

## Agenda Supplement – Legislation, Justice and Constitution Committee

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Meeting Venue:

For further information contact:

Video conference via Zoom

P Gareth Williams

Meeting date: 26 January 2026

Committee Clerk

Meeting time: 13.30

0300 200 6565

[SeneddLJC@senedd.wales](mailto:SeneddLJC@senedd.wales)

### Remote – 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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#### 3 Instruments that raise issues to be reported to the Senedd under Standing Order 21.2 or 21.3

(13.35 – 13.40)

##### 3.5 SL(6)704 – The Greenhouse Gas Emissions Trading Scheme (Amendment) Order 2026

(Page 1)

[Order](#)

[Explanatory Memorandum](#)

Attached Documents:

LJC(6)-03-26 – Paper 31 – Welsh Government response

#### 4 Instruments that raise issues to be reported to the Senedd under Standing Order 21.7

(13.40 – 13.45)

##### 4.1 SL(6)711 – The Building Safety Act 2022 (Commencement No. 6) (Wales) Regulations 2025

(Page 2)



## [Regulations](#)

Attached Documents:

LJC(6)-03-26 – Paper 32 – Welsh Government response

### **5 Instruments that raise issues to be reported to the Senedd under Standing Order 21.2 or 21.3 – previously considered**

(13.45 – 13.50)

#### **5.2 SL(6)694 – The Procurement Act 2023 (Threshold Amounts) (Amendment) (Wales) Regulations 2025**

(Pages 3 – 6)

Attached Documents:

LJC(6)-03-26 – Paper 33 – Report

LJC(6)-03-26 – Paper 34 – Welsh Government response

### **6 Instruments that raise issues to be reported to the Senedd under Standing Order 21.7 – previously considered**

(13.50 – 13.55)

#### **6.1 SL(6)698 – The Individual Candidate Election Expenses (Senedd Elections) Code of Practice 2025**

(Pages 7 – 10)

Attached Documents:

LJC(6)-03-26 – Paper 35 – Report

LJC(6)-03-26 – Paper 36 – Welsh Government response

#### **6.2 SL(6)699 – The Political Parties Campaign Expenditure (Senedd Elections) Code of Practice 2025**

(Pages 11 – 13)

Attached Documents:

LJC(6)-03-26 – Paper 37 – Report

LJC(6)-03-26 – Paper 38 – Welsh Government response

**6.3 SL(6)700 – The Non-Party Campaigner Campaign Expenditure (Senedd Elections) Code of Practice 2025**

(Pages 14 – 17)

Attached Documents:

LJC(6)-03-26 – Paper 39 – Report

LJC(6)-03-26 – Paper 40 – Welsh Government response

**8 Papers to note**

(14.00 – 14.05)

**8.2 Written Statement by the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs: Consultation on Proposed Changes to Local Authority Fees and Charges Schemes under the Environmental Permitting (England and Wales) Regulations 2016**

(Pages 18 – 19)

Attached Documents:

LJC(6)-03-26 – Paper 41 – Written Statement by the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs, 23 January 2026

**8.3 Correspondence from the Standards of Conduct Committee to the Member Accountability Bill Committee: The Senedd Cymru (Member Accountability and Elections) Bill**

(Pages 20 – 21)

Attached Documents:

LJC(6)-03-26 – Paper 42 – Letter from the Standards of Conduct Committee to the Member Accountability Bill Committee, 23 January 2026

**8.4 Correspondence from the Short Term Accommodation Association to the Cabinet Secretary for Finance and Welsh Language: Development of Tourism and Regulation of Visitor Accommodation Bill**

(Pages 22 – 23)

Attached Documents:

LJC(6)-03-26 – Paper 43 – Letter from the Short Term Accommodation

Association to the Cabinet Secretary for Finance and Welsh Language, 23  
January 2026

# Agenda Item 3.5

## **Government Response: *The Greenhouse Gas Emissions Trading Scheme (Amendment) Order 2026***

### Technical Scrutiny point 1:

We are grateful to the Committee for bringing this to our attention. We accept the point raised. We are working alongside the other Governments who form the UK Emissions Trading Scheme Authority to determine the best option for addressing this issue, and aim to remedy the error at the earliest opportunity.

## **Ymateb y Llywodraeth: *Gorchymyn Cynllun Masnachu Allyriadau Nwyon Tŷ Gwydr (Diwygio) 2026***

### Pwynt Craffu Technegol 1:

Rydym yn ddiolchgar i'r Pwyllgor am dynnu ein sylw at y mater hwn. Rydym yn derbyn y pwynt a godwyd. Rydym yn gweithio ochr yn ochr â'r Llywodraethau eraill sy'n aelodau o Awdurdod Cynllun Masnachu Allyriadau'r DU i benderfynu ar yr opsiwn gorau ar gyfer mynd i'r afael â'r mater hwn, gyda'r bwriad o gywiro'r gwall cyn gynted ag y bo modd.

