) o Fesur Plant a Theuluoedd (Cymru) 2010 (mccc 1);
 - (e) yr asesiad diweddaraf a gynhaliwyd gan yr awdurdod lleol ar y cyd â Bwrdd Iechyd Lleol o dan adran 14 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 (dccc 4) (asesu anghenion am ofal a chymorth, cymorth i ofalwyr a gwasanaethau ataliol);
 - (f) yr asesiad strategol diweddaraf a baratowyd yn unol â rheoliadau o dan adran 6 o Ddeddf Trosedd ac Anhrefn 1998 (p.37) sy'n ymwneud â lleihau trosedd ac anhrefn yn yr ardal awdurdod lleol;

38 Preparation of assessments

- (1) Before publishing its assessment under section 37, a public services board must consult –
 - (a) the Commissioner;
 - (b) the board’s invited participants;
 - (c) its other partners;
 - (d) such of the persons who received but did not accept an invitation from the board under section 30 as the board considers appropriate;
 - (e) the local authority’s overview and scrutiny committee;
 - (f) any relevant voluntary organisation as the board considers appropriate;
 - (g) representatives of persons resident in its area;
 - (h) representatives of persons carrying on business in its area;
 - (i) trade unions representing workers in its area;
 - (j) such persons with an interest in the maintenance and enhancement of natural resources in the board’s area, as the board considers appropriate;
 - (k) any other persons who, in the opinion of the board, are interested in the improvement of the area’s economic, social, environmental and cultural well-being.
- (2) As part of the consultation under subsection (1), each board must provide each consultee with a draft of its assessment.
- (3) In preparing its assessment, each board must take each of the following into account –
 - (a) the report containing an assessment of the risks for the United Kingdom of the current and predicted impact of climate change most recently sent to the Welsh Ministers under section 56(6) of the Climate Change Act 2008 (c.27);
 - (b) the most recent review of the sufficiency of nursery education provision for the local authority area carried out under section 119(5)(a) of the School Standards and Frameworks Act 1998 (c.31);
 - (c) the most recent assessment of the sufficiency of the provision of childcare in the local authority area carried out in accordance with regulations made under section 26(1) of the Childcare Act 2006 (c.21);
 - (d) the most recent assessment of the sufficiency of play opportunities in the local authority area carried out under section 11(1) of the Children and Families (Wales) Measure 2010 (nawm 1);
 - (e) the most recent assessment carried out by the local authority in conjunction with a Local Health Board under section 14 of the Social Services and Well-being (Wales) Act 2014 (anaw 4) (assessment of needs for care and support, support for carers and preventative services);
 - (f) the most recent strategic assessment prepared in accordance with regulations under section 6 of the Crime and Disorder Act 1998 (c.37) relating to reducing crime and disorder in the local authority area;

- (g) yr asesiad strategol diweddaraf a baratowyd yn unol â rheoliadau o dan yr adran honno sy'n ymwneud â chamddefnyddio sylweddau yn yr ardal awdurdod lleol;
- (h) yr asesiad strategol diweddaraf a baratowyd yn unol â rheoliadau o dan yr adran honno sy'n ymwneud â lleihau aildroseddu yn yr ardal awdurdod lleol;
- (i) y cyfryw adolygiad neu asesiad arall mewn perthynas â'r ardal awdurdod lleol a ragnodir gan Weinidogion Cymru mewn rheoliadau (neu unrhyw ddadansoddiad arall a ddynodir mewn rheoliadau o'r fath fel adolygiad neu asesiad at ddiben yr adran hon).

Cynlluniau llesiant lleol

39 Cynlluniau llesiant lleol

- (1) Rhaid i fwrdd gwasanaethau cyhoeddus baratoi a chyhoeddi cynllun ("cynllun llesiant lleol") sy'n nodi ei amcanion lleol a'r camau y mae'n bwriadu eu cymryd i'w cyflawni.
- (2) Caiff y cynllun gynnwys amcanion –
 - (a) sydd hefyd yn amcanion llesiant a gyhoeddwyd o dan Ran 2 gan aelod o'r bwrdd;
 - (b) sydd i'w cyflawni drwy gymryd camau –
 - (i) gan un neu ragor o aelodau o'r bwrdd, cyfranogwyr gwadd neu bartneriaid eraill sy'n gweithredu'n unigol, neu
 - (ii) unrhyw gyfuniad o aelodau, cyfranogwyr gwadd neu bartneriaid eraill sy'n gweithredu ar y cyd.
- (3) Ond ni chaniateir i gynllun gynnwys amcan sydd i'w gyflawni drwy gamau sydd i'w cymryd gan gyfranogwr gwadd neu bartner arall (pa un ai yn unigol neu ar y cyd mewn unrhyw gyfuniad o aelodau, cyfranogwyr gwadd neu bartneriaid eraill) ond os yw'r bwrdd wedi cael cydsyniad y cyfranogwr gwadd neu'r partner arall hwnnw, yn ôl y digwydd.
- (4) Wrth osod ei amcanion llesiant rhaid i fwrdd ystyried adroddiad y Comisiynydd o dan adran 23.
- (5) Rhaid i gynllun llesiant lleol gynnwys datganiad –
 - (a) sy'n egluro pam y mae'r bwrdd yn ystyried y bydd cyflawni'r amcanion lleol yn cyfrannu o fewn yr ardal at gyrraedd y nodau llesiant;
 - (b) sy'n egluro sut y mae'r amcanion ac unrhyw gamau arfaethedig wedi eu gosod mewn cysylltiad ag unrhyw faterion a grybwyllir yn yr asesiad diweddaraf o lesiant a gyhoeddwyd o dan adran 37;
 - (c) sy'n pennu'r cyfnodau amser y mae'r bwrdd yn disgwyl cyflawni'r amcanion o fewn iddynt;
 - (d) sy'n egluro sut y mae unrhyw gamau arfaethedig i'w cymryd yn unol â'r egwyddor datblygu cynaliadwy;

- (g) the most recent strategic assessment prepared in accordance with regulations under that section relating to combating substance misuse in the local authority area;
- (h) the most recent strategic assessment prepared in accordance with regulations under that section relating to the reduction of reoffending in the local authority area;
- (i) such other review or assessment in relation to the local authority area as may be prescribed by the Welsh Ministers in regulations (or such other analysis as may be designated in such regulations as a review or assessment for the purposes of this section).

Local well-being plans

39 Local well-being plans

- (1) A public services board must prepare and publish a plan (a “local well-being plan”) setting out its local objectives and the steps it proposes to take to meet them.
- (2) The plan may include objectives –
 - (a) that are also well-being objectives published under Part 2 by a member of the board;
 - (b) that are to be met by the taking of steps –
 - (i) by one or more members of the board, invited participants or other partners acting individually, or
 - (ii) any combination of members, invited participants or other partners acting jointly.
- (3) But a plan may include an objective which is to be met by steps which are to be taken by an invited participant or other partner (whether individually or jointly in any combination of members, invited participants or other partners) only if the board has obtained the agreement of that invited participant or other partner, as the case may be.
- (4) In setting its well-being objectives a board must take into account the Commissioner’s report under section 23.
- (5) A local well-being plan must include a statement –
 - (a) explaining why the board considers that meeting the local objectives will contribute within the area to achieving the well-being goals;
 - (b) explaining how the objectives and any proposed steps have been set with regard to any matters mentioned in the most recent assessment of well-being published under section 37;
 - (c) specifying the periods of time within which the board expects to meet the objectives;
 - (d) explaining how any proposed steps are to be taken in accordance with the sustainable development principle;

- (e) os yw'r cynllun yn cynnwys amcanion y cyfeirir atynt yn is-adran (2)(b), sy'n pennu'r camau arfaethedig i'w cymryd er mwyn cyflawni'r amcanion hynny ac, yn achos camau i'w cymryd gan gyfuniad o aelodau'r bwrdd, cyfranogwyr gwadd neu bartneriaid eraill, y personau sydd yn y cyfuniad;
 - (f) os nad y cynllun cyntaf i'r bwrdd ei gyhoeddi yw'r cynllun, sy'n pennu'r camau a gymerwyd i gyflawni'r amcanion a nodir yng nghynllun blaenorol y bwrdd a phennu i ba raddau y mae'r amcanion hynny wedi eu cyflawni;
 - (g) sy'n darparu unrhyw wybodaeth arall y mae'r bwrdd yn ei hystyried yn briodol.
- (6) Rhaid i bob bwrdd gyhoeddi ei gynllun llesiant lleol heb fod yn hwyrach nag un flwyddyn ar ôl y dyddiad y cynhelir yr etholiad arferol nesaf o dan adran 26 o Ddeddf Llywodraeth Leol 1972 (p.70) ar ôl cychwyn yr adran hon.
- (7) Yn dilyn hynny, rhaid i bob bwrdd gyhoeddi cynllun llesiant lleol ymhen dim mwy na blwyddyn ar ôl y dyddiad y cynhelir bob etholiad arferol wedi hynny o dan yr adran honno.
- (8) Rhaid i bob bwrdd anfon copi o'i gynllun at—
- (a) Gweinidogion Cymru;
 - (b) y Comisiynydd;
 - (c) Archwilydd Cyffredinol Cymru;
 - (d) pwyllgor trosolwg a chraffu'r awdurdod lleol.

40 Cynlluniau Llesiant Lleol: rôl cyngorau cymuned

- (1) Rhaid i gyngor cymuned gymryd pob cam rhesymol yn ei ardal tuag at gyflawni'r amcanion lleol a gynhwysir yn y cynllun llesiant lleol sy'n cael effaith yn ei ardal.
- (2) Ond nid yw cyngor cymuned yn ddarostyngedig i'r ddyletswydd o dan is-adran (1) ond os oedd, ar gyfer y tair blynedd ariannol flaenorol cyn i'r cynllun llesiant lleol ar gyfer ei ardal gael ei gyhoeddi, ei incwm gros neu ei wariant gros yn £200,000 o leiaf.
- (3) Caiff Gweinidogion Cymru, drwy reoliadau, ddiwygio'r meini prawf a bennir gan is-adran (2) ar gyfer dyfarnu a yw cyngor cymunedol yn ddarostyngedig i'r ddyletswydd o dan is-adran (1); a chaiff y rheoliadau adlewyrchu'r ddarpariaeth a wneir am gyngorau cymunedol mewn rheoliadau o dan adran 39 o Ddeddf Archwilio Cyhoeddus (Cymru) 2004 (p.23).
- (4) Cyn gwneud rheoliadau o dan is-adran (3), rhaid i Weinidogion Cymru ymgynghori â'r canlynol—
 - (a) y Comisiynydd;
 - (b) y cyngorau cymuned a fyddai'n ddarostyngedig i'r ddyletswydd o dan is-adran (1) pe bai'r rheoliadau yn cael eu gwneud;
 - (c) unrhyw bersonau eraill y mae Gweinidogion Cymru yn eu hystyried yn briodol.
- (5) Rhaid i gyngor cymuned gyhoeddi, mewn cysylltiad â phob blwyddyn ariannol yr oedd yn ddarostyngedig i'r ddyletswydd yn is-adran (1), adroddiad ar y cynnydd y mae wedi ei wneud yn ei ardal o ran cyflawni'r amcanion lleol sydd yn y cynllun llesiant lleol sydd mewn grym yn ei ardal.

- (e) if the plan includes objectives referred to in subsection (2)(b), specifying the proposed steps to be taken to meet those objectives and, in the case of steps to be taken by a combination of members of the board, invited participants or other partners, the persons making up the combination;
 - (f) if the plan is not the first plan published by the board, specifying the steps taken to meet the objectives set out in the board's previous plan and specifying the extent to which those objectives have been met;
 - (g) providing such other information as the board considers appropriate.
- (6) Each board must publish its first local well-being plan no later than one year after the date on which the next ordinary election under section 26 of the Local Government Act 1972 (c. 70) following the commencement of this section is held.
- (7) Subsequently, each board must publish a local well-being plan no later than one year after the date on which each subsequent ordinary election under that section is held.
- (8) Each board must send a copy of its plan to –
- (a) the Welsh Ministers;
 - (b) the Commissioner;
 - (c) the Auditor General for Wales;
 - (d) the local authority's overview and scrutiny committee.

40 Local well-being plans: role of community councils

- (1) A community council must take all reasonable steps in its area towards meeting the local objectives included in the local well-being plan that has effect in its area.
- (2) But a community council is subject to the duty under subsection (1) only if, for each of the preceding three financial years prior to the local well-being plan for its area being published, either its gross income or its gross expenditure was at least £200,000.
- (3) The Welsh Ministers may, by regulations, amend the criteria specified in subsection (2) for determining whether a community council is subject to the duty under subsection (1); and the regulations may reflect provision made about community councils in regulations under section 39 of the Public Audit (Wales) Act 2004 (c.23).
- (4) Before making regulations under subsection (3), the Welsh Ministers must consult –
- (a) the Commissioner;
 - (b) the community councils that would become subject to the duty under subsection (1) if the regulations were made;
 - (c) such other persons as the Welsh Ministers consider appropriate.
- (5) A community council must publish, in respect of each financial year in which it was subject to the duty under subsection (1), a report of the progress it has made in its area in meeting the local objectives included in the local well-being plan that has effect in its area.

- (6) Rhaid i adroddiad a gyhoeddir o dan is-adran (5) gael ei gyhoeddi cyn gynted ag y bo'n ymarferol bosibl ar ôl diwedd y flwyddyn ariannol y mae'r adroddiad yn ymwneud â hi.
- (7) Caiff Gweinidogion Cymru ddyroddi canllawiau i'r cynghorau cymuned sy'n ddarostyngedig i'r ddyletswydd o dan is-adran (1) ynghylch arfer y ddyletswydd.
- (8) Wrth arfer y ddyletswydd o dan is-adran (1), rhaid i gyngor cymuned ystyried canllawiau o'r fath.

41 Paratoi cynlluniau llesiant lleol: gwybodaeth am weithgarwch eraill

- (1) Wrth baratoi ei gynllun llesiant lleol (a chyn ymgynghori o dan adran 43), caiff bwrdd gwasanaethau cyhoeddus ei gwneud yn ofynnol i unrhyw berson a grybwyllir yn is-adran (2) i ddarparu gwybodaeth i'r bwrdd ynghylch unrhyw weithred y mae'n ei chyflawni a allai gyfrannu o fewn ardal y bwrdd at gyrraedd y nodau llesiant.
- (2) Y personau yw –
 - (a) y personau a wahoddir i gyfranogi yng ngweithgarwch y bwrdd, heblaw am Weinidogion Cymru (gweler adran 30);
 - (b) partneriaid eraill y bwrdd (gweler adran 32).
- (3) Ond nid yw'n ofynnol i berson a grybwyllir yn is-adran (2) ddarparu gwybodaeth i fwrdd gwasanaethau cyhoeddus –
 - (a) os yw'r person yn ystyried y byddai gwneud hynny –
 - (i) yn anghydnaws â'i ddyletswyddau, neu
 - (ii) fel arall yn cael effaith andwyol ar arfer ei swyddogaethau, neu
 - (b) os yw'r person wedi ei wahardd rhag ei darparu yn rhinwedd deddfiad neu unrhyw reol gyfreithiol arall.
- (4) Pan fo person a grybwyllir yn is-adran (2) yn penderfynu, drwy ddibynnu ar is-adran (3) (a), nad yw'n ofynnol iddo ddarparu gwybodaeth i fwrdd gwasanaethau cyhoeddus, rhaid iddo roi resymau ysgrifenedig dros y penderfyniad i'r bwrdd.

