Local Government Act 2000	Deddf Llywodraeth Leol 2000
Model Code of Conduct for Members and Co-opted Members with voting rights	**Cod Ymddygiad Enghreifftiol ar gyfer Aelodau ac Aelodau Cyfetholedig â hawliau pleidleisio**
The attached Annex sets out the text (in English and Welsh) of the Model Code of Conduct prescribed by the Local Authorities (Model Code of Conduct) (Wales) Order 2008, as amended by the following statutory instruments: • Co-operative and Community Benefit Societies and Credit Unions Act 2010 (Consequential Amendments) Regulations 2014 – (No. 2014/1815) ("the 2014 Regulations") – effective from 1 August 2014. • Local Authorities (Model Code of Conduct) (Wales) (Amendment) Order 2008 (No. 2016/84) – effective from 1 April 2016. This document has been produced for the benefit of relevant authorities to whom the Model Code applies, but it does not itself have any legal standing. It is believed to be a true and accurate representation of the law as at **1 April 2016**, but no assurance is given in this regard and authorities should take their own legal advice on matters relating to the Code. Please note the 2014 Regulations were made by the UK Government. They amend the Model Code to insert a definition of a 'registered society'. It appears that the Welsh language version of the Model Code was not amended at the same time. The Welsh Government is in discussion with the UK Government about this with a view to the Welsh language version being amended as soon as practicable. In the interim, the Welsh Government does not believe this anomaly has a material bearing on the operation of the Model Code.	Mae'r Atodiad amgaeedig yn nodi testun (yn Gymraeg a Saesneg) y Cod Ymddygiad Enghreifftiol a bennir gan Orchymyn Awdurdodau Lleol (Cod Ymddygiad Enghreifftiol) (Cymru) 2008, fel y'i diwygiwyd gan yr offerynnau statudol canlynol: • Rheoliadau Deddf Cwmnïau Cydweithredol a Chymdeithasau Budd Cymunedol ac Undebau Credyd 2010 (Diwygiadau Canlyniadol) 2014 - (Rhif 2014/1815) ("Rheoliadau 2014") - yn dod i rym ar 1 Awst 2014. • Gorchymyn Awdurdodau Lleol (Cod Ymddygiad Enghreifftiol) (Cymru) (Diwygio) 2008 (Rhif 2016/84) – yn dod i rym ar 1 Ebrill 2016. Cynhyrchwyd y ddogfen hon er budd awdurdodau perthnasol y mae'r Cod Enghreifftiol yn gymwys iddynt, ond nid oes ganddi unrhyw statws cyfreithiol. Credir ei bod yn cynrychioli'r gyfraith ar **1 Ebrill 2016** yn wir ac yn gywir, ond ni roddir unrhyw sicrwydd yn hyn o beth, a dylai'r awdurdodau geisio eu cyngor cyfreithiol eu hunain ar faterion sy'n ymwneud â'r Cod. Sylwer: Gwnaed Rheoliadau 2014 gan Lywodraeth y DU. Maent yn diwygio'r Cod Enghreifftiol drwy fewnosodi diffiniad o 'cymdeithas gofrestredig'. Mae'n ymddangos na ddiwygiwyd fersiwn Gymraeg y Cod Enghreifftiol ar yr un pryd. Mae Llywodraeth Cymru wrthi'n trafod hyn â Llywodraeth y DU gyda'r bwriad o ddiwygio'r fersiwn Gymraeg cyn gynted ag y bo'n ymarferol. Yn y cyfamser, nid yw Llywodraeth Cymru yn credu bod yr anghysondeb hwn yn effeithio'n ymarferol ar weithredu'r Cod Enghreifftiol.

Annex

THE MODEL CODE OF CONDUCT

PART 1
INTERPRETATION

1.—(1) In this code —

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

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

(b) is a member of, and represents the authority on, any joint committee or joint sub-committee of theauthority,and who is entitled to vote on any question which falls to be decided at any meeting of that committee or subcommittee;

"meeting" ("*cyfarfod*") means any meeting —

(a) of the relevant authority,

(b) of any executive or board of the relevant authority,

(c) of any committee, sub-committee, joint committee or joint sub-committee of the relevant authority or ofany such committee, sub-committee, joint committee or joint sub-committee of any executive or board ofthe authority, or

(d) where members or officers of the relevant authority are present other than a meeting of a political groupconstituted in accordance with regulation 8 of the Local Government (Committees and Political Groups)Regulations 1990,

and includes circumstances in which a member of an executive or board or an officer acting alone exercises afunction of an authority;

"member" ("*aelod*") includes, unless the context requires otherwise, a co-opted member;

“registered society” means a society, other than a society registered as a credit union, which is—

(a) a registered society within the meaning given by section 1(1) of the Co-operative and Community Benefit Societies Act 2014; or

(b) a society registered or deemed to be registered under the Industrial and Provident Societies Act (Northern Ireland) 1969;

“register of members’ interests” *(“cofrestr o fuddiannau’r aelodau”)* means the register established and maintained under section 81 of the Local Government Act 2000;

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

(a) a county council,

(b) a county borough council,

(c) a community council,

(d) a fire and rescue authority constituted by a scheme under section 2 of the Fire and Rescue Services Act2004 or a scheme to which section 4 of that Act applies,

(e) a National Park authority established under section 63 of the Environment Act 1995;

"you" ("*chi*") means you as a member or co-opted member of a relevant authority; and

"your authority" ("*eich awdurdod*") means the relevant authority of which you are a member or co-optedmember.

(2) In relation to a community council—

(a) “proper officer” (“*swyddog priodol”*) means an officer of that council within the meaning of section 270(3) of the Local Government Act 1972; and

(b) “standards committee” (“pwyllgor safonau”*)* means the standards committee of the county or county borough council which has functions in relation to the community council for which it is responsible under section 56(1) and (2) of the Local Government Act 2000.

PART 2
GENERAL PROVISIONS

2.—(1) Save where paragraph 3(a) applies, you must observe this code of conduct —

(a) whenever you conduct the business, or are present at a meeting, of your authority;

(b) whenever you act, claim to act or give the impression you are acting in the role of member to which youwere elected or appointed;

(c) whenever you act, claim to act or give the impression you are acting as a representative of your authority; or

(d) at all times and in any capacity, in respect of conduct identified in paragraphs 6(1)(a) and 7.

(2) You should read this code together with the general principles prescribed under section 49(2) of the LocalGovernment Act 2000 in relation to Wales.

3. Where you are elected, appointed or nominated by your authority to serve —

(a) on another relevant authority, or any other body, which includes a Local Health Boardyou must, when acting for that other authority or body, comply with the code of conduct of that otherauthority or body; or

(b) on any other body which does not have a code relating to the conduct of its members, you must, whenacting for that other body, comply with this code of conduct, except and insofar as it conflicts with anyother lawful obligations to which that other body may be subject.

4. You must —

(a) carry out your duties and responsibilities with due regard to the principle that there should be equality ofopportunity for all people, regardless of their gender, race, disability, sexual orientation, age or religion;

(b) show respect and consideration for others;

(c) not use bullying behaviour or harass any person; and

(d) not do anything which compromises, or which is likely to compromise, the impartiality of those who workfor, or on behalf of, your authority.

