

Agenda Supplement – Legislation, Justice and Constitution Committee

Meeting Venue:

For further information contact:

Video conference via Zoom

P Gareth Williams

Meeting date: 9 February 2026

Committee Clerk

Meeting time: 13.30

0300 200 6565

SeneddLJC@senedd.wales

Remote – Supplementary Pack

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

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

(13.50 – 14.00)

**Instruments subject to the Senedd annulment procedure, or what was
previously known as the negative procedure**

5.2 SL(6)697 – The Council Tax (Alteration of Lists and Appeals) (Amendment) (Wales) Regulations 2025

(Pages 1 – 3)

Attached Documents:

LJC(6)-05-26 – Paper 43 – Report

LJC(6)-05-26 – Paper 44 – Welsh Government response

5.3 SL(6)720 – The Education (Student Finance) (Miscellaneous Amendments) (Wales) Regulations 2026

(Pages 4 – 7)

Attached Documents:

LJC(6)-05-26 – Paper 45 – Report

LJC(6)-05-26 – Paper 46 – Welsh Government response



6 Inter-Institutional Relations Agreement

(14.00 – 14.05)

6.1 Correspondence from the Welsh Government: Meetings of inter-ministerial groups

(Page 8)

Attached Documents:

LJC(6)-05-26 – Paper 47 – Letter from the Cabinet Secretary for Social Justice, Trefnydd and Chief Whip and the Minister for Culture, Skills and Social Partnership: Inter-Ministerial Group on Work and Pensions, 5 February 2026

7 Papers to note

(14.05 – 14.15)

7.10 Correspondence from the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs: The Welsh Government's response to the Committees report on the Prohibition of Greyhound Racing (Wales) Bill

(Page 9)

Attached Documents:

LJC(6)-05-26 – Paper 48 – Letter from the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs, 6 February 2026

7.11 Correspondence from the Counsel General and Minister for Delivery: The Welsh Government's response to the Committees report on the Senedd Cymru (Member Accountability and Elections) Bill

(Pages 10 – 11)

Attached Documents:

LJC(6)-05-26 – Paper 49 – Letter from the Counsel General and Minister for Delivery, 6 February 2026

SL(6)697 – The Council Tax (Alteration of Lists and Appeals) (Amendment) (Wales) Regulations 2025

Background and Purpose

The Council Tax (Alteration of Lists and Appeals) Regulations 1993 (“the 1993 Regulations”) provide for the alteration of council tax valuation lists, and the making of appeals to the Valuation Tribunal for Wales where there is a disagreement between a listing officer and a person making a proposal for the alteration of a list.

These Regulations make a number of amendments to the 1993 Regulations. The principal amendments are the imposition of a requirement upon listing officers to provide property information to taxpayers who have made an eligible proposal (“a proposer”), and the permitting of proposers to appeal directly to the Valuation Tribunal for Wales against decisions of the listing officer, or following a failure by a listing officer to make a decision within four months of receiving a proposal. These Regulations also confer additional case management powers on the Valuation Tribunal for Wales which are already available to it when hearing appeals in relation to the alteration of local and central non-domestic rating lists. These Regulations apply in relation to proposals made on or after 1 February 2026.

These Regulations also make consequential amendments to the Non-Domestic Rating (Alteration of Lists and Appeals) (Wales) Regulations 2023.

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 three points are identified for reporting under Standing Order 21.2 in respect of this instrument.

1. Standing Order 21.2(v) – that for any particular reason its form or meaning needs further explanation

In regulation 9, the words in parentheses after referring to “regulation 11” are incorrectly noted as “(withdrawal of **appeals**)”. However, it should note “(withdrawal of **proposals**)” because this is the subject matter as noted in the heading of regulation 11 of the Council Tax (Alteration of Lists and Appeals) Regulations 1993.



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

In regulation 11(b), there is a difference between the English and Welsh text. In the English text, it notes that an existing reference in regulation 15(3)(b) of the 1993 Regulations will be replaced by a new reference in English, "10 or 10C". But in the Welsh text, it notes that the existing reference will be replaced by a new reference in Welsh, "10 neu 10C". However, the new reference should also be inserted in English by the Welsh text of regulation 11(b) because the 1993 Regulations were only made in English rather than bilingually.

3. Standing Order 21.2(v) – that for any particular reason its form or meaning needs further explanation

In regulation 14, in the new regulation 19(2), the reference is incorrectly described as "**sub-paragraphs** (1)(a) or (c)". However, it should be correctly described as "**paragraph** (1)(a) or (c)". It is also inconsistent with other correctly described references found in the textual amendments such as the reference to "paragraph (2)(b) or (c)" in the new regulation 25D(3) that is inserted by regulation 17 of these Regulations.

