



OFFERYNNAU STATUDOL  
CYMRU

2021 Rhif 231 (Cy. 57) (C. 6)

LLYWODRAETH LEOL,  
CYMRU

Gorchymyn Deddf Llywodraeth  
Leol ac Etholiadau (Cymru) 2021  
(Cychwyn Rhif 1 a Darpariaeth  
Arbed) 2021

NODYN ESBONIADOL

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

Hwn yw'r gorchymyn cychwyn cyntaf a wnaed gan  
Weinidogion Cymru o dan Ddeddf Llywodraeth Leol  
ac Etholiadau (Cymru) 2021 ("y Ddeddf").

Mae erthygl 2 o'r Gorchymyn hwn yn dwyn y  
darpariaethau a ganlyn o'r Ddeddf i rym drannoeth y  
diwrnod y gwneir y Gorchymyn—

- (a) adran 28 (pŵer cymhwysedd cyffredinol:  
pwerau i wneud darpariaeth atodol);
- (b) adran 30(3) (amod cymhwystra mewn  
perthynas â'r pŵer cymhwysedd cyffredinol  
ar gyfer cyngorau cymuned a phŵer  
Gweinidogion Cymru i wneud rheoliadau  
mewn perthynas â'r amod hwnnw);
- (c) adran 35 (pŵer i ddiwygio neu addasu Pennod  
2 o Ran 2 o'r Ddeddf);
- (d) adran 46(1)(b), (c) a (2)(b) (pwerau  
Gweinidogion Cymru i wneud rheoliadau  
mewn perthynas â darllediadau electronig o  
gyfarfodydd awdurdodau lleol penodol) i'r  
graddau y bo hynny'n angenrheidiol at ddiben  
gwneud rheoliadau;
- (e) adran 46(3), (4) ac (8) i (10) (pwerau  
Gweinidogion Cymru i wneud rheoliadau  
mewn perthynas â darllediadau electronig o  
gyfarfodydd awdurdodau lleol penodol);

WELSH STATUTORY  
INSTRUMENTS

2021 No. 231 (W. 57) (C. 6)

LOCAL GOVERNMENT,  
WALES

The Local Government and  
Elections (Wales) Act 2021  
(Commencement No. 1 and Saving  
Provision) Order 2021

EXPLANATORY NOTE

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

This is the first commencement order made by the  
Welsh Ministers under the Local Government and  
Elections (Wales) Act 2021 ("the Act").

Article 2 of this Order brings the following  
provisions of the Act into force on the day after the  
day on which the Order is made—

- (a) section 28 (general power of competence:  
powers to make supplementary provision);
- (b) section 30(3) (condition of eligibility in  
relation to general power of competence for  
community councils and the power of the  
Welsh Ministers to make regulations in  
relation to that condition);
- (c) section 35 (power to amend or modify  
Chapter 2 of Part 2 of the Act);
- (d) section 46(1)(b), (c) and (2)(b) (the powers of  
the Welsh Ministers to make regulations in  
relation to electronic broadcasts of meetings  
of certain local authorities) to the extent  
necessary for the purpose of making  
regulations;
- (e) section 46(3), (4) and (8) to (10) (the powers  
of the Welsh Ministers to make regulations in  
relation to electronic broadcasts of meetings  
of certain local authorities);

- (f) adran 47(8) (pŵer Gweinidogion Cymru i ddiwygio adran 47 o'r Ddeddf mewn perthynas â mynchyu cyfarfodydd awdurdod lleol);
- (g) adran 59 (cynnwys canllawiau o dan adran 38 o Ddeddf Llywodraeth Leol 2000 ("Deddf 2000"), a dyletswydd i roi sylw iddynt);
- (h) adran 161(1) (pennaeth gwasanaethau democraidd: diwygiadau i Fesur Llywodraeth Leol (Cymru) 2011 ("Mesur 2011")).

Mae erthygl 3 yn dwyn y darpariaethau a ganlyn o'r Ddeddf i rym ar 1 Ebrill 2021—

- (a) adran 163 (y Comisiwn Ffiniau a Democratiaeth Leol yn penodi ei brif weithredwr);
- (b) adran 164 (cyfarwyddydau o dan adran 48 o Ddeddf Llywodraeth Leol (Democratiaeth) (Cymru) 2013).

Mae erthygl 4 yn dwyn i rym ddarpariaethau sy'n ymwneud â'r pŵer cymhwysedd cyffredinol ar 1 Tachwedd 2021.

Mae erthygl 5 yn dwyn adran 52 (adroddiadau blynnyddol gan gyngorau cymuned) o'r Ddeddf i rym ar 1 Ebrill 2022.

