

Agenda – Legislation, Justice and Constitution Committee

Meeting Venue:	For further information contact:
Hybrid – Committee Room 4, Tŷ Hywel and videoconference via Zoom	P Gareth Williams Committee Clerk
Meeting date: 10 November 2025	0300 200 6565
Meeting time: 11.00	SeneddLJC@senedd.wales

Hybrid

Public meeting

(11.00 – 12.00)

1 Introduction, apologies, substitutions and declarations of interest

(11.00)

2 Development of Tourism and Regulation of Visitor

**Accommodation (Wales) Bill: Evidence Session with the Cabinet
Secretary for Finance and Welsh Language**

(11.00 – 12.00)

(Pages 1 – 28)

[Development of Tourism and Regulation of Visitor Accommodation \(Wales\)](#)

[Bill](#), as introduced

[Explanatory Memorandum](#)

Mark Drakeford MS, Cabinet Secretary for Finance and Welsh Language

Rebecca Hawkins, Legislative Policy Adviser, Licensing of Visitor

Accommodation, Welsh Government

Robbie Thomas, Head of Licensing of Visitor Accommodation, Welsh
Government

Dylan Hughes, First Legislative Counsel, Welsh Government

Emma Anderson, Lawyer, Welsh Government



Attached Documents:

LJC(6)-31-25 – Paper 1 – Briefing paper

LJC(6)-31-25 – Paper 2 – Correspondence from the Cabinet Secretary for Finance and Welsh Language to the Economy, Trade and Rural Affairs Committee, 5 November 2025

3 Motion under Standing Order 17.42(vi) and (ix) to resolve to exclude the public from items 4, 9, 10, 11, 12 and 13

(12.00)

Private meeting

(12.00 – 12.15)

4 Development of Tourism and Regulation of Visitor Accommodation (Wales) Bill: Consideration of evidence

(12.00 – 12.15)

Lunch

(12.15 – 13.00)

Public meeting

(13.00 – 13.20)

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

(13.00 – 13.05)

Made Negative Resolution Instruments

5.1 SL(6)661 – The Infrastructure Consent (Miscellaneous Amendments) (Wales) Regulations 2025

(Pages 29 – 31)

[Regulations](#)

[Explanatory Memorandum](#)

Attached Documents:

LJC(6)-31-25 – Paper 3 – Draft report

5.2 SL(6)662 – The Vehicle Emissions Trading Schemes (Amendment) (No. 2) Order 2025

(Pages 32 – 34)

[Order](#)

[Explanatory Memorandum](#)

Attached Documents:

LJC(6)-31-25 – Paper 4 – Draft report

Affirmative Resolution Instruments

5.3 SL(6)663 – The Land Transaction Tax (Modification of Special Tax Sites Relief) (No. 2) (Wales) Regulations 2025

(Pages 35 – 38)

[Regulations](#)

[Explanatory Memorandum](#)

Attached Documents:

LJC(6)-31-25 – Paper 5 – Draft report

LJC(6)-31-25 – Paper 6 – Written Statement by the Cabinet Secretary for Finance and Welsh Language, 21 October 2025

5.4 SL(6)664 – The Land Transaction Tax (Modification of Special Tax Sites Relief) (No. 3) (Wales) Regulations 2025

(Pages 39 – 42)

[Regulations](#)

[Explanatory Memorandum](#)

Attached Documents:

LJC(6)-31-25 – Paper 7 – Draft report

LJC(6)-31-25 – Paper 8 – Written Statement by the Cabinet Secretary for Finance and Welsh Language, 21 October 2025

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

(13.05 – 13.10)

6.1 SL(6)659 – The Climate Change (Net Welsh Emissions Account Credit Limit) (Wales) Regulations 2025

(Pages 43 – 45)

Attached Documents:

LJC(6)–31–25 – Paper 9 – Report

LJC(6)–31–25 – Paper 10 – Welsh Government response

6.2 SL(6)660 – The Climate Change (Carbon Budget) (Wales) Regulations 2025

(Pages 46 – 48)

Attached Documents:

LJC(6)–31–25 – Paper 11 – Report

LJC(6)–31–25 – Paper 12 – Welsh Government response

7 Inter–Institutional Relations Agreement

(13.10 – 13.15)

7.1 Correspondence from the Welsh Government: Meetings of inter–ministerial groups

(Page 49)

Attached Documents:

LJC(6)–31–25 – Paper 13 – Letter from the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs: Inter–Ministerial Group for Environment, Food and Rural Affairs, 5 November 2025

7.2 Correspondence from the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs: The Control of Mercury (Amendment) Regulations 2025

(Pages 50 – 51)

Attached Documents:

LJC(6)-31-25 – Paper 14 – Letter from the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs, 3 November 2025

7.3 Written Statement and correspondence from the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs: The Producer Responsibility Obligations (Packaging and Packaging Waste) (Amendment) Regulations 2025

(Pages 52 – 55)

Attached Documents:

LJC(6)-31-25 – Paper 15 – Written Statement by the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs, 4 November 2025

LJC(6)-31-25 – Paper 16 – Letter from the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs, 4 November 2025

8 Papers to note

(13.15 – 13.20)

8.1 Correspondence from the Cabinet Secretary for Housing and Local Government to the Local Government and Housing Committee: Homelessness and Social Housing Allocation (Wales) Bill

(Pages 56 – 73)

Attached Documents:

LJC(6)-31-25 – Paper 17 – Letter from the Cabinet Secretary for Housing and Local Government to the Local Government and Housing Committee, 4 November 2025

8.2 Written Statement by the Cabinet Secretary for Finance and Welsh Language: Welsh Government Draft Budget 2026-27

(Pages 74 – 75)

Attached Documents:

LJC(6)-31-25 – Paper 18 – Written Statement by the Cabinet Secretary for Finance and Welsh Language, 3 November 2025

**8.3 Written Statement by the Cabinet Secretary for Finance and Welsh Language:
Consultation on Legislative Proposals Relating to the Welsh Tax Acts**

(Pages 76 – 77)

Attached Documents:

LJC(6)–31–25 – Paper 19 – Written Statement by the Cabinet Secretary for Finance and Welsh Language, 3 November 2025

**8.4 Written Statement by the Cabinet Secretary for Transport and North Wales:
UK Railways Bill**

(Pages 78 – 79)

Attached Documents:

LJC(6)–31–25 – Paper 20 – Written Statement by the Cabinet Secretary for Transport and North Wales, 5 November 2025

**8.5 Correspondence from the Counsel General and Minister for Delivery: The
Legislation (Procedure, Publication and Repeals) (Wales) Act 2025
(Commencement and Transitional and Saving Provisions) Order 2025**

(Pages 80 – 85)

Attached Documents:

LJC(6)–31–25 – Paper 21 – Letter from the Counsel General and Minister for Delivery, 6 November 2025

Private meeting

(13.20 – 14.30)

**9 Legislative Consent Memorandum on the Pension Schemes Bill:
Draft report**

(13.20 – 13.30)

(Pages 86 – 91)

Attached Documents:

LJC(6)–31–25 – Paper 22 – Draft report

10 Building Safety (Wales) Bill: Draft report

(13.30 – 14.00)

(Pages 92 – 97)

Attached Documents:

LJC(6)-31-25 – Paper 23 – Draft report

LJC(6)-31-25 – Paper 24 – Letter from the Cabinet Secretary for Housing and Local Government to the Local Government and Housing Committee, 5 November 2025

11 Annual report 2024–25: Draft report

(14.00 – 14.15)

(To Follow)

Attached Documents:

LJC(6)-31-25 – Paper 25 – Draft report

12 Supplementary Legislative Consent Memorandum (Memorandum No. 2) on the Crime and Policing Bill: Draft report

(14.15 – 14.20)

(Pages 98 – 108)

Attached Documents:

LJC(6)-31-25 – Paper 26 – Draft report

13 Correspondence to the Business Committee: Review of Public Bill and Member Bill processes

(14.20 – 14.30)

(Pages 109 – 110)

Attached Documents:

LJC(6)-31-25 – Paper 27 – Draft letter

Mark Drakeford AS/MS
Ysgrifennydd y Cabinet dros Gyllid a'r Gymraeg
Cabinet Secretary for Finance and Welsh Language



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref
Ein cyf/Our ref

Andrew RT Davies
Chair, Economy, Trade, and Rural Affairs Committee
Welsh Parliament
Cardiff Bay
Cardiff
CF99 1SN

5 November 2025

Dear Andrew,

Development of Tourism and Regulation of Visitor Accommodation (Wales) Bill

Following the introduction of the Development of Tourism and Regulation of Visitor Accommodation (Wales) Bill into the Senedd on 03 November 2025, please find attached a copy of the statement of policy intent for the Bill. This document is provided to support the Committee's scrutiny of the Bill.

I am copying this letter to the Chair of the Legislation, Justice and Constitution Committee.

Yours sincerely,

Mark Drakeford AS/MS
Ysgrifennydd y Cabinet dros Gyllid a'r Gymraeg
Cabinet Secretary for Finance and Welsh Language

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.

Development of Tourism and Regulation of Visitor Accommodation (Wales) Bill

Statement of Policy Intent

Introduction

This document provides an indication of the purpose and current policy intention for the exercise of the powers and duties to make subordinate legislation conferred by the Development of Tourism and Regulation of Visitor Accommodation (Wales) Bill (“the Bill”), as introduced to the Senedd on 3 November 2025. It is provided to assist Committees and the Senedd in their scrutiny of the Bill, and to support transparency regarding the intended use of delegated powers.

The powers throughout the Bill are necessary to both enable the scheme to be extended to other types of visitor accommodation, allowing for a phased roll-out and implementation over time; and to provide the flexibility to quickly and smoothly accommodate changes across tourism and related legislation, both of which are in a continuous state of evolution. It also enables flexibility for the detailed policy and operational matters underpinning the exercise of many of the powers and duties set out in this document to be developed in co-operation or collaboration with key stakeholders. The legislation or guidance drafted as a consequence will also be subject to consultation and/or Senedd scrutiny. As such, some elements may be subject to change during development and implementation.

The Welsh Ministers have considered the use of powers in the Bill as set out below and are satisfied they are necessary and justified; and, in relation to regulation-making powers, the justification for the assigned Senedd procedure is set out in table 5.1 of the Explanatory Memorandum.

Overview of the Bill

This is the second of two Bills, which, together with various other legislative and policy changes, forms the final part of a package of measures in support of this Senedd's Programme for Government commitment to "*Take forward actions to cap the number of second homes, bring more homes into common ownership and license holiday lets*"; and to support and promote a sustainable tourism sector and economy in Wales, which is balanced with the needs of local communities.

The purpose of the Bill is to promote the development of tourism in Wales. It does this by:

- Restating and modernising the Welsh Ministers' functions of promoting tourism in Wales, while requiring them to have regard to the potential social impact of tourism and its potential impact on the environment and the Welsh language; and
- Regulating the provision of visitor accommodation in Wales by:
 - o introducing a licensing regime to reassure visitors that accommodation meets the standards they would expect and aligning those standards, in the case of self-catering accommodation, more closely with corresponding standards already applicable to the private rented sector in Wales,
 - o making a standard in relation to the fitness of visitor accommodation a contractual requirement, and
 - o building on the register created by the Visitor Accommodation (Register and Levy) Etc. (Wales) Act 2025 to establish a visitor accommodation directory for the purpose of providing information to the public about visitor accommodation in Wales.

The Bill builds upon its companion Act, the Visitor Accommodation (Register & Levy) Etc. (Wales) Act 2025 ("the VARL Act"), and the register of visitor accommodation providers established under it, to set the legislative foundation for a robust and transparent system of regulation of visitor accommodation in Wales through a licensing scheme. It will also set new advertising and marketing requirements in respect of all registered visitor accommodation in Wales (not only that specified as regulated visitor accommodation), as well as creating a joint duty on the Welsh Ministers and the WRA to create a public directory of visitor accommodation, by bringing together the information required to be published under this Bill and the VARL Act.

A secondary outcome of this Bill will be that for relevant visitor accommodation in the first phase, its regulation will also align more closely with that of the private rented sector, ensuring a more consistent approach to standards and compliance for those premises that are structurally and characteristically similar.

Bill Composition

The Bill contains 5 parts and 2 Schedules:

Part 1 – Provides the overview of the Bill and creates the Code of Welsh law in relation to tourism.

Part 2 – Provides for the restatement and modernisation of extant legislation and Welsh Ministers’ functions relating to tourism, including providing for consequential amendments of the existing legislation (together with Schedule 1), and an explicit power for a Code of Practice relating to tourism.