# Agenda Item 4.1

**Government Response: the Building Safety Act 2022 (Commencement No. 6) (Wales) Regulations 2025**

**Scrutiny under Standing Order 21.7:**

The Welsh Government acknowledges this error and intends to lay amending Regulations ahead of the coming into force date of 1 July 2026 to correct the Welsh text.

## **SL(6)694 – The Procurement Act 2023 (Threshold Amounts) (Amendment) (Wales) Regulations 2025**

### **Background and Purpose**

The Procurement Act 2023 (the “**2023 Act**”) established regulation-making powers for Welsh Ministers in relation to public procurement for Wales.

The *Procurement Act 2023 (Threshold Amounts) (Amendment) (Wales) Regulations 2025* (the “**Regulations**”) update certain threshold amounts in Schedule 1 to the 2023 Act (“**Schedule 1**”) which govern the procedures for the award of public contracts for goods, works and services.

Those thresholds determine the value above which contracts of different types fall to be regulated by the substantive public procurement regime.

The Explanatory Memorandum states that “these amendments follow a review of the relevant thresholds to ensure they continue to correspond with the relevant thresholds laid down in the World Trade Organisation’s Agreement on Government Procurement”. It further states that this will ensure “the UK remains compliant with its international obligations” and that it “will provide legal certainty for Welsh Contracting Authorities, maintain consistency across UK jurisdictions, and reduce the risk of trade disputes”.

### **Procedure**

Negative

These 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**

No points are identified for reporting under Standing Order 21.2 in respect of this instrument.

### **Merits Scrutiny**

The following two points are identified for reporting under Standing Order 21.3 in respect of this instrument.

#### **1. Standing Order 21.3(ii) - that it is of political or legal importance or gives rise to issues of public policy likely to be of interest to the Senedd**

We note that these Regulations came into force on 01 January 2026.



## 2. Standing Order 21.3(ii) - that it is of political or legal importance or gives rise to issues of public policy likely to be of interest to the Senedd

We note that the amendments made to Schedule 1 by these Regulations came into force five minutes later than separate amendments made to the same provision by UK Parliament regulations.

Whilst we are content that Schedule 1 as amended is legally sound, we are concerned about the resulting inaccessibility and readability of the law as published.

Below are screenshots of Schedule 1 as accessed on 13 January 2026 (12 days after the provisions came into force) from Legislation.gov and two separate subscription-based legislation websites. We note that the text preceding the table varies between the three versions, as well as the contents of the table itself.

The Explanatory Memorandum states that these Regulations will “provide legal certainty for Welsh Contracting Authorities”. As such, we consider these variances to be extremely undesirable, confusing and uncertain for users of the legislation (including professional users).

1

Procurement Act 2023

[◀ Previous: Provision](#)    [Next: Paragraph ▶](#)

1 (1) **[F1** The threshold amount for a contract of a type referred to in the second column of the table below is **[F2** the threshold set out in the corresponding row of the third column.]

**F3**(c) .....  
**F4**(d) ..... ]

	Type of contract	F5...	F6...	[F7 Threshold amount F8...
1	Defence and security contract that is a works contract	F5...	F6...	£5,193,000
2	Defence and security contract that is a concession contract	F5...	F6...	£5,193,000
3	Defence and security contract not within row 1, 2 or 8	F5...	F6...	£415,440

2

1

(1) [The threshold amount for a contract of a type referred to in the second column of the table below is—

(c) if the contract is regulated by the Welsh Ministers, the threshold set out in the corresponding row of the third column, and

(d) in any other case, the threshold set out in the corresponding row of the fourth column].

	Type of contract	Threshold amount[: contract regulated by Welsh Ministers]	[Threshold amount: any other contract [: contract regulated by Welsh Ministers]	[Threshold amount: any other contract
1	Defence and security contract that is a works contract	<b>£5,336,937</b>	£5,372,609	[£5,193,000
2	Defence and security contract that is a concession contract	<b>£5,336,937</b>	£5,372,609	£5,193,000
3	Defence and security contract not within row 1, 2 or 8	<b>£426,955</b>	£429,809	£415,440



1	<b>3</b>	
<p>(1) [ The threshold amount for a contract of a type referred to in the second column of the table below is [...] <sup>2</sup> ] <sup>1</sup> [...] <sup>3</sup> [</p>		
	<b>Type of contract</b>	<b>Threshold amount [...]<sup>5</sup></b>
1	Defence and security contract that is a works contract	£5,193,000
2	Defence and security contract that is a concession contract	£5,193,000
3	Defence and security contract not within row 1, 2 or 8	£415,440

We note that the Counsel General is under a continuous duty to review the accessibility of Welsh law under section 1 of the Legislation (Wales) Act 2019. This expressly encompasses ensuring it is published in an up-to date form (including showing whether enactments are in force and incorporating any amendments to them), ensuring it is easy to understand and that it is certain in its effect.

