

Agenda Supplement – Legislation, Justice and Constitution Committee

Meeting Venue:

For further information contact:

Video conference via Zoom

P Gareth Williams

Meeting date: 23 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

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

(13.45 – 13.55)

Instruments subject to the Senedd annulment procedure

4.9 SL(6)731 – The Non-Domestic Rating (Amendment of Definition of Domestic Property) (Wales) Order 2026

(Pages 1 – 3)

Attached Documents:

LJC(6)-06-26 – Paper 56 – Report

LJC(6)-06-26 – Paper 57 – Welsh Government response

5 Inter-Institutional Relations Agreement

(13.55 – 14.00)

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

(Pages 4 – 9)



Attached Documents:

LJC(6)-06-26 – Paper 58 – Letter from the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs: Inter-Ministerial Group for Environment, Food and Rural Affairs, 19 February 2026

LJC(6)-06-26 – Paper 59 – Written Statement by the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs: Inter-Ministerial Group for Environment, Food and Rural Affairs, 19 February 2026

LJC(6)-06-26 – Paper 60 – Letter from the Cabinet Secretary for Finance and Welsh Language: Finance Inter-Ministerial Standing Committee, 19 February 2026

9 Supplementary Legislative Consent Memorandum (Memorandum No. 2) on the Pension Schemes Bill

(14.20 – 14.30)

(Pages 10 – 15)

Attached Documents:

LJC(6)-06-26 – Paper 54 – Legal Advice Note

11 Supplementary Legislative Consent Memorandum (Memorandum No. 4) on the Terminally Ill Adults (End of Life) Bill

(14.40)

(Pages 16 – 54)

Attached Documents:

LJC(6)-06-26 – Paper 61 – Legal Advice Note

SL(6)731 – The Non-Domestic Rating (Amendment of Definition of Domestic Property) (Wales) Order 2026

Background and Purpose

This Order makes refinements to the application of the criteria used to classify a self-catering property as non-domestic within the local taxation system and, therefore, liable for non-domestic rates. Such properties must be available to let for at least 252 days and actually let for at least 182 days within any 12-month period. They are otherwise classified as domestic and liable for council tax.

The Order enables an average of days let over two or three years to be taken as evidence that the criteria have been met, where 182 days were not achieved in the previous year. It also enables an allowance of up to 14 days per year for charitable donations of short breaks to count towards the letting criteria.

The amendments made by the Order apply in respect of assessment days which fall on or after 1 April 2026.

Procedure

Senedd annulment procedure.

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

Technical Scrutiny

The following point is 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.

Article 2 of the Order sets out when the amendments and new sections set out in article 3 of the Order will apply. Given that the amendments and new sections will be included in the Local Government Finance Act 1988 ("the Act") without reference to article 2 of the Order, the Welsh Government is asked to explain why it has taken this approach and whether it would be more accessible for the reader of the Act if details of when the amendments and new sections will apply were included in the wording of such amendments and new sections, so that their application is clear on the face of the 1988 Act. Without this clarity, it may not



be understood by the user of the legislation that different rules apply depending on the assessment day (as defined in article 2) that user is referencing.

Merits Scrutiny

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

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;

Both the Explanatory Note and the Explanatory Memorandum to the Order refer to amendments being made to the Local Government Finance Act 1988 by article 2 of the Order. This appears to be incorrect as it is article 3 which makes amendments to that Act.

Welsh Government response

A Welsh Government response is required.

Committee Consideration

The Committee considered the instrument at its meeting on 9 February 2026 and reports to the Senedd in line with the reporting points above.



Government Response - *The Non-Domestic Rating (Amendment of Definition of Domestic Property) (Wales) Order 2026*

Technical Scrutiny point 1: Article 2 of the Order applies the amendments to section 66 of the Local Government Finance Act 1988 to assessment days and lettings on or after 1 April 2026. The circumstances in which these amendments do not apply will reduce over time. The Welsh Government considers that adding this additional and transitional complexity to section 66 of the 1988 Act – which is already involved and lengthy – would produce unwieldy legislation. The Welsh Government therefore considers that the approach taken achieves the most accessible result.

Merit Scrutiny point 2: The Welsh Government accepts the point, noting that the Order itself is correct. The Explanatory Memorandum will be withdrawn and re-laid with the correct reference.

Agenda Item 5.1

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



Llywodraeth Cymru
Welsh Government

Mike Hedges MS
Chair
Legislation, Justice and Constitution Committee

19 February 2026

Dear Mike,

In accordance with the inter-institutional relations agreement, I wanted to report on the latest meeting of the Inter-Ministerial Group for Environment, Food and Rural Affairs on 5 February 2026.

I attended the meeting which was chaired by Andrew Muir MLA, Minister of Agriculture, Environment and Rural Affairs for the Northern Ireland Executive. Mairi Gougeon MSP, Cabinet Secretary for Rural Affairs, Land Reform and Islands and Jim Fairlie MSP, Minister for Agriculture and Connectivity of the Scottish Government attended. The UK Government was represented by Emma Reynolds MP, Secretary of State for Environment Food and Rural Affairs; Dame Angela Eagle DBE, Minister for Food Security and Rural Affairs and Baroness Sue Hayman, Minister for Biosecurity, Borders and Animals.