Part 3 – Provides for the regulation of visitor accommodation, setting out the key components to establish a licensing scheme, including:

- Setting out the key concepts on which the regulatory regime is built, including “regulated visitor accommodation” and “fitness for visitor accommodation”; as well as setting fitness standards and creating a new contractual obligation in relation to ‘fitness’; and
- Creating the licensing scheme and its procedures including applications, licence conditions, compliance and enforcement, appeals, fees, exemptions, and data sharing.

Part 4 – Contains provisions relating to the provision of information to the public about visitor accommodation, including establishing a public visitor accommodation directory and new advertising and marketing requirements.

Part 5 – Contains miscellaneous provisions including standard legislative procedural matters, in addition to a guidance duty and powers to provide for procedures for various matters including offences, penalty notices and special cases (e.g. bodies, partnerships, death, incapacity, business transfer).

Schedule 1 – Sets out the amendments to the Development of Tourism Act 1969.

Schedule 2 – Sets out amendments to the Register of Visitor Accommodation Providers (under the VARL Act and the Tax Collection and Management (Wales) Act 2016) to ensure legislative and operational consistency between Registration and Licensing.

Other documentation

This document should be read in conjunction with the following:

- The Development of Tourism and Regulation of Visitor Accommodation (Wales) Bill;
- The Explanatory Notes to the Bill; and
- The Explanatory Memorandum to the Bill.

For the purposes of this document, the powers to make subordinate legislation have been grouped into key themes, as follows:

Topic	Section	Description or areas covered	Page
1 Licensing Scheme – Scope – Extension	5(1)(b), 6(2), 17(1), 19(3), 39(3) and 40(4)	Powers to prescribe additional types of regulated visitor accommodation, amend or prescribe fitness standards, licence conditions and approval requirements, as well as powers to make provision about information sharing and licensing of campsites and caravan sites.	7
2 Licensing Scheme – Licence Conditions	13(2) and 16(1),	Powers to make provision about insurance and training,	11
3 Licensing Scheme – Application Procedures and other requirements	25(2) and 27(2)	Powers to make provision about renewal applications, provisional licences.	13
4 Licensing Scheme – Compliance and Enforcement	23(5), 24(2), 26(1) and 54(5)	Powers to make provision about revocation warnings and notices, remedial notices, amendments to licences and penalty notices.	15
5 Exemptions from Licensing Requirements	37(2)	Power to make provision about exemptions from licensing requirements.	19
6 Fees in connection with Licensing	38(1)	Power to make provision about fees in connection with the licensing scheme.	20
7 Application of the Bill to Special Cases	49, 52(1) and 53(1)	Powers to make provision about partnerships, unincorporated bodies, business transfers, death, incapacity, and insolvency.	22
8 Consequential and Transitional Provision	56(1)	Powers to make consequential, transitional, or saving provision, etc.	24
9 Development of Tourism & Regulation of Visitor Accommodation - Code of Practice and Guidance	3(1) and 55(1)	Power to prepare and publish a Code of Practice in relation to tourism matters; and a duty to issue guidance on Parts 3 and 4 and related regulations.	26

1 – Licensing Scheme – Scope – Extension

Section	Form	Proposal and description of powers	Procedure
5(1)(b)	Regulations	Power to prescribe additional types of regulated visitor accommodation.	Senedd approval
6(2)	Regulations	Power to make further provision about premises at which regulated visitor accommodation is offered or provided being fit for visitor accommodation.	Senedd approval
17(1)	Regulations	Power to prescribe additional conditions which should apply to licences awarded under this Part.	Senedd approval
19(3)	Regulations	Power to prescribe additional approval requirements which must be met before a licence is awarded.	Senedd approval
39(3)	Regulations	Power to prescribe other bodies between information may be shared for the purposes of the functions under the Bill.	Senedd annulment
40(4)	Regulations	Power to modify the licensing Chapter of the Bill for the purpose of ensuring conditions of a sort currently applicable under licensing regimes for campsites and caravan sites operate as intended if those types of accommodation are brought into the licensing scheme in future.	Senedd annulment

Overarching policy purpose and intent

The overarching policy intention for these provisions and the powers they contain, collectively, is to allow the Welsh Ministers to extend the scope of the scheme to any and all other types of visitor accommodation in Wales, should the Senedd deem it appropriate. The powers enable the definition of regulated visitor accommodation to be expanded; and for other key parts of the licensing scheme to be updated or adapted to reflect any extension, including the fitness requirements, the licence conditions that may apply, approval requirements for licence applications and bodies with whom the Welsh Ministers are able to share information in relation to their licensing functions. In addition, the powers provide the flexibility to update and adapt the scheme over time, to keep pace with changes

across the visitor accommodation sector, as new risks, technology or best practice is identified, or as associated regulatory legislation is updated to ensure the scheme continues to deliver its intended purpose.

Individual policy purpose and intent

Section 5 provides the core definition of “regulated visitor accommodation”, which underpins the initial scope of the licensing scheme. The purpose of the regulation-making power at **section 5(1)(b)** is to enable the definition to be expanded and adapted over time. The policy intention for this power is for it to be exercised either to expand the scope of the scheme, by extending what is captured within the definition of ‘regulated visitor accommodation’, or to allow the scheme to adapt and keep pace with the visitor accommodation sector, as new types of accommodation emerge in the future.

Section 6 establishes the concept of, and baseline for, “fitness for visitor accommodation”, which is a key component of the licensing scheme, setting the standards (in conjunction with sections 7 to 13) that must be met for premises containing regulated visitor accommodation to be licensed. The purpose of the regulation-making power at **section 6(2)** is to allow for further or different provision to be made in respect of the fitness standards, as necessary in the future.

The policy intention for this power is to avoid divergence with wider regulatory standards, unless the Senedd considers it to be appropriate, and ensure that the requirements and standards can remain relevant and up to date in the longer term, by removing or updating outdated requirements, or adding new ones to support continuous improvement in standards across the sector. It also ensures different requirements can be included that are appropriate for any new types of visitor accommodation or premises that may be included within the scope of the scheme in the future, and to allow new or existing requirements to be applied appropriately and fairly to different types.

The purpose of the regulation-making power at **section 17(1)** is to allow for further conditions to be prescribed to apply generally to visitor accommodation licences, for the purposes of improving or maintaining standards of visitor accommodation or amenities, or for

the promotion of tourism; and the conditions may be prescribed by reference to various descriptions or characteristics of the accommodation, premises, VAP, visitor or contracts.