5. You must not —

(a) disclose confidential information or information which should reasonably be regarded as being of aconfidential nature, without the express consent of a person authorised to give such consent, or unlessrequired by law to do so;

(b) prevent any person from gaining access to information to which that person is entitled by law.

6.—(1) You must —

(a) not conduct yourself in a manner which could reasonably be regarded as bringing your office or authorityinto disrepute;

(b) report, whether through your authority's confidential reporting procedure or direct to the proper authority,any conduct by another member or anyone who works for, or on behalf of, your authority which youreasonably believe involves or is likely to involve criminal behaviour (which for the purposes of thisparagraph does not include offences or behaviour capable of punishment by way of a fixed penalty);

(c) report to your authority's monitoring officer any conductby another member which you reasonably believe breaches this code of conduct;

(d) not make vexatious, malicious or frivolous complaints against other members or anyone who works for, oron behalf of, your authority.

(2) You must comply with any request of your authority's monitoring officer, or the Public Services Ombudsmanfor Wales, in connection with an investigation conducted in accordance with their respective statutory powers.

7. You must not —

(a) in your official capacity or otherwise, use or attempt to use your position improperly to confer on or securefor yourself, or any other person, an advantage or create or avoid for yourself, or any other person, adisadvantage;

(b) use, or authorise others to use, the resources of your authority —

(i) imprudently;

(ii) in breach of your authority's requirements;

(iii) unlawfully;

(iv) other than in a manner which is calculated to facilitate, or to be conducive to, the discharge of thefunctions of the authority or of the office to which you have been elected or appointed;

(v) improperly for political purposes; or

(vi) improperly for private purposes.

8. You must —

(a) when participating in meetings or reaching decisions regarding the business of your authority, do so on thebasis of the merits of the circumstances involved and in the public interest having regard to any relevantadvice provided by your authority's officers, in particular by —

(i) the authority's head of paid service;

(ii) the authority's chief finance officer;

(iii) the authority's monitoring officer;

(iv) the authority's chief legal officer (who should be consulted when there is any doubt as to the authority'spower to act, as to whether the action proposed lies within the policy framework agreed by theauthority or where the legal consequences of action or failure to act by the authority might haveimportant repercussions);

(b) give reasons for all decisions in accordance with any statutory requirements and any reasonable additionalrequirements imposed by your authority.

9. You must —

(a) observe the law and your authority's rules governing the claiming of expenses and allowances inconnection with your duties as a member;

(b) avoid accepting from anyone gifts, hospitality (other than official hospitality, such as a civic reception ora working lunch duly authorised by your authority), material benefits or services for yourself or any personwhich might place you, or reasonably appear to place you, under an improper obligation.

PART 3
INTERESTS

Personal Interests

10.—(1) You must in all matters consider whether you have a personal interest, and whether this code of conductrequires you to disclose that interest.

(2) You must regard yourself as having a personal interest in any business of your authority if —
(a) it relates to, or is likely to affect —

(i) any employment or business carried on by you;

(ii) any person who employs or has appointed you, any firm in which you are a partner or any companyfor which you are a remunerated director;

(iii) any person, other than your authority, who has made a payment to you in respect of your election orany expenses incurred by you in carrying out your duties as a member;

(iv) any corporate body which has a place of business or land in your authority's area, and in which youhave a beneficial interest in a class of securities of that body that exceeds the nominal value of £25,000or one hundredth of the total issued share capital of that body;

(v) any contract for goods, services or works made between your authority and you or a firm in which youare a partner, a company of which you are a remunerated director, or a body of the description specifiedin sub-paragraph (iv) above;

(vi) any land in which you have a beneficial interest and which is in the area of your authority;

(vii) any land where the landlord is your authority and the tenant is a firm in which you are a partner, acompany of which you are a remunerated director, or a body of the description specified in subparagraph(iv) above;

(viii) any body to which you have been elected, appointed or nominated by your authority;

(ix) any —

(aa)public authority or body exercising functions of a public nature;

(bbcompany, registered society, charity, or body directed to charitable purposes;

(cc)body whose principal purposes include the influence of public opinion or policy;

(dd) trade union or professional association; or

(ee) private club, society or association operating within your authority's area,

in which you have membership or hold a position of general control or management;

(x) any land in your authority's area in which you have a licence (alone or jointly with others) to occupyfor 28 days or longer;

[Note: subparagraph (b) is omitted.]

(c) a decision upon it might reasonably be regarded as affecting —

(i) your well-being or financial position, or that of a person with whom you live, or any person with whomyou have a close personal association;

(ii) any employment or business carried on by persons as described in 10(2)(c)(i);

(iii) any person who employs or has appointed such persons described in 10(2)(c)(i), any firm in which theyare a partner, or any company of which they are directors;

(iv) any corporate body in which persons as described in 10(2)(c)(i) have a beneficial interest in a class ofsecurities exceeding the nominal value of £5,000; or

(v) any body listed in paragraphs 10(2)(a)(ix)(aa) to (ee) in which persons described in 10(2)(c)(i) hold aposition of general control or management,

to a greater extent than the majority of—

(aa)in the case of an authority with electoral divisions or wards, other council tax payers, rate payers orinhabitants of the electoral division or ward, as the case may be, affected by the decision; or

(bb) in all other cases, other council tax payers, ratepayers or inhabitants of the authority's area.

Disclosure of Personal Interests

11.—(1) Where you have a personal interest in any business of your authority and you attend a meeting at whichthat business is considered, you must disclose orally to that meeting the existence and nature of that interest beforeor at the commencement of that consideration, or when the interest becomes apparent.

(2) Where you have a personal interest in any business of your authority and you make —

(a) written representations (whether by letter, facsimile or some other form of electronic communication) to amember or officer of your authority regarding that business, you should include details of that interest inthe written communication; or

(b) oral representations (whether in person or some form of electronic communication) to a member or officerof your authority you should disclose the interest at the commencement of such representations, or whenit becomes apparent to you that you have such an interest, and confirm the representation and interest inwriting within 14 days of the representation.

(3) Subject to paragraph 14(1)(b) below, where you have a personal interest in any business of your authorityand you have made a decision in exercising a function of an executive or board, you must in relation to thatbusiness ensure that any written statement of that decision records the existence and nature of your interest.

(4) You must, in respect of a personal interest not previously disclosed, before or immediately after the closeof a meeting where the disclosure is made pursuant to sub-paragraph 11(1), give written notification to yourauthority in accordance with any requirements identified by your authority's monitoring officer, or in relation to a community council, your authority’s proper officer from time totime but, as a minimum containing —

(a) details of the personal interest;

(b) details of the business to which the personal interest relates; and

(c) your signature.

(5) Where you have agreement from your monitoring officer that the information relating to your personalinterest is sensitive information, pursuant to paragraph 16(1), your obligations under this paragraph 11 to disclosesuch information, whether orally or in writing, are to be replaced with an obligation to disclose the existence of apersonal interest and to confirm that your monitoring officer has agreed that the nature of such personal interest issensitive information.

(6) For the purposes of sub-paragraph (4), a personal interest will only be deemed to have been previouslydisclosed if written notification has been provided in accordance with this code since the last date on which youwere elected, appointed or nominated as a member of your authority.