42 Paratoi cynlluniau llesiant lleol: cyngor y Comisiynydd

- (1) Wrth baratoi ei gynllun llesiant lleol (a chyn ymgynghori o dan adran 43), rhaid i fwrdd gwasanaethau cyhoeddus geisio cyngor y Comisiynydd o ran sut i gymryd camau i gyflawni'r amcanion lleol i'w cynnwys yn y cynllun yn unol â'r egwyddor datblygu cynaliadwy.
- (2) Rhaid i'r Comisiynydd roi'r cyngor –
 - (a) yn ysgrifenedig, a
 - (b) ymhen dim llai na 14 o wythnosau ar ôl ei geisio.
- (3) Rhaid i bob bwrdd gyhoeddi cyngor y Comisiynydd yr un pryd ag y mae'n cyhoeddi'r cynllun llesiant lleol.

43 Paratoi cynlluniau llesiant lleol: ymgynghori pellach a chymeradwyaeth

- (1) Cyn cyhoeddi ei gynllun llesiant lleol, rhaid i fwrdd gwasanaethau cyhoeddus ymgynghori â'r canlynol –

- (6) A report under subsection (5) must be published as soon as reasonably practicable following the end of the financial year to which the report relates.
- (7) The Welsh Ministers must issue guidance to community councils that are subject to the duty under subsection (1) about the exercise of the duty.
- (8) In carrying out the duty under subsection (1), a community council must take such guidance into account.

41 Preparation of local well-being plans: information about activities of others

- (1) In preparing its local well-being plan (and before consulting under section 43), a public services board may require any person mentioned in subsection (2) to provide the board with information about any action it takes that may contribute within the board's area to achieving the well-being goals.
- (2) The persons are –
 - (a) the persons invited to participate in the activities of the board, except the Welsh Ministers (see section 30);
 - (b) the board's other partners (see section 32).
- (3) But a person mentioned in subsection (2) is not required to provide information to a public services board –
 - (a) if the person considers that doing so would –
 - (i) be incompatible with the person's duties, or
 - (ii) otherwise have an adverse effect on the exercise of the person's functions, or
 - (b) if the person is prohibited from providing it by virtue of an enactment or any other rule of law.
- (4) Where a person mentioned in subsection (2) decides, in reliance on subsection (3)(a), that it is not required to provide information to a public services board, it must provide the board with written reasons for its decision.

42 Preparation of local well-being plans: Commissioner's advice

- (1) In preparing its local well-being plan (and before consulting under section 43), a public services board must seek the advice of the Commissioner on how to take steps to meet the local objectives to be included in the plan in accordance with the sustainable development principle.
- (2) The Commissioner must give the advice –
 - (a) in writing, and
 - (b) no later than 14 weeks after it is sought.
- (3) Each board must publish the Commissioner's advice at the same time as it publishes the local well-being plan.

43 Preparation of local well-being plans: further consultation and approval

- (1) Before publishing its local well-being plan, a public services board must consult –

- (a) y Comisiynydd (ar ôl cael cyngor gan y Comisiynydd o dan adran 42(2));
 - (b) ei gyfranogwyr gwadd;
 - (c) ei bartneriaid eraill;
 - (d) y cyfryw bersonau na wnaethant dderbyn gwahoddiad a gawsant gan y bwrdd o dan adran 30 ag y mae'r bwrdd yn eu hystyried yn briodol;
 - (e) pwyllgor trosolwg a chraffu'r awdurdod lleol;
 - (f) unrhyw fudiad gwirfoddol perthnasol y mae'r bwrdd yn ei ystyried yn briodol;
 - (g) cynrychiolwyr personau sy'n preswyllo yn ei ardal;
 - (h) cynrychiolwyr personau sy'n cynnal busnes yn ei ardal;
 - (i) undebau llafur sy'n cynrychioli gweithwyr yn ei ardal;
 - (j) y personau hynny sydd â diddordeb mewn cynnal a gwella adnoddau naturiol yn ardal y bwrdd y mae'r bwrdd yn eu hystyried yn briodol;
 - (k) unrhyw bersonau eraill sydd, ym marn y bwrdd, â buddiant mewn gwella llesiant economaidd, cymdeithasol, amgylcheddol a diwylliannol yr ardal.
- (2) Fel rhan o'r ymgynghoriad o dan is-adran (1), rhaid i bob bwrdd ddarparu cynllun llesiant lleol drafft i bob ymgynghorai.
 - (3) Rhaid i'r ymgynghoriad o dan is-adran (1) beidio â dod i ben hyd nes bod o leiaf 12 wythnos wedi mynd heibio ers y diwrnod y dechreuodd yr ymgynghoriad.
 - (4) Cyn cyhoeddi ei gynllun llesiant lleol, rhaid i fwrdd gwasanaethau cyhoeddus gynnal cyfarfod lle mae pob aelod yn cadarnhau ei fod yn cymeradwyo'r cynllun ar gyfer ei gyhoeddi.
 - (5) Os yw'r awdurdod lleol yn gweithredu trefniadau gweithredol o dan Ran 2 o Ddeddf Llywodraeth Leol 2000 (p.22), ni chaiff gweithrediaeth yr awdurdod arfer y swyddogaeth o gymeradwyo'r cynllun llesiant o dan y trefniadau hynny; at hynny nid yw adran 101 o Ddeddf Llywodraeth Leol 1972 (p. 70) (cyflawni swyddogaethau gan bwyllgorau etc.) yn gymwys i'r swyddogaeth honno.
 - (6) Yn achos pob Bwrdd Iechyd Lleol, pob awdurdod tân ac achub yng Nghymru a Chorff Adnoddau Naturiol Cymru, ni cheir arfer y swyddogaeth o gymeradwyo'r cynllun llesiant lleol ond mewn cyfarfod o'r corff o dan sylw.

- (a) the Commissioner (having received advice from the Commissioner under section 42(2));
 - (b) its invited participants;
 - (c) its other partners;
 - (d) such of the persons who received but did not accept an invitation from the board under section 30 as the board considers appropriate;
 - (e) the local authority's overview and scrutiny committee;
 - (f) any relevant voluntary organisation as the board considers appropriate;
 - (g) representatives of persons resident in its area;
 - (h) representatives of persons carrying on business in its area;
 - (i) trade unions representing workers in its area;
 - (j) such persons with an interest in the maintenance and enhancement of natural resources in the board's area, as the board considers appropriate;
 - (k) any other persons who, in the opinion of the board, are interested in the improvement of the area's economic, social, environmental and cultural well-being.
- (2) As part of the consultation under subsection (1), each board must provide each consultee with a draft local well-being plan.
 - (3) The consultation under subsection (1) must not end until at least 12 weeks have passed since the day on which it began.
 - (4) Before publishing its local well-being plan, a public services board must hold a meeting at which each member confirms its approval of the plan for publication.
 - (5) If the local authority is operating executive arrangements under Part 2 of the Local Government Act 2000 (c.22), the function of approving the local well-being plan for publication may not be exercised by an executive of the authority under those arrangements; nor does section 101 of the Local Government Act 1972 (c. 70) (discharge of functions by committees etc.) apply to that function.
 - (6) In the case of each Local Health Board, each Welsh fire and rescue authority and the Natural Resources Body for Wales, the function of approving the local well-being plan for publication may only be exercised at a meeting of the body in question.

44 Adolygu cynlluniau llesiant lleol

- (1) Caiff bwrdd gwasanaethau cyhoeddus –
 - (a) adolygu a diwygio ei amcanion lleol;
 - (b) adolygu a diwygio ei gynllun llesiant lleol (a rhaid iddo ddiwygio ei gynllun os yw wedi diwygio ei amcanion lleol).
- (2) O ran pob bwrdd –
 - (a) rhaid iddo adolygu ei amcanion lleol neu ei gynllun llesiant lleol os yw'n cael cyfarwyddyd i wneud hynny gan Weinidogion Cymru, a
 - (b) caiff ddiwygio ei amcanion neu ddiwygio ei gynllun o ganlyniad i adolygiad o'r fath.
- (3) Wrth roi cyfarwyddyd o dan is-adran (2)(a) rhaid i Weinidogion Cymru gyhoeddi datganiad sy'n cynnwys eu rhesymau am ei roi.
- (4) Cyn diwygio ei gynllun, rhaid i bob bwrdd ymgynghori â'r canlynol –
 - (a) y Comisiynydd;
 - (b) y personau y soniwyd amdanynt yn adran 43(1).
- (5) Rhaid i gynllun diwygiedig gael ei gyhoeddi cyn gynted ag y bo'n rhesymol ymarferol.
- (6) Rhaid i fwrdd anfon copi o'i gynllun diwygiedig at y canlynol –
 - (a) Gweinidogion Cymru;
 - (b) y Comisiynydd;
 - (c) Archwilydd Cyffredinol Cymru;
 - (d) pwyllgor trosolwg a chraffu yr awdurdod lleol.

45 Adroddiadau cynnydd blynyddol

- (1) Rhaid i fwrdd gwasanaethau cyhoeddus baratoi a chyhoeddi adroddiad –
 - (a) ymhen dim mwy na 14 o fisoedd ar ôl cyhoeddi ei gynllun llesiant lleol, a
 - (b) yn dilyn hynny, ymhen dim mwy na blwyddyn ar ôl cyhoeddi bob adroddiad blaenorol o dan yr adran hon.
- (2) Ond nid oes angen adroddiad o dan is-adran (1)(b) os yw cynllun llesiant lleol i'w gyhoeddi yn rhinwedd adran 39(7) (cyhoeddi cynllun llesiant lleol newydd ar ôl etholiad) ymhen dim mwy na blwyddyn ar ôl cyhoeddi'r adroddiad blaenorol o dan yr adran hon.
- (3) Rhaid i adroddiad o dan yr adran hon bennu'r camau a gymerwyd ers cyhoeddi cynllun llesiant lleol diweddaraf y bwrdd i gyflawni'r amcanion a nodir yn y cynllun.
- (4) Caiff adroddiad o dan yr adran hon gynnwys unrhyw wybodaeth arall y mae'r bwrdd yn ei hystyried yn briodol.

44 Review of local well-being plans

- (1) A public services board may –
 - (a) review and revise its local objectives;
 - (b) review and amend its local well-being plan (and must amend its plan if it has revised its local objectives).
- (2) Each board –
 - (a) must review its local objectives or local well-being plan if directed to do so by the Welsh Ministers, and
 - (b) may revise its objectives or amend its plan in consequence of such a review.
- (3) When giving a direction under subsection (2)(a) the Welsh Ministers must publish a statement containing their reasons for giving it.
- (4) Before making an amendment to its plan, each board must consult –
 - (a) the Commissioner;
 - (b) the persons mentioned in section 43(1).
- (5) An amended plan must be published as soon as reasonably practicable.
- (6) A board must send a copy of its amended plan to –
 - (a) the Welsh Ministers;
 - (b) the Commissioner;
 - (c) the Auditor General for Wales;
 - (d) the local authority's overview and scrutiny committee.

45 Annual progress reports

- (1) A public services board must prepare and publish a report –
 - (a) no later than 14 months after the publication of its local well-being plan, and
 - (b) subsequently no later than one year after the publication of each previous report under this section.
- (2) But no report is required under subsection (1)(b) if a local well-being plan is to be published by virtue of section 39(7) (publication of new local well-being plan following election) no later than one year after the publication of the previous report under this section.
- (3) A report under this section must specify the steps taken since the publication of the board's most recent local well-being plan to meet the objectives set out in the plan.
- (4) A report under this section may contain such other information as the board considers appropriate.

- (5) Rhaid i fwrdd anfon copi o bob adroddiad a gyhoeddwyd o dan yr adran hon at y canlynol—
- (a) Gweinidogion Cymru;
 - (b) y Comisiynydd;
 - (c) Archwilydd Cyffredinol Cymru;
 - (d) pwyllgor trosolwg a chraffu yr awdurdod lleol.

Addasiadau canlyniadol

46 Addasiadau i ddeddfiadau

Mae Atodlen 4 yn cynnwys diwygiadau a diddymiaidau o ganlyniad i ddarpariaethau'r Rhan hon sy'n ei gwneud yn ofynnol i gyhoeddi asesiadau llesiant lleol (o dan adran 37) a chynlluniau llesiant lleol (o dan adran 39).

PENNOD 3

AMRYWIOL

47 Uno byrddau gwasanaethau cyhoeddus

- (1) Caiff dau neu ragor o fyrddau gwasanaethau cyhoeddus gytuno i uno os ystyrir y byddai'n eu cynorthwyo i gyfrannu at gyrraedd y nodau llesiant.
- (2) Caiff Gweinidogion Cymru gyfarwyddo dau neu ragor o fyrddau gwasanaethau cyhoeddus i uno os yw Gweinidogion Cymru yn ystyried y byddai'n cynorthwyo'r byrddau i gyfrannu at gyrraedd y nodau llesiant.
- (3) Ond dim ond os y bodlonir y canlynol y caiff byrddau uno—
 - (a) mae'r un Bwrdd Iechyd Lleol yn aelod o bob bwrdd sy'n ceisio uno, neu sy'n cael eu cyfarwyddo i uno, a
 - (b) nid oes Bwrdd Iechyd Lleol arall yn aelod o unrhyw un o'r byrddau hynny.
- (4) Os yw dau neu ragor o fyrddau yn uno—
 - (a) rhaid i gyfeiriadau yn y Rhan hon (ac eithrio yn yr adran hon) at fwrdd gwasanaethau cyhoeddus gael eu dehongli fel cyfeiriadau at y bwrdd unedig, a
 - (b) rhaid i gyfeiriadau yn y Rhan hon at ardal awdurdod lleol gael eu dehongli fel cyfeiriadau at ardaloedd cyfunedig yr awdurdodau lleol sy'n aelodau o'r bwrdd unedig.

48 Cydlafurio rhwng byrddau gwasanaethau cyhoeddus

- (1) Caiff dau neu ragor o fyrddau gwasanaethau cyhoeddus gytuno i gydlafurio os ystyrir y byddai'n eu cynorthwyo i gyfrannu at gyrraedd y nodau llesiant.
- (2) Caiff Gweinidogion Cymru gyfarwyddo dau neu ragor o fyrddau gwasanaethau cyhoeddus i gydlafurio ym mha ffodd bynnag y mae Gweinidogion Cymru yn ystyried y byddai'n cynorthwyo'r byrddau i gyfrannu at gyrraedd y nodau llesiant.

- (5) A board must send a copy of each report published under this section to—
 - (a) the Welsh Ministers;
 - (b) the Commissioner;
 - (c) the Auditor General for Wales;
 - (d) the local authority’s overview and scrutiny committee.

Consequential modifications

46 Modifications of enactments

Schedule 4 contains amendments and repeals in consequence of the provisions of this Part requiring the publication of local well-being assessments (under section 37) and local well-being plans (under section 39).

CHAPTER 3

MISCELLANEOUS

47 Merging public services boards

- (1) Two or more public services boards may agree to merge if they consider it would assist them in contributing to the achievement of the well-being goals.
- (2) The Welsh Ministers may direct two or more public services boards to merge if the Welsh Ministers consider it would assist the boards in contributing to the achievement of the well-being goals.
- (3) But boards may merge only if—
 - (a) the same Local Health Board is a member of each board seeking or being directed to merge, and
 - (b) no other Local Health Board is a member of any of those boards.
- (4) If two or more boards merge—
 - (a) references in this Part (other than in this section) to a public services board must be construed as references to the merged board, and
 - (b) references in this Part to a local authority area must be construed as references to the combined areas of the local authorities that are members of the merged board.

48 Collaboration between public services boards

- (1) Two or more public services boards may agree to collaborate if they consider it would assist them in contributing to the achievement of the well-being goals.
- (2) The Welsh Ministers may direct two or more public services boards to collaborate in whatever way the Welsh Ministers consider would assist the boards in contributing to the achievement of the well-being goals.