The Welsh Government is asked to confirm which of the three extracts above accurately reflects the law in force at the date it responds.

We also request a response in respect of our broader concerns about the accessibility of amended legislation.

### Welsh Government response

A Welsh Government response is required in respect of the second merits point only.

### Committee Consideration

The Committee considered the instrument at its meeting on 19 January 2026 and reports to the Senedd in line with the reporting points above.



**Government Response: *The Procurement Act 2023 (Threshold Amounts) (Amendment) (Wales) Regulations 2025***

Merit Scrutiny point 2: The Welsh Government notes the merit scrutiny point and the concerns regarding the variations presented when seeking to access the amendments to Schedule 1 to the Procurement Act 2023 via [legislation.gov.uk](https://legislation.gov.uk) and two subscription based websites.

Extract 1 accurately reflects the law in force as of 13 January 2026. Additionally at the time of preparing this response we note that Westlaw now also appears to correctly show paragraph 1 of Schedule 1 to the 2023 Act.

Welsh Government drafting lawyers worked closely with the Office of the Legislative Counsel and lawyers in the UK Government to ensure the Regulations achieved the policy intentions of both Governments within the confines of the enabling powers in paragraph 2 of Schedule 1 to the 2023 Act.

The intention was to ensure the threshold amounts in Schedule 1 were the same for all contracting authorities. To achieve this the Statutory Instruments containing the Regulations needed to dovetail to produce the correct outcome in Schedule 1 to the 2023 Act. As such the UK Government S.I. was made first to substitute the relevant threshold amounts in a way that acknowledged the limitations on the Secretary of State's power, with the Welsh S.I. then omitting that limitation on the application of the substituted threshold amounts. The intention was to produce one table in Schedule 1 that would set out that the threshold amounts were the same for all contracting authorities. This has been achieved as acknowledged by the Committee and illustrated on [legislation.gov.uk](https://legislation.gov.uk) (and now also Westlaw).

Alternative approaches to drafting were considered which proposed amendments to the table in a way that restricted the application of the amendments to Wales only. However, drafting lawyers were mindful that this was contrary to guidance set out in para 7.28(3) of Writing Laws for Wales.

On the Committee's more general observations regarding the Counsel General's responsibilities under section 1 of the 2019 Act, we note that the Regulations were made on 17 December and came into force on 31 December 2025. As identified by the Committee the amendments have already been applied to the representation of the legislation on the [legislation.gov.uk](https://legislation.gov.uk) site. This is well within the timescales set by the editorial team in The National Archives, whose aim is to update revised legislation within a maximum of three months of the coming into force date of new amendments. In most cases, though, this is done much more quickly. In all cases, the "changes to legislation" message informs readers if there are any outstanding effects. As Members will be aware, section 37V of the 2019 Act came into force on 1 January 2026 and, for the first time, places duties on the King's Printer for Wales to publish Welsh legislation as it has been amended. Whilst this would not apply to the 2023 Act, both the Government and indeed the King's Printer for Wales welcomes this strengthening of the arrangements for publishing legislation in an up-to-date form.

## **SL(6)698 – The Individual Candidate Election Expenses (Senedd Elections) Code of Practice 2025**

### **Background and Purpose**

The amount that can be spent on election expenses by or on behalf of individual candidates for Senedd elections is limited by the *Senedd Cymru (Representation of the People) Order 2025* (the '**2025 Order**').

Parts 1 and 2 of Schedule 7 to the 2025 Order are relevant to the definition of 'election expenses'.

The *Individual Candidate Election Expenses (Senedd Elections) Code of Practice 2025* (the '**Code**') gives guidance as to what does or does not fall within Parts 1 or 2 of Schedule 7 to the 2025 Order.

The Code does not give guidance to those candidates standing for election to the Senedd on behalf of a political party (i.e. party list candidates).

The draft Code was prepared by the Electoral Commission and submitted to the Welsh Ministers for approval. The draft was approved by the Welsh Ministers and laid before the Senedd under paragraph 20(4) of Schedule 7 to the 2025 Order.

### **Procedure**

Draft Negative.

The Welsh Ministers have laid a draft of the Code before the Senedd. If, within 40 days (excluding any days when the Senedd is: (i) dissolved, or (ii) in recess for more than four days) of the draft being laid, the Senedd resolves not to approve the draft Code then the Welsh Ministers must not issue the Code.