(7) For the purposes of sub-paragraph (3), where no written notice is provided in accordance with that paragraphyou will be deemed as not to have declared a personal interest in accordance with this code.

Prejudicial Interests

12.—(1) Subject to sub-paragraph (2) below, where you have a personal interest in any business of yourauthority you also have a prejudicial interest in that business if the interest is one which a member of the publicwith knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice yourjudgement of the public interest.

(2) Subject to sub-paragraph (3), you will not be regarded as having a prejudicial interest in any business wherethat business—

(a) relates to —

(i) another relevant authority of which you are also a member;

(ii) another public authority or body exercising functions of a public nature in which you hold a positionof general control or management;

(iii) a body to which you have been elected, appointed or nominated by your authority;

(iv) your role as a school governor (where not appointed or nominated by your authority) unless it relatesparticularly to the school of which you are a governor;

(v) your role as a member of a Local Health Board where you have not been appointed or nominated byyour authority;

(b) relates to —

(i) the housing functions of your authority where you hold a tenancy or lease with your authority, providedthat you do not have arrears of rent with your authority of more than two months, and provided thatthose functions do not relate particularly to your tenancy or lease;

(ii) the functions of your authority in respect of school meals, transport and travelling expenses, where youare a guardian, parent, grandparent or have parental responsibility (as defined in section 3 of theChildren Act 1989) of a child in full time education, unless it relates particularly to the school whichthat child attends;

(iii) the functions of your authority in respect of statutory sick pay under Part XI of the Social SecurityContributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of suchpay from your authority;

(iv) the functions of your authority in respect of an allowance or payment made in accordance with the provisions of Part 8 of the Local Government (Wales) Measure 2011, or an allowance or pension provided under section 18 of theLocal Government and Housing Act 1989;

(c) your role as a community councillor in relation to a grant, loan or other form of financial assistance madeby your community council to community or voluntary organisations up to a maximum of £500.

(3) The exemptions in subparagraph (2)(a) do not apply where the business relates to the determination of anyapproval, consent, licence, permission or registration.

Overview and Scrutiny Committees

13. You also have a prejudicial interest in any business before an overview and scrutiny committee of yourauthority (or of a sub-committee of such a committee) where—

(a) that business relates to a decision made (whether implemented or not) or action taken by your authority'sexecutive, board or another of your authority's committees, sub-committees, joint committees or joint subcommittees;and

(b) at the time the decision was made or action was taken, you were a member of the executive, board,committee, sub-committee, joint-committee or joint sub-committee mentioned in sub-paragraph (a) andyou were present when that decision was made or action was taken.

Participation in Relation to Disclosed Interests

14.—(1) Subject to sub-paragraphs (2), (2A), (3) and (4), where you have a prejudicial interest in any business of yourauthority you must, unless you have obtained a dispensation from your authority's standards committee —

(a) withdraw from the room, chamber or place where a meeting considering the business is being held—

(i) where sub-paragraph (2) applies, immediately after the period for making representations, answeringquestions or giving evidence relating to the business has ended and in any event

before furtherconsideration of the business begins, whether or not the public are allowed to remain in attendance forsuch consideration; or

(ii) in any other case, whenever it becomes apparent that that business is being considered at that meeting;

(b) not exercise executive or board functions in relation to that business;

(c) not seek to influence a decision about that business;

(d) not make any written representations (whether by letter, facsimile or some other form of electroniccommunication) in relation to that business; and

(e) not make any oral representations (whether in person or some form of electronic communication) inrespect of that business or immediately cease to make such oral representations when the prejudicialinterest becomes apparent.

(2) Where you have a prejudicial interest in any business of your authority you may attend a meeting but onlyfor the purpose of making representations, answering questions or giving evidence relating to the business,provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutoryright or otherwise.

(2A) Where you have a prejudicial interest in any business of your authority you may submit written representations to a meeting relating to that business, provided that the public are allowed to attend the meeting for the purpose of making representations, answering questions or giving evidence relating to the business, whether under statutory right or otherwise.

(2B) When submitting written representations under sub-paragraph (2A) you must comply with any procedure that your authority may adopt for the submission of such representations.

(3) Sub-paragraph (1) does not prevent you attending and participating in a meeting if —

(a) you are required to attend a meeting of an overview or scrutiny committee, by such committee exercisingits statutory powers; or

(b) you have the benefit of a dispensation provided that you —

(i) state at the meeting that you are relying on the dispensation; and

(ii) before or immediately after the close of the meeting give written notification to your authoritycontaining —

(aa)details of the prejudicial interest;

(bb) details of the business to which the prejudicial interest relates;

(cc)details of, and the date on which, the dispensation was granted; and

(dd) your signature.

(4) Where you have a prejudicial interest and are making written or oral representations to your authority inreliance upon a dispensation, you must provide details of the dispensation within any such written or oralrepresentation and, in the latter case, provide written notification to your authority within 14 days of making therepresentation.

PART 4

THE REGISTER OF MEMBERS' INTERESTS

Registration of Personal Interests

15.—(1) Subject to sub-paragraph (4), you must, within 28 days of—

(a) your authority's code of conduct being adopted or the mandatory provisions of this model code beingapplied to your authority; or

(b) your election or appointment to office (if that is later),

register your personal interests, where they fall within a category mentioned in paragraph10(2)(a), in your authority's register of members’ interests byproviding written notification to your authority's monitoring officer.

(2) Subject to sub-paragraph (4), you must, within 28 days of becoming aware of any new personal interest falling within a category mentioned in paragraph 10(2)(a), register that new personal interest in your authority’s register of members’ interests by providing written notification to your authority’s monitoring officer.

(3) Subject to sub-paragraph (4), you must, within 28 days of becoming aware of any change to a registered personal interest falling within a category mentioned in paragraph 10(2)(a), register that change in your authority’s register of members’ interests by providing written notificationto your authority's monitoring officer, or in the case of a community council to your authority’s proper officer.

(4) Sub-paragraphs (1), (2) and (3) do not apply to sensitive information determined in accordance with paragraph16(1).

(5) Sub-paragraphs (1) and (2) do not apply if you are a member of a relevant authority which is a community councilwhen you act in your capacity as a member of such an authority.

(6) You must, when disclosing a personal interest in accordance with paragraph 11 for the first time, register that personal interest in your authority’s register of members’ interests by providing written notification to your authority’s monitoring officer, or in the case of a community council to your authority’s proper officer.

Sensitive information

16.—(1) Where you consider that the information relating to any of your personal interests is sensitiveinformation, and your authority's monitoring officer agrees, you need not include that information whenregistering that interest, or, as the case may be, a change to the interest under paragraph 15.

(2) You must, within 28 days of becoming aware of any change of circumstances which means that informationexcluded under sub-paragraph (1) is no longer sensitive information, notify your authority's monitoring officer, or in relation to a community council, your authority’s proper officerasking that the information be included in your authority's register of members' interests.

(3) In this code, "sensitive information" ("*gwybodaeth sensitif*") means information whose availability forinspection by the public creates, or is likely to create, a serious risk that you or a person who lives with you maybe subjected to violence or intimidation.