In a similar way to the power at section 6(2), the policy intention for this power is to ensure that licence conditions remain relevant and up to date in the longer term to support continuous improvement in standards across the sector. In particular, where additional types of visitor accommodation or premises are brought within the scope of the scheme, it allows further licence conditions to be added, and for new or existing conditions to be applied appropriately and fairly to different types of accommodation, as necessary.

Section 19 sets out the requirements that must be met for a licence to be approved. The purpose of the regulation-making power at **section 19(3)** is to enable the approval requirements and procedures to be amended or updated to reflect changes in requirements in circumstances where the power under section 17(1) is exercised to introduce further conditions on a licence. The policy intent for this power is to update the application process and approval requirements to reflect any new conditions added as a result of the exercise of the power under section 17, to ensure appropriate approval requirements, for example, should additional types of accommodation be brought into the scope of the scheme.

Section 39 facilitates effective regulation, enforcement, and monitoring of compliance, by allowing information to be shared between the Welsh Ministers, in their capacity as the licensing authority, and specified public bodies. The purpose of the regulation-making power at **section 39(3)** is to amend the list of persons specified under that section, to update, remove, or add further persons or bodies as necessary in the future.

The policy intent for this power is to ensure that, where additional types of visitor accommodation are brought into the scope of the scheme in future, or if additional conditions are added, information can be shared between relevant regulators or other partners in support of the effective operation, regulation and monitoring of compliance under the licensing scheme. It also allows the list of persons or bodies to be updated to reflect and respond to any future changes in relevant partners, or in the public sector or wider regulatory landscape, to ensure continued efficacy of the provision and the scheme as a whole.

Section 40 is similar to section 17, in that it provides for further conditions to be specified in respect of a visitor accommodation licence, but on a case by case basis and is limited to circumstances where the power at section 5(1)(b) is exercised to prescribe additional types of regulated visitor accommodation at a campsite or caravan site to which section 269 of the Public Health Act 1936 or Part 1 of the Caravan Sites and Control of Development Act 1960 apply (respectively). Consequently, the purpose of the regulation-making power at **section 40(4)** is to enable Chapter 2 of Part 3 of the Bill to be modified for purposes related to such conditions being specified, to ensure the Bill and licensing scheme can adapt to be applied effectively in such circumstances.

This provision, together with the express provision at section 56(2), recognises the unique position of campsites and caravan sites. The policy intention behind allowing further licence conditions to be specified and applied on a case-by-case basis (with relevant local authority agreement), is that conditions such as those of the type currently applicable under existing licensing regimes for such premises – but which are unlikely to be applicable to other types of visitor accommodation, or suitable for a blanket approach – can be replicated under the Bill and licensing scheme where appropriate. This is intended to allow the Senedd to consider bringing these types of visitor accommodation within the scope of the scheme in the future, or to consolidate those existing licensing regimes, without necessarily having to change their underlying policy or requiring a significant change in the types of conditions which are currently attached to these sorts of sites. .

2 – Licensing Scheme – Licence Conditions

Section	Form	Proposal and description of powers	Procedure
13(2)	Regulations	Power to prescribe what must be covered by public liability insurance, and the level of cover required.	Senedd annulment
16(1)	Regulations	Power to specify the training requirement which should be met to obtain a licence.	Senedd annulment

Policy purpose and intent

Section 13 requires adequate public liability insurance in place for all regulated visitor accommodation so that compensation should be available if a person is injured or suffers a loss as a result of, or in connection with, the provision of that accommodation. The purpose of the regulation-making power at **section 13(2)** is to specify any details, such as minimum levels of cover.

The policy intention is to establish specific minimum cover requirements for this licence condition, once the breadth and composition of regulated visitor accommodation premises across the sector is known (following the implementation of the registration scheme). This will ensure any requirements set are appropriate for all providers from the outset, whilst ensuring cover is sufficient to meet potential claims, including setting different requirements for different types or sizes of visitor accommodation. It will also allow those requirements to be adapted over time, for example, whether in line with any extension of the scheme or experience of claims.

The purpose of the regulation-making power at **section 16(1)** is to allow provision for a requirement that licence holders complete training as a condition of being granted and holding a licence. This allows the establishment of a baseline whereby every applicant or VAP has had the same information, and as a minimum, has the necessary knowledge or awareness of the requirements under the scheme, in order to support better consistency in application of the requirements at regulated visitor accommodation across Wales. The power also allows the content, delivery mechanism and materials, exemptions or associated fees to be specified, to set different requirements for different types of accommodation or providers, and allows the training to evolve and adapt over time, to remain relevant and in line with the scheme and its requirements.

The policy intention is to set requirements that ensure the training covers the key elements or requirements of the scheme, such as the fitness standards (e.g. fire safety, electrical maintenance, gas etc.), advertising requirements and the provision of information to visitors; alongside other key best practice that may be set out in the Code of Practice. It is also intended that it will include training on the operation of the scheme itself, such as how to use the system, how to apply, and what documentation may be required, at least for the initial and any future implementation phases. In addition, the regulations will provide clarity as to who is required to complete the training, for example, linking in with the powers under section 49 to specify who the requirement applies to where the VAP is a partnership with a large or complex structure.

In terms of developing the training itself, our policy intention is to first assess the initial data from the register to establish the composition of the cohort of relevant VAPs across the sector that may need to obtain a licence for their premises, before making any decisions about the detailed specification of the training, its delivery, or who may or may not need to undertake it. However, we intend to work in collaboration with key stakeholders in the sector in its development, as far as is possible, with the intention of ensuring it not only covers the matters required to fulfil its purpose for the scheme without being overly onerous, but that it also adds value for providers.

3 – Licensing Scheme – Application Procedures and Provisional Licences

Section	Form	Proposal and description of powers	Procedure
25(2)	Regulations	Duty to make provision about the renewal of licences.	Senedd approval
27(2)	Regulations	Power to make provision for provisional licences.	Senedd annulment

Policy purpose and intent

Section 25 provides for the expiry (typically after one year) and renewal of licences. The purpose of the duty to make regulations at **section 25(2)** is to require provision to be made about the process for the renewal of licences. The regulations may also include provision for enabling the continuity of licence validity where a renewal application is being determined, as well as the creation of offences to ensure compliance with the requirements under the regulations.