- (3) At ddibenion yr adran hon, mae bwrdd yn cydlafurio os yw'n—
- cydweithredu â bwrdd arall,
 - hwyluso gweithgareddau bwrdd arall,
 - cydgysylltu ei weithgareddau â bwrdd arall,
 - arfer swyddogaethau bwrdd arall ar ei ran, neu
 - darparu staff, nwyddau, gwasanaethau neu lety i fwrdd arall.

49 Cyfarwyddydau i uno neu i gydlafurio

- Cyn rhoi cyfarwyddyd o dan adran 47(2) neu 48(2) rhaid i Weinidogion Cymru ymgynghori â phob aelod o'r bwrdd gwasanaethau cyhoeddus y maent yn bwriadu eu cyfarwyddo.
- Wrth roi cyfarwyddyd o'r fath, rhaid i Weinidogion Cymru gyhoeddi datganiad sy'n cynnwys eu rhesymau dros wneud hynny.

50 Dangosyddion perfformiad a safonau

- Caiff Gweinidogion Cymru, drwy reoliadau, bennu dangosyddion a safonau ar gyfer mesur perfformiad byrddau gwasanaethau cyhoeddus o ran arfer ei swyddogaethau.
- Cyn gwneud rheoliadau o dan is-adran (1), rhaid i Weinidogion Cymru ymgynghori â'r canlynol—
 - aelodau y byrddau neu bersonau sy'n ymddangos i Weinidogion Cymru fel pe baent yn cynrychioli'r aelodau hynny;
 - unrhyw bersonau eraill y mae Gweinidogion Cymru yn eu hystyried yn briodol.

51 Canllawiau

- Rhaid i Weinidogion Cymru ddyroddi canllawiau i fyrddau gwasanaethau cyhoeddus ynghylch arfer swyddogaethau o dan y Rhan hon.
- Wrth arfer swyddogaeth o dan y Rhan hon, rhaid i fwrdd gwasanaethau cyhoeddus ystyried canllawiau o'r fath.

RHAN 5

DARPARIAETHAU TERFYNOL

52 Ystyr "corff cyhoeddus": darpariaeth bellach

- Caiff Gweinidogion Cymru, drwy reoliadau, ddiwygio adran 6(1) drwy—
 - ychwanegu person,
 - tynnu person ymaith, neu
 - diwygio'r disgrifiad o berson.
- Ond ni chaiff y rheoliadau ond ddiwygio adran 6(1) drwy ychwanegu person os yw'r person hwnnw yn arfer swyddogaethau o natur gyhoeddus.

- (3) For the purposes of this section, a board collaborates if it –
 - (a) co-operates with another board,
 - (b) facilitates the activities of another board,
 - (c) co-ordinates its activities with another board,
 - (d) exercises another board’s functions on its behalf, or
 - (e) provides staff, goods, services or accommodation to another board.

49 Directions to merge or collaborate

- (1) Before giving a direction under section 47(2) or 48(2) the Welsh Ministers must consult each member of the public services boards they intend to direct.
- (2) When giving such a direction the Welsh Ministers must publish a statement containing their reasons for giving it.

50 Performance indicators and standards

- (1) The Welsh Ministers may by regulations set indicators and standards by reference to which public services boards’ performance in exercising functions can be measured.
- (2) Before making regulations under subsection (1), the Welsh Ministers must consult –
 - (a) the members of the boards or persons appearing to the Welsh Ministers to represent those members;
 - (b) any other persons the Welsh Ministers consider appropriate.

51 Guidance

- (1) The Welsh Ministers must issue guidance to public services boards about the exercise of functions under this Part.
- (2) In exercising a function under this Part, a public services board must take such guidance into account.

PART 5

FINAL PROVISIONS

52 Meaning of “public body”: further provision

- (1) The Welsh Ministers may, by regulations, amend section 6(1) by –
 - (a) adding a person,
 - (b) removing a person, or
 - (c) amending the description of a person.
- (2) But the regulations may amend section 6(1) by adding a person only if that person exercises functions of a public nature.

- (3) Os yw'r rheoliadau yn diwygio adran 6(1) er mwyn ychwanegu person sydd â swyddogaethau o natur gyhoeddus a swyddogaethau eraill, nid yw Rhannau 1 i 3 ond yn gymwys i'r person hwnnw mewn perthynas â'r swyddogaethau hynny sydd ganddo sydd o natur gyhoeddus.
- (4) Cyn gwneud rheoliadau sy'n diwygio adran 6(1), rhaid i Weinidogion Cymru ymgynghori â'r canlynol—
 - (a) y Comisiynydd;
 - (b) unrhyw bersonau eraill y mae Gweinidogion Cymru yn eu hystyried yn briodol;
 - (c) os yw'r rheoliadau yn diwygio adran 6(1) er mwyn ychwanegu person, y person hwnnw.

53 Pŵer i wneud darpariaeth ganlyniadol etc.

- (1) Caiff Gweinidogion Cymru, drwy reoliadau, wneud darpariaeth ganlyniadol, gysylltiedig, atodol, drosiannol neu arbed at ddibenion rhoi effaith lawn i un o ddarpariaethau'r Ddeddf hon, neu mewn cysylltiad â hi.
- (2) Caiff y rheoliadau (ymysg pethau eraill) ddiwygio, diddymu neu ddirymu deddfiad sydd wedi ei gynnwys yn y canlynol neu mewn offeryn a wnaed o dan y canlynol—
 - (a) Deddf Seneddol;
 - (b) Mesur neu Ddeddf y Cynulliad Cenedlaethol (gan gynnwys y Ddeddf hon).
- (3) Mae'r cyfeiriad yn is-adran (2) at ddeddfiad yn cynnwys cyfeiriad at ddeddfiad sydd wedi ei phasio neu ei gwneud ar ôl pasio'r Ddeddf hon.
- (4) Nid yw'r pŵer a ddyroddir gan yr adran hon wedi ei gyfyngu gan unrhyw ddarpariaeth arall yn y Ddeddf hon.

54 Rheoliadau

- (1) Mae pŵer i wneud rheoliadau o dan y Ddeddf hon yn cynnwys—
 - (a) pŵer i wneud gwahanol ddarpariaeth ar gyfer gwahanol ddibenion neu ardaloedd;
 - (b) pŵer i wneud y cyfryw ddarpariaeth gysylltiedig, canlyniadol, trosiannol neu atodol y mae Gweinidogion Cymru yn ei hystyried yn briodol.
- (2) Mae unrhyw bŵer gan Weinidogion Cymru i wneud rheoliadau o dan y Ddeddf hon yn arferadwy drwy offeryn statudol.
- (3) Caiff offeryn statudol sy'n cynnwys darpariaeth fel y ddarpariaeth a grybwyllir yn is-adran (1)(b), yn achos rheoliadau o dan adran 33(1), 40(3) neu 52(1), gynnwys darpariaeth sy'n diwygio deddfiad sydd wedi ei gynnwys yn y canlynol, neu mewn offeryn a wnaed o dan y canlynol—
 - (a) Deddf Seneddol;
 - (b) Mesur neu Ddeddf y Cynulliad Cenedlaethol (gan gynnwys y Ddeddf hon).

- (3) If the regulations amend section 6(1) so as to add a person who has functions of a public nature and other functions, Parts 1 to 3 apply to that person only in relation to those of the person's functions that are of a public nature.
- (4) Before making regulations that amend section 6(1), the Welsh Ministers must consult –
 - (a) the Commissioner;
 - (b) such other persons as the Welsh Ministers consider appropriate;
 - (c) if the regulations amend section 6(1) so as to add a person, that person.

53 Power to make consequential etc. provision

- (1) The Welsh Ministers may by regulations make consequential, incidental, supplemental, transitional or saving provision for the purposes of, or in connection with, giving full effect to a provision of this Act.
- (2) The regulations may (among other things) amend, repeal or revoke an enactment contained in or in an instrument made under –
 - (a) an Act of Parliament;
 - (b) a Measure or Act of the National Assembly (including this Act).
- (3) The reference in subsection (2) to an enactment includes a reference to an enactment passed or made after the passing of this Act.
- (4) The power conferred by this section is not restricted by any other provision of this Act.

54 Regulations

- (1) A power to make regulations under this Act includes –
 - (a) power to make different provision for different purposes or areas;
 - (b) power to make such incidental, consequential, transitional or supplemental provision as the Welsh Ministers consider appropriate.
- (2) Any power of the Welsh Ministers to make regulations under this Act is exercisable by statutory instrument.
- (3) A statutory instrument containing provision such as is mentioned in subsection (1)(b) may, in the case of regulations under section 33(1), 40(3) or 52(1), contain provision amending an enactment contained in or an instrument made under –
 - (a) an Act of Parliament;
 - (b) a Measure or Act of the National Assembly (including this Act).

- (4) O ran offeryn statudol sy'n cynnwys y canlynol (pa un ai ar ei ben ei hun neu ar y cyd gyda darpariaeth arall)—
- (a) rheoliadau o dan adran 40(3) neu 52(1),
 - (b) rheoliadau o dan adran 33(1) sy'n diwygio adran 29(2) neu 30(1), neu
 - (c) rheoliadau o dan adran 53 sy'n diwygio neu'n diddymu darpariaeth Deddf Seneddol neu Fesur neu Ddeddf y Cynulliad Cenedlaethol,
- ni chaniateir iddynt gael eu gwneud oni bai bod drafft o'r offeryn wedi ei osod gerbron y Cynulliad Cenedlaethol, ac wedi ei gymeradwyo gan ei benderfyniad.
- (5) Mae unrhyw offeryn statudol arall sy'n cynnwys rheoliadau o dan y Ddeddf hon yn ddarostyngedig i'w ddirymu yn unol â phenderfyniad y Cynulliad Cenedlaethol.
- (6) Mae'r cyfeiriad yn is-adran (3) at ddeddfiad yn cynnwys cyfeiriad at ddeddfiad a basiwyd neu a wnaed ar ôl pasio'r Ddeddf hon.

55 Dehongli

- (1) Yn y Ddeddf hon—

mae i "adroddiad tueddiadau tebygol y dyfodol" ("*future trends report*") yr ystyr a roddir gan adran 11;

ystyr "amcanion lleol" ("*local objectives*") yw amcanion a osodir gan fwrdd gwasanaethau cyhoeddus yn unol ag adran 36(2)(b);

ystyr "amcanion llesiant" ("*well-being objectives*") yw amcanion a gyhoeddir o dan adran 7 neu a ddiwygir ac a gyhoeddir fel y'u diwygiwyd o dan adran 8 neu 9;

ystyr "ardal heddlu" ("*police area*") yw ardal a restrir o dan y pennawd "Wales" yn Atodlen 1 i Ddeddf yr Heddlu 1996 (p.16) (ardaloedd heddlu y tu allan i Lundain);

ystyr "awdurdod lleol" ("*local authority*") yw cyngor sir neu gyngor bwrdeistref sirol yng Nghymru;

ystyr "awdurdod tân ac achub yng Nghymru" ("*Welsh fire and rescue authority*") yw'r awdurdod yng Nghymru a gyfansoddwyd gan gynllun o dan adran 2 o Ddeddf y Gwasanaethau Tân ac Achub 2004 (p. 21) neu gynllun y mae adran 4 o'r Ddeddf honno yn gymwys;

ystyr "blwyddyn ariannol" ("*financial year*") yw'r cyfnod o 12 mis sy'n dod i ben ar 31 Mawrth;

mae i "bwrdd gwasanaethau cyhoeddus" ("*public services board*") yr ystyr a roddir gan adran 29 a 47(4)(a);

ystyr "Bwrdd Iechyd Lleol" ("*Local Health Board*") yw Bwrdd Iechyd Lleol a sefydlwyd o dan adran 11 o Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006 (p.42);

ystyr "y Comisiynydd" ("*the Commissioner*") yw Comisiynydd Cenedlaethau'r Dyfodol Cymru;

mae i "corff cyhoeddus" ("*public body*") yr ystyr a roddir gan adrannau 6 a 52;

mae i "cyfranogwr gwadd" ("*invited participant*") yr ystyr a roddir gan adran 30(5);

- (4) A statutory instrument containing any of the following (whether alone or with any other provision) –
- (a) regulations under section 40(3) or 52(1),
 - (b) regulations under section 33(1) that amend section 29(2) or 30(1), or
 - (c) regulations under section 53 that amend or repeal a provision of an Act of Parliament or of a Measure or Act of the National Assembly,
- may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, the National Assembly.
- (5) Any other statutory instrument containing regulations under this Act is subject to annulment in pursuance of a resolution of the National Assembly.
- (6) The reference in subsection (3) to an enactment includes a reference to an enactment passed or made after the passing of this Act.

55 Interpretation

- (1) In this Act –

“the advisory panel” (*“y panel cynghori”*) means the panel of advisers established under section 26;

“the Commissioner” (*“y Comisiynydd”*) means the Future Generations Commissioner for Wales;

“financial year” (*“blwyddyn ariannol”*) means the period of 12 months ending with 31 March;

“future trends report” (*“adroddiad tueddiadau tebygol y dyfodol”*) has the meaning given by section 11;

“invited participant” (*“cyfranogwr gwadd”*) has the meaning given by section 30(5);

“local authority” (*“awdurdod lleol”*) means a county council or county borough council in Wales;

“Local Health Board” (*“Bwrdd Iechyd Lleol”*) means a Local Health Board established under section 11 of the National Health Service (Wales) Act 2006 (c.42);

“local objectives” (*“amcanion lleol”*) means objectives set by a public services board in accordance with section 36(2)(b);

“local well-being plan” (*“cynllun llesiant lleol”*) means a plan published under section 39 or amended and published as amended under section 44(5);

“National Assembly” (*“Cynulliad Cenedlaethol”*) means the National Assembly for Wales;

“national indicators” (*“dangosyddion cenedlaethol”*) has the meaning given by section 10(1)(a);

“other partners” (*“partneriaid eraill”*), in relation to a public services board, means the bodies mentioned in section 32(1);

ystyr "cynllun llesiant lleol" (*"local well-being plan"*) yw cynllun a gyhoeddwyd o dan adran 39 neu a ddiwygiwyd ac a gyhoeddwyd fel y'i diwygiwyd o dan adran 44(5);

ystyr "Cynulliad Cenedlaethol" (*"National Assembly"*) yw Cynulliad Cenedlaethol Cymru;

mae i "dangosyddion cenedlaethol" (*"national indicators"*) yr ystyr a roddir gan adran 10(1)(a);

mae i "datblygu cynaliadwy" (*"sustainable development"*) yr ystyr a roddir gan adran 2;

mae i "egwyddor datblygu cynaliadwy" (*"sustainable development principle"*) yr ystyr a roddir iddi gan adran 5;

ystyr "nodau llesiant" (*"well-being goals"*) yw'r nodau a bennir yn adran 4;

ystyr "y panel cyngori" (*"the advisory panel"*) yw'r panel o gynghorwyr a sefydlwyd o dan adran 26;

ystyr "partneriaid eraill" (*"other partners"*), mewn perthynas â bwrdd gwasanaethau cyhoeddus, yw'r cyrff a nodir yn adran 32(1);

ystyr "Pwyllgor Cyfrifon Cyhoeddus y Cynulliad Cenedlaethol" (*"National Assembly's Public Accounts Committee"*) yw'r pwyllgor y cyfeirir ato fel y "Pwyllgor Archwilio" yn adran 30 o Ddeddf Llywodraeth Cymru 2006 (p.32);

mae "pwyllgor trosolwg a chraffu" (*"overview and scrutiny committee"*) i'w ddehongli yn unol ag adran 35(4);

mae i "undeb llafur" (*"trade union"*) yr ystyr a roddir yn adran 1 o Ddeddf Undebau Llafur a Chysylltiadau Llafur (Cydgrynhoi) 1992 (p.52).