Registration of Gifts and Hospitality

17. You must, within 28 days of receiving any gift, hospitality, material benefit or advantage above a valuespecified in a resolution of your authority, provide written notification to your authority's

monitoring officer, or in relation to a community council, to your authority's proper officer of theexistence and nature of that gift, hospitality, material benefit or advantage.

Y COD YMDDYGIAD ENGHREIFFTIOL

RHAN 1
DEHONGLI

1.—(1) Yn y cod hwn —

mae "aelod" ("*member*") yn cynnwys aelod cyfetholedig onid yw'r cyd-destun yn mynnu fel arall;

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

(a) sy'n aelod o unrhyw bwyllgor neu is-bwyllgor i'r awdurdod, neu

(b) sy'n aelod o unrhyw gyd-bwyllgor neu gyd-is-bwyllgor i'r awdurdod, ac sy'n cynrychioli'r awdurdod arno,

ac sydd â'r hawl i bleidleisio ar unrhyw gwestiwn sydd i'w benderfynu mewn unrhyw gyfarfod o'r pwyllgor neuo'r is-bwyllgor hwnnw;

ystyr "eich awdurdod" ("*your authority*") yw'r awdurdod perthnasol yr ydych chi'n aelod neu'n aelodcyfetholedig ohono;

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

(a) cyngor sir,

(b) cyngor bwrdeistref sirol,

(c) cyngor cymuned,

(ch) awdurdod tân ac achub a gyfansoddwyd drwy gynllun o dan adran 2 o Ddeddf Gwasanaethau Tân ac
Achub 2004 neu gynllun y mae adran 4 o'r Ddeddf honno yn gymwys iddo,

(d) awdurdod Parc Cenedlaethol a sefydlwyd o dan adran 63 o Ddeddf yr Amgylchedd 1995;

ystyr "cofrestr o fuddiannau'r aelodau" ("register of members' interests") yw'r gofrestr a sefydlir ac a gedwir o dan adran 81 o Ddeddf Llywodraeth Leol 2000;

ystyr "cyfarfod" ("*meeting*") yw unrhyw gyfarfod —

(a) o'r awdurdod perthnasol,

(b) o unrhyw weithrediaeth neu fwrdd i'r awdurdod perthnasol,

(c) o unrhyw bwyllgor, is-bwyllgor, cyd-bwyllgor neu gyd-is-bwyllgor i'r awdurdod perthnasol neu unrhywbwyllgor, is-bwyllgor, cyd-bwyllgor neu gyd-is-bwyllgor o'r fath i unrhyw weithrediaeth neu fwrdd i'rawdurdod, neu

(ch) y mae aelodau neu swyddogion yr awdurdod perthnasol yn bresennol ynddo ac eithrio cyfarfodgrwˆ p gwleidyddol a gyfansoddwyd yn unol â rheoliad 8 o Reoliadau Llywodraeth Leol(Pwyllgorau a Grwpiau Gwleidyddol) 1990,

ac mae'n cynnwys amgylchiadau pan fo aelod o weithrediaeth neu fwrdd neu swyddog sy'n gweithredu ar ei benei hun yn arfer un o swyddogaethau awdurdod; ac

ystyr "chi" ("*you*") yw chi fel aelod neu aelod cyfetholedig o awdurdod perthnasol.

(2) Mewn perthynas â chyngor cymuned—

(a)ystyr “swyddog priodol” (“proper officer”) yw swyddog o’r cyngor hwnnw o fewn ystyr adran 270(3) o Ddeddf Llywodraeth Leol 1972; a

(b) ystyr “pwyllgor safonau” (“standards committee”) yw pwyllgor safonau’r cyngor sir neu’r cyngor bwrdeistref sirol sydd â swyddogaethau mewn perthynas â’r cyngor cymuned y mae’n gyfrifol amdano o dan adran 56(1) a (2) o Ddeddf Llywodraeth Leol 2000.

RHAN 2
DARPARIAETHAU CYFFREDINOL

2.—(1)Ac eithrio pan fo paragraff 3(a) yn gymwys, rhaid i chi gydymffurfio â'r cod ymddygiad hwn —

(a) pa bryd bynnag y byddwch yn cynnal busnes eich awdurdod, neu'n bresennol mewn un o gyfarfodydd eichawdurdod;

(b) pa bryd bynnag y byddwch yn gweithredu, yn honni gweithredu neu'n rhoi'r argraff eich bod yngweithredu yn rôl aelod y cawsoch eich ethol neu eich penodi iddi;

(c) pa bryd bynnag y byddwch yn gweithredu, yn honni gweithredu neu'n rhoi'r argraff eich bod yngweithredu fel un o gynrychiolwyr eich awdurdod; neu

(ch) ar bob adeg ac mewn unrhyw gapasiti, mewn cysylltiad ag ymddygiad a nodir ym mharagraffau6(1)(a) a 7.

(2) Dylech ddarllen y cod hwn ar y cyd â'r egwyddorion cyffredinol a ragnodir o dan adran 49(2) o DdeddfLlywodraeth Leol 2000 o ran Cymru.

3. Os byddwch wedi eich ethol, eich penodi neu eich enwebu gan eich awdurdod i wasanaethu —

(a) ar awdurdod perthnasol arall, neu ar unrhyw gorff arall, sy'n cynnwys Bwrdd IechydLleol rhaid i chi, pan fyddwch yn gweithredu ar ran yr awdurdod arall neu'r corff arall hwnnw,gydymffurfio â chod ymddygiad yr awdurdod arall neu'r corff arall hwnnw; neu

(b) ar unrhyw gorff arall nad oes ganddo god sy'n ymwneud ag ymddygiad ei aelodau, rhaid i chi, pan fyddwchyn gweithredu ar ran y corff arall hwnnw, gydymffurfio â'r cod ymddygiad hwn, ac eithrio pan yw'ngwrthdaro ag unrhyw rwymedigaethau cyfreithlon eraill y gall y corff hwnnw fod yn ddarostyngedigiddynt neu i'r graddau y mae'n gwrthdaro â'r cyfryw rwymedigaethau.

4. Rhaid i chi —

(a) cyflawni eich dyletswyddau a'ch cyfrifoldebau gan roi sylw dyladwy i'r egwyddor y dylai fod cyfle cyfartali bawb, waeth beth fo'u rhyw, eu hil, eu hanabledd, eu cyfeiriadedd rhywiol, eu hoed neu eu crefydd;

(b) dangos parch at eraill ac ystyriaeth ohonynt;

(c) peidio ag ymddwyn fel bwli neu harasio unrhyw berson; a

(ch) peidio â gwneud dim sy'n cyfaddawdu, neu sy'n debygol o gyfaddawdu, didueddrwydd y sawl sy'ngweithio i'ch cyngor neu ar ei ran.

5. Rhaid i chi —

(a) peidio â datgelu gwybodaeth gyfrinachol neu wybodaeth y byddai'n rhesymol ystyried ei bod o naturgyfrinachol, heb gydsyniad datganedig person a awdurdodwyd i roi cydsyniad o'r fath, neu onid yw'rgyfraith yn mynnu eich bod yn gwneud hynny;

(b) peidio â rhwystro unrhyw berson rhag gweld gwybodaeth y mae gan y person hwnnw hawl i'w gweld ynôl y gyfraith.