I have issued a Written Ministerial Statement summarising the discussions.

I have also copied this letter to the Climate Change, Environment and Infrastructure Committee and the Economy, Trade and Rural Affairs committee.

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
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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.

Yours sincerely,

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke at the bottom.

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



Llywodraeth Cymru
Welsh Government

WRITTEN STATEMENT BY THE WELSH GOVERNMENT

TITLE **Inter-Ministerial Group for Environment, Food and Rural Affairs meeting, 5 February 2026**

DATE **19 February 2026**

BY **Huw Irranca-Davies, Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs**

In accordance with the inter-institutional relations agreement, I can report to Members I attended the latest meeting of the Inter-Ministerial Group for Environment, Food and Rural Affairs on 5 February 2026.

The meeting was chaired by Andrew Muir MLA, Minister for Agriculture, Environment and Rural Affairs from the Northern Ireland Executive. The attending ministers from the UK Government were Emma Reynolds MP, Secretary of State for Environment Food and Rural Affairs; Baroness Sue Hayman, Minister for Biosecurity, Borders and Animals; and Dame Angela Eagle DBE, Minister for Food Security and Rural Affairs. Mairi Gougeon MSP, Cabinet Secretary for Rural Affairs, Land Reform and Islands; and Jim Fairlie MSP, Minister for Agriculture and Connectivity attended from the Scottish Government.

The meeting opened with a discussion on allocations for the UK Fishing and Coastal Growth Fund. Devolved government ministers expressed disappointment that the Barnett formula had been used as it did not reflect the funding allocations from previous funding rounds, nor the relative size of the fishing sector in each of the devolved nations.

Next IMG discussed engagement and progress on the EU UK SPS Agreement negotiations. Devolved government ministers noted and appreciated the good level of UKG engagement with them to date and emphasised the importance of this continuing throughout the negotiation process. Ministers also agreed the importance of maintaining effective border and biosecurity arrangements whilst the SPS Agreement is being negotiated and implemented. Ministers identified that the process for making legislation to implement an agreement across the UK was a significant issue because the process may need to account for devolved legislatures processing and scrutinising regulations to implement the agreement.

Following this, ministers discussed the UKG Farm Profitability Review (Batters Review) and the UKG Food Strategy, both of which are for England but include recommendations and actions which may affect the other UK nations. Ministers highlighted the need for collaborative working and Defra expressed interest in learning from the devolved governments.

The meeting concluded with Ministers agreeing that legislation to ban the use of peat in horticulture is best done by a joined-up approach and Defra committed to tabling timeline options. Defra ministers shared devolved government ministers' concerns that proposed changes to UK work visa rules would impact the availability of sheep shearers and stressed that discussions were continuing within the UK Government.

Ministers agreed to hold the next IMG in March 2026 ahead of the upcoming legislature elections in Scotland and Wales. A communique regarding this meeting will be published on the UK Government website at: [Inter-Ministerial Group for Environment, Food and Rural Affairs communiqués](#).



Mike Hedges MS
Chair, Legislation, Justice and Constitution Committee
Senedd Cymru
Cardiff Bay
CF99 1SN

19 February 2026

Dear Mike,

A meeting of the Finance: Interministerial Standing Committee (F:ISC) will take place on 19 March in Northern Ireland. It will be chaired by the Minister of Finance for Northern Ireland, John O'Dowd.

The agenda will cover the economic outlook and the Spring Forecast, providing an opportunity to discuss and reflect on any issues or implications arising from the Chancellor's Statement on 3 March.

The key focus of the meeting will be to consider the potential for improvements to the operation of the Barnett formula. Joint work is currently underway with HM Treasury and the other devolved governments to look to address concerns in respect of fairness of the operation of the current system. A paper is expected to be tabled at the meeting for discussion.

We will also have a discussion on Private Financial Institutions (PuFIs), such as the National Wealth Fund, British Business Bank and GB Energy. It will be helpful to consider their current operation and interaction with devolved governments including how they can help support economic growth.

We will continue the discussions on improving the fiscal flexibilities available to devolved governments and addressing the use of the UK Internal Market Act (UKIMA) and financial assistance powers by the UK Government.

Finally, I will be sharing my reflections on the F:ISC, which was established as part of the IGR Review arrangements introduced in 2022, including what has worked well and potential areas for development in the future.

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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 will write to the Committee after the F:ISC to update it on discussions.

Yours sincerely,

A handwritten signature in black ink that reads "Mark Drakeford". The signature is written in a cursive style with a large initial 'M'.

Mark Drakeford AS/MS

Ysgrifennydd y Cabinet dros Gyllid a'r Gymraeg
Cabinet Secretary for Finance and Welsh Language

Agenda Item 9

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

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Agenda Item 11

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

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