If no such resolution is made, the Welsh Ministers must issue the Code in the form of the draft laid before the Senedd, the Code comes into force on the date appointed by the Welsh Ministers by order made by statutory instrument, and the Electoral Commission must arrange for the Code to be published in the manner it thinks appropriate.

### **Scrutiny under Standing Order 21.7**

1. We note paragraph 5 of the Explanatory Memorandum which states that this version of the Code includes revisions made by the Electoral Commission to address issues identified in the withdrawn version of the Code laid on 13 October 2025 ([SL\(6\)655](#)).
2. In paragraph 1.1, there is a difference between the English and Welsh text. In the English text, it notes that "*This Code of Practice on individual candidate election expenses for*



*Senedd elections is issued by Welsh Ministers...*". The meaning given by the Welsh text is "*This Code of Practice is published on individual candidate election expenses for Senedd elections is issued by Welsh Ministers [...]*" which does not make sense.

3. In paragraph 1.3, the definition of "election expenses" in the English and Welsh text is different. In the English text, it notes that "'election expenses' has the meaning set out in article 65 of the 2025 Order". But in the Welsh text, it essentially duplicates the text of a separate definition for "personal expenses".
4. In paragraph 1.3, in the Welsh text, the term "election expenses" has been defined as "*treuliau etholiad*". However, throughout the Code, there is a varying between the use of "*treuliau etholiad*" and "*treuliau etholiadol*" to express the term "*election expenses*". This includes paragraphs 1.4 and 1.13. We note that the Welsh text of article 65 of the *Senedd Cymru (Representation of the People) Order 2025* uses the term "*treuliad etholiad*".
5. In paragraph 1.19, in the Welsh text, "*incurring*" has been expressed by using a mutated form of the phrase "*mynd i*" which is the standardised term in the Glossary of the Welsh Government's Legislative Translation Unit. However, a different term "*ysgwyddo*" has been used elsewhere to express the meaning of "incur" in the Welsh text of the Code. Therefore, there is an inconsistency in the Welsh text of the Code. In addition, in paragraphs 1.12, 3.3, and 9.5 and the heading of section 7 of the Code, the Welsh text of the provisions of the 2025 Order which are quoted has been changed to use "*ysgwyddo*" to express "incur" rather than the forms of "*mynd i*" which are actually found in the Welsh text of those provisions of the 2025 Order.
6. In paragraph 3.1, in the Welsh text, the meaning of "*relevant*" has been expressed by using the word "*berthnasol*". However, in the Welsh text of paragraph 3.2, the same word "*berthnasol*" is used on two occasion to express the meaning of "*applies*". Therefore, the reader of the Welsh text will not be able to distinguish between the meaning of "*relevant*" and "*applies*" when reading the Code. In addition, there is an inconsistency throughout the Welsh text of the Code because forms of both "*perthnasol*" and "*[bod] yn gymwys*" have been used to express the meaning of "*apply*" in places. In this regard, the term "*apply*" has been fully standardised as "*bod yn gymwys*" in the Glossary of the Welsh Government's Legislative Translation Unit.
7. In paragraph 4.8, there is a difference between the English and Welsh text. In the English text, it notes "*a social media channel*" but the meaning given by the Welsh text is "*a social media channel or platform*". This also occurs later at the end of paragraph 5.9 of the Code. There is also a similar instance in paragraph 4.10 where the English text states "*a social media platform*" but the meaning given by the Welsh text is "*a social media channel or platform*". Further, in paragraph 7.3, the English text states "*a channel or*



*platform*" but the meaning given by the Welsh text is "*a social media channel or platform*".

8. In paragraph 4.14, in the Welsh text, at the beginning of the third bullet point, the word "*pan*" is missing to express the meaning of "where" so that it should note "*pan gafodd*" (as found later in paragraph 5.13).
9. In paragraph 9.5, in the words after the first two bullet points, there is a difference between the English and Welsh text. In the English text, it notes "*where that*" but in the Welsh text it notes "*pan fo mae'r*" which does not make grammatical sense.
10. In paragraph 9.5, the term "*election period*" is used in the English text. In the Welsh text, the term is expressed by using a mutated form of "*cyfnod etholiadol*" but we note that the 2025 Order uses a form of "*cyfnod yr etholiad*". Separately, we note that the term '*election period*' is not defined in the Code, but is used in both the third and fourth bullet points of paragraph 9.5. As such, we question whether it would be useful for the reader to have this term defined by reference to article 69(6) of the 2025 Order.

## Government response

A Welsh Government response is required in respect of points 2-10.

## Committee Consideration

The Committee considered the instrument at its meeting on 19 January 2026 and reports to the Senedd in line with the reporting points above.



