

## Agenda Supplement – Legislation, Justice and Constitution Committee

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Meeting Venue:

Committee Room 2, Senedd

Meeting date: 27 January 2025

Meeting time: 14.00

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### Hybrid – Supplementary Pack

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Please note the documents below are in addition to those published in the main Agenda and Reports pack for this Meeting

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#### **4 Instruments that raise issues to be reported to the Senedd under Standing Order 21.2 or 21.3 – previously considered** (14.10 – 14.15)

#### **4.2 SL(6)554 – The Feed Additives (Authorisations) and Uses of Feed Intended for Particular Nutritional Purposes (Amendment of Commission Regulation (EU) 2020/354) (Wales) Regulations 2024** (Pages 1 – 6)

Attached Documents:

LJC(6)-04-25 – Paper 23 – Report

LJC(6)-04-25 – Paper 24 – Welsh Government response

#### **9 Legislative Consent Memorandum on the Renters' Rights Bill: Draft report** (14.40 – 14.55) (Pages 7 – 53)

Attached Documents:

LJC(6)-04-25 – Paper 17 – Draft report

#### **12 Welsh Government Draft Budget 2025–26: Draft report** (15.25 – 15.35) (Pages 54 – 67)



Attached Documents:

LJC(6)-04-25 – Paper 21 – Draft report

## **14 Supplementary Legislative Consent Memorandum on the Great British Energy Bill**

(15.45)

(Pages 68 – 70)

Attached Documents:

LJC(6)-04-25 – Paper 25 – Supplementary Legislative Consent Memorandum

## **SL(6)554 – The Feed Additives (Authorisations) and Uses of Feed Intended for Particular Nutritional Purposes (Amendment of Commission Regulation (EU) 2020/354) (Wales) Regulations 2024**

### **Background and Purpose**

The purpose of the Feed Additives (Authorisations) and Uses of Feed Intended for Particular Nutritional Purposes (Amendment of Commission Regulation (EU) 2020/354) (Wales) Regulations 2024 (these Regulations) is to:

- Give legal effect to the Welsh Ministers' determination, in relation to Wales, of twenty-five feed additive applications in favour of authorisation and one amendment to the list of uses of feed intended for particular nutritional purposes for use in animal feed in Wales.
- Provide transitional arrangements to allow existing stocks of certain previously authorised feed additives to be depleted due to labelling changes and/or changes to conditions of authorisation as a result of provision made by these Regulations.

Corresponding legislation has been made in England and Scotland. The legislation will come into force across Great Britain on 20 December 2024.

### **Procedure**

Negative.

The Regulations were made by the Welsh Ministers before they were laid before the Senedd. The Senedd can annul the Regulations within 40 days (excluding any days when the Senedd is: (i) dissolved, or (ii) in recess for more than four days) of the date they were laid before the Senedd.

### **Technical Scrutiny**

The following 10 points are identified for reporting under Standing Order 21.2 in respect of this instrument.

#### **1. Standing Order 21.2 (vii) - that that there appear to be inconsistencies between the meaning of its English and Welsh texts.**

In regulation 2(1), in the fourth line of the English text, it refers to "Regulation 767/2009", but in the corresponding place in the Welsh text it refers to "Regulation **(EC) No** 767/2009". In addition, it means that in the English text, it states at the beginning of that provision that



expressions used in "Regulation 767/2009" have the same meaning as in "Regulation (EC) No 767/2009" but the Welsh text consistently refers to the same legislation in both places.

**2. Standing Order 21.2(vii) - that there appear to be inconsistencies between the meaning of its English and Welsh texts.**

In regulation 4(1) of the English text, in the title of Commission Implementing Regulation (EU) 2016/897, it states "and **amending Regulations** (EC) No 1444/2006, (EU) No 333/2010 and (EU) No 184/2011". This is because EUR 2016/897 amends the text of those other listed Regulations. Therefore, in the Welsh text, it should use a phrase such as "**ac sy'n diwygio Rheoliadau** (EC) Rhif 1444/2006, (EU) Rhif 333/2010 ac (EU) Rhif 184/2011". However, the phrase "**a Rheoliadau diwygio**" is used which incorrectly suggests to the reader that those listed Regulations are responsible for amending other legislation rather than being the subject of amendment by EUR 2016/897.