- (2) Yn Rhan 4 o'r ddeddf hon, ystyr "mudiad gwirfoddol perthnasol" yw corff (ac eithrio corff sy'n arfer swyddogaethau o natur gyhoeddus) y mae ei weithgareddau –
 - (a) yn cael eu cyflawni am reswm heblaw am wneud elw, a
 - (b) er budd ardal gyfan bwrdd gwasanaethau cyhoeddus, neu ran o'r ardal, yn uniongyrchol neu'n anuniongyrchol.
- (3) Mae landlord cymdeithasol cofrestredig (o fewn ystyr Rhan 1 o Ddeddf Tai 1996) sy'n darparu tai yn yr ardal awdurdod lleol yn fudiad gwirfoddol perthnasol at ddibenion Rhan 4 o'r Ddeddf hon.

56 Cychwyn

- (1) Daw darpariaethau canlynol y Ddeddf hon i rym ar y diwrnod ar ôl y diwrnod y mae'r Ddeddf hon yn cael y Cydsyniad Brenhinol –
 - (a) adrannau 53 i 55, yr adran hon ac adran 57;
 - (b) unrhyw ddarpariaeth arall i'r graddau y bo'n angenrheidiol i alluogi arfer ar ôl y diwrnod y mae'r Ddeddf hon yn cael y Cydsyniad Brenhinol unrhyw bŵer i wneud rheoliadau o dan y Ddeddf.
- (2) Daw darpariaethau eraill y Ddeddf hon i rym ar y diwrnod hwnnw y caiff Gweinidogion Cymru ei bennu drwy orchymyn.

“overview and scrutiny committee” (“*pwyllgor trosolwg a chraffu*”) is to be construed in accordance with section 35(4);

“police area” (“*ardal heddlu*”) means an area listed under the heading “Wales” in Schedule 1 to the Police Act 1996 (c.16) (police areas outside London);

“Public Accounts Committee of the National Assembly” (“*Pwyllgor Cyfrifon Cyhoeddus y Cynulliad Cenedlaethol*”) means the committee referred to as the “Audit Committee” in section 30 of the Government of Wales Act 2006 (c.32);

“public body” (“*corff cyhoeddus*”) has the meaning given by sections 6 and 52;

“public services board” (“*bwrdd gwasanaethau cyhoeddus*”) has the meaning given by sections 29 and 47(4)(a);

“sustainable development” (“*datblygu cynaliadwy*”) has the meaning given by section 2;

“sustainable development principle” (“*egwyddor datblygu cynaliadwy*”) has the meaning given by section 5;

“trade union” (“*undeb llafur*”) has the meaning given by section 1 of the Trade Union and Labour Relations (Consolidation) Act 1992 (c.52);

“well-being goals” (“*nodau llesiant*”) means the goals specified in section 4;

“well-being objectives” (“*amcanion llesiant*”) means objectives published under section 7 or revised and published as revised under section 8 or 9;

“Welsh fire and rescue authority” (“*awdurdod tân ac achub*”) means the authority in Wales constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 (c. 21) or a scheme to which section 4 of that Act applies.

- (2) In Part 4 of this Act a “relevant voluntary organisation” means a body (other than a body that exercises functions of a public nature) whose activities –
- (a) are carried on otherwise than for profit, and
 - (b) directly or indirectly benefit the whole or any part of a public services board’s area.
- (3) A registered social landlord (within the meaning of Part 1 of the Housing Act 1996) that provides housing in the local authority area is a relevant voluntary organisation for the purposes of Part 4 of this Act.

56 Commencement

- (1) The following provisions of this Act come into force on the day after the day on which this Act receives Royal Assent –
- (a) sections 53 to 55, this section and section 57;
 - (b) any other provision so far as is necessary for enabling the exercise after the day on which this Act receives Royal Assent of any power to make regulations under the Act.
- (2) The other provisions of this Act come into force on such day as the Welsh Ministers may by order appoint.

- (3) O ran gorchymyn o dan is-adran (2) –
 - (a) caiff bennu gwahanol ddiwrnodau ar gyfer gwahanol ddibenion neu ardaloedd;
 - (b) caiff gynnwys darpariaeth drosiannol neu arbed.
- (4) Mae pŵer Gweinidogion Cymru i wneud gorchymyn o dan is-adran (2) yn arferadwy drwy offeryn statudol.

57 Enw byr

Enw byr y Ddeddf hon yw Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015.

- (3) An order under subsection (2)—
 - (a) may appoint different days for different purposes or areas;
 - (b) may include transitional or saving provision.
- (4) The power of the Welsh Ministers to make an order under subsection (2) is exercisable by statutory instrument.

57 Short title

The short title of this Act is the Well-being of Future Generations (Wales) Act 2015.

ATODLEN 1

(cyflwynwyd gan adran 13(1))

ADRODDIADAU BLYNYDDOL GAN GYRFF CYHOEDDUS ERAILL

Cyrff cyhoeddus: cyffredinol

- 1 (1) Rhaid i gorff cyhoeddus (ac eithrio Gweinidogion Cymru neu gorff a grybwyllir yn is-baragraff (3)) gyhoeddi, mewn cysylltiad â phob blwyddyn ariannol, adroddiad am y cynnydd a wnaed ganddo tuag at gyflawni ei amcanion llesiant.
- (2) Rhaid i adroddiad a gyhoeddir o dan y paragraff hwn gael ei gyhoeddi cyn gynted ag y bo'n rhesymol ymarferol ar ôl diwedd y flwyddyn ariannol y mae'r adroddiad yn ymwneud â hi.
- (3) Nid yw'r paragraff hwn yn gymwys i—
 - (a) Bwrdd Iechyd Lleol neu Ymddiriedolaeth y GIG (am hynny, gweler paragraff 2);
 - (b) Corff Adnoddau Naturiol Cymru (am hynny, gweler paragraff 3).

Byrddau Iechyd Lleol ac Ymddiriedolaethau'r GIG

- 2 (1) Rhaid i Fwrdd Iechyd Lleol neu Ymddiriedolaeth y GIG gyhoeddi, mewn cysylltiad â phob blwyddyn gyfrifyddu, adroddiad o'r cynnydd a wnaed ganddo tuag at gyflawni ei amcanion llesiant.
- (2) Rhaid i adroddiad a gyhoeddir o dan y paragraff hwn gael ei gyhoeddi cyn gynted ag y bo'n rhesymol ymarferol ar ôl diwedd y flwyddyn gyfrifyddu y mae'r adroddiad yn ymwneud â hi.
- (3) Yn y paragraff hwn, mae i "blwyddyn gyfrifyddu" mewn perthynas â Bwrdd Iechyd Lleol neu ymddiriedolaeth GIG yr ystyr a roddir gan y gorchymyn—
 - (a) a wnaed o dan adran 11 o Ddeddf y Gwasanaeth Iechyd Gwladol 2006, sy'n sefydlu'r Bwrdd, neu
 - (b) a wnaed o dan adran 18 o'r Ddeddf honno, sy'n sefydlu'r ymddiriedolaeth.

Corff Adnoddau Naturiol Cymru

- 3 (1) Yn yr Atodlen i Orchymyn Corff Adnoddau Dynol Cymru (Sefydlu) 2012 (O.S. 2012/1903 (Cy.230)), ym mharagraff 22(1)(a), ar ôl "honno" mewnoder "gan gynnwys adroddiad am y cynnydd sydd wedi ei wneud gan yr awdurdod tuag at gyflawni ei amcanion llesiant a gyhoeddir o dan Ran 2 o Ddeddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015 (dccc 2)".
- (2) Nid yw'r diwygiad a wnaed gan is-baragraff (1) yn effeithio ar bŵer Gweinidogion Cymru i wneud gorchymyn pellach o dan adrannau 13 a 15 o Ddeddf Cyrff Cyhoeddus 2011 (p. 24) i ddiwygio neu ddirymu darpariaeth a wnaed gan y diwygiad hwnnw.

SCHEDULE 1
(as introduced by section 13(1))

ANNUAL REPORTS BY OTHER PUBLIC BODIES

Public bodies: general

- 1 (1) A public body (other than the Welsh Ministers or one mentioned in sub-paragraph (3)) must publish, in respect of each financial year, a report of the progress it has made in meeting its well-being objectives.
- (2) A report under this paragraph must be published as soon as reasonably practicable following the end of the financial year to which the report relates.
- (3) This paragraph does not apply to—
 - (a) a Local Health Board or NHS trust (as to which, see paragraph 2);
 - (b) the Natural Resources Body for Wales (as to which, see paragraph 3).

Local Health Boards and NHS trusts

- 2 (1) A Local Health Board or NHS trust must publish, in respect of each accounting year, a report of the progress it has made in meeting its well-being objectives.
- (2) A report published under this paragraph must be published as soon as reasonably practicable following the end of the accounting year to which the report relates.
- (3) In this paragraph, “accounting year” in relation to a Local Health Board or NHS trust has the meaning given by the order—
 - (a) made under section 11 of the National Health Service (Wales) Act 2006, establishing the Board, or
 - (b) made under section 18 of that Act, establishing the trust.

The Natural Resources Body for Wales

- 3 (1) In the Schedule to the Natural Resources Body for Wales (Establishment) Order 2012 (S.I.2012/1903 (W. 230)), in paragraph 22(1)(a), after “year” insert “including a report of the progress made by the authority in meeting its well-being objectives published under Part 2 of the Well-being of Future Generations (Wales) Act 2015 (anaw 2)”.
- (2) The amendment made by sub-paragraph (1) does not affect the power of the Welsh Ministers to make a further order under sections 13 and 15 of the Public Bodies Act 2011 (c. 24) amending or revoking provision made by that amendment.

ATODLEN 2

(cyflwynwyd gan adran 17(4))

COMISIYNYDD CENEDLAETHAU'R DYFODOL CYMRU

Statws

- 1 (1) Mae'r Comisiynydd yn gorfforaeth undyn.
- (2) Nid yw'r Comisiynydd i gael ei ystyried yn was nac yn asiant i'r Goron nac yn gorff sy'n mwynhau unrhyw statws, eithriad neu fraint perthynol i'r Goron.
- (3) Nid yw eiddo'r Comisiynydd i'w ystyried yn eiddo'r Goron nac yn eiddo sy'n cael ei ddal ar ran y Goron.

Dilysrwydd gweithredoedd

- 2 (1) Nid effeithir ar ddilysrwydd gweithred unigolyn fel Comisiynydd gan ddiffyg ym mhenodiad –
 - (a) yr unigolyn hwnnw;
 - (b) unrhyw aelod o'r panel cynghori.
- (2) Nid effeithir ar ddilysrwydd gweithred person sy'n arfer swyddogaethau ar ran y Comisiynydd gan ddiffyg ym mhenodiad –
 - (a) y person hwnnw;
 - (b) y Comisiynydd;
 - (c) unrhyw aelod o'r panel cynghori.

Cyfnod y penodiad

- 3 Mae unigolyn a benodir yn Gomisiynydd yn dal y swydd am gyfnod o 7 mlynedd.

Telerau penodi

- 4 Mae'r Comisiynydd yn dal ei swydd yn ddarostyngedig i –
 - (a) darpariaethau'r Atodlen hon, a
 - (b) unrhyw delerau penodi ychwanegol y caiff Gweinidogion Cymru eu pennu o dro i dro.

Taliadau cydnabyddiaeth, lwfansau a phensiynau

- 5 (1) Caiff Gweinidogion Cymru dalu tâl cydnabyddiaeth i'r Comisiynydd.
- (2) Caiff Gweinidogion Cymru dalu lwfansau (gan gynnwys lwfansau teithio a chynhaliath) ac arian rhodd i'r Comisiynydd.
- (3) Caiff Gweinidogion Cymru dalu –
 - (a) pensiynau i unigolion, neu mewn cysylltiad ag unigolion, a fu'n Gomisiynydd, a
 - (b) symiau ar gyfer darparu neu tuag at ddarparu pensiynau i unigolion, neu mewn cysylltiad ag unigolion, a fu'n Gomisiynydd.

SCHEDULE 2
(as introduced by section 17(4))

THE FUTURE GENERATIONS COMMISSIONER FOR WALES

Status

- 1 (1) The Commissioner is a corporation sole.
- (2) The Commissioner is not to be regarded as the servant or agent of the Crown or as enjoying any status, immunity or privilege of the Crown.
- (3) The Commissioner's property is not to be regarded as property of, or property held on behalf of, the Crown.

Validity of acts

- 2 (1) The validity of an act of an individual as Commissioner is not affected by a defect in the appointment of –
 - (a) that individual;
 - (b) any member of the advisory panel.
- (2) The validity of an act of a person exercising functions on behalf of the Commissioner is not affected by a defect in the appointment of –
 - (a) that person;
 - (b) the Commissioner;
 - (c) any member of the advisory panel.

Duration of appointment

- 3 An individual appointed as Commissioner holds office for a period of 7 years.

Terms of appointment

- 4 The Commissioner holds office subject to –
 - (a) the provisions of this Schedule, and
 - (b) any additional terms of appointment as may be specified from time to time by the Welsh Ministers.

Remuneration, allowances and pensions

- 5 (1) The Welsh Ministers may pay remuneration to the Commissioner.
- (2) The Welsh Ministers may pay allowances (including travelling and subsistence allowances) and gratuities to the Commissioner.
- (3) The Welsh Ministers may pay –
 - (a) pensions to, or in respect of, individuals who have been Commissioner, and
 - (b) amounts for or towards provision of pensions to, or in respect of, individuals who have been Commissioner.

Anghymwysu

- 6 (1) Ni chaiff unigolyn gael ei benodi'n Gomisiynydd os bydd yr unigolyn wedi ei anghymwysu ar unrhyw un neu ragor o'r seiliau a bennir yn is-baragraff (3).
- (2) Bydd Comisiynydd yn peidio â bod yn Gomisiynydd os bydd yr unigolyn wedi ei anghymwysu ar unrhyw un neu ragor o'r seiliau a bennir yn is-baragraff (3).
- (3) Mae unigolyn yn anghymwys i fod yn Gomisiynydd os yw'r unigolyn yn –
- (a) Aelod o'r Cynulliad Cenedlaethol;
 - (b) aelod o'r panel cynghori;
 - (c) deiliad unrhyw swydd arall y caiff person ei benodi iddi, neu ei argymhell neu ei enwebu ar gyfer ei benodi iddi, gan neu ar ran –
 - (i) y Goron,
 - (ii) y Cynulliad Cenedlaethol, neu
 - (iii) Comisiwn Cynulliad Cenedlaethol Cymru;
 - (d) Aelod o Dŷ'r Cyffredin neu Dŷ'r Arglwyddi;
 - (e) Aelod o Senedd yr Alban;
 - (f) Aelod o Gynulliad Gogledd Iwerddon;
 - (g) Aelod o Senedd Ewrop;
 - (h) aelod o gyngor sir, cyngor bwrdeistref sirol neu gyngor cymuned yng Nghymru;
 - (i) aelod o staff y Comisiynydd.

Diwedd penodiad (ac eithrio drwy anghymwysu)

- 7 (1) Caiff y Comisiynydd ymddiswyddo o'i swydd drwy roi hysbysiad ysgrifenedig o ddim llai na 3 mis i Weinidogion Cymru o'i fwriad i wneud hynny.
- (2) Caiff Gweinidogion Cymru ddiswyddo'r Comisiynydd os ydynt wedi eu bodloni –
- (a) ei fod yn anaddas i barhau fel Comisiynydd, neu
 - (b) ei fod yn analluog neu'n amharod i arfer swyddogaethau'r Comisiynydd.