## **Government Response - The Individual Candidate Election Expenses (Senedd Elections) Code of Practice 2025**

The Welsh Government notes the reporting points and provides the following response in relation to each of the points raised:

Whilst the Welsh Government accepts that there remain some inconsistencies, it is considered that these do not materially impact the Code.

The Electoral Commission has also confirmed that the points raised do not have any impact on the overall effect or application of the Code. The points raised would not mislead readers of the Code and no further definitions are required.

The Electoral Commission is not bound to draft in accordance with Writing Laws for Wales and will draft in a way which ensures consistency with other documents/guidance they produce.

Amending the Code to deal with the inconsistencies would require it to be withdrawn and relayed for a further 40 days. It is considered that any further delay would have a detrimental impact on stakeholders.

The Electoral Commission's main objective is for the Codes to come into force as soon as possible to avoid any further impact on stakeholders, particularly since the Codes have already been delayed beyond the start of the regulated period.

However, the inconsistencies raised will be noted and addressed at the next appropriate opportunity.

## **SL(6)699 – The Political Parties Campaign Expenditure (Senedd Elections) Code of Practice 2025**

### **Background and Purpose**

The Political Parties Campaign Expenditure (Senedd Elections) Code of Practice 2025 ('the Code') gives guidance as to what does or does not fall within the scope of paragraphs 1 and 2 of Part 1 of Schedule 8 to the Political Parties, Elections and Referendums Act 2000 ('PPERA 2000').

Those paragraphs are relevant to the definition of 'campaign expenditure' and therefore, in particular, to what expenses a political party is required to report to the Electoral Commission. Paragraph 1 lists the expenses which qualify when incurred for election purposes. Paragraph 2 lists the exclusions.

The draft Code was prepared by the Electoral Commission and submitted to the Welsh Ministers for approval. The Welsh Ministers approved the draft Code with modifications.

### **Procedure**

Draft Negative.

The Welsh Ministers have laid a draft of the Code before the Senedd. If, within 40 days (excluding any days when the Senedd is: (i) dissolved, or (ii) in recess for more than four days) of the draft being laid, the Senedd resolves not to approve the draft Code then the Welsh Ministers must not issue the Code.

If no such resolution is made, the Welsh Ministers must issue the Code (in the form of the draft) and the Code comes into force on a day specified in an order made by the Welsh Ministers, and is published by the Electoral Commission.

### **Scrutiny under Standing Order 21.7**

The following point is identified for reporting under Standing Order 21.7 in respect of this Code of Practice.

1. There is an inconsistency between paragraphs 11.3 of the English and Welsh texts. The English text refers to "users of a channel or platform" whereas the Welsh text translates as "users of a channel or **social media** platform". The reference to social media ("*cyfryngau cymdeithasol*") does not appear in the English text.



## Government response

A Welsh Government response is required.

## Committee Consideration

The Committee considered the instrument at its meeting on 19 January 2026 and reports to the Senedd in line with the reporting point above.



Senedd Cymru

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

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Welsh Parliament **Pack Page 12**

**Legislation, Justice and Constitution Committee**

**Government Response - *The Political Parties Campaign Expenditure (Senedd Elections) Code of Practice 2025***

**Scrutiny Point 1:** The Welsh Government notes the reporting point and whilst the Welsh Government accepts the inconsistency, it is considered that it does not materially impact the Code.

The Electoral Commission has confirmed that any minor inconsistency here as between the Welsh and English texts does not have any material impact on the overall effect or meaning of the Code and does not require any further action or amendment.

# Agenda Item 6.3

## **SL(6)700 – Non-Party Campaigner Campaign Expenditure (Senedd Elections) Code of Practice 2025**

### **Background and Purpose**

The Non-Party Campaigner Campaign Expenditure (Senedd Elections) Code of Practice 2025 ('the Code') gives guidance as to the operation of Part 6 of Political Parties, Elections and Referendums Act 2000 ('PPERA 2000') for third parties during the regulated period for Senedd elections including during a combined regulated period where applicable.

The Code sets out:

- what a non-party campaigner is;
- what non-party campaigning is;
- the kinds of expenses which are qualifying expenses;
- the circumstances in which expenses are or are not to be regarded as incurred for the purpose of promoting or procuring electoral success;
- the kinds of expenditure which is treated as notional controlled expenditure or donations;
- the circumstances which will be regarded as joint campaigning;
- what targeted controlled expenditure is and when it is relevant; and
- the recording and reporting requirements (including for combined regulated periods).

### **Procedure**

Draft Negative.