**3. Standing Order 21.2(vii) - that there appear to be inconsistencies between the meaning of its English and Welsh texts.**

In regulations 13(4), 14(3) and 16(3) of the English text, it states "**immediately** before 20 December 2024", but in the Welsh text of those provisions there is no word or phrase to convey "immediately". In every other place, the phrase "yn union" is used to convey the meaning of "immediately" in the same context in the Welsh text, e.g., regulations 12(1) and (2), and 13(2), (3) and (5). Therefore, it also means that the Welsh text is inconsistent in this regard, suggesting that the meaning differs although the English text is identical on each occasion.

**4. Standing Order 21.2(v) - that for any particular reason its form or meaning needs further explanation.**

In the heading of regulation 15, should there also be a reference to the relevant identification number(s) as found in the headings of the other transitional provisions in these Regulations?

**5. Standing Order 21.2(vii) - that there appear to be inconsistencies between the meaning of its English and Welsh texts.**

In Schedule 8, in the table, in the second column of the entry for "Other provisions", there is a difference between the English and Welsh text. In the English text, in point 4, in the first bullet point for the words that must be stated "In English", in the final line, it states "level of essential trace elements". But in the Welsh text, in the corresponding bullet point for the words that must be stated "In English", the word "of" is missing so that it states, "level essential trace elements". This is important as these are the prescribed form of words that must be stated on the labelling of the additive and premixture referred to.

**6. Standing Order 21.2(vii) - that there appear to be inconsistencies between the meaning of its English and Welsh texts.**



In Schedule 11, in the words above the table of the English text, it states that the additive category is “technological additives”, but the meaning given by the Welsh text is “technical additives”. In addition, this also means that in the Welsh text the additive category noted above the table is different from that noted in the second column for the entry “Additive category”.

**7. Standing Order 21.2(v) - that for any particular reason its form or meaning needs further explanation.**

In Schedules 12 and 13, in the tables, in the entry for “Other provisions”, in the second column, in point 2, there is an inconsistency in the Welsh text. In the English text, it states “The additive may be used via water” but the meaning of “**may**” has been expressed differently in the Welsh text of both Schedules. In Schedule 12, the Welsh text expresses “may” as meaning “is allowed to do so/ has legal discretion to do so” (“caniateir”) but in Schedule 13 it is expressed as meaning a future possibility “is possible to do so” (“gallu”). The Welsh text should be consistent as the context is the same in both places and there does not appear to be any difference in meaning in the English text of both Schedules.

**8. Standing Order 21.2(v) - that for any particular reason its form or meaning needs further explanation.**

In Schedule 16, in the entry for “Characterisation of the active substance” in the second column of the table, the English text states “with the following components”, and in the Welsh text the word “elfennau” is used to convey the meaning of “components”. Elsewhere in the tables found in the Schedules, the word “cydrannau” has been used to express the meaning of “components”, e.g. Schedules 8, 9 and 17. Therefore, it is inconsistent with the Welsh text of the other tables in the Schedules. In addition, “elfennau” has already been used to express the meaning of “elements” in the scientific term “trace elements” in the Schedules. Therefore, the use of “elfennau” in Schedule 16 may also suggest to the reader of the Welsh text that it is referring to “elements” rather than “components”.

**9. Standing Order 21.2(vii) - that there appear to be inconsistencies between the meaning of its English and Welsh texts.**

In Schedule 21 of the English text, it notes “Commission Regulation (EU) No 349/2010...” as the fourth entry for revocation, but in the Welsh text the meaning given is “Commission **Implementing** Regulation (EU) No 349/2010...”.

**10. Standing Order 21.2(vii) – that there appear to be inconsistencies between the meaning of its English and Welsh texts.**

In Schedule 21 of the English text, it notes “Commission Implementing Regulation (EU) No 98/2012” as the eighth entry for revocation. In the title of the Regulation, it refers to “**weaned piglets, pigs for fattening and sows**” but the meaning given by the Welsh text is “**piglets for fattening and sows**”.



## Merits Scrutiny

No points are identified for reporting under Standing Order 21.3 in respect of this instrument.

## Welsh Government response

A Welsh Government response is required to each of the reporting points.

## Committee Consideration

The Committee considered the instrument at its meeting on 6 January 2025 and reports to the Senedd in line with the reporting points above.



Senedd Cymru

**Pwyllgor Deddfwriaeth, Cyfiawnder a'r Cyfansoddiad**

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Welsh Parliament

**Pack Page 4**

**Legislation, Justice and Constitution Committee**

**Government Response: *The Feed Additives (Authorisations) and Uses of Feed Intended for Particular Nutritional Purposes (Amendment of Commission Regulation (EU) 2020/354) (Wales) Regulations 2024***

Technical Scrutiny point:

**1. *Standing Order 21.2(vii) - that that there appear to be inconsistencies between the meaning of its English and Welsh texts.***

The Government acknowledges there is a typographical error in the English language text of regulation 2(1). The words “(EC) No” are missing from the first reference to EUR 2009/767.