Pwerau

- 8 (1) Caiff y Comisiynydd wneud unrhyw beth y mae'n ei ystyried yn briodol mewn cysylltiad â swyddogaethau'r Comisiynydd, gan gynnwys –
- (a) codi tâl am ddarparu cyngor neu wasanaethau eraill;
 - (b) talu i drydydd partïon am ddarparu cyngor neu wasanaethau eraill;
 - (c) derbyn rhoddion ar ffurf arian neu eiddo arall.
- (2) Ni chaiff y Comisiynydd –
- (a) darparu cymorth ariannol i unrhyw berson;
 - (b) caffael neu waredu unrhyw fuddiant mewn tir, heb gymeradwyaeth Gweinidogion Cymru.

Disqualification

- 6 (1) An individual cannot be appointed as Commissioner if the individual is disqualified on any of the grounds specified in sub-paragraph (3).
- (2) An individual ceases to be Commissioner if the individual is disqualified on any of the grounds specified in sub-paragraph (3).
- (3) An individual is disqualified from being Commissioner if the individual is –
- (a) a Member of the National Assembly;
 - (b) a member of the advisory panel;
 - (c) the holder of any other office or position to which a person may be appointed, or recommended or nominated for appointment, by or on behalf of –
 - (i) the Crown,
 - (ii) the National Assembly, or
 - (iii) the National Assembly for Wales Commission;
 - (d) a Member of the House of Commons or House of Lords;
 - (e) a Member of the Scottish Parliament;
 - (f) a Member of the Northern Ireland Assembly;
 - (g) a Member of the European Parliament;
 - (h) a member of a county council, a county borough council or a community council in Wales;
 - (i) a member of the Commissioner’s staff.

End of appointment (other than through disqualification)

- 7 (1) The Commissioner may resign from office by giving the Welsh Ministers not less than 3 months’ notice in writing of the Commissioner’s intention to do so.
- (2) The Welsh Ministers may dismiss the Commissioner if satisfied that the Commissioner –
- (a) is unfit to continue as Commissioner, or
 - (b) is unable or unwilling to exercise the Commissioner’s functions.

Powers

- 8 (1) The Commissioner may do anything the Commissioner considers appropriate in connection with the Commissioner’s functions, including –
- (a) charging for the provision of advice or other services;
 - (b) paying third parties for the provision of advice or other services;
 - (c) accepting gifts of money or other property.
- (2) The Commissioner must not –
- (a) provide financial assistance to any person;
 - (b) acquire or dispose of any interest in land,
- without the approval of the Welsh Ministers.

- (3) Mae pŵer y Comisiynydd i godi tâl am ddarparu cyngor neu wasanaeth arall yn gyfyngedig i godi'r symiau hynny y mae'r Comisiynydd yn eu hystyried yn briodol i adennill y costau, gwirioneddol neu amcangyfrifedig, o ddarparu'r cyngor neu'r gwasanaeth hwnnw.

Staff

- 9 (1) Caiff y Comisiynydd benodi unrhyw staff y mae'r Comisiynydd yn eu hystyried yn briodol o ran arfer swyddogaethau'r Comisiynydd a rhaid iddo benodi aelod o staff i fod yn Ddirprwy Gomisiynydd (gweler paragraff 11).
- (2) Caiff y Comisiynydd dalu tâl cydnabyddiaeth i aelodau staff y Comisiynydd.
- (3) Caiff y Comisiynydd dalu lwfansau (gan gynnwys lwfansau teithio a chynhaliaeth) ac arian rhodd i aelodau staff y Comisiynydd.
- (4) Caiff y Comisiynydd dalu –
- (a) pensiynau i bersonau, neu mewn cysylltiad â phersonau, sydd wedi bod yn aelodau o staff y Comisiynydd, a
 - (b) symiau ar gyfer darparu, neu tuag at ddarparu, pensiynau i bersonau, neu mewn cysylltiad â phersonau, sydd wedi bod yn aelodau o staff y Comisiynydd.
- (5) Rhaid i'r Comisiynydd gael cymeradwyaeth Gweinidogion Cymru o ran –
- (a) nifer yr aelodau o staff y caniateir eu penodi;
 - (b) telerau ac amodau gwasanaeth y staff;
 - (c) unrhyw daliadau y bwriedir eu gwneud o dan is-baragraffau (2) i (4).

Dirprwyo

- 10 Caiff swyddogaeth y Comisiynydd gael ei chyflawni ar ran y Comisiynydd gan unrhyw berson, gan gynnwys unrhyw aelod o staff y Comisiynydd, ond dim ond i'r graddau y caniateir hynny gan y Comisiynydd.

Dirprwy Gomisiynydd

- 11 Mae swyddogaethau'r Comisiynydd yn arferadwy gan y Dirprwy Gomisiynydd –
- (a) os yw swydd y Comisiynydd yn wag, neu
 - (b) os yw Gweinidogion Cymru yn fodlon nad yw'r Comisiynydd yn gallu arfer swyddogaethau Comisiynydd am unrhyw reswm.

Y weithdrefn gwynion

- 12 (1) Rhaid i'r comisiynydd sefydlu gweithdrefn ar gyfer ymchwilio i gwynion am arferiad swyddogaethau'r Comisiynydd ("y weithdrefn gwynion").
- (2) Rhaid i'r weithdrefn gwynion gynnwys darpariaeth ynghylch –
- (a) sut i wneud cwyn;
 - (b) y person y dylid gwneud cwyn iddo;
 - (c) y cyfnod ar gyfer dechrau ystyried cwyn a dirwyn cwyn i ben;

- (3) The Commissioner's power to charge for the provision of advice or another service is limited to charging such amounts as the Commissioner thinks appropriate to recover the actual or estimated costs to the Commissioner of providing that advice or service.

Staff

- 9 (1) The Commissioner may appoint such staff as the Commissioner considers appropriate in connection with the exercise of the Commissioner's functions and must appoint a member of staff to be the Deputy Commissioner (see paragraph 11).
- (2) The Commissioner may pay remuneration to the members of the Commissioner's staff.
- (3) The Commissioner may pay allowances (including travelling and subsistence allowances) and gratuities to the members of the Commissioner's staff.
- (4) The Commissioner may pay –
 - (a) pensions to, or in respect of, persons who have been members of the Commissioner's staff, and
 - (b) amounts for or towards provision of pensions to, or in respect of, persons who have been members of the Commissioner's staff.
- (5) The Commissioner must obtain the approval of the Welsh Ministers for –
 - (a) the number of staff that may be appointed;
 - (b) the terms and conditions of service of the staff;
 - (c) any payments that may be made under sub-paragraphs (2) to (4).

Delegation

- 10 A function of the Commissioner may be discharged on the Commissioner's behalf by any person including any member of the Commissioner's staff, but only to the extent authorised by the Commissioner.

Deputy Commissioner

- 11 The functions of the Commissioner are exercisable by the Deputy Commissioner if –
 - (a) the office of Commissioner is vacant, or
 - (b) the Welsh Ministers are satisfied that for any reason the Commissioner is unable to exercise the functions of Commissioner.

Complaints procedure

- 12 (1) The Commissioner must establish a procedure for the investigation of complaints about the exercise of the Commissioner's functions ("the complaints procedure").
- (2) The complaints procedure must include provision about –
 - (a) how a complaint may be made;
 - (b) the person to whom a complaint may be made;
 - (c) the period within which consideration of a complaint must begin and be concluded;

- (d) y camau gweithredu y mae'n rhaid i'r Comisiynydd ystyried eu cymryd wrth ymateb i gŵyn.
- (3) Caiff y Comisiynydd ddiwygio'r weithdrefn gwynion, ond mae hyn yn ddarostyngedig i'r gofyniad i gynnwys darpariaethau yn unol ag is-baragraff (2).
- (4) Rhaid i'r Comisiynydd—
 - (a) sicrhau bod copi o'r weithdrefn gwynion ar gael i'w harchwilio yn swyddfa'r Comisiynydd, a
 - (b) sicrhau y perir bod copïau o'r weithdrefn gwynion ar gael mewn unrhyw fannau eraill a thrwy unrhyw ddulliau eraill y mae'r Comisiynydd o'r farn eu bod yn briodol.
- (5) Rhaid i'r Comisiynydd sicrhau y cyhoeddir y trefniadau ar gyfer archwilio a chyrchu copïau o'r weithdrefn gwynion mewn modd a fydd yn dwyn y trefniadau hynny i sylw personau y mae'r Comisiynydd o'r farn ei bod yn debygol fod ganddynt ddiddordeb yn y weithdrefn.

Cofrestr buddiannau

- 13 (1) Rhaid i'r Comisiynydd greu a chynnal cofrestr sy'n cynnwys holl fuddiannau cofrestradwy'r Comisiynydd a'r Dirprwy Gomisiynydd.
- (2) At ddibenion y paragraff hwn a pharagraffau 14 a 15—
 - (a) ystyr "buddiannau cofrestradwy" yw unrhyw fuddiannau y pennir eu bod yn fuddiannau cofrestradwy gan Weinidogion Cymru mewn rheoliadau (a gall hyn gynnwys buddiannau personau y mae gan y Comisiynydd neu'r Dirprwy Gomisiynydd gysylltiad â hwy, boed yn gysylltiad teuluol, ariannol neu'n unrhyw fath arall o gysylltiad);
 - (b) ystyr "buddiant" yw buddiant o unrhyw fath (gan gynnwys anrhegion, lletygarwch, rhoddion a dderbynnir, buddiannau ariannol eraill, a phob gweithgaredd a gorchwyl).
- (3) Rhaid i'r Comisiynydd ddiweddarau ei gofrestr buddiannau yn barhaus.
- 14 (1) Rhaid i'r Comisiynydd—
 - (a) sicrhau bod copi o'r gofrestr buddiannau ar gael i'w archwilio yn swyddfa'r Comisiynydd, a
 - (b) sicrhau y perir bod copïau o'r gofrestr ar gael mewn unrhyw fannau eraill a thrwy unrhyw ddulliau eraill y mae'r Comisiynydd o'r farn eu bod yn briodol.
- (2) Rhaid i'r Comisiynydd sicrhau y cyhoeddir y trefniadau ar gyfer archwilio a chyrchu copïau o'r gofrestr buddiannau mewn modd a fydd yn dwyn y trefniadau hynny i sylw personau y mae'r Comisiynydd o'r farn ei bod yn debygol bod ganddynt ddiddordeb yn y gofrestr.

Gwrthdrawiadau buddiannau

- 15 (1) Rhaid i'r Comisiynydd beidio ag arfer swyddogaeth os oes ganddo fuddiant cofrestradwy sy'n ymwneud ag arfer y swyddogaeth.

- (d) the action that the Commissioner must consider taking in response to a complaint.
- (3) The Commissioner may amend the complaints procedure, but this is subject to the requirement to include provisions in accordance with sub-paragraph (2).
- (4) The Commissioner must –
 - (a) make a copy of the complaints procedure available for inspection at the Commissioner’s office, and
 - (b) ensure that copies of the complaints procedure are made available at such other places and by such other means as the Commissioner considers appropriate.
- (5) The Commissioner must ensure that the arrangements for inspecting and gaining access to copies of the complaints procedure are published in such a way as to bring those arrangements to the attention of persons whom the Commissioner thinks likely to have an interest in the procedure.

Register of interests

- 13 (1) The Commissioner must create and maintain a register containing all of the Commissioner’s and the Deputy Commissioner’s registrable interests.
- (2) For the purposes of this paragraph and paragraphs 14 and 15 –
 - (a) “registrable interests” means any interests specified as such by the Welsh Ministers in regulations (and this may include interests of persons with whom the Commissioner or Deputy Commissioner has a connection whether familial, financial or of any other kind);
 - (b) “interest” means an interest of any kind (including gifts, hospitality, donations received, other financial interests, and all activities and occupations).
- (3) The Commissioner must keep the register of interests up to date.
- 14 (1) The Commissioner must –
 - (a) make a copy of the register of interests available for inspection at the Commissioner’s office, and
 - (b) ensure that copies of the register are made available at such other places and by such other means as the Commissioner considers appropriate.
- (2) The Commissioner must ensure that the arrangements for inspecting and gaining access to copies of the register of interests are published in such a way as to bring those arrangements to the attention of persons whom the Commissioner thinks likely to have an interest in the register.

Conflicts of interest

- 15 (1) The Commissioner must not exercise a function if the Commissioner has a registrable interest that relates to the exercise of the function.

- (2) Os bydd hyn yn atal y Comisiynydd rhag arfer swyddogaeth, rhaid iddo ddirprwyo'r swyddogaeth honno (i'r graddau y bo'n angenrheidiol i alluogi'r gwaith hwnnw o'i harfer i gael ei wneud) i aelod o staff y Comisiynydd.
- (3) Mae'r paragraff hwn yn gymwys i'r Dirprwy Gomisiynydd sy'n arfer un o swyddogaethau'r Comisiynydd o dan baragraff 11 fel y mae'n gymwys i'r Comisiynydd.

Taliadau gan Weinidogion Cymru

- 16 Caiff Gweinidogion Cymru dalu i'r Comisiynydd y symiau, ar yr adegau ac ar y telerau (os oes telerau) sy'n briodol yn eu tyb hwy, mewn cysylltiad â gwariant yr eir iddo wrth gyflawni swyddogaethau'r Comisiynydd.

Adroddiadau blynyddol

- 17 (1) Rhaid i'r Comisiynydd lunio adroddiad mewn perthynas â phob blwyddyn ariannol ("adroddiad blynyddol").
- (2) Blwyddyn ariannol gyntaf y Comisiynydd yw'r cyfnod sy'n dechrau ar y diwrnod y gwneir y penodiad cyntaf i swydd y Comisiynydd o dan adran 17 ac sy'n dod i ben ar y 31 Mawrth canlynol.
- (3) Rhaid i adroddiad blynyddol gynnwys –
- (a) crynodeb o'r camau a gymerwyd wrth arfer swyddogaethau'r Comisiynydd yn y flwyddyn ariannol honno;
 - (b) dadansoddiad o effeithiolrwydd y camau hynny o ran galluogi gwireddu dyletswydd gyffredinol y Comisiynydd (gweler adran 18);
 - (c) crynodeb o raglen waith y Comisiynydd ar gyfer y flwyddyn ariannol honno;
 - (d) cynigion y Comisiynydd ar gyfer rhaglen waith ar gyfer y flwyddyn ariannol ganlynol;
 - (e) crynodeb o'r cwynion a wnaed yn unol â'r weithdrefn a sefydlwyd o dan baragraff 12.
- (4) Caiff adroddiad blynyddol gynnwys –
- (a) asesiad y Comisiynydd o'r gwelliannau y dylai cyrff cyhoeddus eu gwneud er mwyn cyflawni eu hamcanion llesiant yn unol â'r egwyddor datblygu cynaliadwy;
 - (b) unrhyw wybodaeth arall y mae'r Comisiynydd yn ei hystyried yn briodol.
- (5) Wrth baratoi adroddiad blynyddol, rhaid i'r Comisiynydd ymgynghori â –
- (a) y panel cynghori, a
 - (b) unrhyw berson arall y mae'r Comisiynydd yn ei ystyried yn briodol.
- (6) Rhaid i'r Comisiynydd gyhoeddi'r adroddiad blynyddol heb fod yn hwyrach na 31 Awst yn y flwyddyn ariannol ganlynol.
- (7) Rhaid i'r Comisiynydd anfon copi o bob adroddiad blynyddol at Weinidogion Cymru.
- (8) Rhaid i Weinidogion Cymru osod copi o bob adroddiad blynyddol a anfonir atynt gerbron y Cynulliad Cenedlaethol.

