



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

**2001 Rhif 2276 (Cy.166)**

**2001 No. 2276 (W.166)**

**LLYWODRAETH LEOL,  
CYMRU**

**LOCAL GOVERNMENT,  
WALES**

**Gorchymyn Ymddygiad Aelodau  
(Egwyddorion) (Cymru) 2001**

**The Conduct of Members  
(Principles) (Wales) Order 2001**

**NODYN ESBONIADOL**

**EXPLANATORY NOTE**

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

*(This note does not form part of the Order)*

Mae Rhan III o Ddeddf Llywodraeth Leol 2000 ("y Ddeddf") yn sefydlu fframwaith moesegol newydd ar gyfer llywodraeth leol yng Nghymru.

Part III of the Local Government Act 2000 ("the Act") establishes a new ethical framework for local government in Wales.

Mae adran 49(2) o'r Ddeddf yn darparu y caiff Cynulliad Cenedlaethol Cymru, drwy orchymyn, bennu'r egwyddorion sydd i lywodraethu ymddygiad aelodau ac aelodau cyfetholedig awdurdodau perthnasol (a ddiffinnir yn Erthygl 2 o'r Gorchymyn hwn) yng Nghymru.

Section 49(2) of the Act provides that the National Assembly for Wales may by order specify the principles which are to govern the conduct of members and co-opted members of relevant authorities (defined in Article 2 of this Order) in Wales.

Mae awdurdodau o'r fath yn cynnwys (ymhlith eraill) cynghorau sir, cynghorau bwrdeistref sirol a chynghorau cymuned, ond nid ydynt yn cynnwys awdurdodau heddlu.

Such authorities include (amongst others) county councils, county borough councils and community councils, but do not include police authorities.

Mae'r Gorchymyn hwn yn pennu'r egwyddorion perthnasol.

This Order specifies the relevant principles.

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(Egwyddorion) (Cymru) 2001****The Conduct of Members  
(Principles) (Wales) Order 2001***Wedi'i wneud* 21 Mehefin 2001*Made* 21st June 2001*Yn dod i rym* 28 Gorffennaf 2001*Coming into force* 28 July 2001

Mae Cynulliad Cenedlaethol Cymru yn gwneud y Gorchymyn canlynol drwy arfer y pwerau a roddwyd iddo gan adrannau 49(2) a 105(1) o Ddeddf Llywodraeth Leol 2000(a).

The National Assembly for Wales makes the following Order in exercise of the powers conferred upon it by sections 49(2) and 105(1) of the Local Government Act 2000(a).

**Enwi, cychwyn a chymhwyso****Citation, commencement and application**

1.-(1) Enw'r Gorchymyn hwn yw Gorchymyn Ymddygiad Aelodau (Egwyddorion) (Cymru) 2001 a daw i rym ar 28 Gorffennaf 2001.

1.-(1) This Order may be cited as the Conduct of Members (Principles) (Wales) Order 2001 and shall come into force on 28 July 2001.

(2) Mae'r Gorchymyn hwn yn gymwys i bob awdurdod perthnasol yng Nghymru.

(2) This Order applies to each relevant authority in Wales.

**Dehongli****Interpretation****2. Yn y Gorchymyn hwn -****2. In this Order -**

mae "aelod" ("*member*") yn cynnwys aelod cyfetholedig;

"co-opted member" ("*aelod cyfetholedig*"), in relation to a relevant authority, means a person who is not a member of the authority but who-

ystyr "aelod cyfetholedig" ("*co-opted member*"), mewn perthynas ag awdurdod perthnasol, yw person nad yw'n aelod o'r awdurdod hwnnw ond sydd -

(a) is a member of any committee or sub-committee of the authority, or

(a) yn aelod o unrhyw un o bwyllgorau neu is-bwyllgorau'r awdurdod, neu

(b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority,

(b) yn aelod o unrhyw un o gyd-bwyllgorau neu o gyd-is-bwyllgorau'r awdurdod ac yn cynrychioli'r awdurdod arno,

and who is entitled to vote on any question which falls to be decided at any meeting of that committee or sub-committee;

ac y mae ganddo hawl i bleidleisio ar unrhyw gwestiwn sydd i'w benderfynu yn unrhyw un o gyfarfodydd y pwyllgor neu'r is-bwyllgor hwnnw; ac