The Government will correct the error by correcting instrument. It is proposed to make the correcting instrument within the first quarter of 2025.

**2. *Standing Order 21.2(vii) - that there appear to be inconsistencies between the meaning of its English and Welsh texts.***

The Government acknowledges the point.

The Government will correct the error in the Welsh language text by correcting instrument. It is proposed to make the correcting instrument within the first quarter of 2025.

**3. *Standing Order 21.2(vii) - that there appear to be inconsistencies between the meaning of its English and Welsh texts.***

The Government acknowledges the point.

The Government will correct the error in the Welsh language text by correcting instrument. It is proposed to make the correcting instrument within the first quarter of 2025.

**4. *Standing Order 21.2(v) - that for any particular reason its form or meaning needs further explanation.***

The lack of reference to an identification number in Regulation 15 (including the heading) is intentional. The transitional provision in regulation 15 concerns a feed additive that, until the coming into force of these Regulations, was an ‘existing product’ for the purpose of Article 10 of EUR 2003/1831. That ‘existing’ product was not covered by an authorisation issued under EUR 2003/1831 and so did not have an applicable identification number associated with it. The transitional provision concerns the substance as previously authorised for cats under Article 10, not the substance now authorised for cats under Schedule 11 of these Regulations.

**5. *Standing Order 21.2(vii) - that there appear to be inconsistencies between the meaning of its English and Welsh texts.***

The Government acknowledges the point.

The Government will correct the typographical error in the prescribed labelling wording within Welsh language text by correcting instrument. It is proposed to make the correcting instrument within the first quarter of 2025

**6. *Standing Order 21.2(vii) - that there appear to be inconsistencies between the meaning of its English and Welsh texts.***

The Government acknowledges the point.

The Government will correct the error in the Welsh language text by correcting instrument. It is proposed to make the correcting instrument within the first quarter of 2025.

**7. *Standing Order 21.2(v) - that for any particular reason its form or meaning needs further explanation.***

The Government acknowledges the point

The purpose of the wording in Schedule 12 and 13 is to reflect that the applications for these additives requested the additives be authorised as capable of being administered in drinking water, which was considered in, and supported by the safety assessment. The Government accepts there is an ambiguity in the use of “may”. In this context, the intended meaning is better represented by “caniateir”, which should have been used consistently.

The Government will amend the Welsh language text of Schedule 13, by correcting instrument, to bring it into consistency with Schedule 12. It is proposed to make the correcting instrument within the first quarter of 2025.

**8. *Standing Order 21.2(v) - that for any particular reason its form or meaning needs further explanation.***

The Government acknowledges the point.

The relevant text in Schedule 16 refers to the subsequently listed substances. The word “cydrannau” should have been used, not “elfennau”.

The Government will amend the Welsh language text of Schedule 16, by correcting instrument, to bring it into consistency with the other Schedules. It is proposed to make the correcting instrument within the first quarter of 2025.

**9. *Standing Order 21.2(vii) - that there appear to be inconsistencies between the meaning of its English and Welsh texts.***

The Government acknowledges the point

The Government does not consider the error affected the operation of the revocation – it is clear which instrument is being revoked. The Government considers that the revocation has taken effect notwithstanding the error in the title of the revoked instrument in the Welsh language text. As the revocation has already taken effect, the Government does not consider a correction to be necessary or appropriate.

**10. *Standing Order 21.2(vii) - that there appear to be inconsistencies between the meaning of its English and Welsh texts.***

The Government acknowledges the point

The Government does not consider the error affected the operation of the revocation – it is clear which instrument is being revoked. The Government considers that the revocation has taken effect notwithstanding the error in the title of the revoked instrument in the Welsh language text. As the revocation has already taken effect, the Government does not consider a correction to be necessary or appropriate.