6.—(1)Rhaid i chi —

(a) peidio ag ymddwyn mewn ffordd y gellid yn rhesymol ei hystyried yn un sy'n dwyn anfri ar eich swyddneu ar eich awdurdod;

(b) adrodd, p'un ai drwy weithdrefn adrodd gyfrinachol eich awdurdod neu'n uniongyrchol i'r awdurdodpriodol, ar unrhyw ymddygiad gan aelod arall neu gan unrhyw un sy'n gweithio i'ch awdurdod neu ar eiran ac y mae'n rhesymol i chi fod o'r farn ei fod yn golygu neu'n debygol o olygu ymddygiad troseddol(nad yw at ddibenion y paragraff hwn yn cynnwys tramgwyddau neu ymddygiad y gellir ei gosbi drwy
gosb benodedig);

(c) adrodd i swyddog monitro eich awdurdod ar unrhywymddygiad gan aelod arall y mae'n rhesymol i chi fod o'r farn ei fod yn groes i'r cod ymddygiad hwn;

(ch) peidio â gwneud cwynion blinderus, maleisus neu wacsaw yn erbyn aelodau eraill neu unrhyw unsy'n gweithio i'ch awdurdod neu ar ei ran.

(2) Rhaid i chi gydymffurfio ag unrhyw gais gan swyddog monitro eich awdurdod, neu gan OmbwdsmonGwasanaethau Cyhoeddus Cymru, mewn cysylltiad ag ymchwiliad a wneir yn unol â'u gwahanol bwerau statudol.

7. Rhaid i chi —

(a) yn eich capasiti swyddogol neu fel arall, beidio â defnyddio neu geisio defnyddio eich safle yn amhriodoli roi neu i sicrhau mantais i chi eich hun neu i unrhyw berson arall, neu i greu neu i osgoi anfantais i chieich hun neu i unrhyw berson arall;

(b) peidio â defnyddio adnoddau eich awdurdod, neu awdurdodi eraill i'w defnyddio—

(i) yn annoeth;

(ii) yn groes i ofynion eich awdurdod;

(iii) yn anghyfreithlon;

(iv) ac eithrio mewn dull a fwriedir i hwyluso neu i ffafrio cyflawni swyddogaethau'r awdurdod neu'r
swydd yr ydych wedi eich ethol neu eich penodi iddo neu iddi;

(v) yn amhriodol at ddibenion gwleidyddol; neu

(vi) yn amhriodol at ddibenion preifat.

8. Rhaid i chi —

(a) pan fyddwch yn cyfrannu mewn cyfarfodydd neu'n gwneud penderfyniadau ynghylch busnes y mae awnelo eich awdurdod ag ef, wneud hynny ar sail rhinweddau'r amgylchiadau o dan sylw ac er

budd ycyhoedd gan roi sylw i unrhyw gyngor perthnasol a ddarperir gan swyddogion eich awdurdod, ac ynbenodol gan —

(i) pennaeth gwasanaeth taledig yr awdurdod;

(ii) prif swyddog cyllid yr awdurdod;

(iii) swyddog monitro'r awdurdod;

(iv) prif swyddog cyfreithiol yr awdurdod (y dylid ymgynghori ag ef pan fo unrhyw amheuaeth ynghylchpwˆ er yr awdurdod i weithredu, ynghylch a yw'r cam a arfaethir yn dod o fewn y fframwaith polisi ycytunwyd arno gan yr awdurdod neu os gallai canlyniadau cyfreithiol gweithredu neu fethu âgweithredu gan yr awdurdod gael ôl-effeithiau pwysig);

(b) rhoi rhesymau dros bob penderfyniad yn unol ag unrhyw ofynion statudol ac unrhyw ofynion rhesymolychwanegol a osodir gan eich awdurdod.

9. Rhaid i chi —

(a) parchu'r gyfraith a rheolau eich awdurdod sy'n llywodraethu hawlio treuliau a lwfansau mewn cysylltiadâ'ch dyletswyddau fel aelod;

(b) osgoi derbyn rhoddion oddi wrth neb, na lletygarwch (ac eithrio lletygarwch swyddogol, megis derbyniaddinesig neu weithio dros ginio, a awdurdodir yn briodol gan eich awdurdod) na buddiannau materol neuwasanaethau i chi eich hun neu i unrhyw berson os byddai gwneud hynny'n eich rhoi o dan rwymedigaethamhriodol, neu os gallai'n rhesymol ymddangos fel pe bai'n gwneud hynny.

RHAN 3
BUDDIANNAU

Buddiannau Personol

10.—(1) Ym mhob mater rhaid i chi ystyried a oes gennych fuddiant personol, ac a yw'r cod ymddygiad hwn ynei gwneud yn ofynnol i chi ddatgelu'r buddiant hwnnw.

(2) Rhaid i chi ystyried bod gennych fuddiant personol mewn unrhyw fusnes y mae a wnelo eich awdurdod agef —

(a) os yw'n gysylltiedig â'r canlynol, neu'n debygol o effeithio arnynt —

(i) unrhyw gyflogaeth yr ydych yn ymgymryd â hi neu fusnes yr ydych yn ei redeg;

(ii) unrhyw berson sy'n eich cyflogi neu sydd wedi eich penodi, unrhyw ffyrm yr ydych yn bartner ynddineu unrhyw gwmni yr ydych yn gyfarwyddwr arno ac yn derbyn tâl;

(iii) unrhyw berson, ac eithrio eich awdurdod, sydd wedi rhoi taliad i chi mewn cysylltiad â'ch ethol neumewn cysylltiad ag unrhyw dreuliau a dynnwyd gennych wrth i chi gyflawni eich dyletswyddau felaelod;

(iv) unrhyw gorff corfforaethol y mae ganddo le busnes neu dir yn ardal eich awdurdod, ac y mae gennychchi fuddiant llesiannol mewn dosbarth o warannau sydd gan y corff hwnnw ac sy'n werth mwy na'rgwerth enwol o £25,000 neu un ganfed ran o gyfanswm cyfalaf cyfrannau dyroddedig y corff hwnnw;

(v) unrhyw gontract am nwyddau, gwasanaethau neu waith neu weithfeydd a wnaed rhyngoch chi, rhwngffyrm yr ydych yn bartner ynddi, neu rhwng cwmni yr ydych yn gyfarwyddwr arno ac yn derbyn tâl,neu rhwng corff o'r math a ddisgrifir yn is-baragraff (iv) uchod a'ch awdurdod;

(vi) unrhyw dir y mae gennych fuddiant llesiannol ynddo ac sydd yn ardal eich awdurdod;

(vii) unrhyw dir y mae eich awdurdod yn landlord arno ac y mae ffyrm yr ydych yn bartner ynddi, cwmniyr ydych yn gyfarwyddwr arno ac yn derbyn tâl, neu gorff o'r math a ddisgrifir yn is-baragraff (iv)uchod yn denant arno;

(viii) unrhyw gorff yr ydych wedi eich ethol, eich penodi neu eich enwebu gan eich awdurdod i fod arno;

(ix) unrhyw —

(aa)awdurdod cyhoeddus neu gorff sy'n arfer swyddogaethau o natur gyhoeddus;

(bb)cwmni, cymdeithas ddiwydiannol a darbodus, elusen, neu gorff arall a chanddo ddibenion elusennol;

(cc)corff y mae dylanwadu ar farn neu bolisi cyhoeddus ymhlith ei brif ddibenion;
(chch)undeb llafur neu gymdeithas broffesiynol; neu

(dd) clwb preifat neu gymdeithas breifat sy'n gweithredu o fewn ardal eich awdurdod,

yr ydych yn aelod ohono neu ohoni neu mewn safle rheolaeth neu reoli cyffredinol ynddo neu ynddi;

(x) unrhyw dir yn ardal eich awdurdod y mae gennych drwydded (ar eich pen eich hun neu ar y cyd ageraill) i'w feddiannu am 28 o ddiwrnodau neu fwy;

[Nodyn: Mae is-baragraff (b) wedi ei hepgor.]

