



HYSBYSIAD YNGHYLCH GWELLIANNAU NOTICE OF AMENDMENTS

Cyflwynwyd ar 13 Mai 2013
Tabled on 13 May 2013

Bil Trawsblannu Dynol (Cymru) Human Transplantation (Wales) Bill

Mark Drakeford

1

Section 4, page 2, line 27, leave out 'subsection (4)' and insert –
'the case is not one mentioned in the first column of Table 1 in subsection (3) and subsection (4) applies, or

- (c) the case is not one mentioned in the first column of Table 1 in subsection (3) and subsection (5)'.

Adran 4, tudalen 2, llinell 29, hepgorer 'bod is-adran (4)' a mewnosoder –
'nad yw'r achos yn un a grybwyllir yng ngholofn gyntaf Tabl 1 yn is-adran (3) ac mae is-adran (4) yn gymwys, neu

- (c) nad yw'r achos yn un a grybwyllir yng ngholofn gyntaf Tabl 1 yn is-adran (3) ac mae is-adran (5)'.

Mark Drakeford

2

Section 4, page 3, Table 1, after line 11, column 1, insert –
'4. The person has died, case 2 does not apply and the person had appointed a person or persons to deal with the issue of consent in relation to the activity, but no one is able to give consent under the appointment.'

Adran 4, tudalen 3, Tabl 1, ar ôl llinell 11, colofn 1, mewnosoder –

‘4. Mae’r person wedi marw, nid yw achos 2 yn gymwys ac yr oedd y person wedi penodi person neu bersonau i ymdrin â’r mater o gydsynio mewn perthynas â’r gweithgaredd, ond nid oes neb yn gallu rhoi cydsyniad o dan y penodiad.’

Mark Drakeford

3

Section 4, page 3, Table 1, after line 11, column 2, insert –

‘Consent of a person who stood in a qualifying relationship to the person immediately before death.’

Adran 4, tudalen 3, Tabl 1, ar ôl llinell 11, colofn 2, mewnosoder –

‘Cydsyniad person a oedd mewn perthynas gymhwysol â’r person yn union cyn iddo farw.’

Mark Drakeford

4

Section 4, page 3, leave out lines 13 to 16 and insert –

() a relative or friend of long standing of the deceased objects on the basis of views held by the deceased, and

() a reasonable person would conclude that the relative or friend knows that the most recent view of the deceased before death on consent for transplantation activities was that the deceased was opposed to consent being given.

() This subsection applies if the transplantation activity involves relevant material of a type specified by the Welsh Ministers in regulations.’

Adran 4, tudalen 3, hepgorer llinellau 13 hyd at 16 a mewnosoder –

() os yw perthynas neu gyfaill ers amser maith i’r ymadawedig yn gwrthwynebu ar sail barn yr ymadawedig, a

() pe byddai person rhesymol yn dod i’r casgliad bod y perthynas neu’r cyfaill yn gwybod mai barn ddiweddaraf yr ymadawedig cyn iddo farw ar gydsynio i weithgareddau trawsblannu oedd bod yr ymadawedig yn gwrthwynebu i gydsyniad gael ei roi.

() Mae’r is-adran hon yn gymwys os yw’r gweithgaredd trawsblannu yn ymwneud â deunydd perthnasol o fath a bennir gan Weinidogion Cymru mewn rheoliadau.’

Mark Drakeford

5

Section 5, page 4, Table 2, after line 8, column 1, insert –

‘3. Case 1 does not apply and the excepted adult had appointed a person or persons to deal with the issue of consent in relation to the activity, but no one is able to give consent under the appointment.’

Adran 5, tudalen 4, Tabl 2, ar ôl llinell 10, colofn 1, mewnosoder –

‘3. Nid yw achos 1 yn gymwys ac yr oedd yr oedolyn a eithrir wedi penodi person neu bersonau i ymdrin â’r mater o gydsynio mewn perthynas â’r gweithgaredd, ond nid oes neb yn gallu rhoi cydsyniad o dan y penodiad.’

Mark Drakeford **6**

Section 5, page 4, Table 2, after line 8, column 2, insert –

‘Consent of a person who stood in a qualifying relationship to the excepted adult immediately before death.’

Adran 5, tudalen 4, Tabl 2, ar ôl llinell 10, colofn 2, mewnosoder –

‘Cydsyniad person a oedd mewn perthynas gymhwysol â’r oedolyn a eithrir yn union cyn iddo farw.’

Mark Drakeford **7**

Section 5, page 4, Table 2, leave out lines 9 to 11, column 1.

Adran 5, tudalen 4, Tabl 2, hepgorer llinellau 11 hyd at 13, colofn 1.

Mark Drakeford **8**

Section 5, page 4, Table 2, leave out lines 9 to 11, column 2.