Mae erthygl 6 yn dwyn y darpariaethau a ganlyn o'r Ddeddf i rym ar 5 Mai 2022—

- (a) adrannau 30 (i'r graddau nad yw eisoes mewn grym), 31 i 34, a 36 a 37 (pŵer cymhwysedd cyffredinol: cyngorau cymuned cymwys);
- (b) Pennod 2 o Ran 3 (cyfranogiad y cyhoedd pan fo prif gyngorau yn gwneud penderfyniadau);
- (c) adran 45 (dyletswydd ar brif gyngorau i gyhoeddi cyfansoddiad ac arweiniad i'r cyfansoddiad);
- (d) adran 46 (darllediadau electronig o gyfarfodydd awdurdodau lleol penodol) i'r graddau nad yw eisoes mewn grym;
- (e) adran 48 (cyfranogi yng nghyfarfodydd cynghorau cymuned);
- (f) adran 54 (prif weithredwyr);
- (g) adran 56 (diwygiadau i Fesur 2011 yn ymwneud ag ailystyried cydnabyddiaeth ariannol yn dilyn cyfarwyddyd gan Weinidogion Cymru);
- (h) adran 57 (penodi cynorthwywyr gweithrediaeth);
- (i) adran 58 (rhannu swydd: arweinyddion gweithrediaeth ac aelodau gweithrediaeth);

- (f) section 47(8) (the power of the Welsh Ministers to amend section 47 of the Act in relation to attendance at local authority meetings);
- (g) section 59 (content of, and duty to have regard to, guidance under section 38 of the Local Government Act 2000 ("the 2000 Act"));
- (h) section 161(1) (head of democratic services: amendments to the Local Government (Wales) Measure 2011 ("the 2011 Measure").

Article 3 brings the following provisions of the Act into force on 1 April 2021—

- (a) section 163 (appointment by Local Democracy and Boundary Commission of its chief executive);
- (b) section 164 (directions under section 48 of the Local Government (Democracy) (Wales) Act 2013).

Article 4 brings into force provisions relating to the general power of competence on 1 November 2021.

Article 5 brings section 52 (annual reports by community councils) of the Act into force on 1 April 2022.

Article 6 brings the following provisions of the Act into force on 5 May 2022—

- (a) sections 30 (to the extent not already in force), 31 to 34, and 36 and 37 (general power of competence: eligible community councils);
- (b) Chapter 2 of Part 3 (public participation in decision-making by principal councils);
- (c) section 45 (principal councils' duty to publish constitution and constitution guide);
- (d) section 46 (electronic broadcasts of meetings of certain local authorities) to the extent not already in force;
- (e) section 48 (participation at meetings of community councils);
- (f) section 54 (chief executives);
- (g) section 56 (amendments to the 2011 Measure relating to reconsideration of remuneration following direction by the Welsh Ministers);
- (h) section 57 (appointment of assistants to executive);
- (i) section 58 (job-sharing: executive leaders and executive members);

- (j) adran 62 (dyletswyddau ar arweinyddion grwpiau gwleidyddol mewn perthynas â safonau ymddygiad);
- (k) adran 63 (dyletswydd ar bwyllgor safonau i wneud adroddiad blynyddol);
- (l) adrannau 65 a 66 (pwylgorau trosolwg a chraffu);
- (m) adran 67 (cynlluniau hyfforddi cynghorau cymuned);
- (n) adran 161 (pennaeth gwasanaethau democraidd: diwygiadau pellach i Fesur 2011 a diwygiadau i Ddeddf Lleoliaeth 2011) i'r graddau nad yw eisoes mewn grym;
- (o) adran 162 (diddymu'r pŵer i gynnal pleidleisiau o ganlyniad i gyfarfod cymunedol);
- (p) Rhan 2 o Atodlen 3 (diwygiadau mewn perthynas â'r pŵer cymhwysedd cyffredinol: cynghorau cymuned cymwys);
- (q) Atodlen 5 (diwygiadau canlyniadol mewn perthynas â phrif weithredwyr);
- (r) Atodlen 6 (diwygiadau canlyniadol etc. mewn perthynas â chynorthwywyr gweithrediaethau awdurdodau lleol) ac eithrio paragraff 6(5);
- (s) Atodlen 7 (rhannu swyddi gan arweinyddion gweithrediaeth ac aelodau gweithrediaeth);
- (t) Atodlen 13 (diddymu'r pŵer i gynnal pleidleisiau o ganlyniad i gyfarfodydd cymunedol o dan Ddeddf Llywodraeth Leol 1972).
- (j) section 62 (duties of leaders of political groups in relation to standards of conduct);
- (k) section 63 (duty of standards committee to make annual report);
- (l) sections 65 and 66 (overview and scrutiny committees);
- (m) section 67 (community council training plans);
- (n) section 161 (head of democratic services: further amendments to the 2011 Measure and amendments to the Localism Act 2011) to the extent not already in force;
- (o) section 162 (abolition of polls consequent on a community meeting);
- (p) Part 2 of Schedule 3 (amendments relating to the general power of competence: eligible community councils);
- (q) Schedule 5 (consequential amendments relating to chief executives);
- (r) Schedule 6 (consequential amendments etc. relating to assistants to local authority executives) other than paragraph 6(5);
- (s) Schedule 7 (job-sharing by executive leaders and executive members);
- (t) Schedule 13 (abolition of polls consequent on community meetings under the Local Government Act 1972).