The Welsh Ministers have laid a draft of the Code before the Senedd. If, within 40 days (excluding any days when the Senedd is: (i) dissolved, or (ii) in recess for more than four days) of the draft being laid, the Senedd resolves not to approve the draft Code then the Welsh Ministers must not issue the Code.

If no such resolution is made, the Welsh Ministers must issue the Code (in the form of the draft) and the Code comes into force on a day specified in an order made by the Welsh Ministers, and published by the Electoral Commission.



## Scrutiny under Standing Order 21.7

The following points are identified for reporting under Standing Order 21.7 in respect of this code.

(i) Inconsistencies between the meaning of the English and Welsh texts.

1. In paragraph 1.10, in the definition of “party list candidate”, there is a difference between the English and Welsh text. In the English text, it notes that it “has the same meaning as **article 2** of the Senedd Cymru (Representation of the People) Order 2025”. But the meaning given by the Welsh text is “has the same meaning as **section 2** of the Senedd Cymru (Representation of the People) Order 2025”. In addition, it should note in both language texts that it has the same meaning as “**in** article 2” and it would be more precise to refer to article **2(1)** of the 2025 Order.
2. In paragraph 6.18, in the first sentence, there are differences between the English and Welsh text. At the beginning of that sentence in the English text, it notes “If the political party use the...” but the meaning given by the Welsh text is “If the registered political party use the...”. In addition, at the end of that sentence in the English text, it notes “on behalf of the registered political party” but the meaning given by the Welsh text is “on behalf of the political party”.

(ii) Inconsistent use of terms in the Welsh text

3. In paragraph 1.10, in the Welsh text, the term “notional controlled expenditure” has been defined as “gwariant **tybiannol** a reolir”. However, a different term “gwariant a reolir **tybiannol**” is used in the Welsh text in paragraph 1.8 and the heading of section 6 of the Code. Therefore, the definition is not consistent with the term that is used in the Welsh text of the Code.

(iii) Other drafting issues

4. In paragraph 1.10, the term “Incur” is defined for the Code. However, this term has not been defined in the other related Codes. Therefore, is there a reason for the different approach and why the term has been defined for this Code but not for the other related Codes?
5. In paragraph 1.10, there is no definition of the term “party list” although it is used on a single occasion in paragraph 3.12 of the Code and is a defined term in article 2(1) of the 2025 Order. Therefore, this term should also be defined in the Code if it is intended to bear the same meaning as given by article 2(1) of the 2025 Order.
6. In paragraph 1.10, in the definition of “regulated period”, the reference is incomplete where it notes “Section 89B(6) refers to this period” as it does not identify the Act in which that section is found. Other references in paragraph 1.10 have usually included “of PPERA” when referring the reader to sections of that Act.



7. In the heading above paragraph 6.17, and in paragraph 6.18, the term “registered political party” has been used (although in different places in both language texts of paragraph 6.18). However, in paragraph 1.10, the term “political party” is defined as a party which is registered under Part 2 of PPERA. If the definition of “political party” is noted as a party which is registered under Part 2 of PPERA then the word “registered” in those descriptions appears to be superfluous. It is also potentially misleading to the reader if both the terms “political party” and “registered political party” bear the same meaning in the Code.

## Government response

A Welsh Government response is required.

## Committee Consideration

The Committee considered the instrument at its meeting on 19 January 2026 and reports to the Senedd in line with the reporting points above.



## **Government Response - Non-Party Campaigner Campaign Expenditure (Senedd Elections) Code of Practice 2025**

The Welsh Government notes the reporting points and provides the following response in relation to each of the points raised:

Whilst the Welsh Government accepts that there remain some minor inconsistencies, it is considered that these do not materially impact the Code.

The Electoral Commission has also confirmed that the points raised do not have any impact on the overall effect or application of the Code. The minor inconsistencies raised would not mislead readers of the Code and no further definitions are required.

The Electoral Commission is not bound to draft in accordance with Writing Laws for Wales and will draft in a way which ensures consistency with other documents/guidance they produce.

Amending the Code to deal with the minor inconsistencies would require it to be withdrawn and relayed for a further 40 days. It is considered that any further delay would have a detrimental impact on stakeholders.

The Electoral Commission's main objective is for the Codes to come into force as soon as possible to avoid any further impact on stakeholders, particularly since the Codes have already been delayed beyond the start of the regulated period.

However, the minor inconsistencies raised will be noted and addressed at the next appropriate opportunity.



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## **WRITTEN STATEMENT BY THE WELSH GOVERNMENT**

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<b>TITLE</b>	<b>Consultation on Proposed Changes to Local Authority Fees and Charges Schemes under the Environmental Permitting (England and Wales) Regulations 2016</b>
<b>DATE</b>	<b>23 January 2026</b>
<b>BY</b>	<b>Huw Irranca-Davies MS, Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs</b>

Today, I am launching a six-week public consultation on proposals to update our Local Authority Fees and Charges Schemes, made under the Environmental Permitting (England and Wales) Regulations 2016.