(c) pe byddai'n rhesymol ystyried penderfyniad arno yn benderfyniad a fyddai'n effeithio —

(i) ar eich llesiant neu eich sefyllfa ariannol, neu lesiant neu sefyllfa ariannol person yr ydych yn bywgydag ef, neu unrhyw berson y mae gennych gysylltiad personol agos ag ef;

(ii) ar unrhyw gyflogaeth yr ymgymerir â hi neu fusnes a redir gan bersonau fel a ddisgrifir yn 10(2)(c)(i);

(iii) ar unrhyw berson sy'n cyflogi neu sydd wedi penodi'r cyfryw bersonau ag a ddisgrifir yn 10(2)(c)(i),unrhyw ffyrm y mae'r cyfryw bersonau'n bartneriaid ynddi, neu unrhyw gwmni y maent yngyfarwyddwyr arno;

(iv) ar unrhyw gorff corfforaethol y mae gan bersonau fel a ddisgrifir yn 10(2)(c)(i) fuddiant llesiannolmewn dosbarth o warannau sy'n werth mwy na'r gwerth enwol o £5,000; neu

(v) ar unrhyw gorff a restrir ym mharagraffau 10(2)(a)(ix)(aa) i (dd) y mae personau a ddisgrifir yn10(2)(c)(i) mewn safle rheolaeth neu reoli cyffredinol ynddo,

a hynny i raddau mwy—

(aa)yn achos awdurdod â dosbarthiadau etholiadol neu wardiau, na'r rhelyw o bobl eraill sy'n talu'r drethgyngor, bobl eraill sy'n talu ardrethi neu breswylwyr eraill yn y dosbarth etholiadol neu'r ward, yn ôly digwydd, y bydd y penderfyniad yn effeithio arnynt; neu

(bb)ym mhob achos arall, na'r rhelyw o bobl eraill sy'n talu'r dreth gyngor, o bobl eraill sy'n talu ardrethineu breswylwyr eraill yn ardal yr awdurdod.

Datgelu Buddiannau Personol

11.—(1) Pan fydd gennych fuddiant personol mewn unrhyw fusnes y mae a wnelo eich awdurdod ag ef ac ybyddwch yn bresennol mewn cyfarfod lle y caiff y busnes hwnnw ei ystyried, rhaid i chi ddatgelu ar lafar gerbrony cyfarfod hwnnw fodolaeth a natur y buddiant hwnnw cyn i'r cyfarfod ystyried y busnes neu ar ddechrau'rystyriaeth, neu pan ddaw'r buddiant i'r amlwg.

(2) Pan fydd gennych fuddiant personol mewn unrhyw fusnes y mae a wnelo eich awdurdod ag ef ac y byddwchyn gwneud —

(a) cynrychioliadau ysgrifenedig (p'un ai drwy lythyr, neges ffacs neu ar ryw ffurf arall ar gyfathrebuelectronig) i un o aelodau neu o swyddogion eich awdurdod ynghylch y busnes hwnnw, dylech gynnwysmanylion am y buddiant hwnnw yn y gyfathrebiaeth ysgrifenedig; neu

(b) cynrychioliadau llafar (p'un ai'n bersonol neu ar ryw ffurf ar gyfathrebu electronig) i un o aelodau neu oswyddogion eich awdurdod dylech ddatgelu'r buddiant ar ddechrau'r cyfryw gynrychioliadau, neu panddaw'n amlwg i chi fod gennych fuddiant o'r fath, a chadarnhau'r cynrychioliad a'r buddiant ynysgrifenedig o fewn 14 o ddiwrnodau ar ôl gwneud y cynrychioliad.

(3) Yn ddarostyngedig i baragraff 14(1)(b) isod, os bydd gennych fuddiant personol mewn unrhyw fusnes y maea wnelo eich awdurdod ag ef ac y byddwch wedi gwneud penderfyniad wrth arfer un o swyddogaethaugweithrediaeth neu fwrdd, rhaid i chi mewn perthynas â'r busnes hwnnw sicrhau bod unrhyw ddatganiadysgrifenedig ynghylch y penderfyniad hwnnw'n cofnodi bodolaeth a natur eich buddiant.

(4) Rhaid i chi, mewn cysylltiad â buddiant personol nas datgelwyd eisoes, cyn cyfarfod neu'n syth ar ôl diweddcyfarfod pan ddatgelir y buddiant yn unol ag is-baragraff 11(1), roi hysbysiad ysgrifenedig i'ch awdurdod yn unolag unrhyw ofynion a nodir gan swyddog monitro eich awdurdod, neu mewn perthynas â chyngor cymuned, swyddog priodol eich awdurdod o bryd i'w gilydd ond, rhaid cynnwys o leiaf —

(a) manylion am y buddiant personol;

(b) manylion am y busnes y mae'r buddiant personol yn gysylltiedig ag ef; ac

(c) eich llofnod.

(5) Pan fydd eich swyddog monitro wedi cytuno bod yr wybodaeth sy'n ymwneud â'ch buddiant personol ynwybodaeth sensitif, yn unol â pharagraff 16(1), mae eich rhwymedigaethau o dan y paragraff 11 hwn i ddatgelu'rcyfryw wybodaeth, p'un ai ar lafar neu'n ysgrifenedig, i'w disodli gan rwymedigaeth i ddatgelu bodolaeth buddiantpersonol ac i gadarnhau bod eich swyddog monitro wedi cytuno bod y cyfryw fuddiant personol o naturgwybodaeth sensitif.

(6) At ddibenion is-baragraff (4), dim ond os bod hysbysiad ysgrifenedig wedi ei ddarparu yn unol â'r cod hwners y dyddiad diwethaf pryd yr etholwyd chi, y penodwyd chi neu yr enwebwyd chi'n aelod o'ch awdurdod y bernirbod buddiant personol wedi ei ddatgelu eisoes.

(7) At ddibenion is-baragraff (3), os na ddarperir hysbysiad ysgrifenedig yn unol â'r paragraff hwnnw bernir nafyddwch wedi datgan buddiant personol yn unol â'r cod hwn.

Buddiannau sy'n Rhagfarnu

12.—(1) Yn ddarostyngedig i is-baragraff (2) isod, os bydd gennych fuddiant personol mewn unrhyw fusnes ymae a wnelo eich awdurdod ag ef bydd gennych hefyd fuddiant sy'n rhagfarnu yn y busnes hwnnw os bydd ybuddiant yn un y bydd yn rhesymol i aelod o'r cyhoedd sy'n gwybod y ffeithiau perthnasol fod o'r farn ei fod morarwyddocaol fel y bydd yn debygol o ragfarnu eich barn ynghylch buddiant cyhoeddus.