"member" ("*aelod*") includes a co-opted member; and

ystyr "awdurdod perthnasol" ("*relevant authority*") yw -

"relevant authority" ("*awdurdod perthnasol*") means -

(a) cyngor sir,

(a) a county council,

(b) cyngor bwrdeistref sirol,

(b) a county borough council,

(c) cyngor cymuned,

(c) a community council,

- (ch) awdurdod tân a gyfansoddwyd gan gynllun cyfuno o dan Ddeddf y Gwasanaethau Tân 1947(a), a
- (d) awdurdod Parc Cenedlaethol a sefydlwyd o dan adran 63 o Ddeddf yr Amgylchedd 1995(b).

- (d) a fire authority constituted by a combination scheme under the Fire Services Act 1947(a), and
- (e) a National Park authority established under section 63 of the Environment Act 1995(b).

**Yr egwyddorion sy'n llywodraethu ymddygiad aelodau awdurdodau perthnasol**

3. Mae'r egwyddorion sydd i lywodraethu ymddygiad aelodau awdurdod perthnasol yng Nghymru wedi'u nodi yn yr Atodlen i'r Gorchymyn hwn.

**Principles governing conduct of members of relevant authorities**

3. The principles which are to govern the conduct of members of a relevant authority in Wales are set out in the Schedule to this Order.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(c).

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(c).

21 Mehefin 2001

21st June 2001

*D. Elis-Thomas*

Llywydd y Cynulliad Cenedlaethol

The Presiding Officer of the National Assembly

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(a) 1947 p.41.  
(b) 1995 p.25.  
(c) 1998 p.38.

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(a) 1947 c.41.  
(b) 1995 c.25.  
(c) 1998 c.38.

## ATODLEN

Erthygl 3

### YR EGWYDDORION

#### *Anhunanoldeb*

1. Rhaid i aelodau weithredu er lles y cyhoedd yn unig. Rhaid iddynt beidio byth â defnyddio'u safle fel aelodau er mantais amhriodol iddynt eu hunain neu er mantais neu anfantais amhriodol i eraill.

#### *Gonestrwydd*

2. Rhaid i aelodau ddatgan unrhyw fuddiannau preifat sy'n berthnasol i'w dyletswyddau cyhoeddus a chymryd camau i ddatrys unrhyw wrthdaro mewn modd sy'n diogelu buddiannau'r cyhoedd.

#### *Uniondeb a Gwedduster*

3. Rhaid i aelodau beidio â'u rhoi eu hunain mewn sefyllfa lle mae unrhyw rwymedigaeth ariannol neu rwymedigaeth arall tuag at unigolion neu gyrff a allai geisio dylanwadu arnynt wrth iddynt gyflawni eu dyletswyddau yn bwrw amheuaeth ar eu huniondeb. Rhaid i aelodau osgoi ymddygiad sy'n ymddangos felly bob adeg.

#### *Dyletswydd i Gynnal y Gyfraith*

4. Rhaid i aelodau weithredu i gynnal y gyfraith, a gweithredu bob amser yn unol â'r ymddiriedaeth y mae'r cyhoedd wedi'i rhoi iddynt.

#### *Stiwardiaeth*

5. Wrth gyflawni eu dyletswyddau a'u cyfrifoldebau rhaid i aelodau sicrhau bod adnoddau'r awdurdod yn cael eu defnyddio'n gyfreithlon ac yn ddoeth.