Mae erthygl 7 yn arbed adrannau 2 a 3 o Ddeddf 2000 mewn perthynas ag unrhyw beth a wneir gan gyngor cymuned cyn 5 Mai 2022 yn unol â'i bŵer yn adran 2 o'r Ddeddf honno hyd nes y bo'r peth hwnnw wedi ei gwblhau neu'r cyngor cymuned wedi penderfynu dod yn gyngor cymuned cymwys o dan adran 30(1) o'r Ddeddf.

Article 7 saves sections 2 and 3 of the 2000 Act in relation to anything done by a community council before 5 May 2022 in pursuance of their power in section 2 of that Act until that thing has been completed or the community council has resolved to become an eligible community council under section 30(1) of the Act.

**2021 Rhif 231 (Cy. 57) (C. 6)**

**LLYWODRAETH LEOL,  
CYMRU**

Gorchymyn Deddf Llywodraeth  
Leol ac Etholiadau (Cymru) 2021  
(Cychwyn Rhif 1 a Darpariaeth  
Arbed) 2021

*Gwnaed*

*3 Mawrth 2021*

Mae Gweinidogion Cymru yn gwneud y Gorchymyn a ganlyn drwy arfer y pŵer a roddir iddynt gan adran 175(7) ac (8) o Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021(1).

**Enw a dehongli**

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Deddf Llywodraeth Leol ac Etholiadau (Cymru) 2021 (Cychwyn Rhif 1 a Darpariaeth Arbed) 2021.

- (2) Yn y Gorchymyn hwn—  
ystyr “Deddf 2000” (“*the 2000 Act*”) yw Deddf Llywodraeth Leol 2000(2);  
ystyr “y Ddeddf” (“*the Act*”) yw Deddf Llywodraeth Leol ac Etholiadau (Cymru) 2021.

**Y darpariaethau sy'n dod i rym drannoeth y diwrnod y gwneir y Gorchymyn hwn**

2. Daw'r darpariaethau a ganlyn o'r Ddeddf i rym drannoeth y diwrnod y gwneir y Gorchymyn hwn—

- (a) adran 28;
- (b) adran 30(3);
- (c) adran 35;

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**LOCAL GOVERNMENT,  
WALES**

The Local Government and  
Elections (Wales) Act 2021  
(Commencement No. 1 and Saving  
Provision) Order 2021

*Made*

*3 March 2021*

The Welsh Ministers make the following Order in exercise of the power conferred on them by section 175(7) and (8) of the Local Government and Elections (Wales) Act 2021(1).

**Title and interpretation**

1.—(1) The title of this Order is the Local Government and Elections (Wales) Act 2021 (Commencement No. 1 and Saving Provision) Order 2021.

- (2) In this Order—  
“the 2000 Act” (“*Deddf 2000*”) means the Local Government Act 2000(2);  
“the Act” (“*y Ddeddf*”) means the Local Government and Elections (Wales) Act 2021.

**Provisions coming into force on the day after the day on which this Order is made**

2. The following provisions of the Act come into force on the day after the day on which this Order is made—

- (a) section 28;
- (b) section 30(3);
- (c) section 35;

(1) 2021 dsc 1.

(2) 2000 p. 22.

(1) 2021 asc 1.

(2) 2000 c. 22.

- (d) adran 46(1)(b), (c) a (2)(b) i'r graddau y bo hynny'n angenrheidiol at ddiben gwneud rheoliadau;
- (e) adran 46(3), (4) ac (8) i (10);
- (f) adran 47(8);
- (g) adran 59;
- (h) adran 161(1).

#### **Y darpariaethau sy'n dod i rym ar 1 Ebrill 2021**

**3.** Daw'r darpariaethau a ganlyn o'r Ddeddf i rym ar 1 Ebrill 2021—

- (a) adran 163;
- (b) adran 164.

#### **Y darpariaethau sy'n dod i rym ar 1 Tachwedd 2021**

**4.** Daw'r darpariaethau a ganlyn o'r Ddeddf i rym ar 1 Tachwedd 2021—

- (a) adrannau 24 i 27;
- (b) adran 29;
- (c) Rhan 1 o Atodlen 3.