The policy intent for regulations to be made under this provision is to ensure the procedures and application processes for the renewal of a licence are provided for, in a similar way to, and linking in with, initial licence applications as set out under sections 18 to 22 of the Bill, but without requiring the duplication of information already held by the Welsh Ministers under their functions in the Bill. The regulations will also ensure, for the majority of cases, the continuity of a licence during the application process, subject to certain conditions or requirements, such as requiring the application to be submitted in advance of the expiry of the existing licence. Initially, and in the majority of cases, the intention is for renewal to be required annually, in line with the 1-year expiry of the licence as set out on the face of the Bill; with the aim for the process to evolve over time to be as light touch as is possible, whilst ensuring the integrity of the licensing scheme is maintained. The intended objective for this provision is to encourage and ensure ongoing compliance, allowing for regular review of the fitness of regulated visitor accommodation, and to encourage the regular review of information by licence holders.

The purpose of the regulation-making power at **section 27(2)** is to provide for the availability of provisional licences in circumstances where a licence application approval requirement cannot yet be met. The policy intention is to provide for provisional licences to afford the licensing scheme sufficient flexibility to support business continuity, while maintaining transparency and the scheme's integrity.

This is intended to be achieved by permitting provisional licences for circumstances in which, for example, new accommodation is being built, or there is a new VAP of an existing premises who is undertaking major renovations to the visitor accommodation. This would enable applicants or VAPs in these circumstances to offer or advertise their regulated visitor accommodation on a restricted basis, while working towards full compliance with application, approval and licence conditions or requirements. The intention is for those restrictions to include being prohibited from providing the accommodation, and therefore prohibited from allowing visitors to stay, until such time as they are able to meet all of the requirements and they have been granted a full licence.

4 – Licensing Scheme – Compliance and Enforcement

Section	Form	Proposal and description of powers	Procedure
23(5)	Regulations	Power to provide for circumstances in which the Welsh Ministers may warn a licence holder that their licence could be revoked, and circumstances in which a serious breach requires immediately revocation.	Senedd annulment
24(2)	Regulations	Duty to make regulations about remedial notices for licences.	Senedd annulment
26(1)	Regulations	Power to prescribe circumstances in which licences may be amended, and relevant procedures.	Senedd approval
54(5)	Regulations	Power to specify the levels of, and procedures for, penalty notices which can be charged as an alternative to prosecution for offences under the Bill.	Senedd approval

Overarching policy purpose and intent

The overarching purpose for these provisions and the powers they contain, primarily, is to set out the detailed procedures and requirements that underpin the compliance and enforcement part of the licensing scheme, as well as providing flexibility for any future extension to the scheme. Consequently, the collective policy intention for these provisions is to ensure those detailed procedures are developed in a way that enable the scheme to operate, first and foremost, on the basis of informing, educating and encouraging compliance. Where there are issues of non-compliance; whether it be a person committing an offence, or a licence holder breaching a licence condition; each element of the scheme’s compliance and enforcement provisions are intended to work together coherently to deal with such situations appropriately, efficiently and effectively.

The procedures will ensure those who have breached their licence conditions or committed offences are provided with reasons or explanations, and in the majority of cases, will be offered opportunities to remedy problems, or avoid escalation or prosecution, via the issuing of penalty or remedial notices or warnings. It will also include fair notice periods for action to be taken, as well as the right of

appeal against certain decisions. And, where unusual, emergency or particularly serious situations arise, the intention is to ensure sufficient flexibility to enable swift action to be taken.

As such, the intention is to ensure the procedures are transparent and fair, but robust enough to maintain the integrity of the scheme.

Individual policy purpose and intent

Section 23 sets out the circumstances and procedures for the revocation of a licence where a licence holder breaches a condition of their licence and the breach is likely to persist or be repeated, or where the licence holder agrees to the revocation. Consequently, the purpose of the regulation-making power at **section 23(5)** is to allow for provision to be made that enables circumstances to be prescribed in which, either, advance notice or a warning may be given to the licence holder that their licence may be revoked should a known or suspected breach continue or be repeated; or where a revocation may take effect immediately.

The policy intent for this power is to put the expectation that providers should first be informed of their obligations on a statutory basis, without leaving it fully to operational discretion. The intention therefore is to prescribe the circumstances where notice or warning may be given, for example, for less serious or minor breaches, or for first time breaches. This will ensure the scheme is able to operate on an education and encouragement approach as a first step, whilst retaining the flexibility to deal with more serious or repeated breaches. At the other end of the scale, the intention is to prescribe the circumstances in which immediate revocation may be used. This will be reserved for more specific circumstances, for example, in urgent or emergency situations, or where the breach is of a level of severity that the risk to visitors is so great that it would not be appropriate to continue to allow visitors at the accommodation. The intention is that this will usually be in circumstances where another regulatory body has issued a prohibition notice, and they are not legally permitted to continue to operate.

The purpose of the duty at **section 24(2)** is to require regulations to be made that provide the circumstances in which, and procedures to be followed when, a remedial notice must be issued to enable a licence holder to remedy an issue at their accommodation where there has been a breach of their licence conditions, prior to revocation proceedings being initiated under section 23. The policy intention for these regulations is to require remedial notices as the first step in dealing with the vast majority of circumstances and

cases where there is a known or suspected breach, whilst retaining the ability afforded by the power at section 23(5) as set out above to deal with emergency or serious situations. For example, they may be used where the breach is an ongoing issue, such as a broken smoke alarm. The notice would require the issue to be rectified within a reasonable timeframe, and it is likely that it will require the licence holder to provide evidence that the issue has been rectified to prevent any further action or escalation of enforcement. The regulations may also set out the circumstances in which the notice may temporarily prohibit visitors from residing at the accommodation until the breach has been rectified, where the breach creates a risk of serious harm to visitors but it may not be appropriate to proceed to permanent revocation.