- (2) If that prevents the Commissioner from exercising a function, the Commissioner must delegate that function (so far as necessary to enable it to be exercised) to a member of the Commissioner's staff.
- (3) This paragraph applies to the Deputy Commissioner exercising a function of the Commissioner under paragraph 11 as it applies to the Commissioner.

Payments by the Welsh Ministers

- 16 The Welsh Ministers may pay the Commissioner such amounts, at such times and on such conditions (if any), as they think appropriate in respect of expenditure incurred in carrying out the functions of Commissioner.

Annual reports

- 17 (1) The Commissioner must produce a report in relation to each financial year (an "annual report").
- (2) The Commissioner's first financial year is the period beginning on the day the first appointment to the office of Commissioner is made under section 17 and ending on the following 31 March.
- (3) An annual report must include –
- (a) a summary of the action taken in that financial year in the exercise of the Commissioner's functions;
 - (b) an analysis of the effectiveness of that action in enabling the general duty of the Commissioner to be fulfilled (see section 18);
 - (c) a summary of the Commissioner's work programme for that financial year;
 - (d) the Commissioner's proposals for a work programme for the following financial year;
 - (e) a summary of the complaints made in accordance with the procedure established under paragraph 12.
- (4) An annual report may include –
- (a) the Commissioner's assessment of the improvements that public bodies should make in order to meet their well-being objectives in accordance with the sustainable development principle;
 - (b) any other information the Commissioner considers appropriate.
- (5) In preparing an annual report, the Commissioner must consult –
- (a) the advisory panel, and
 - (b) any other person the Commissioner considers appropriate.
- (6) The Commissioner must publish the annual report no later than 31 August in the following financial year.
- (7) The Commissioner must send a copy of each annual report to the Welsh Ministers.
- (8) The Welsh Ministers must lay a copy of each annual report sent to them before the National Assembly.

Swyddog cyfrifyddu

- 18 (1) Y Comisiynydd yw'r swyddog cyfrifyddu ar gyfer swyddfa'r Comisiynydd.
- (2) Mae gan y swyddog cyfrifyddu, o ran cyfrifon a chyllid y Comisiynydd, y cyfrifoldebau a bennir o bryd i'w gilydd gan y Trysorlys.
- (3) Yn y paragraff hwn mae cyfeiriadau at gyfrifoldebau yn cynnwys—
- cyfrifoldebau mewn perthynas â llofnodi cyfrifon;
 - cyfrifoldebau am briodoldeb a rheoleidd-dra cyllid y Comisiynydd;
 - cyfrifoldeb am ddarbodaeth, effeithlonrwydd ac effeithiolrwydd wrth ddefnyddio adnoddau'r Comisiynydd.
- (4) Mae'r cyfrifoldebau y caniateir eu pennu o dan y paragraff hwn yn cynnwys cyfrifoldebau sy'n ddyledus i'r canlynol—
- y Cynulliad Cenedlaethol, Gweinidogion Cymru neu Bwyllgor Cyfrifon Cyhoeddus y Cynulliad Cenedlaethol;
 - Tŷ'r Cyffredin neu Bwyllgor Cyfrifon Cyhoeddus y Tŷ hwnnw.
- (5) Os gofynnir iddo wneud hynny gan Bwyllgor Cyfrifon Cyhoeddus Tŷ'r Cyffredin ("Pwyllgor Tŷ'r Cyffredin"), caiff Pwyllgor Cyfrifon Cyhoeddus y Cynulliad Cenedlaethol—
- cymryd tystiolaeth gan y swyddog cyfrifyddu ar ran Pwyllgor Tŷ'r Cyffredin,
 - cyflwyno adroddiad i Bwyllgor Tŷ'r Cyffredin ar y dystiolaeth a gymerwyd, ac
 - trosglwyddo'r dystiolaeth a gymerwyd i Bwyllgor Tŷ'r Cyffredin.
- (6) Mae adran 13 o Ddeddf Archwilio Cenedlaethol 1983 (p.44) (dehongli cyfeiriadau at Bwyllgor Cyfrifon Cyhoeddus Tŷ'r Cyffredin) yn gymwys at ddibenion y paragraff hwn yn yr un modd ag y mae'n gymwys at ddibenion y Ddeddf honno.

Amcangyfrifon

- 19 (1) Ar gyfer pob blwyddyn ariannol ac eithrio'r un gyntaf, rhaid i'r Comisiynydd lunio amcangyfrif o incwm a gwariant y Comisiynydd a'i staff.
- (2) Rhaid i'r Comisiynydd gyflwyno'r amcangyfrif i Weinidogion Cymru o leiaf bum mis cyn dechrau'r flwyddyn ariannol y mae'n ymwneud â hi.
- (3) Rhaid i Weinidogion Cymru archwilio amcangyfrif a gyflwynir iddynt yn unol â'r paragraff hwn ac yna rhaid iddynt osod yr amcangyfrif gerbron y Cynulliad Cenedlaethol gydag unrhyw addasiadau sy'n briodol yn eu tyb hwy.

Cyfrifon

- 20 (1) Rhaid i'r Comisiynydd—
- cadw cofnodion cyfrifyddu priodol;
 - llunio cyfrifon mewn cysylltiad â phob blwyddyn ariannol yn unol â chyfarwyddydau a roddir, gyda chydysniad y Trysorlys, gan Weinidogion Cymru.

Accounting officer

- 18 (1) The Commissioner is the accounting officer for the office of the Commissioner.
- (2) The accounting officer has, in relation to the accounts and the finances of the Commissioner, the responsibilities that are from time to time specified by the Treasury.
- (3) In this paragraph references to responsibilities include –
- (a) responsibilities in relation to the signing of accounts;
 - (b) responsibilities for the propriety and regularity of the finances of the Commissioner;
 - (c) responsibilities for the economy, efficiency and effectiveness with which the resources of the Commissioner are used.
- (4) The responsibilities that may be specified under this paragraph include responsibilities owed to –
- (a) the National Assembly, the Welsh Ministers or the Public Accounts Committee of the National Assembly;
 - (b) the House of Commons or the Committee of Public Accounts of that House.
- (5) If requested to do so by the Committee of Public Accounts of the House of Commons (“the Commons Committee”), the Public Accounts Committee of the National Assembly may –
- (a) take evidence on behalf of the Commons Committee from the accounting officer,
 - (b) report to the Commons Committee on the evidence taken, and
 - (c) transmit to the Commons Committee the evidence taken.
- (6) Section 13 of the National Audit Act 1983 (c.44) (interpretation of references to the House of Commons Committee of Public Accounts) applies for the purposes of this paragraph as it applies for the purposes of that Act.

Estimates

- 19 (1) For each financial year other than the first, the Commissioner must prepare an estimate of the income and expenses of the Commissioner and the Commissioner’s staff.
- (2) The Commissioner must submit the estimate to the Welsh Ministers at least five months before the beginning of the financial year to which it relates.
- (3) The Welsh Ministers must examine an estimate submitted to them in accordance with this paragraph and must then lay the estimate before the National Assembly with any modifications they think appropriate.

Accounts

- 20 (1) The Commissioner must –
- (a) keep proper accounting records;
 - (b) prepare accounts in respect of each financial year in accordance with directions given, with the consent of the Treasury, by the Welsh Ministers.

- (2) Mae'r cyfarwyddydau y caiff Gweinidogion Cymru eu rhoi o dan y paragraff hwn yn cynnwys cyfarwyddydau o ran –
- (a) yr wybodaeth sydd i'w chynnwys yn y cyfrifon a'r modd y mae'r cyfrifon i gael eu cyflwyno;
 - (b) y dulliau a'r egwyddorion y mae'r cyfrifon i gael eu llunio yn unol â hwy;
 - (c) unrhyw wybodaeth ychwanegol sydd i fynd gyda'r cyfrifon.
- (3) Caiff Gweinidogion Cymru amrywio neu ddirymu cyfarwyddyd y maent wedi ei roi o dan y paragraff hwn.

Archwilio

- 21 (1) Rhaid i'r Comisiynydd gyflwyno'r cyfrifon a luniwyd ar gyfer blwyddyn ariannol i Archwilydd Cyffredinol Cymru heb fod yn hwyrach na 31 Awst yn y flwyddyn ariannol ganlynol.
- (2) Rhaid i'r Archwilydd Cyffredinol –
- (a) archwilio ac ardystio pob set o gyfrifon a gyflwynir o dan y paragraff hwn, ac adrodd arnynt, a
 - (b) heb fod yn hwyrach na phedwar mis ar ôl i'r cyfrifon gael eu cyflwyno, osod copi ohonynt gerbron y Cynulliad Cenedlaethol fel y cawsant eu hardystio ganddo, ynghyd â'i adroddiad arnynt.
- (3) Wrth archwilio cyfrifon a gyflwynir o dan y paragraff hwn, ni chaiff yr Archwilydd Cyffredinol ardystio'r cyfrifon cyn bodloni ei hun yr aethpwyd i'r gwariant y mae'r cyfrifon yn ymwneud ag ef yn gyfreithiol ac yn unol â'r awdurdod sy'n ei lywodraethu.

Archwilio'r defnydd o adnoddau

- 22 (1) Caiff Archwilydd Cyffredinol Cymru archwilio darbodaeth, effeithlonrwydd ac effeithiolrwydd y defnydd a wnaed o adnoddau wrth gyflawni swyddogaethau'r Comisiynydd.
- (2) Ond nid oes gan yr Archwilydd Cyffredinol yr hawl i gwestiynu teilyngdod amcanion polisi'r Comisiynydd.
- (3) Cyn cynnal archwiliad o dan y paragraff hwn, rhaid i'r Archwilydd Cyffredinol –
- (a) ymgynghori â Phwyllgor Cyfrifon Cyhoeddus y Cynulliad Cenedlaethol, a
 - (b) ystyried barn y Pwyllgor o ran a ddylid cynnal archwiliad ai peidio.
- (4) Rhaid i Archwilydd Cyffredinol –
- (a) cyn gynted ag sy'n rhesymol ymarferol, gyhoeddi adroddiad ar ganlyniadau archwiliad a gyflawnir dan y paragraff hwn, a
 - (b) gosod copi gerbron y Cynulliad Cenedlaethol.

Y sêl a dilysrwydd dogfennau

- 23 (1) Caniateir i'r Comisiynydd gael sêl.

- (2) The directions that the Welsh Ministers may give under this paragraph include directions as to—
 - (a) the information to be contained in the accounts and the manner in which the accounts are to be presented;
 - (b) the methods and principles in accordance with which the accounts are to be prepared;
 - (c) any additional information that is to accompany the accounts.
- (3) The Welsh Ministers may vary or revoke a direction they have given under this paragraph.

Audit

- 21 (1) The Commissioner must submit the accounts prepared for a financial year to the Auditor General for Wales no later than 31 August in the following financial year.
- (2) The Auditor General must—
 - (a) examine, certify and report on accounts submitted under this paragraph, and
 - (b) no later than four months after the accounts are submitted, lay a copy of the certified accounts and the report on them before the National Assembly.
- (3) In examining accounts submitted under this paragraph, the Auditor General must not certify the accounts unless satisfied that the expenditure to which the accounts relate has been incurred lawfully and in accordance with the authority that governs it.

Examinations into the use of resources

- 22 (1) The Auditor General for Wales may carry out examinations into the economy, efficiency and effectiveness with which resources have been used in discharging the Commissioner's functions.
- (2) But the Auditor General is not entitled to question the merits of the policy objectives of the Commissioner.
- (3) Before carrying out an examination under this paragraph, the Auditor General must—
 - (a) consult the Public Accounts Committee of the National Assembly, and
 - (b) take into account the views of the Committee as to whether or not an examination should be carried out.
- (4) The Auditor General must—
 - (a) as soon as is reasonably practicable, publish a report of the results of an examination carried out under this paragraph, and
 - (b) lay a copy of the report before the National Assembly.

Seal and validity of documents

- 23 (1) The Commissioner may have a seal.

(2) Mae dogfen—

(a) yr honnir ei bod wedi ei chyflawni'n briodol o dan sêl y Comisiynydd, neu

(b) yr honnir ei bod wedi ei llofnodi gan neu ar ran y Comisiynydd,

i gael ei derbyn yn dystiolaeth ac, oni phrofir i'r gwrthwyneb, rhaid cymryd ei bod wedi ei chyflawni neu wedi ei llofnodi felly.

(2) A document purporting to be –

(a) duly executed under the seal of the Commissioner, or

(b) signed by or on behalf of the Commissioner,

is to be received in evidence and, unless the contrary is proved, taken to be so executed or signed.

ATODLEN 3
(cyflwynwyd gan adran 34)

BYRDDAU GWASANAETHAU CYHOEDDUS: DARPARIAETH BELLACH

Cworwm

- 1 Cworwm bwrdd gwasanaethau cyhoeddus yw pob un o'i aelodau.

Cyfarfod cyntaf

- 2 (1) Rhaid i fwrdd gwasanaethau cyhoeddus gynnal cyfarfod heb fod yn hwyrach na 60 diwrnod ar ôl y dyddiad y sefydlwyd y bwrdd.
(2) Rhaid i awdurdod lleol gadeirio cyfarfod cyntaf bwrdd.

Cyfarfodydd gorfodol

- 3 (1) Rhaid i fwrdd gwasanaethau cyhoeddus gynnal cyfarfod heb fod yn hwyrach na 60 diwrnod ar ôl dyddiad pob etholiad cyffredin a gynhelir o dan adran 26 o Ddeddf Llywodraeth Leol 1972 (p.70) (ethol cynghorwyr).
(2) Rhaid i awdurdod lleol gadeirio cyfarfod a gynhelir o dan is-baragraff (1).

Cylch gorchwyl

- 4 (1) Yn y cyfarfod cyntaf, rhaid i fwrdd gwasanaethau cyhoeddus gytuno ar ei gylch gorchwyl.
(2) Rhaid i'r cylch gorchwyl gynnwys—
- (a) y weithdrefn i'w dilyn mewn cyfarfodydd dilynol i'r graddau nad yw wedi ei phennu yn y Ddeddf hon;
 - (b) amserlen arfaethedig ar gyfer cyfarfodydd dilynol;
 - (c) y weithdrefn ar gyfer gwahodd personau i gyfranogi o dan adran 30 i'r graddau nad yw wedi ei phennu yn y Ddeddf hon;
 - (d) cynigion mewn perthynas â'r ffordd y mae'r bwrdd yn bwriadu cynnwys cyfranogwyr gwadd a'i bartneriaid eraill;
 - (e) cynigion ar gyfer cynnwys personau sydd, ym marn y bwrdd, â diddordeb mewn gwella llesiant economaidd, cymdeithasol, amgylcheddol a diwylliannol yr ardal (yn ogystal ag ymgynghori â phersonau o'r fath yn unol ag adrannau 38(1)(k) a 43(1)(k));
 - (f) cynigion ar gyfer sefydlu un is-grŵp neu fwy gan gynnwys manylion y swyddogaethau i'w harfer gan unrhyw is-grŵp ar ran y bwrdd (ond gweler paragraff 6);
 - (g) y weithdrefn ar gyfer datrys anghytuno rhwng aelodau mewn perthynas ag arfer swyddogaethau'r bwrdd;
 - (h) unrhyw delerau eraill mewn perthynas â gweithrediad y bwrdd sy'n briodol yn nhyb yr aelodau.

SCHEDULE 3
(as introduced by section 34)

PUBLIC SERVICES BOARDS: FURTHER PROVISION

Quorum

- 1 The quorum of a public services board meeting is all of its members.