(2) Yn ddarostyngedig i is-baragraff (3), nid ystyrir bod gennych fuddiant sy'n rhagfarnu mewn unrhyw fusnesos bydd y busnes hwnnw—

(a) yn gysylltiedig—

(i) ag awdurdod perthnasol arall yr ydych hefyd yn aelod ohono;

(ii) ag awdurdod cyhoeddus arall neu gorff sy'n arfer swyddogaethau o natur gyhoeddus lle yr ydych mewnsafle rheolaeth neu reoli cyffredinol;

(iii) â chorff yr ydych wedi cael eich ethol, eich penodi neu eich enwebu gan eich awdurdod i fod arno;

(iv) â'ch rôl fel llywodraethwr ysgol (os na chawsoch eich penodi neu eich enwebu gan eich awdurdod) onibai bod y busnes yn benodol gysylltiedig â'r ysgol yr ydych yn un o'i llywodraethwyr;

(v) â'ch rôl fel aelod o Fwrdd Iechyd Lleol os na chawsoch eich penodi neu eich enwebu gan eichawdurdod i fod arno;

(b) yn gysylltiedig:

(i) â swyddogaethau tai eich awdurdod os oes gennych denantiaeth neu les gyda'ch awdurdod, ar yr amodnad oes arnoch i'ch awdurdod ôl-ddyledion rhent o fwy na deufis, ac ar yr amod nad yw'rswyddogaethau hynny'n ymwneud yn arbennig â'ch tenantiaeth neu â'ch les;

(ii) â swyddogaethau eich awdurdod mewn cysylltiad â phrydau ysgol, cludiant a threuliau teithio, osydych chi'n warchodwr, yn rhiant, yn fam-gu neu'n nain neu'n dad-cu neu'n daid, neu os oes gennychgyfrifoldeb rhiant (fel y'i diffinnir yn adran 3 o Deddf Plant 1989) dros blentyn sy'n cael addysglawnamser, onid yw'r busnes yn benodol gysylltiedig â'r ysgol y mae'r plentyn hwnnw'n ei mynychu;

(iii) â swyddogaethau eich awdurdod mewn cysylltiad â thâl salwch statudol o dan Ran XI o DdeddfCyfraniadau a Budd-daliadau Nawdd Cymdeithasol 1992, os ydych yn cael, neu os oes gennych hawli gael, taliad o'r fath gan eich awdurdod;

“(iv)â swyddogaethau eich awdurdod mewn cysylltiad â lwfans neu daliad a wneir yn unol â darpariaethau Rhan 8 o Fesur Llywodraeth Leol (Cymru) 2011, neu lwfans neu bensiwn a ddarperir o dan adran 18 o Ddeddf Llywodraeth Leol a Thai 1989;

(c) yn gysylltiedig â'ch rôl fel cynghorydd cymunedol mewn perthynas â grant, benthyciad neu fath arall argymorth ariannol a wnaed gan eich cyngor cymuned i gyrff cymunedol neu wirfoddol hyd at uchafswm o£500.

(3) Nid yw'r esemptiadau yn is-baragraff (2)(a) yn gymwys os yw'r busnes yn gysylltiedig â dyfarnu ar unrhywgymeradwyaeth, cydsyniad, trwydded, caniatâd neu gofrestriad.

Pwyllgorau Trosolygu a Chraffu

13. Bydd gennych hefyd fuddiant sy'n rhagfarnu mewn unrhyw fusnes sydd gerbron un o bwyllgorau trosolygua chraffu eich awdurdod (neu un o is-bwyllgorau pwyllgor o'r fath)—

(a) os bydd y busnes hwnnw'n gysylltiedig â phenderfyniad a wnaed (p'un a gafodd ei weithredu ai peidio)neu gam a gymerwyd gan weithrediaeth, bwrdd, neu un arall o bwyllgorau, is-bwyllgorau, cyd-bwyllgorauneu o gyd-is-bwyllgorau eich awdurdod; a

(b) os oeddech chi, ar yr adeg pan wnaed y penderfyniad neu pan gymerwyd y cam, yn aelod o'r weithrediaeth,y bwrdd, y pwyllgor, yr is-bwyllgor, y cyd-bwyllgor neu'r cyd-is-bwyllgor a grybwyllir

yn is-baragraff (a)a'ch bod chi'n bresennol pan wnaed y penderfyniad hwnnw neu pan gymerwyd y cam hwnnw.

Cyfrannu mewn Perthynas â Datgelu Buddiannau

14.—(1) Yn ddarostyngedig i is-baragraffau (2), (2A), (3) a (4), os bydd gennych fuddiant sy'n rhagfarnu mewnunrhyw fusnes y mae a wnelo eich awdurdod ag ef rhaid i chi, oni roddwyd i chi ollyngiad gan bwyllgor safonaueich awdurdod —

(a) ymadael â'r ystafell, y siambr neu'r man lle y mae cyfarfod i ystyried y busnes yn cael ei gynnal—

(i) pan fo is-baragraff (2) yn gymwys, yn syth ar ôl i'r cyfnod ar gyfer gwneud cynrychioliadau, atebcwestiynau neu roi tystiolaeth sy'n ymwneud â'r busnes ddod i ben a beth bynnag cyn i ystyriaethbellach o'r busnes ddechrau, p'un a ganiateir i'r cyhoedd aros yn bresennol ar gyfer y cyfryw ystyriaethai peidio; neu

(ii) mewn unrhyw achos arall, pa bryd bynnag y daw i'r amlwg bod y busnes hwnnw'n cael ei ystyried yny cyfarfod hwnnw;

(b) peidio ag arfer swyddogaethau gweithrediaeth neu fwrdd mewn perthynas â'r busnes hwnnw;

(c) peidio â cheisio dylanwadu ar benderfyniad ynghylch y busnes hwnnw;

(ch) peidio â gwneud unrhyw gynrychioliadau ysgrifenedig (p'un ai drwy lythyr, neges ffacs neu arryw ffurf arall ar gyfathrebu electronig) mewn perthynas â'r busnes hwnnw; a

(d) peidio â gwneud unrhyw gynrychioliadau llafar (p'un ai'n bersonol neu ar ryw ffurf ar gyfathrebuelectronig) mewn cysylltiad â'r busnes hwnnw neu rhaid i chi roi'r gorau ar unwaith i wneud y cyfrywgynrychioliadau llafar pan ddaw'r buddiant sy'n rhagfarnu i'r amlwg.

(2) Os oes gennych fuddiant sy'n rhagfarnu mewn unrhyw fusnes y mae a wnelo eich awdurdod ag ef cewch fodyn bresennol mewn cyfarfod ond dim ond er mwyn gwneud cynrychioliadau, ateb cwestiynau neu roi tystiolaethsy'n ymwneud â'r busnes, ar yr amod y caniateir hefyd i'r cyhoedd fod yn bresennol yn y cyfarfod i'r un diben, p'unai o dan hawl statudol neu fel arall.