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.

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 Council Tax (Alteration of Lists and Appeals)
(Amendment) (Wales) Regulations 2025**

Technical Scrutiny points 1, 2 and 3: The Welsh Government accepts the reporting points and will seek to make the changes by correction slip.

Agenda Item 5.3

SL(6)720 – The Education (Student Finance) (Miscellaneous Amendments) (Wales) Regulations 2026

Background and Purpose

These Regulations amend various regulations which make provision about, and in connection with, student finance.

They:

- extend eligibility for student support and fee protections for bereaved partners and children of Gurkha and Hong Kong military veterans discharged before 1 July 1997;
- exclude means tested NHS bursary students and students in their sandwich year from qualifying for the additional weeks loan;
- enable care-experienced students to apply for Grants for Dependants on a non-means tested basis;
- provide for termination provisions within postgraduate regulations for persons who cease to have leave to enter or remain as a protected partner;
- revoke the Education (European University Institute) (Wales) Regulations 2014 and make consequential revocations and omissions; and
- make additional technical amendments to improve clarity within regulations and/or remove provisions that are no longer required, for example in relation to Oxbridge College Fee Loans, coronavirus, and eligibility for fee protections.

Procedure

Senedd annulment procedure.

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

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

1. Standing Order 21.2(x) – that there appears to have been unjustifiable delay in publishing it or laying it before the Senedd

We note the breach of the 21-day convention (i.e. the convention that 21 days should pass between the date an instrument subject to the Senedd annulment procedure is laid before



the Senedd and the date the instrument comes into force), and the explanation for the breach provided by Vikki Howells MS, Minister for Further and Higher Education, in a letter to the Llywydd dated 19 January 2026.

The Regulations were made on 13 January 2026 but were not laid before the Senedd until 16 January 2026. The Regulations come into force on 5 February 2026.

In particular, we note that the letter states that *“there was a delay with the registration process”*. As a result of the delay in laying the Regulations before the Senedd, the Regulations will come into force before the 21-day period has elapsed.

The letter does not provide further detail as to the cause of that delay.

The letter goes on to explain that the *“Regulations must be in force by 5 February in order to ensure the Student Loans Company’s student application system reflects the latest changes to student support policy ahead of when the application window launches.”*

The Welsh Government is asked to provide further explanation as to the reason for the delay with the registration process.

2. Standing Order 21.2(vi) – that its drafting appears to be defective or it fails to fulfil statutory requirements

Regulation 53 inserts a new regulation 12GA into the Education (Student Support) (Postgraduate Master’s Degrees) (Wales) Regulations 2019. However, there appears to be an error in the formatting that has the effect of changing the meaning of the new regulation.

It appears that the words “Persons who cease to have leave to enter or remain as a protected partner” is intended to be the heading preceding the regulation, rather than forming part of the regulation itself. If that is the case, the regulation number “**12GA**” should appear by “Where-”, so that it becomes the opening word of that regulation.

Merits Scrutiny

The following point is identified for reporting under Standing Order 21.3 in respect of this instrument.

3. 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

A consultation has not been carried out in respect of these Regulations. Paragraph 5.1 of the Explanatory Memorandum explains as follows:

“A number of amendments are technical in nature and are required to implement current policy or to remove redundant regulatory provision/references. Amendments to extend eligibility for bereaved partners and children of Gurkha and Hong Kong military veterans discharged before 1 July 1997, support the Welsh Government’s existing ‘Nation of Sanctuary’ policy.”



Welsh Government response

A Welsh Government response is required in relation to the technical reporting points only.

Committee Consideration

The Committee considered the instrument at its meeting on 2 February 2026 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

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Legislation, Justice and Constitution Committee

Government Response: The Education (Student Finance) (Miscellaneous Amendments) (Wales) Regulations 2026

Technical Scrutiny point 1: The Education (Student Finance) (Miscellaneous Amendments) (Wales) Regulations 2026 were made at 20:03 on Tuesday 13 January, they were submitted to The National Archives' publishing website at 10:00 on Wednesday 14 January. There was a subsequent delay in the registration process meaning the Regulations will come into force before the 21-day period has elapsed. The delay was due to a high volume of SIs being processed by the National Archives at that time across the UK. The Regulations were laid before the Senedd at the earliest opportunity, 16 January 2026.

Technical Scrutiny point 2: We agree there is a format issue in the provision inserted by regulation 53, in that the regulation heading appears after the provision number rather than above it. We will investigate with The National Archives how to remedy the formatting error. We do not think it alters the legal effect of the provision inserted.