First meeting

- 2 (1) A public services board must hold a meeting no later than 60 days after the date on which the board is established.
(2) The local authority must chair the first meeting of a board.

Mandatory meetings

- 3 (1) A public services board must hold a meeting no later than 60 days after the date of each ordinary election held under section 26 of the Local Government Act 1972 (c.70) (election of councillors).
(2) The local authority must chair a meeting held under sub-paragraph (1).

Terms of reference

- 4 (1) At the first meeting, a public services board must agree its terms of reference.
(2) The terms of reference must include –
(a) the procedure to be followed at subsequent meetings insofar as not specified in this Act;
(b) the proposed schedule of subsequent meetings;
(c) the procedure for inviting persons to participate under section 30 insofar as not specified in this Act;
(d) proposals relating to the manner in which the board intends to involve invited participants and its other partners;
(e) proposals for involving persons who, in the opinion of the board, are interested in the improvement of the area's economic, social, environmental and cultural well-being (in addition to consulting such persons in accordance with sections 38(1)(k) and 43(1)(k));
(f) proposals for the establishment of one or more sub-groups including details of the functions to be exercised by any sub-group on behalf of the board (but see paragraph 6);
(g) the procedure for resolving a disagreement between members relating to the exercise of the board's functions;
(h) any other terms relating to the operation of the board that the members consider appropriate.

- (3) O ran bwrdd gwasanaethau cyhoeddus –
 - (a) rhaid iddo adolygu ei gylch gorchwyl ym mhob cyfarfod a gynhelir o dan baragraff 3(1), a
 - (b) caiff ei adolygu mewn unrhyw gyfarfod arall.
- (4) Yn dilyn adolygiad, caiff bwrdd gwasanaethau cyhoeddus ddiwygio ei gylch gorchwyl.

Cymorth gweinyddol

- 5 Rhaid i'r awdurdod lleol beri bod cymorth gweinyddol ar gael i'r bwrdd gwasanaethau cyhoeddus.

Is-grwpiau a dirprwyo

- 6 (1) O ran is-grŵp o fwrdd gwasanaethau cyhoeddus –
 - (a) rhaid iddo gynnwys o leiaf un aelod o'r bwrdd, a
 - (b) caiff gynnwys unrhyw gyfranogwr a wahoddir neu bartner arall.
- (2) Caiff is-grŵp arfer unrhyw rai o swyddogaethau'r bwrdd ag y mae'r bwrdd yn ei awdurdodi yn ei gylch gorchwyl.
- (3) Ond ni chaiff y cylch gorchwyl hwnnw awdurdodi is-grŵp i –
 - (a) gwahodd personau i gyfranogi o dan adran 30;
 - (b) gosod, adolygu neu ddiwygio amcanion lleol y bwrdd;
 - (c) paratoi a chyhoeddi asesiad llesiant o dan adran 37;
 - (d) ymgynghori o dan adran 38 neu baratoi drafft o asesiad o dan adran 37 at ddiben ymgynghori;
 - (e) paratoi neu gyhoeddi cynllun llesiant lleol;
 - (f) ymgynghori o dan adran 43 neu paratoi drafft o gynllun llesiant lleol at ddiben ymgynghori;
 - (g) adolygu neu ddiwygio cynllun llesiant lleol neu gyhoeddi cynllun llesiant lleol diwygiedig;
 - (h) ymgynghori o dan adran 44;
 - (i) cytuno i'r bwrdd –
 - (i) uno â bwrdd gwasanaethau cyhoeddus arall o dan adran 47(1), neu
 - (ii) cydlafurio â bwrdd arall o dan adran 48(1).

Cynrychiolaeth mewn cyfarfodydd

- 7 (1) Rhaid i bob aelod o fwrdd gwasanaethau cyhoeddus gael ei gynrychioli mewn cyfarfod gan –
 - (a) yr unigolyn a bennir mewn perthynas â'r aelod hwnnw yn y Tabl canlynol, neu
 - (b) unrhyw unigolyn arall y mae'r unigolyn y cyfeirir ato ym mharagraff (a) yn ei ddynodi (ond ni chaiff maer etholedig neu arweinydd gweithredol awdurdod lleol ond ddynodi aelod arall o weithrediaeth yr awdurdod).

- (3) A public services board –
 - (a) must review its terms of reference at each meeting held under paragraph 3(1), and
 - (b) may review them at any other meeting.
- (4) Following a review, a public services board may amend its terms of reference.

Administrative support

- 5 The local authority must make administrative support available to the public services board.

Sub-groups and delegation

- 6 (1) A sub-group of a public services board –
- (a) must include at least one member of the board, and
 - (b) may include any invited participant or other partner.
- (2) A sub-group may exercise such of a board’s functions as the board authorises in its terms of reference.
- (3) But those terms of reference may not authorise a sub-group –
- (a) to invite persons to participate under section 30;
 - (b) to set, review or revise the board’s local objectives;
 - (c) to prepare or publish an assessment of well-being under section 37;
 - (d) to consult under section 38 or to prepare a draft of an assessment under section 37 for the purposes of consulting;
 - (e) to prepare or publish a local well-being plan;
 - (f) to consult under section 43 or to prepare a draft of a local well-being plan for the purposes of consulting;
 - (g) to review or amend a local well-being plan or to publish an amended local well-being plan;
 - (h) to consult under section 44;
 - (i) to agree that the board –
 - (i) merges with another public services board under section 47(1), or
 - (ii) collaborates with another board under section 48(1).

Representation at meetings

- 7 (1) Each member of a public services board must be represented at a meeting by –
- (a) the individual specified in relation to that member in the following Table, or
 - (b) such other individual as the individual referred to in paragraph (a) designates (but an elected mayor or executive leader of a local authority may only designate another member of the authority's executive).

TABL 2

Aelod	Cynrychiolydd
Awdurdod lleol	Maer etholedig yr awdurdod neu'r cynghorydd sydd wedi ei ethol fel arweinydd gweithredol yr awdurdod, a pennaeth gwasanaeth taledig yr awdurdod a ddynodir o dan adran 4 o Ddeddf Llywodraeth Leol a Thai 1989 (p.42).
Bwrdd Iechyd Lleol	Pa rai bynnag o'r canlynol y mae'r bwrdd yn eu dynodi— (a) y cadeirydd; (b) y prif swyddog; (c) y ddau.
Awdurdod tân ac achub yng Nghymru	Pa rai bynnag o'r canlynol y mae'r bwrdd yn eu dynodi— (a) y cadeirydd; (b) y prif swyddog; (c) y ddau.
Corff Adnoddau Naturiol Cymru	Y prif weithredwr

- (2) Mae i "maer etholedig" ac "arweinydd gweithredol" yr un ystyr ag a roddir i "elected mayor" ac "executive leader" yn Rhan 2 o Ddeddf Llywodraeth Leol 2000 (p.22).
- (3) Mae cyfranogwr gwadd i gael ei gynrychioli mewn cyfarfod o fwrdd gwasanaethau cyhoeddus gan yr unigolyn a ddynodir gan y cyfranogwr.
- (4) Caiff bwrdd gwasanaethau cyhoeddus wahodd unrhyw rai o'i bartneriaid eraill i fod yn bresennol mewn cyfarfod o'r bwrdd (neu unrhyw ran o gyfarfod o'r fath).
- (5) Mae partner arall o'r fath i gael ei gynrychioli yn y cyfarfod gan yr unigolyn a bennir gan y bwrdd gwasanaethau cyhoeddus yn y gwahoddiad.

TABLE 2

Member	Representative
Local authority	The elected mayor of the authority or the councillor elected as executive leader of the authority, and the head of the authority's paid service designated under section 4 of the Local Government and Housing Act 1989 (c.42).
Local Health Board	Whichever of the following the board designates – (a) the chairman; (b) the chief officer; (c) both.
Welsh fire and rescue authority	Whichever of the following the authority designates – (a) the chairman; (b) the chief officer; (c) both.
The Natural Resources Body for Wales	The chief executive

- (2) "Elected mayor" and "executive leader" each have the same meaning as in Part 2 of the Local Government Act 2000 (c.22).
- (3) An invited participant is to be represented at a meeting of a public services board by the individual designated by the participant.
- (4) A public services board may invite any of its other partners to attend a meeting of the board (or any part of such meeting).
- (5) Such other partner is to be represented at the meeting by the individual specified by the public services board in the invitation to the meeting.

ATODLEN 4
(*cyflwynwyd gan adran 46*)

BYRDDAU GWASANAETHAU CYHOEDDUS: DIWYGIADAU CANLYNIADOL A
DIDDYMU

Deddf Addysg 1997 (p.44)

- 1 Yn adran 38(2A)(b) o Ddeddf Addysg 1997, yn lle "sections 25 and 26" rhodder "section 25".

Deddf Llywodraeth Leol 2000 (p.22)

- 2 Mae Deddf Llywodraeth Leol 2000 wedi ei diwygio fel a ganlyn.
- 3 Yn adran 2 (hyrwyddo lles), yn is-adran (3B), yn lle'r geiriau sy'n dechrau â "community strategy" hyd at ddiwedd yr is-adran, rhodder "local well-being plan for its area published under section 39 or 44(5) of the Well-being of Future Generations (Wales) Act 2015 (anaw 2)."
- 4 Yn lle is-adran (3C) o'r adran honno, rhodder –
- “(3C) The local well-being plan for the area of a community council is the plan referred to in subsection (3B) that is published by the public services board that includes as a member the county council or county borough council in whose area lies the community or communities for which the community council is established.”.
- 5 Yn adran 21 (pwyllgorau trosolwg a chraffu), yn is-adran (4), ar y diwedd, mewnosoder "or Part 4 of the Well-being of Future Generations (Wales) Act 2015 (anaw 2)".
- 6 Yn adran 21B o'r Ddeddf honno (dyletswydd awdurdod i ymateb i'r pwyllgor trosolwg a chraffu), ar ôl is-adran (1) mewnosoder –
- “(1A) A report or recommendation to a public services board by virtue of section 35(1)(c) of the Well-being of Future Generations (Wales) Act 2015 (anaw 2) is not to be regarded for the purposes of this section as a report or recommendation to the local authority that is a member of the board.”.

Deddf Addysg 2002 (p.32)

- 7 Yn adran 21(9) o Ddeddf Addysg 2002 (cyfrifoldeb cyffredinol am weithrediad yr ysgol: diffiniad o "cynllun plant a phobl ifanc perthnasol"), yn lle paragraff (b) rhodder –
- “(b) in relation to a school in Wales, a local well-being plan published under section 39 or 44(5) of the Well-being of Future Generations (Wales) Act 2015 (anaw 2) by a public services board of which the local authority is a member.”.

Deddf Cynllunio a Phrynu Gorfodol 2004 (p.5)

- 8 Mae adran 62 o Ddeddf Cynllunio a Phrynu Gorfodol 2004 (cynllun datblygu lleol) wedi ei ddiwygio fel a ganlyn.

SCHEDULE 4
(as introduced by section 46)

PUBLIC SERVICES BOARDS: CONSEQUENTIAL AMENDMENTS AND REPEALS

Education Act 1997 (c.44)

- 1 In section 38(2A)(b) of the Education Act 1997, for the words “sections 25 and 26” substitute “section 25”.

Local Government Act 2000 (c.22)

- 2 The Local Government Act 2000 is amended as follows.
- 3 In section 2 (promotion of well-being), in subsection (3B), for the words from “community strategy” to the end of the subsection substitute “local well-being plan for its area published under section 39 or 44(5) of the Well-being of Future Generations (Wales) Act 2015 (anaw 2).”
- 4 For subsection (3C) of that section substitute—
- “(3C) The local well-being plan for the area of a community council is the plan referred to in subsection (3B) that is published by the public services board that includes as a member the county council or county borough council in whose area lies the community or communities for which the community council is established.”.
- 5 In section 21 (overview and scrutiny committees), in subsection (4), at the end insert “or Part 4 of the Well-being of Future Generations (Wales) Act 2015 (anaw 2)”.
- 6 In section 21B of that Act (duty of authority to respond to overview and scrutiny committee), after subsection (1) insert—
- “(1A) A report or recommendation to a public services board by virtue of section 35(1)(c) of the Well-being of Future Generations (Wales) Act 2015 (anaw 2) is not to be regarded for the purposes of this section as a report or recommendation to the local authority that is a member of the board.”.

Education Act 2002 (c.32)

- 7 In section 21(9) of the Education Act 2002 (general responsibility for conduct of school: definition of “relevant children and young person’s plan”), for paragraph (b) substitute—
- “(b) in relation to a school in Wales, a local well-being plan published under section 39 or 44(5) of the Well-being of Future Generations (Wales) Act 2015 (anaw 2) by a public services board of which the local authority is a member.”.

Planning and Compulsory Purchase Act 2004 (c.5)

- 8 Section 62 of the Planning and Compulsory Purchase Act 2004 (local development plan) is amended as follows.

9 Yn is-adran (5)(d), yn lle “community strategy” rhodder “local well-being plan”.

10 Yn lle is-adran (7) rhodder –

“(7) A local well-being plan is relevant if it has been published under section 39 or 44(5) of the Well-being of Future Generations (Wales) Act 2015 (anaw 2) by –

(a) in the case of an authority which is a county council or county borough council, the public services board of which that authority is a member;

(b) in the case of an authority which is a National Park Authority, the public services board for an area that includes any part of that authority’s area.”.

Deddf Plant 2004 (p.31)

11 Mae Deddf Plant 2004 wedi ei diwygio fel a ganlyn.

12 Yn adran 25 (cydweithredu i wella lles: Cymru), ar ôl is-adran (9) mewnosoder –

“(9A) Information about the arrangements a local authority in Wales makes under this section may be included in the local well-being plan published under section 39 or 44(5) of the Well-being of Future Generations (Wales) Act 2015 (anaw 2) by the public services board of which the local authority is a member.”.

13 Mae adran 26 (cynlluniau plant a phobl ifanc: Cymru) wedi ei diddymu.

14 Yn adran 27 –

(a) yn is-adran (1)(a), yn lle’r geiriau “sections 25 and 26” rhodder “section 25”;

(b) yn is-adran (1)(b), yn lle’r geiriau “those sections” rhodder “that section”;

(c) “Responsibility for functions under section 25” fydd pennawd yr adran.

15 Yn adran 30(2)(a) (archwilio swyddogaethau o dan Ran 3), mae’r geiriau “or 26” wedi eu diddymu.

16 Yn adran 50A(2)(c) (ymyriad - Cymru), mae’r geiriau “, 26” wedi eu diddymu.

17 Mae adran 66(7) (y weithdrefn ar gyfer rheoliadau o dan adran 26) wedi ei diddymu.

Deddf Llywodraeth Cymru 2006 (p.32)

18 Ym mharagraff 35(4) o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (gweithdrefnau’n ymwneud â phwerau penodol cyn cychwyn i wneud is-ddeddfwriaeth), yn Nhabl 2 mae’r eitemau sy’n ymwneud ag adran 26(2)(f) a (4) o Ddeddf Plant 2004 wedi eu diddymu.

Deddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006 (p.42)

19 Mae adran 40 o Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006 (strategaethau iechyd a llesiant yng Nghymru) wedi ei diddymu.

- 9 In subsection (5)(d), for “community strategy” substitute “local well-being plan”.
- 10 For subsection (7) substitute –
- “(7) A local well-being plan is relevant if it has been published under section 39 or 44(5) of the Well-being of Future Generations (Wales) Act 2015 (anaw 2) by –
- (a) in the case of an authority which is a county council or county borough council, the public services board of which that authority is a member;
 - (b) in the case of an authority which is a National Park Authority, the public services board for an area that includes any part of that authority’s area.”.