These schemes enable Local Authorities in Wales to recover the costs associated with regulating certain industrial activities that have the potential to impact the environment and public health. Such activities include dry cleaning, vehicle respraying, small-scale waste incineration etc.

The current schemes were made in 2016 and have not been updated since.

The proposed changes will apply an inflationary uplift of 44.29% to existing fees and charges, reflecting cumulative inflation since 2016.

The uplift will help ensure that Local Authorities can continue to deliver their essential services and associated regulatory functions effectively. These include determining permit applications, carrying out routine and preventative inspections and undertaking proactive enforcement. This work helps ensure that businesses comply with environmental standards in line with legislative requirements. This also complies with the polluter pays principle which states that the costs of pollution are met by those who cause it, rather than by the wider community.

In addition to seeking views on the proposed uplift, the consultation also invites feedback on the need for a more comprehensive review of the schemes in the future. This further review would examine the structure and operation of the schemes to assist in identifying if improvements could be implemented to ensure they continue to remain proportionate and fit for purpose.

Responses to this consultation will inform the Welsh Government's final decision on whether to implement the updated schemes, which are intended to take effect in the 2026–27 financial year.

[The consultation document and details on how to respond are available on the Welsh Government's website](#)

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**Standards of Conduct  
Committee**

David Rees MS, Chair of the Member Accountability Bill Committee  
By email

23 January 2026

Dear David,

The Standards of Conduct Committee met on 19 January and noted your letter relating to the Member Accountability Bill Committee and the recommendations relevant to the Committee. The Committee welcomed the work of your Committee on the Bill and noted the report and the recommendations as a whole.

The Committee previously recommended the introduction of lay members for the Standards of Conduct Committee as part of its inquiry on deliberate deception. We therefore believe it is important to be clear that these provisions have been included in the legislation as a result of our report and recommendations, even though we are not responsible for the legislation as a whole.

However, having now seen how the recommendation has been incorporated into the draft Bill, the Committee has further considered the wider benefits of the role of lay members within the broader standards landscape and are clear that the introduction of lay members is also relevant to our current work on strengthening the standards framework in relation to dignity and respect matters. Indeed, one of the key suggestions the Committee is considering is the use of sub-Committees and lay members to handle complaints from Members' support staff or to provide independent expertise.

We note that your committee is supportive of the majority of the policy provisions, subject to some improvements which you put forward, however we also note the concern expressed in Conclusion 8 of the report, that limitations on the Senedd's ability to design its own procedures must be kept to a minimum.

Whilst this is something the Standards committee can empathise with the rationale on, we are concerned about an aspect of Recommendation 8 (which is based on Conclusion 8) that removes two parameters we would ordinarily expect to find on the face of primary legislation - namely the maximum length of appointment and the restriction on the number of terms a lay member may serve. We recognise that there will be a need for additional Standing Orders provisions to be agreed in the Seventh Senedd, but we are concerned that your recommendation would result in the removal of these two valuable parameters from the appointment process and potentially risk its implementation.

The Committee is of the view these parameters are more typically found in legislation rather than in Standing Orders, in order to provide clarity during the process of such appointments. The Committee would therefore welcome, rather than the removal of these parameters, the legislation sets out that:

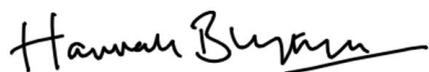
- Lay members should be appointed for a maximum term of five years, and
- an appointment should be renewable only once .

Retaining the provisions outlined above would still allow the Senedd discretion where necessary in relation to the length of appointment as an appointment could be less than 5 years if necessary. It would also provide discretion in establishing how lay members would operate while providing a clear structure consistent with other such legislation making provision for appointments by the Senedd ( the National Assembly for Wales Commissioner for Standards Measure 2010).

Enabling the Senedd to appoint lay members through this legislation is important to maintaining public confidence in the Senedd's commitment to a robust and credible standards framework for the Seventh Senedd. Importantly, including a clear legislative framework will also support the next Senedd in progressing it at the earliest opportunity.

I have copied this letter to the Counsel General, Llywydd and Chair of Legislation, Justice and Constitution Committee given its relevance to them.