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# Agenda Item 12

By virtue of paragraph(s) vi of Standing Order 17.42

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# Agenda Item 14

## SUPPLEMENTARY LEGISLATIVE CONSENT MEMORANDUM (MEMORANDUM NO 2)

### GREAT BRITISH ENERGY BILL

1. This legislative consent memorandum is laid under Standing Order (“SO”) 29.2. SO29 prescribes that a legislative consent memorandum must be laid, and a legislative consent motion may be tabled, before Senedd Cymru<sup>1</sup> if a UK Parliamentary Bill makes provision in relation to Wales for any purpose within, or which modifies the legislative competence of the Senedd.
2. The Great British Energy Bill (“the Bill”) was introduced in the House of Commons on 25 July 2024. The Bill can be found at: [Great British Energy Bill - Parliamentary Bills - UK Parliament](#). The Cabinet Secretary for Economy, Transport and North Wales laid an LCM on 8 August 2024 on the Bill as introduced which includes a summary of the Bill.
3. The Bill completed House of Lords Committee Stage on 22 January 2025 and will begin Report Stage on 11 February. This sLCM covers the UK Government amendments laid on 23 January.

### Policy Objective

4. The UK Government’s stated policy objectives are for the company Great British Energy to drive clean energy deployment, create jobs, boost energy independence, and provide value for the UK taxpayer.
5. The UK Government state that Great British Energy is also intended to work in partnership with industry and unions, as well as communities, local authorities, and other public sector organisations to invest in and drive the deployment of clean energy. The policy intent is also for Great British Energy to invest in, own, and develop clean energy projects in order to derisk and accelerate the delivery of projects and provide support where there is a market gap.
6. In accordance with its objects, which the Bill seeks to establish, Great British Energy is intended to engage in all aspects of clean energy projects, including design, development, construction, commissioning and operation of projects. The policy intent covers supporting infrastructure across the clean energy supply chain, establishing the Local Power Plan, and measures that support the security of supply and energy efficiency.
7. The UK Government intend for Great British Energy to be able to provide support to industry, local authorities and community groups through a variety of mechanisms including but not limited to equity, loans, grants,

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<sup>1</sup> Please note in accordance with Welsh Government policy we refer to the legislature in Wales as “Senedd Cymru” on first use and “the Senedd” thereafter unless the context stipulates otherwise.

insurance, and guarantees. The UK Government does not intend for Great British Energy to be an energy retail company or to supply energy directly to households.

### **Summary of the changes to the Bill at Report Stage**

8. The UK Government has laid one amendment to the Bill and has not accepted any other amendments proposed for the Bill to date.
9. Clause 5 (*'Strategic priorities and plans'*) provides for the Secretary of State to make statements of strategic priorities which Great British Energy must provide in its articles of association that it will act in accordance with. In the Bill as introduced Clause 5 stated that before making a statement of strategic priorities, the Secretary of State must **consult** with the devolved governments to the extent that the statement concerns a subject matter in relation to which the respective devolved legislatures could legislate.
10. The UK Government has laid an amendment to Clause 5. The amendment requires that the Secretary of State must not, without the **consent** of the Welsh Ministers, include in a statement under clause 5 anything which concerns a subject matter provision about which would be within the legislative competence of Senedd Cymru, if contained in an Act of the Senedd.

### **Welsh Government position on the changes to the Great British Energy Bill following the government amendment of 23 January 2025**

11. The Cabinet Secretary for Economy, Transport and North Wales laid an LCM for the Bill on 8 August 2024. That LCM noted that the climate emergency is one of the greatest challenges we face, and Welsh Government is supportive of legislation to establish GBE to help facilitate and encourage the development of renewable energy projects. The LCM also stated that we are seeking further engagement with UK Government on the role of the Welsh Ministers and the Senedd with the Bill.
12. I have had several discussions with the lead UK Government Minister, the Parliamentary Under-Secretary of State at the Department for Energy Security and Net Zero, Minister Shanks. Those discussions have focussed on Clause 5 (*'Strategic priorities and plans'*) of the Bill, where we have been discussing how this could be strengthened with respect to the role of Welsh Ministers.
13. The amendment laid by the UK Government strengthens the Bill in an appropriate way requiring the Secretary of State to seek the consent of Welsh Ministers rather than consulting with Welsh Ministers should the Secretary of State include in a statement under Clause 5 anything which concerns a subject matter provision about which would be within the legislative competence of Senedd Cymru, if contained in an Act of the Senedd.

### **Financial implications**

14. There are no financial implications for Wales if the Senedd consents to the provisions applying in Wales.

### **Conclusion**

15. The climate emergency is one of the greatest challenges we face, and Welsh Government is supportive of legislation to establish GBE to help facilitate and encourage the development of renewable energy projects.
16. The amendment proposed by the UK Government with respect to Clause 5 enables me to recommend to the Senedd to consent to the Great British Energy Bill.

**Rebecca Evans MS**  
**Cabinet Secretary for Economy, Energy and Planning**  
**24/01/2025**