Adran 5, tudalen 4, Tabl 2, hepgorer llinellau 11 hyd at 13, colofn 2.

Mark Drakeford **9**

Section 5, page 4, Table 2, after line 11, column 1, insert –

‘4. None of cases 1, 2 or 3 applies in relation to the excepted adult.’

Adran 5, tudalen 4, Tabl 2, ar ôl llinell 13, colofn 1, mewnosoder –

‘4. Nid yw achosion 1, 2 na 3 yn gymwys mewn perthynas â’r oedolyn a eithrir.’

Mark Drakeford **10**

Section 5, page 4, Table 2, after line 11, column 2, insert –

‘Consent of a person who stood in a qualifying relationship to the excepted adult immediately before death.’

Adran 5, tudalen 4, Tabl 2, ar ôl llinell 13, colofn 2, mewnosoder –

‘Cydsyniad person a oedd mewn perthynas gymhwysol â’r oedolyn a eithrir yn union cyn iddo farw.’

Mark Drakeford **11**

Section 7, page 6, after line 11, insert –

‘(12) For the purpose of sections 4(3) and 5(4) if it is not reasonably practicable to communicate with a person appointed under this section within the time available if consent is to be acted upon, the person is to be treated as being not able to give consent to an activity under the appointment.’

Adran 7, tudalen 6, ar ôl llinell 12, mewnosoder –

‘(12) At ddiben adrannau 4(3) a 5(4) os nad yw’n rhesymol ymarferol cyfathrebu â pherson a benodir o dan yr adran hon o fewn yr amser sydd ar gael os yw’r cydsyniad i gael ei roi ar waith, mae’r person i gael ei drin fel pe na bai’n gallu rhoi cydsyniad i weithgaredd o dan y penodiad.’.

Mark Drakeford 12

Section 8, page 6, leave out lines 21 to 22.

Adran 8, tudalen 6, hepgorer llinellau 24 hyd at 25.

Mark Drakeford 13

Section 14, page 9, line 7, after ‘section’, insert ‘4(3),’.

Adran 14, tudalen 9, llinell 7, ar ôl ‘section’, mewnosoder ‘4(3),’.

Mark Drakeford 14

Section 14, page 9, after line 15, insert –

‘(8B) In giving practical guidance on the circumstances in which consent is deemed the authority must, in particular, give guidance on how a relative or friend of long standing of the deceased can object on the basis of the deceased’s wishes.’.

Adran 14, tudalen 9, ar ôl llinell 15, mewnosoder –

‘(8B) In giving practical guidance on the circumstances in which consent is deemed the authority must, in particular, give guidance on how a relative or friend of long standing of the deceased can object on the basis of the deceased’s wishes.’.

Mark Drakeford 15

Section 14, page 9, line 17, after ‘section’, insert ‘4(3),’.

Adran 14, tudalen 9, llinell 17, ar ôl ‘section’, mewnosoder ‘4(3),’.

Mark Drakeford 16

Section 14, page 9, line 20, after ‘section’, insert ‘4(3),’.

Adran 14, tudalen 9, llinell 20, ar ôl ‘section’, mewnosoder ‘4(3),’.

Mark Drakeford **17**

Section 14, page 9, after line 21, insert—

‘(11) Before making an order under subsection (10) the Welsh Ministers must carry out such public consultation as they consider appropriate.’.

Adran 14, tudalen 9, ar ôl llinell 21, mewnosoder—

‘(11) Before making an order under subsection (10) the Welsh Ministers must carry out such public consultation as they consider appropriate.’.

Mark Drakeford **18**

Section 14, page 9, leave out lines 31 to 32 and insert—

‘() the National Assembly has approved the draft by resolution.’.

Adran 14, tudalen 9, hepgorer llinellau 31 hyd at 32 a mewnosoder—

‘() the National Assembly has approved the draft by resolution.’.

Mark Drakeford **19**

Section 15, page 11, line 1, leave out ‘(6)’ and insert ‘(5)’.

Adran 15, tudalen 11, llinell 1, hepgorer ‘(6)’ a mewnosoder ‘(5)’.

Mark Drakeford **20**

Section 18, page 13, after line 18, insert—

‘() Before making an order or regulations under this Act the Welsh Ministers must carry out such public consultation as they consider appropriate.’.

Adran 18, tudalen 13, ar ôl llinell 18, mewnosoder—

‘() Cyn gwneud gorchymyn neu reoliadau o dan y Ddeddf hon rhaid i Weinidogion Cymru gynnal unrhyw ymgynghoriad cyhoeddus sy’n briodol yn eu barn hwy.’.

Mark Drakeford **21**

Section 18, page 13, line 22, leave out ‘Subsection (3) does’ and insert ‘Subsections () and (3) do’.

Adran 18, tudalen 13, llinell 22, hepgorer ‘is-adran’ a mewnosoder ‘is-adrannau () a’.