Agenda Item 6.1

Jane Hutt AS/MS
Ysgrifennydd y Cabinet dros Gyfiawnder Cymdeithasol, y
Trefnydd a'r Prif Chwip
Cabinet Secretary for Social Justice, Trefnydd and Chief Whip



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref JH/PO/74/26

Mike Hedges MS
Chair
Legislation, Justice and Constitution Committee
Welsh Parliament
Cardiff Bay
CF99 1SN
SeneddLJC@senedd.wales

5 February 2026

Further to my letter of 5 January 2026 and in accordance with the Inter-Institutional Agreement, I am writing to draw to your attention to a [Written Ministerial Statement](#) summarising discussions at the Four Nations Inter-Ministerial Group (IMG) meeting on Work and Pensions on 19 January 2026.

I am copying this letter to Chair of the Equality and Social Justice Committee.

Yours sincerely,

Jane Hutt AS/MS

Ysgrifennydd y Cabinet dros Gyfiawnder Cymdeithasol, y Trefnydd a'r Prif Chwip
Cabinet Secretary for Social Justice, Trefnydd and Chief Whip

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Huw Irranca-Davies AS/MS
Y Dirprwy Brif Weinidog ac Ysgrifennydd y Cabinet dros
Newid Hinsawdd a Materion Gwledig
Deputy First Minister and Cabinet Secretary for Climate
Change and Rural Affairs

Mike Hedges MS
Legislation, Justice and
Constitution Committee

SeneddLJCC@senedd.wales

6 February 2026

Dear Mike,

Following the response submitted to the Committee's report on the Prohibition of Greyhound Racing (Wales) Bill, I am writing to update you on the response to recommendation 4 of the report.

This recommendation proposed replacing the word "section" with "paragraph" in paragraph 12(2) of Schedule 2. I had accepted this recommendation and in my response, committed to tabling an amendment at Stage 2 to make this change. It was then confirmed that the change would be made to the Bill as a printing correction and therefore no amendment was tabled.

Stage 2 proceedings on the Bill concluded on 28 January and Stage 3 began on 29 January. The version of the Bill, as amended at Stage 2, has since been published and reflects the change in your recommendation, made as a printing correction.

Yours sincerely,



Huw Irranca-Davies AS/MS
Y Dirprwy Brif Weinidog ac Ysgrifennydd y Cabinet dros Newid Hinsawdd
a Materion Gwledig
Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs

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Llywodraeth Cymru
Welsh Government

Mike Hedges AS/MS
Chair, Legislation, Justice and Constitution Committee

6 February 2026

Dear Mike,

I write as I committed to do, in my response to the Committee's report on the Senedd Cymru (Member Accountability and Elections) Bill, specifically to provide an update on the Welsh Government obtaining Minister of the Crown consent regarding the provisions in section 4 of the Bill and to provide an explanation as requested by the Committee with regards to the detail set out in recommendations 8 and 9 of the Committee's report.

On Minister of Crown Consent, the Government has had positive engagement with the relevant UK Government departments facilitated by the Wales Office. We are continuing to work productively together at pace, in order to obtain the appropriate consents required. I will continue to update both the Committee and the Member Accountability Bill Committee as our discussions progress to a conclusion.

For recommendation 8 and 9, there is a limited relationship between the provisions in section 11 of the Bill (the regulations relating to a recall poll) and section 22 of the Bill which includes the duty on Welsh Ministers to create the offence to prohibit the making or publishing of false or misleading statements of fact. They deal with two separate powers to make secondary legislation and are about two different electoral events but, there is a link. The limited relationship between section 11 of the Bill and section 13 of the Government of Wales Act 2006 (GoWA) as amended by section 22 of the Bill arises as a consequence of section 11(3)(a)(ii), which provides a power to apply or incorporate provisions made by or under an Order under section 13 of GoWA. The effect of this is that once an offence is created and added to the existing criminal (electoral) offences set out in the Senedd Cymru (Representation of the People) Order in accordance with the duty in new section 13(2A), that offence could subsequently be applied or incorporated into regulations made under section 11 about the conduct of recall polls, by virtue of the provision in section 11(3)(a)(ii) of the Bill.

The amendment of section 13 of GoWA by section 22 of the Bill, in combination with section 11(3)(a)(ii), puts beyond doubt that regulations under section 11(1) could include provision of the kind required and authorised by section 13 of GoWA as it would be amended.

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We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

I am copying this letter to the Chair of the Member Accountability Bill Committee.

Yours sincerely,

A handwritten signature in blue ink that reads "Julie James". The signature is written in a cursive, flowing style.

Julie James AS/MS

Y Cwnsler Cyffredinol a'r Gweinidog Cyflawni
Counsel General and Minister for Delivery