(2A) Os oes gennych fuddiant sy’n rhagfarnu mewn unrhyw fusnes y mae a wnelo eich awdurdod ag ef cewch gyflwyno cynrychioliadau ysgrifenedig i gyfarfod sy’n ymwneud â’r busnes hwnnw, ar yr amod y caniateir i’r cyhoedd fod yn bresennol yn y cyfarfod at y diben o wneud cynrychioliadau, ateb cwestiynau neu roi tystiolaeth sy’n ymwneud â’r busnes, pa un ai o dan hawl statudol neu fel arall.

(2B) Pan fyddwch yn cyflwyno cynrychioliadau ysgrifenedig o dan is-baragraff (2A), rhaid i chi gydymffurfio ag unrhyw weithdrefn y caiff eich awdurdod ei fabwysiadu ar gyfer cyflwyno cynrychioliadau o’r fath.

(3) Nid yw is-baragraff (1) yn eich rhwystro rhag bod yn bresennol a chyfrannu mewn cyfarfod —

(a) os gofynnir i chi fod yn bresennol mewn cyfarfod pwyllgor trosolwg neu graffu, gan y cyfryw bwyllgor acyntau'n arfer ei bwerau statudol; neu

(b) os oes gennych y fantais o fod gollyngiad wedi ei roi i chi ar yr amod—

(i) eich bod yn datgan yn y cyfarfod eich bod yn dibynnu ar y gollyngiad; a

(ii) eich bod, cyn y cyfarfod neu'n syth ar ôl i'r cyfarfod orffen, yn rhoi hysbysiad ysgrifenedig i'chawdurdod a bod hwnnw'n cynnwys —

(aa)manylion y buddiant sy'n rhagfarnu;

(bb) manylion y busnes y mae'r buddiant sy'n rhagfarnu'n gysylltiedig ag ef;

(cc)manylion y gollyngiad a'r dyddiad pryd y'i rhoddwyd; a

(chch) eich llofnod.

(4) Os bydd gennych fuddiant sy'n rhagfarnu a'ch bod yn gwneud cynrychioliadau ysgrifenedig neu lafar i'chawdurdod gan ddibynnu ar ollyngiad, rhaid i chi ddarparu manylion am y gollyngiad o fewn unrhyw gynrychioliadysgrifenedig neu lafar o'r fath ac, yn yr achos olaf hwn, rhaid i chi ddarparu hysbysiad ysgrifenedig ar gyfer eichawdurdod o fewn 14 o ddiwrnodau ar ôl gwneud y cynrychioliad.

RHAN 4
COFRESTR BUDDIANNAU AELODAU

Cofrestru Buddiannau Personal

15.—(1) Yn ddarostyngedig i is-baragraff (4), rhaid i chi, o fewn 28 o ddiwrnodau ar ôl—

(a)i god ymddygiad eich awdurdod gael ei fabwysiadu neu i ddarpariaethau gorfodol y cod enghreifftiol hwn gael eu cymhwyso i’ch awdurdod; neu

(b)i chi gael eich ethol neu eich penodi i swydd (os digwydd hynny’n ddiweddarach),

gofrestru eich buddiannau personol, os ydynt yn dod o fewn categori a grybwyllir ym mharagraff 10(2)(a), yng nghofrestr eich awdurdod o fuddiannau’r aelodau drwy ddarparu hysbysiad ysgrifenedig ar gyfer swyddog monitro eich awdurdod.

(2) Yn ddarostyngedig i is-baragraff (4), rhaid i chi, o fewn 28 o ddiwrnodau ar ôl dod yn ymwybodol o unrhyw fuddiant personol newydd sy’n dod o fewn categori a grybwyllir ym mharagraff 10(2)(a), gofrestru’r buddiant personol newydd hwnnw yng nghofrestr eich awdurdod o fuddiannau’r aelodau drwy ddarparu hysbysiad ysgrifenedig ar gyfer swyddog monitro eich awdurdod.

(3) Yn ddarostyngedig i is-baragraff (4), rhaid i chi, o fewn 28 o ddiwrnodau ar ôl dod yn ymwybodol o unrhyw newid i fuddiant personol a gofrestrwyd sy’n dod o fewn categori a grybwyllir ym mharagraff 10(2)(a), gofrestru’r newid hwnnw yng nghofrestr eich awdurdod o fuddiannau’r aelodau drwy ddarparu hysbysiad ysgrifenedig ar gyfer swyddog monitro eich awdurdod, neu, yn achos cyngor cymuned, swyddog priodol eich awdurdod.

(4) Nid yw is-baragraffau (1), (2) a (3) yn gymwys i wybodaeth sensitif a benderfynir yn unol â pharagraff 16(1).

(5) Nid yw is-baragraffau (1) a (2) yn gymwys os ydych yn aelod o awdurdod perthnasol sy’n gyngor cymuned pan fyddwch yn gweithredu yn eich capasiti fel aelod o awdurdod o’r fath.

(6) Pan fyddwch yn datgelu buddiant personol yn unol â pharagraff 11 am y tro cyntaf, rhaid i chi gofrestru’r buddiant personol hwnnw yng nghofrestr eich awdurdod o fuddiannau’r aelodau drwy ddarparu hysbysiad ysgrifenedig ar gyfer swyddog monitro eich awdurdod, neu, yn achos cyngor cymuned, swyddog priodol eich awdurdod.

Gwybodaeth sensitif

16.—(1) Os byddwch yn ystyried bod yr wybodaeth sy'n ymwneud ag unrhyw un neu rai o'ch buddiannaupersonol yn wybodaeth sensitif, a bod swyddog monitro eich awdurdod yn cytuno, nid oes angen i chi gynnwys yrwybodaeth honno pan fyddwch yn cofrestru'r buddiant hwnnw, neu, yn ôl y digwydd, newid i'r buddiant o danbaragraff 15.

(2) Rhaid i chi, o fewn 28 o ddiwrnodau ar ôl i chi ddod yn ymwybodol o unrhyw newid yn eich amgylchiadausy'n golygu nad yw gwybodaeth sydd wedi ei heithrio o dan is-baragraff (1) mwyach yn wybodaeth sensitif,hysbysu swyddog monitro eich awdurdod, neu mewn perthynas â chyngor cymuned, swyddog priodol eich awdurdod gan ofyn am i'r wybodaeth gael ei chynnwys yng nghofrestr buddiannauaelodau eich awdurdod.

(3) Yn y cod hwn, ystyr "gwybodaeth sensitif" ("*sensitive information*") yw gwybodaeth y mae ei rhoi ar gaeli'w harchwilio gan y cyhoedd yn creu, neu'n debygol o greu, risg ddifrifol y gallech chi neu berson sy'n byw gydachi fod yn destun trais neu fygythion.

Cofrestru Rhoddion a Lletygarwch

17. Rhaid i chi, o fewn 28 o ddiwrnodau ar ôl i chi gael unrhyw rodd, lletygarwch, buddiant materol neu fantaisfaterol, sy'n fwy na gwerth a bennir mewn penderfyniad gan eich awdurdod, ddarparu hysbysiad ysgrifenedig argyfer swyddog monitro eich awdurdod, neu mewn perthynas â chyngor cymuned, swyddog priodol eich awdurdod yn nodi bodolaeth a natur y rhodd honno, y lletygarwch hwnnw, y buddiantmaterol hwnnw neu'r fantais faterol honno.