Gorchymyn Drafft a osodwyd gerbron Cynulliad Cenedlaethol Cymru a Senedd y Deyrnas Unedig o dan adran 95(5) o Ddeddf Llywodraeth Cymru 2006, i'w gymeradwyo drwy benderfyniad y Cynulliad a dau Dy Senedd y Deyrnas Unedig

O F F E R Y N N A U   S T A T U D O L

2007 Rhif X

CYFRAITH Y CYFANSODDIAD

DATGANOLI, CYMRU

Gorchymyn Cynulliad Cenedlaethol Cymru (Cymhwysedd Deddfwriaethol) 2007

*Wedi ei wneud - - - - ****
Wedi ei osod gerbron Cynulliad Cenedlaethol Cymru
*Wedi ei osod gerbron Senedd y Deyrnas Unedig ****
Yn dod i rym yn unol ag Erthygl 1
Yn y Llys ym Mhalas Buckingham, y *** diwrnod*** o *** 2007
Yng ngŵydd
Ei Hardderchocaf Mawrhydi y Frenhines yn ei Chyngor

Yn unol ag adran 95(5) o Ddeddf Llywodraeth Cymru 2006(a) mae drafft o'r gorchymyn hwn wedi ei osod gerbron Cynulliad Cenedlaethol Cymru a Senedd y Deyrnas Unedig ac mae wedi ei gymeradwyo gan y Cynulliad a chan ddau Dy Senedd y Deyrnas Unedig.
Yn unol â hynny, y mae'n rhyngu bodd Ei Mawrhydi, er canlyn adran 95(1) o Ddeddf Llywodraeth Cymru 2006, a chyda chyngor Ei Chyfrin Gyngor, i orchymyn fel a ganlyn:-

Enwi a chychwyn

1. Enw'r Gorchymyn hwn yw Gorchymyn Cynulliad Cenedlaethol Cymru (Cymhwysedd Deddfwriaethol) 2007 ac fe ddaw i rym drannoeth diwrnod ei wneud.

Diwygio Atodlen 5 i Ddeddf Llywodraeth Cymru 2006

2.—(1) Mae Maes 20 (y Gymraeg) o Ran 1 o Atodlen 5 i Ddeddf Llywodraeth Cymru 2006 wedi ei ddiwygio yn unol â'r erthygl hon.

(2) Ar ôl "Field 20: Welsh language" mewnosoder—

"*Matter 20.1*
Provision for and in connection with the Welsh language, being the native language of Wales, to –

(a) be an official language in Wales;
(b) give to the people of Wales the right to receive services through the medium of Welsh, to work through the medium of Welsh and to learn Welsh;
(c) establish a Language Commissioner for Wales; and
(d) establish a Welsh Language Council."

Clerc y Cyfrin Gyngor

NODYN ESBONIADOL

(Nid yw'r Nodyn Hwn yn Rhan o'r Gorchymyn)

Mae'r gorchymyn hwn yn diwygio Atodlen 5 i Ddeddf Llywodraeth Cymru 2006 ("Deddf 2006"). Effaith y gorchymyn yw estyn cymhwysedd deddfwriaethol Cynulliad Cenedlaethol Cymru i wneud deddfau newydd i Gymru drwy gyfwng Mesurau o dan adran 93 o Ddeddf 2006.

Mae Erthygl 2 yn mewnosod mater newydd 20.1 ym maes 5 o Ran 1 o Atodlen 5 i Ddeddf 2006. Mae'r mater newydd ynghylch datgan y Gymraeg yn iaith swyddogol yng Nghymru, rhoi hawliau i bobl Cymru i gael gwasanaethau drwy gyfrwng y Gymraeg, hawliau i allu gweithio drwy gyfrwng y Gymraeg, a hawliau i ddysgu'r Gymraeg, sefydlu Comisiynydd Iaith i Gymru a sefydlu Cyngor yr Iaith Gymraeg. Bydd unrhyw ddarpariaeth mewn Mesur Cynulliadol sy'n ymwneud â mater newydd 20.1 o fewn cymhwysedd deddfwriaethol y Cynulliad yn rhinwedd telerau'r mater hwnnw ac adran 94(4) o Ddeddf 2006.

Draft Order laid before the National Assembly for Wales and Parliament under section 95(5) of the Government of Wales Act 2006, for approval by resolution of the Assembly and of each House of Parliament.

STATUTORY INSTRUMENTS

2007 No. X

CONSTITUTIONAL LAW

DEVOLUTION, WALES

National Assembly for Wales (Legislative Competence) Order X 2007

*Made - - - - ****
Laid before the National Assembly for Wales
*Laid before Parliament ****
Coming into force in accordance with Article 1
At the Court at Buckingham Palace, the *** day *** of *** 2007
Present
The Queen's Most Excellent Majesty in Council

In accordance with section 95(5) of the Government of Wales Act 2006(**a**) a draft of this order has been laid before the National Assembly for Wales and Parliament and approved by the Assembly and each House of Parliament.
Accordingly, Her Majesty, in pursuance of section 95(1) of the Government of Wales Act 2006, is pleased, by and with the advice of Her Privy Council, to order as follows:-

Citation and commencement

1. This Order may be cited as the National Assembly for Wales (Legislative Competence) Order X 2007 and it comes into force on the day after the day on which it is made.

Amendments to Schedule 5 to the Government of Wales Act 2006

2.—(1) Field 20 (Welsh language) of Part 1 of Schedule 5 to the Government of Wales Act 2006 is amended in accordance with this article.

(2) After "Field 20: Welsh language" insert—

"*Matter 20.1*
Provision for and in connection with the Welsh language, being the native language of Wales, to –

(a) be an official language in Wales;

(b) give to the people of Wales the right to receive services through the medium of Welsh, to work through the medium of Welsh and to learn Welsh;
(c) establish a Language Commissioner for Wales; and
(d) establish a Welsh Language Council."

Clerk to the Privy Council

EXPLANATORY NOTE

(This note is not part of the Order)

This order amends Schedule 5 to the Government of Wales Act 2006 ("the 2006 Act"). The effect of the order is to extend the legislative competence of the National Assembly of Wales to make new laws for Wales by Measure under section 93 of the 2006 Act.

Article 2 inserts a new matter 20.1 into field 5 of Part 1 of Schedule 5 to the 2006 Act. The new matter is about declaring Welsh an official language in Wales, giving rights to the people of Wales to receive services through the medium of Welsh, to be able to work through the medium of Welsh and to learn Welsh, to establish a Language Commissioner for Wales and to establish a Welsh Language Council . Any provision of an Assembly Measure relating to the new matter 20.1 will be within the legislative competence of the Assembly by virtue of the terms of that matter and section 94(4) of the 2006 Act.