Children Act 2004 (c.31)

- 11 The Children Act 2004 is amended as follows.
- 12 In section 25 (co-operation to improve well-being: Wales), after subsection (9) insert –
- “(9A) Information about the arrangements a local authority in Wales makes under this section may be included in the local well-being plan published under section 39 or 44(5) of the Well-being of Future Generations (Wales) Act 2015 (anaw 2) by the public services board of which the local authority is a member.”.
- 13 Section 26 (children and young people’s plans: Wales) is repealed.
- 14 In section 27 –
- (a) in subsection (1)(a), for the words “sections 25 and 26” substitute “section 25”;
 - (b) in subsection (1)(b), for “those sections” substitute “that section”;
 - (c) the section heading becomes “Responsibility for functions under section 25”.
- 15 In section 30(2)(a) (inspection of functions under Part 3), the words “or 26” are repealed.
- 16 In section 50A(2)(c) (intervention - Wales), the words “, 26” are repealed.
- 17 Section 66(7) (procedure for regulations under section 26) is repealed.

Government of Wales Act 2006 (c.32)

- 18 In paragraph 35(4) of Schedule 11 to the Government of Wales Act 2006 (procedures relating to certain pre-commencement powers to make subordinate legislation), in Table 2 the entries relating to sections 26(2)(f) and (4) of the Children Act 2004 are repealed.

National Health Service (Wales) Act 2006 (c.42)

- 19 Section 40 of the National Health Service (Wales) Act 2006 (health and well-being strategies in Wales) is repealed.

Mesur Llywodraeth Leol (Cymru) 2009 (mccc 2)

- 20 Mae Mesur Llywodraeth Leol (Cymru) 2009 wedi ei ddiwygio fel a ganlyn.
- 21 Mae Rhan 2 (Strategaethau cymunedol a chynllunio cymunedol) wedi ei diddymu.
- 22 Mae adrannau 48(2)(b), 50(5)(c) a 51(3) wedi eu diddymu.
- 23 Mae Atodlen 3 wedi ei diddymu.

Mesur Plant a Theuluoedd (Cymru) 2010 (mccc 1)

- 24 Mae Mesur Plant a Theuluoedd (Cymru) 2010 wedi ei ddiwygio fel a ganlyn.
- 25 Yn adran 2(8), mae'r geiriau "ac adran 26 o Ddeddf Plant 2004 (p. 31)" wedi eu diddymu.
- 26 Yn adran 4 (strategaethau a lunnir gan awdurdodau lleol) –
- (a) yn is-adran (1), yn lle'r geiriau "fydd yr awdurdod yn cyhoeddi cynllun o dan adran 26 o Ddeddf Plant 2004 (p. 31)" rhodder "gaiff cynllun llesiant lleol ei gyhoeddi o dan adran 39 neu 44(5) o Ddeddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015 (dccc 2) gan y bwrdd gwasanaethau cyhoeddus y mae'r awdurdod yn aelod ohono, ond dim ond os yw strategaeth yr awdurdod yn yn rhan gyfannol o'r cynllun hwnnw"; a
 - (b) mae is-adrannau (2) a (3) wedi eu diddymu.
- 27 Yn adran 5 (strategaethau a lunnir gan awdurdodau Cymreig eraill) –
- (a) mae is-adran (4) wedi ei diddymu; a
 - (b) yn is-adran (5), yn lle'r geiriau sy'n dechrau â "gynllun" hyd at ddiwedd yr isadran, rhodder "gynllun llesiant lleol a gyhoeddir o dan adran 39 neu 44(5) o Ddeddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015 (dccc 2) gan bob bwrdd gwasanaethau cyhoeddus ar gyfer ardal awdurdod lleol y mae'r awdurdod Cymreig yn arfer swyddogaethau ynddi."

Mesur Iechyd Meddwl (Cymru) 2010 (mccc 7)

- 28 Mae Mesur Iechyd Meddwl (Cymru) 2010 wedi ei ddiwygio fel a ganlyn.
- 29 Yn adran 2 (Cynlluniau ar y cyd ar gyfer darparu gwasanaethau cymorth iechyd meddwl sylfaenol lleol), ar ôl is-adran (2) mewnosoder –
- “(2A) Caiff cynllun ei gofnodi drwy ei gynnwys o fewn cynllun llesiant lleol a gyhoeddir o dan adran 39 neu 44(5) o Ddeddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015 (dccc 2) gan fwrdd gwasanaethau cyhoeddus y mae pob un o'r partneriaid yn aelodau ohono.”.
- 30 Mae adran 11 (diwygio Ddeddf Plant 2004) wedi ei diddymu.

Mesur Llywodraeth Leol (Cymru) 2011 (mccc 4)

- 31 Mae adran 128 o Fesur Llywodraeth Leol (Cymru) 2011 (darpariaeth drosiannol mewn perthynas â phwerau cynghorau cymunedol i hyrwyddo llesiant) wedi ei diddymu.

Local Government (Wales) Measure 2009 (nawm 2)

- 20 The Local Government (Wales) Measure 2009 is amended as follows.
- 21 Part 2 (Community strategies and planning) is repealed.
- 22 Sections 48(2)(b), 50(5)(c) and 51(3) are repealed.
- 23 Schedule 3 is repealed.

Children and Families (Wales) Measure 2010 (nawm 1)

- 24 The Children and Families (Wales) Measure 2010 is amended as follows.
- 25 In section 2(8), the words “and section 26 of the Children Act 2004 (c. 31)” are repealed.
- 26 In section 4 (strategies prepared by local authorities) –
- (a) in subsection (1), for the words “by the authority of a plan under section 26 of the Children Act 2004 (c. 31)” substitute “of a local well-being plan under section 39 or 44(5) of the Well-being of Future Generations (Wales) Act 2015 (anaw 2) by the public services board of which the authority is a member, but only if the authority’s strategy is an integral part of that plan”; and
 - (b) subsections (2) and (3) are repealed.
- 27 In section 5 (strategies prepared by other Welsh authorities) –
- (a) subsection (4) is repealed; and
 - (b) in subsection (5), for the words from “plan” to the end of the subsection substitute “local well-being plan published under section 39 or 44(5) of the Well-being of Future Generations (Wales) Act 2015 (anaw 2) by each public services board for a local authority area in which the Welsh authority exercises functions.”.

Mental Health (Wales) Measure 2010 (nawm 7)

- 28 The Mental Health (Wales) Measure 2010 is amended as follows.
- 29 In section 2 (joint schemes for the provision of local primary mental health support services), after subsection (2) insert –
- “(2A) A scheme may be recorded by including it within a local well-being plan published under section 39 or 44(5) of the Well-being of Future Generations (Wales) Act 2015 (anaw 2) by a public services board of which each of the partners is a member.”.
- 30 Section 11 (amendment of the Children Act 2004) is repealed.

Local Government (Wales) Measure 2011 (nawm 4)

- 31 Section 128 of the Local Government Wales Measure 2011 (transitional provision relating to community councils’ powers to promote well-being) is repealed.

Deddf Archwilio Cyhoeddus (Cymru) 2013 (dccc 3)

32 Yn adran 23 o Ddeddf Archwilio Cyhoeddus (Cymru) 2013 (darpariaeth gyffredinol yn ymwneud â ffioedd), ar ôl is-adran (3)(c) mewnosoder –

“(ca) ymchwiliad o dan adran 15 o Ddeddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015 (dccc 2) (ymchwiliadau o gyrff cyhoeddus at ddibenion asesu i ba raddau y mae corff wedi gweithredu yn unol â'r egwyddor datblygu cynaliadwy);”.

Deddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 (dccc 4)

33 Yn adran 14 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 (asesu anghenion am ofal a chymorth, cymorth i ofalwyr a gwasanaethau ataliol), mae is-adrannau (3) a (4) wedi eu diddymu.

34 Ar ôl yr adran honno mewnosoder –

“14A Cynlluniau yn dilyn asesiadau o anghenion o dan adran 14

- (1) Yn yr adran hon, ystyr “corff perthnasol” yw awdurdod lleol neu Fwrdd Iechyd Lleol sydd wedi cynnal asesiad ar y cyd o dan adran 14(1).
- (2) Rhaid i bob corff perthnasol baratoi a chyhoeddi cynllun sy'n nodi –
 - (a) ystod a lefel y gwasanaethau y mae'r corff yn bwriadu eu darparu, neu drefnu i'w darparu, mewn ymateb i'r asesiad o anghenion o dan baragraffau (a) i (c) o adran 14(1);
 - (b) yn achos awdurdod lleol, ystod a lefel y gwasanaethau y mae'r awdurdod yn bwriadu eu darparu, neu drefnu i'w darparu, wrth geisio sicrhau'r dibenion yn adran 15(2) (gwasanaethau ataliol);
 - (c) yn achos Bwrdd Iechyd Lleol, unrhyw beth y mae'r Bwrdd yn bwriadu ei wneud mewn cysylltiad â'i ddyletswydd o dan adran 15(5) (Byrddau Iechyd Lleol i roi sylw i bwysigrwydd camau ataliol wrth arfer swyddogaethau);
 - (d) sut y mae'r gwasanaethau a nodir yn y cynllun i gael eu darparu, gan gynnwys y gweithredoedd y mae'r corff yn bwriadu eu cymryd i ddarparu, neu drefnu i ddarparu, y gwasanaethau drwy gyfrwng y Gymraeg;
 - (e) unrhyw weithredoedd eraill y mae'r corff yn bwriadu eu cymryd mewn ymateb i'r asesiad o dan adran 14(1);
 - (f) manylion unrhyw beth y mae'r corff yn bwriadu ei wneud mewn ymateb i'r asesiad ar y cyd â chorff perthnasol arall;
 - (g) yr adnoddau sydd i'w neilltuo wrth wneud y pethau a nodir yn y cynllun.

Public Audit (Wales) Act 2013 (anaw 3)

32 In section 23 of the Public Audit (Wales) Act 2013 (general provision about fees), after subsection (3)(c) insert –

“(ca) an examination under section 15 of the Well-being of Future Generations (Wales) Act 2015 (anaw 2) (examinations of public bodies for the purposes of assessing the extent to which a body has acted in accordance with the sustainable development principle);”.

Social Services and Well-being (Wales) Act 2014 (anaw 4)

33 In section 14 of the Social Services and Well-being (Wales) Act 2014 (assessment of needs for care and support, support for carers and preventative services) subsections (3) and (4) are repealed.

34 After that section insert –

“14A Plans following assessments of needs under section 14

- (1) In this section, “relevant body” means a local authority or Local Health Board which has carried out a joint assessment under section 14(1).
- (2) Each relevant body must prepare and publish a plan setting out –
 - (a) the range and level of services the body proposes to provide, or arrange to be provided, in response to the assessment of needs under paragraphs (a) to (c) of section 14(1);
 - (b) in the case of a local authority, the range and level of services the authority proposes to provide, or arrange to be provided, in seeking to achieve the purposes in section 15(2) (preventative services);
 - (c) in the case of a Local Health Board, anything the Board proposes to do in connection with its duty under section 15(5) (Local Health Boards to have regard to the importance of preventative action when exercising functions);
 - (d) how the services set out in the plan are to be provided, including the actions the body proposes to take to provide, or arrange to provide, the services through the medium of Welsh;
 - (e) any other action the body proposes to take in response to the assessment under section 14(1);
 - (f) the details of anything the body proposes to do in response to the assessment jointly with another relevant body;
 - (g) the resources to be deployed in doing the things set out in the plan.

- (3) Caniateir i gynllun corff perthnasol gael ei gyhoeddi drwy ei gynnwys o fewn cynllun llesiant lleol a gyhoeddir o dan adran 39 neu 44(5) o Ddeddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015 ("Deddf 2015") gan fwrdd gwasanaethau cyhoeddus y mae'r corff yn aelod ohono.
- (4) Caiff awdurdod lleol a Bwrdd Iechyd Lleol sydd wedi cynnal asesiad ar y cyd gyda'i gilydd o dan adran 14(1) baratoi a chyhoeddi cynllun ar y cyd o dan is-adran (2).
- (5) Caiff dau awdurdod lleol neu ragor baratoi a chyhoeddi cynllun ar y cyd o dan is-adran (2); ond ni chaniateir i gynllun ar y cyd o'r fath gael ei gyhoeddi drwy ei gynnwys o fewn cynllun llesiant lleol onid yw pob awdurdod lleol yn aelod o'r bwrdd gwasanaethau cyhoeddus (gweler adrannau 47 a 49 o Ddeddf 2015 (uno byrddau gwasanaethau cyhoeddus)).
- (6) Rhaid i gorff perthnasol gyflwyno'r canlynol i Weinidogion Cymru –
 - (a) unrhyw ran o gynllun a baratowyd ganddo o dan is-adran (2) sy'n ymwneud ag iechyd a llesiant gofalwyr;
 - (b) unrhyw ran arall o gynllun o'r fath y caniateir ei ragnodi drwy reoliadau.
- (7) Caiff rheoliadau wneud darpariaeth ynghylch cynlluniau a baratoir ac a gyhoeddir o dan is-adran (2), gan gynnwys darpariaeth –
 - (a) sy'n pennu pryd y mae cynllun i gael ei gyhoeddi;
 - (b) ynghylch adolygu cynllun;
 - (c) ynghylch ymgynghori â phersonau wrth baratoi neu adolygu cynllun;
 - (d) ynghylch monitro a gwerthuso gwasanaethau a gweithredoedd eraill a nodir mewn cynllun."

Deddf Trais yn erbyn Menywod, Cam-drin Domestig a Thrais Rhywiol (Cymru) 2015 (dccc x)

35 Yn adran 5 o Ddeddf Trais yn erbyn Menywod, Cam-drin Domestig a Thrais Rhywiol (Cymru) 2015 (cyhoeddi ac adolygu strategaethau lleol), ar ôl is-adran (5) mewnoder –

- "(5A) Caniateir cyhoeddi strategaeth leol neu strategaeth ddiwygiedig drwy ei chynnwys o fewn cynllun llesiant lleol a gyhoeddir o dan adran 39 neu 44(5) o Ddeddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015 (dccc 2) gan fwrdd gwasanaethau cyhoeddus y mae'r awdurdod lleol a'r Bwrdd Iechyd Lleol ill dau yn aelodau ohono."

- (3) A relevant body's plan may be published by including it within a local well-being plan published under section 39 or 44(5) of the Well-being of Future Generations (Wales) Act 2015 (the "2015 Act") by a public services board of which the body is a member.
- (4) A local authority and a Local Health Board who have carried out a joint assessment together under section 14(1) may jointly prepare and publish a plan under subsection (2).
- (5) Two or more local authorities may jointly prepare and publish a plan under subsection (2); but such a joint plan may be published by including it within a local well-being plan only if each local authority is a member of the public services board (see sections 47 and 49 of the 2015 Act (merging of public services boards)).
- (6) A relevant body must submit to the Welsh Ministers –
 - (a) any part of a plan it has prepared under subsection (2) which relates to the health and well-being of carers;
 - (b) any other part of such a plan as may be specified by regulations.
- (7) Regulations may make provision about plans prepared and published under subsection (2), including provision –
 - (a) specifying when a plan is to be published;
 - (b) about reviewing a plan;
 - (c) about consulting persons when preparing or reviewing a plan;
 - (d) about the monitoring and evaluation of services and other action set out in a plan."

Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 (anaw x)

35 In section 5 of the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 (publication and review of local strategies), after subsection (5) insert –

- "(5A) A local strategy or revised strategy may be published by including it within a local well-being plan published under section 39 or 44(5) of the Well-being of Future Generations (Wales) Act 2015 (anaw 2) by a public services board of which both the local authority and the Local Health Board is a member."

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