The purpose of the regulation-making power at **section 26(1)** is to allow provision to be made which sets out the circumstances and procedures for amending a visitor accommodation licence, either upon application by the licence holder, or by the Welsh Ministers in their capacity as licensing authority, including when amendments can be made without an application or agreement in certain circumstances. The policy intention for this provision is to provide for amendments to licences to allow flexibility for both the licence holder and the Welsh Ministers to amend licences to reflect changes in circumstances, for example, where there are changes to the description or maximum capacity of the accommodation provided at the premises

The intention is also to provide that amendments may be made as part of the compliance and enforcement process, so as to provide additional flexibility and fairness in the scheme where there are breaches of licence conditions. This would provide a similar process to that for revocations, including linking in with the requirements for remedial notices. This would enable circumstances to be dealt with where, for example, there is an issue with a particular unit or type of accommodation at a premises that cannot easily be rectified; and whilst it would not be appropriate to allow that accommodation to remain licensed, it may equally not be reasonable or appropriate to revoke the licence for the entire premises if the issue is confined and does not affect other parts of the premises. In circumstances such as these, a licence could be amended to remove specific units or types of accommodation from the licence for that premises, allowing the licence holder to continue to offer and provide the remaining accommodation without detriment.

Finally, it is also intended that provision will be made to allow, and set out the procedures for, additional or new units, or types of accommodation to be added to existing licences. This will allow for future changes across the sector or for individual licence holders,

as well as in the event of any extension to the scope of the scheme to other types of visitor accommodation. It is also intended to allow licences to be amended so as not to disadvantage or discourage existing licence holders from making improvements, diversifying or expanding the visitor accommodation offer at their premises in the future.

Section 54 introduces a system of penalty notices as an alternative to prosecution for offences committed under the Bill. The purpose of the regulation-making power at **section 54(5)** is to set out the specific details in relation to penalty notices, including their form and content, the amounts to be paid and payment methods, as well as the circumstances and procedures regarding the withdrawal of a penalty. The policy intention for this power is to provide for an efficient and effective means of enforcement for offences in certain circumstances, and to encourage future compliance as a result by offering the opportunity to avoid prosecution by paying a specified sum. The policy intention, therefore, is for a transparent and adaptable penalty notice system which is also fair and proportionate by providing, for example, different or scaled fine levels depending on, and appropriate to, the offence and the scale on which it is committed. The power will also be exercised over time in cases where different types of accommodation are brought into the scope of the scheme; or, if future evidence suggests that the levels of the fines are not sufficiently discouraging non-compliance, and are therefore not sufficient to support the integrity of the licensing scheme.

5 – Exemptions from Licensing Requirements

Section	Form	Proposal and description of powers	Procedure
37(2)	Regulations	Power to prescribe exemptions from licensing requirements.	Senedd annulment

Policy purpose and intent

The purpose of the regulation-making power at **section 37(2)** is to enable provision to be made to exempt a person or type of visitor accommodation of a prescribed description from licensing requirements under the Chapter 2 of Part 3 of the Bill, where they are also exempt from the requirement to register under Part 2 of the VARL Act, by virtue of regulations made under section 5(2) of that Act. This is to ensure consistency in application of both the legislation across this Bill and the VARL Act, and the schemes they establish. The policy intention for this power is in order to avoid a scenario arising, for example, where the Senedd has agreed a person should be exempt from the requirement to register under the VARL Act, but they remain subject to licensing requirements which require them to do so.

6 – Fees in connection with Licensing

Section	Form	Proposal and description of powers	Procedure
38(1)	Regulations	Power to set fees in respect of functions relating to licensing under Chapter 2 of Part 3, or any regulations made under it.	Senedd annulment

Policy Purpose & Intent:

The purpose of the regulation-making power at **section 38(1)** is to enable provision to be made about fees for licensing and related functions under Chapter 2 of Part 3 of the Bill, or any regulations made under it. In particular, it allows for generic or specific fees for any of the matters or functions set out within or under those provisions; for example, the ability to set fee amounts or structures - with different fee amounts for different types or sizes of accommodation or VAP, to set out circumstances in which there may be refunds, waivers or reductions in or for those fees, as well as specifying the general processes and procedures for fees, including payment methods, deadlines, debt recovery and appeals against fee decisions.

The policy intent for this power is to set annual licence fees, as well as other ad-hoc fees for other matters. For example, fees could be set for applications and for training (in conjunction with the power at section 16). The intention is that any fees set will be both appropriate and proportionate, whilst being sufficient to cover the costs of administering the function to which the fee relates, and eventually, together with the annual licence fee, to cover the cost of administering the scheme overall. An appropriate fee structure will be developed in line with the model of cost recovery described in the Regulatory Impact Assessment and fees will need to be set at a level which reflects the expected cost of administering the scheme.

In terms of the annual licence fee, the Regulatory Impact Assessment set out a best estimate of an average of £75 per premises. The licence fee structure will need to be determined once the composition of the regulated visitor accommodation cohort of the sector is understood from the registration data. This will help us to develop a structure that not only takes the scheme's estimated running costs into consideration, but one that is fair for all licence holders. For example, consideration will need to be given to whether setting a flat

fee per premises is fair and proportionate for VAPs or licence holders, given the potential breadth and variation of premises sizes and compositions across the sector. As such, the fee may be based, for example, on the type of premises or its accommodation, by using a flat rate per unit of visitor accommodation, or by using bandings or scales depending on the number of units at a premises. These are options that will be considered as part of the development of regulations, and the consultation requirement ensures the sector will have the opportunity to have their views considered. The power will also enable the fee structure to be reviewed and revised, as necessary, should other types of accommodation be brought within the scope of the scheme in the future.

7 – Application of the Bill to Special Cases

Section	Form	Proposal and description of powers	Procedure
49	Regulations	Power to make further provision about how the Bill applies to partnerships or unincorporated bodies.	Senedd approval
52(1)	Regulations	Power to make provision in relation to death, incapacity or insolvency of a visitor accommodation provider.	Senedd approval
53(1)	Regulations	Power to make provision to ensure continuity in the application of the Bill where a VAP has or is a business being transferred as a going concern.	Senedd approval

Policy Purpose and Intent:

The provision in each of these sections mirror that in corresponding powers under the VARL Act. The policy intention for these powers, collectively, is to provide flexibility for the Welsh Ministers to ensure the procedures and processes in each of these various scenarios can be considered holistically across both the Bill and the VARL Act; that the practical implications for both the registration and licensing schemes established under them can be aligned where required; and, where additional procedures are required in respect of licensed premises or licence holders, this can be achieved without detriment to the registration scheme. The policy purpose and intent for each individual provision is as set out below:

The purpose of the regulation-making power at **section 49** is to add to, amend, or clarify how the Bill applies to partnerships and unincorporated bodies, ensuring there is flexibility to address new or unforeseen business structures. Partnerships and unincorporated bodies can have complex structures, and the initial provisions may not cover every scenario as business practices evolve. The policy intention of this power is to enable the Welsh Ministers to adapt the legislative framework and the scheme to respond to new types of business arrangements, as practical issues arise in the application of the Bill or the VARL Act to partnerships and unincorporated bodies during implementation or over time, and to prevent any loopholes developing that could undermine the efficacy of the licensing scheme. It also allows flexibility to clarify roles or responsibilities for specific requirements under the licensing scheme where there is

ambiguity due to complex or large structures, for example, linking in with the power under section 16, to specify who may or may not be required to undertake training.