#### **Y ddarpariaeth sy'n dod i rym ar 1 Ebrill 2022**

**5.** Daw adran 52 o'r Ddeddf i rym ar 1 Ebrill 2022.

#### **Y darpariaethau sy'n dod i rym ar 5 Mai 2022**

**6.** Daw'r darpariaethau a ganlyn o'r Ddeddf i rym ar 5 Mai 2022—

- (a) adran 30 i'r graddau nad yw eisoes mewn grym;
- (b) adrannau 31 i 34;
- (c) adrannau 36 a 37;
- (d) Pennod 2 o Ran 3;
- (e) adran 45;
- (f) adran 46 i'r graddau nad yw eisoes mewn grym;
- (g) adran 48;
- (h) adran 54;
- (i) adran 56;
- (j) adran 57;
- (k) adran 58;
- (l) adran 62;
- (m) adran 63;
- (n) adrannau 65 a 66;
- (o) adran 67;

- (d) section 46(1)(b), (c) and (2)(b) to the extent necessary for the purpose of making regulations;
- (e) section 46(3), (4) and (8) to (10);
- (f) section 47(8);
- (g) section 59;
- (h) section 161(1).

#### **Provisions coming into force on 1 April 2021**

**3.** The following provisions of the Act come into force on 1 April 2021—

- (a) section 163;
- (b) section 164.

#### **Provisions coming into force on 1 November 2021**

**4.** The following provisions of the Act come into force on 1 November 2021—

- (a) sections 24 to 27;
- (b) section 29;
- (c) Part 1 of Schedule 3.

#### **Provision coming into force on 1 April 2022**

**5.** Section 52 of the Act comes into force on 1 April 2022.

#### **Provisions coming into force on 5 May 2022**

**6.** The following provisions of the Act come into force on 5 May 2022—

- (a) section 30 to the extent not already in force;
- (b) sections 31 to 34;
- (c) sections 36 and 37;
- (d) Chapter 2 of Part 3;
- (e) section 45;
- (f) section 46 to the extent not already in force;
- (g) section 48;
- (h) section 54;
- (i) section 56;
- (j) section 57;
- (k) section 58;
- (l) section 62;
- (m) section 63;
- (n) sections 65 and 66;
- (o) section 67;

- (p) adran 161 i'r graddau nad yw eisoes mewn grym;
- (q) adran 162;
- (r) Rhan 2 o Atodlen 3;
- (s) Atodlen 5;
- (t) Atodlen 6, ac eithrio paragraff 6(5);
- (u) Atodlen 7;
- (v) Atodlen 13.

### Darpariaeth arbed sy'n ymwneud â'r pŵer i hybu llesiant

7. Er bod erthygl 6 yn dod â Rhan 2 o Atodlen 3 i'r Ddeddf i rym, mae adrannau 2 a 3 o Ddeddf 2000 yn parhau i gael effaith mewn perthynas ag unrhyw beth a wneir gan gyngor cymuned cyn 5 Mai 2022 yn unol â'i bŵer yn adran 2 o Ddeddf 2000, hyd nes y bo—

- (a) y peth hwnnw wedi ei gwblhau; neu
- (b) y cyngor cymuned wedi penderfynu dod yn gyngor cymuned cymwys o dan adran 30(1) o'r Ddeddf.

- (p) section 161 to the extent not already in force;
- (q) section 162;
- (r) Part 2 of Schedule 3;
- (s) Schedule 5;
- (t) Schedule 6, other than paragraph 6(5);
- (u) Schedule 7;
- (v) Schedule 13.

### Saving provision relating to the power to promote well-being

7. Despite the coming into force of Part 2 of Schedule 3 to the Act by article 6, sections 2 and 3 of the 2000 Act continue to have effect in relation to anything done by a community council before 5 May 2022 in pursuance of their power in section 2 of the 2000 Act, until—

- (a) that thing has been completed; or
- (b) the community council has resolved to become an eligible community council under section 30(1) of the Act.

*Julie James*

Y Gweinidog Tai a Llywodraeth Leol, un o  
Weinidogion Cymru  
3 Mawrth 2021

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Minister for Housing and Local Government, one of  
the Welsh Ministers  
3 March 2021

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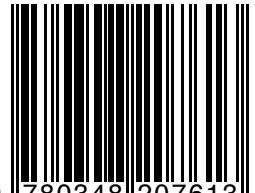
Printed and published in the UK by The Stationery Office Limited  
under the authority and superintendence of Jeff James,  
Controller of Her Majesty's Stationery Office and Queen's Printer of  
Acts of Parliament.



£6.90

<http://www.legislation.gov.uk/id/wsi/2021/231>

ISBN 978-0-348-20761-3

A standard linear barcode representing the ISBN 978-0-348-20761-3.

9 780348 207613