Yours sincerely,



Hannah Blythyn MS

Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

# Agenda Item 8.4



Short Term  
Accommodation  
Association

Short Term Accommodation Association  
310 Vox Studios, Durham Street  
London  
SE11 5JH

Mark Drakeford AS/MS

Ysgrifennydd y Cabinet dros Gyllid a'r Gymraeg  
Cabinet Secretary for Finance and Welsh Language  
Cardiff Bay  
CF99 1SN

Cc: Economy, Trade and Rural Affairs Committee  
Legislation, Justice and Constitution Committee

23 January 2026

## **Subject: Development of Tourism and Regulation of Visitor Accommodation Bill**

Dear Cabinet Secretary,

I am writing to you as the Chief Executive of the STAA (Short-Term Accommodation Association), the UK-wide trade association for the short-term rental industry. We represent and support the thousands of individuals in Wales (as well as the wider UK) who let out their homes and rooms in this vital part of the tourism sector, and the businesses who support them.

The STAA appreciates the ongoing work put into designing the Development of Tourism and Regulation of Visitor Accommodation (Wales) Bill and we are grateful to have been given the opportunity to submit evidence before the Economy, Trade and Rural Affairs (ETRA) Committee. It has been encouraging to see our comments addressed and some of our recommendations taken on board. Still, there are a number of concerns the STAA retains around the content of the Bill and the direction in which the Bill is progressing. We outline these below.

**Further Senedd approval:** The STAA and the wider sector support the principles of the Bill. We also welcome the fact the Welsh Government has learnt lessons from Scotland and that you have committed to engaging with the sector further so that we can make this licensing scheme one that truly develops (rather than erodes) the Welsh tourism industry. However, we share ETRA and JLC committees' concern with the haste with which this Bill has been introduced and the lack of scrutiny of the wording of the Bill. We find that flaws in the drafting and areas of subjectivity mean that the Bill fails to provide businesses with the certainty and confidence they need.

The STAA thus strongly supports Recommendation 3 from the Stage 1 report by the ETRA committee, i.e. we call on the Welsh Government to amend the Bill at Stage 2 to make commencement of the licensing scheme subject to further Senedd approval. Given the rushed timeline of the Bill, a full Senedd vote prior to scheme coming into force would enhance the democratic legitimacy of the legislation. This would allow for the engagement with the sector you have promised and for the numerous delegated matters, and those subjective matters left to guidance, to be developed properly without delaying the passing of the Bill.

**Capacity assessment:** We appreciate you confirming that the Welsh Government officials will review the evidence provided by the STAA around expected processing time and cost of licence applications.

Clear evidence from the government of an impact assessment proving that officials have the necessary resources and capacity to process applications at pace would go a long way towards mitigating the uncertainty faced by businesses. We would be pleased to have a dedicated meeting with your officials, to talk through our evidence in more detail and work with them to craft the necessary assurances that licences can be processed in a quick and timely manner, should our concerns around “apply and wait” as set out below not be addressed.

**“Apply and wait” approach:** The STAA would like to reiterate its concerns around the current “apply and wait” approach. This approach provides great uncertainty to businesses who will be left with uncertainty about whether they will be able to continue operating and accept future bookings while awaiting the outcome of their application. Lessons from the equivalent scheme in Scotland support this – reduced supply of accommodation caused issues during major events and this was due not to the fact that these premises had been deemed unsafe but that many licenses had yet to be approved. These concerns are exacerbated by the current uncertainty around processing times. We support instead an “apply and go” approach, where a VAP is granted an automatic licence number on submission of the application with the required documents, followed by a risk-based approach to document checks and a right to rectify any mistakes before a license is revoked. We understand there is an industry consensus around this; technology allows it to be possible and it is in line with best practice being increasingly adopted in other jurisdictions.

**Clarification on license length:** The STAA welcomes the proposed amendment to allow for a longer minimum licence period to be specified. However, we believe this should be clarified in stronger terms. Rather than a provision to grant longer licenses, we call for the starting point to already be licenses that last longer than one year. Three years would be in line with international best practice.

**Sections 46 and 47:** We ask for further clarification of what sections 46 and 47 offences would actually require of booking platforms. While our platform members are keen to cooperate by ensuring ‘compliance by design’, e.g. by making a registration number mandatory on all listings, and ensuring that inputted numbers have to follow a consistent format, they should not be held liable for something out of their control. We believe that platforms having robust ‘notice and takedown’ processes in place to ensure that non-compliant listings are swiftly removed when brought to their attention should be sufficient to act as a reasonable defence, and we believe it is important that this be clarified before the legislation completes its parliamentary process. We would welcome further detail on how platforms, agents and property managers would be able to verify registration numbers.

Again, we would reiterate that accepting the ETRA committee’s Recommendation 3 to make the launch of the scheme subject to further Sennedd approval would allow the Welsh Government and the sector to work collaboratively on this detail before the scheme is operational.

Thank you for taking the time to consider our concerns. I would be very open to discussing any of these matters further with you and your officials prior to the Stage 2 debate.

Kind regards,



Andy Fenner,  
STAA Chief Executive