The purpose of the regulation-making power at **section 52** is to address situations where a VAP dies, becomes incapacitated, or becomes insolvent. The policy intention is to establish and provide clarity on the processes and procedures that would need to be followed in such circumstances (including, for example, where a VAP's estate is subject to probate) and to allow for accommodation to continue to be provided whilst future arrangements for the accommodation are determined. Without such provision, there would be uncertainty for the VAP, their representatives and their families, as well as visitors, as to any liabilities or obligations and how, or whether they are able, to continue providing the visitor accommodation in the immediate term.

The purpose of the regulation-making power at **section 53** is to establish and provide clarity on the processes and procedures for ensuring continuity when a business is transferred to another person as a going concern, including the transfer of licences, and any relevant liabilities or obligations. The aim is to ensure not only continuity of provision of accommodation, but that there is no regulatory gap or loss of accountability, ensuring the integrity of the licensing scheme is maintained in such circumstances.

8 – Consequential and Transitional Provision

Section	Form	Proposal and description of powers	Procedure
56(1)	Regulations	Power to make provision, which is incidental or supplementary to, or consequential on the Bill, or to make transitional or savings provision in connection with any provision of the Bill.	Senedd approval if amending, modifying or repealing any primary legislation. Otherwise, Senedd annulment

Policy purpose and intent

The purpose of the regulation-making power at **section 56(1)** is to enable provision to be made that is incidental, supplementary, or consequential to any provision of the Bill, to make transitional or saving provision in connection with it, and to amend, modify, repeal, or revoke provisions under this or other enactments. This is a standard and routine regulation making power, particularly for complex legislation. It is consistent with other Acts of the Senedd, and is designed to ensure that the Bill can be implemented effectively. Its main purposes are:

- Incidental, Supplementary, or Consequential Provision: To allow the Welsh Ministers to address any technical, minor, or unforeseen circumstances or issues that arise as a result of the Bill.
- Transitional or Saving Provision: To manage the transition to the new legislative framework established by the Bill.

It also expressly specifies under 56(2) that where regulations are made under section 5(1) prescribing a description of (regulated) visitor accommodation to which section 269 of the Public Health Act 1936, or Part 1 of the Caravan Sites and Control of Development Act 1960 apply (campsites and caravan sites, respectively); the powers at section 56(1) include the ability to disapply those provisions in relation to Wales. These express provisions, alongside the general power to amend the Bill or other enactments are necessary, not only for the purposes of implementation, but to ensure clarity, consistency and coherence across the statute book. Where these powers are exercised to amend the Bill or other primary legislation, the Senedd will be provided the opportunity to scrutinise and vote on those regulations.

The policy intention for this power, in the first instance, is to enable transitional arrangements to be developed and put in place to support the implementation of the Bill, ensuring it can be implemented appropriately and effectively, and without detriment, whilst ensuring continuity of provision and minimising disruption as far as is possible to individual VAPs or applicants, visitors, or the sector as a whole. For example, ensuring existing VAPs whose accommodation would be subject to licensing are able to continue operating during the implementation period, particularly whilst the scheme and its operations bed-in and applications are being considered.

In the longer term, the intention is that it would be used for similar purposes as those set out above, as and when the scheme extends to other types of visitor accommodation in the future, in conjunction with the powers as set out under section 1 – ‘Licensing Scheme – Scope – Extension’ at page 7. Over and above those circumstances, this power would only be used for matters such as:

- clarifying ambiguities or making technical adjustments to ensure the Bill operates as intended;
- making changes to deal with unforeseen circumstances arising from, or as a consequence of, the wider implementation of the Bill or the VARL Act,
- making changes to deal with amendments or updates to legislation elsewhere that may impact the efficacy of the Bill or licensing scheme; or,
- as a result of the development of regulations as provided in powers elsewhere in the Bill.

9 – Development of Tourism and Regulation of Visitor Accommodation – Code of Practice and Guidance

Section	Form	Proposal and description of powers	Procedure
3(1)	Code of Practice	Power to issue a code of practice in relation to best practice guidance on tourism.	No procedure
55(1)	Guidance	Duty to issue guidance on the operation of the regulatory regime created by the Bill.	No procedure

Policy purpose and intent

The purpose of the power at **section 3(1)** is to provide an express power to issue a Code of Practice as part of the restatement of functions under the Development of Tourism Act 1969, with the policy intention of developing a broad suite of best practice guidance for businesses and visitor accommodation providers across the tourism sector in Wales.

The purpose of the duty under **section 55(1)** is to require guidance to be issued by the Welsh Ministers in relation to Parts 3 and 4 of the Bill, and any regulations made under those Parts. Parts 3 and 4 contain the provisions under which the licensing scheme will be established for the purposes of the regulation of visitor accommodation. The policy intention is for this guidance to provide clarity, guidance and support for providers, and those associated with providing, or offering to provide, regulated visitor accommodation in Wales. It will include the various aspects of the operation of the licensing scheme, such as the processes, requirements and consequences for non-compliance, alongside any relevant guidance on key aspect such as fitness standards and contract terms, in order to support compliance. The guidance will also be updated in line with any updates to, or extension of, the scheme or its requirements over time.