#### *Gwrthrychedd wrth wneud Penderfyniadau*

6. Wrth gyflawni eu cyfrifoldebau, gan gynnwys gwneud penodiadau, dyfarnu contractau, neu argymhell unigolion ar gyfer gwobrwyon a manteision, rhaid i aelodau wneud penderfyniadau ar sail rhagoriaeth. Er bod rhaid i aelodau roi sylw i gyngor proffesiynol swyddogion a gall fod yn briodol iddynt roi sylw i farn eraill, gan gynnwys eu grwpiau gwleidyddol, eu cyfrifoldeb hwy yw penderfynu pa safbwynt i'w arddel ac, os yw'n briodol, sut i bleidleisio ar unrhyw fater.

#### *Cydraddoldeb a Pharch*

7. Rhaid i aelodau gyflawni eu dyletswyddau a'u cyfrifoldebau gyda sylw dyladwy i'r angen i hybu cyfle cyfartal i bawb, ni waeth beth yw eu gender, eu hil, eu hanabledd, eu

## SCHEDULE

Article 3

### THE PRINCIPLES

#### *Selflessness*

1. Members must act solely in the public interest. They must never use their position as members to improperly confer advantage on themselves or to improperly confer advantage or disadvantage on others.

#### *Honesty*

2. Members must declare any private interests relevant to their public duties and take steps to resolve any conflict in a way that protects the public interest.

#### *Integrity and Propriety*

3. Members must not put themselves in a position where their integrity is called into question by any financial or other obligation to individuals or organisations that might seek to influence them in the performance of their duties. Members must on all occasions avoid the appearance of such behaviour.

#### *Duty to Uphold the Law*

4. Members must act to uphold the law and act on all occasions in accordance with the trust that the public has placed in them.

#### *Stewardship*

5. In discharging their duties and responsibilities members must ensure that their authority's resources are used both lawfully and prudently.

#### *Objectivity in Decision-making*

6. In carrying out their responsibilities including making appointments, awarding contracts, or recommending individuals for rewards and benefits, members must make decisions on merit. Whilst members must have regard to the professional advice of officers and may properly take account of the views of others, including their political groups, it is their responsibility to decide what view to take and, if appropriate, how to vote on any issue.

#### *Equality and Respect*

7. Members must carry out their duties and responsibilities with due regard to the need to promote equality of opportunity for all people, regardless of their gender, race, disability,

cyfeiriadedd rhywiol, eu hoed neu eu crefydd, a dangos parch ac ystyriaeth tuag at eraill.

*Bod yn Agored*

8. Rhaid i aelodau fod mor agored â phosibl ynghylch eu holl weithredoedd a gweithredoedd eu hawdurdod. Rhaid iddynt geisio sicrhau bod datgeliadau gwybodaeth yn cael eu cyfyngu yn unol â'r gyfraith yn unig.

*Atebolrwydd*

9. Mae'r aelodau'n atebol i'r etholwyr ac i'r cyhoedd yn gyffredinol am eu gweithredoedd ac am sut y maent yn cyflawni eu cyfrifoldebau fel aelod. Rhaid iddynt fod yn barod i ildio i unrhyw archwiliadau sy'n briodol ar gyfer eu cyfrifoldebau.

*Rhoi Arweiniad*

10. Rhaid i aelodau hybu a chefnogi'r egwyddorion hyn drwy roi arweiniad ac esiampl fel y byddant yn hybu hyder cyhoeddus yn eu rôl ac yn yr awdurdod. Rhaid iddynt barchu didueddwch ac uniondeb swyddogion statudol yr awdurdod a chyflogeion eraill yr awdurdod.

sexual orientation, age or religion, and show respect and consideration for others.

*Openness*

8. Members must be as open as possible about all their actions and those of their authority. They must seek to ensure that disclosure of information is restricted only in accordance with the law.

*Accountability*

9. Members are accountable to the electorate and the public generally for their actions and for the way they carry out their responsibilities as a member. They must be prepared to submit themselves to such scrutiny as is appropriate to their responsibilities.

*Leadership*

10. Members must promote and support these principles by leadership and example so as to promote public confidence in their role and in the authority. They must respect the impartiality and integrity of the authority's statutory officers and its other employees.

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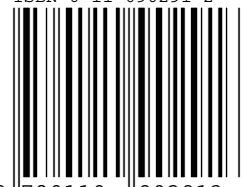
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