Once the licensing scheme is implemented, the policy intention is for the guidance on the licensing scheme and any Code of Practice in relation to tourism to eventually sit side by side, creating a single suite of information, guidance and best practice for tourism businesses and providers across the sector in Wales, both existing and prospective. The policy intention is for it to:

- Support those involved in providing or offering to provide regulated visitor accommodation by encompassing the statutory guidance on licensing and the regulation of visitor accommodation as required under section 55;
- Support those who provide or offer to provide other types of visitor accommodation (not regulated self-catering accommodation), by raising awareness of the standards and requirements of the scheme to other parts of the visitor accommodation sector as best practice, irrespective of any future extension of the scheme;
- Support businesses and providers of tourist attractions, amenities, facilities and services in Wales, as well as visitor accommodation, by providing best practice guidance on broader matters such as those suggested under section 3(2) of the Bill;
- Support businesses and providers of tourist attractions, amenities, facilities and services in Wales, as well as visitor accommodation, by providing or signposting to other information or guidance, to promote and improve awareness of, or compliance with, a range of other relevant best practice or statutory requirements under other legislation or regulatory regimes; and
- Provide information to visitors and the public about the licensing scheme, the standards required of regulated visitor accommodation in Wales, and the public visitor accommodation directory, in order to both promote transparency and raise awareness, and enhance the efficacy of the scheme in the process.

Together, this suite of information and guidance will help drive standards across the tourism sector and visitor economy, and support the Welsh Ministers' wider functions in promoting the development of tourism in Wales.

SL(6)661 – The Infrastructure Consent (Miscellaneous Amendments) (Wales) Regulations 2025

Background and Purpose

These Regulations make amendments to several pieces of secondary legislation which implement, and provide details of the processes required under, the Infrastructure (Wales) Act 2024 (the “2024 Act”).

They make corrections to the following regulations in response to points raised by this Committee in its reports:

- a. The Infrastructure Consent (Pre-Application and Application Procedure and Transitional Provisions) (Wales) Regulations 2025, which make provision for pre-application and application procedures for applications for infrastructure consent under the 2024 Act;
- b. The Infrastructure Consent (Compulsory Acquisition) (Wales) Regulations 2025, which make provision for pre-application procedures, making an application and examination of an application for infrastructure consent made under the 2024 Act that includes an application for compulsory acquisition; and
- c. The Infrastructure Consent (Examination and Decision) (Procedure) (Wales) Regulations 2025, which make provision for the examination of applications for infrastructure consent made under the 2024 Act.

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 point is identified for reporting under Standing Order 21.2 in respect of this instrument.

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

In regulation 2(1), in the English text, the title of the Infrastructure Consent (Pre-Application and Application Procedure and Transitional Provisions) (Wales) Regulations 2025 is noted incorrectly because the year “2025” is missing.



Merits Scrutiny

The following two points are 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

Regulation 2 of these Regulations makes corrections to the Infrastructure Consent (Pre-Application and Application Procedure and Transitional Provisions) (Wales) Regulations 2025.

The points raised by this Committee in its [report](#) on those Regulations, many of which the Welsh Government [committed](#) to addressing in an amending instrument, are largely addressed by these Regulations.

Regulation 2(2)(a) of these Regulations specifically amends the definition of “EIA development” in regulation 2(1) of the Infrastructure Consent (Pre-Application and Application Procedure and Transitional Provisions) (Wales) Regulations 2025 so that the full references to the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 and the Marine Works (Environmental Impact Assessment) Regulations 2007, as used in that definition, are changed to the defined terms for those Regulations provided in that regulation 2(1), namely to “Planning EIA Regulations” and “Marine EIA Regulations” respectively.

This is in response to reporting point 2 of the Committee’s report referenced above. However, that reporting point also noted that the same full references to the 2017 and 2007 Regulations, rather than the defined terms, are used in the definition of “the EIA Regulations” in regulation 2(1) of the Infrastructure Consent (Pre-Application and Application Procedure and Transitional Provisions) (Wales) Regulations 2025.

It is noted that, unlike the definition of “EIA development”, the definition of “the EIA Regulations” is not corrected by these Regulations in line with that relevant reporting point.

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

Reporting point 22 of the Committee’s report on the Infrastructure Consent (Pre-Application and Application Procedure and Transitional Provisions) (Wales) Regulations 2025 highlighted a difference between the English and Welsh text in relation to the numbering of paragraphs in the Schedule to those Regulations, in the text following the heading ‘Interpretation of Table’.

In the English text, the definition of ‘Distribution Network Operators’ appears in paragraph (g), but in the Welsh text, there is no paragraph (g), so that the definition appears in paragraph (f) immediately after the definition of “airport”.

It does not appear that this inconsistency has been addressed by regulation 2 of these Regulations.



Welsh Government response

A Welsh Government response is required.

Legal Advisers

Legislation, Justice and Constitution Committee

5 November 2025



Senedd Cymru

Pwyllgor Deddfwriaeth, Cyfiawnder a'r Cyfansoddiad

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Welsh Parliament

Legislation, Justice and Constitution Committee

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Agenda Item 5.2

SL(6)662 – The Vehicle Emissions Trading Schemes (Amendment) (No. 2) Order 2025

Background and Purpose

This Order amends the Vehicle Emissions Trading Schemes Order 2023 (S.I. 2023/1394) (“the 2023 Order”). The 2023 Order established four new trading schemes which limit, or encourage the limitation of, CO₂ emissions resulting from the registration of new cars and light commercial vehicles (vans). Two of the schemes apply to cars: the Non-Zero-Emissions Car Registration Trading Scheme (“CRTS”) and the Non-Zero Emission Car CO₂ Trading Scheme (“CCTS”), and two apply to vans: the Non-Zero-Emission Van Registration Trading Scheme (“VRTS”) and the Non-Zero Emission Van CO₂ Trading Scheme (“VCTS”).

The amendments made by Part 2 of this Order—

- extend the scheme years in relation to which participants may borrow CRTS and VRTS allowances (articles 5 and 20 respectively);
- extend the scheme years in relation to which unused CCTS allowances may be converted to CRTS credits, and unused VCTS allowances may be converted to VRTS credits, as well as the caps that apply to such conversions (articles 8 and 23 respectively);
- allow unused VRTS allowances to be converted into CRTS credits and unused CRTS allowances to be converted into VRTS credits (articles 9 and 24 respectively);
- allow CRTS participants which are also SPV van manufacturers to convert VRTS credits into CRTS credits and allow VRTS participants which are also SPV car manufacturers to convert CRTS credits into VRTS credits (articles 10 and 25 respectively);
- allow CRTS participants to trade CRTS allowances with VRTS participants (with the effect that a CRTS allowance is converted to four tenths of a VRTS credit) and VRTS participants to trade VRTS allowances with CRTS participants (with the effect that a VRTS allowance is converted to two CRTS credits on disposal) (articles 12 and 27 respectively);
- allow SPV car manufacturers to trade CRTS credits with VRTS participants (with the effect that a CRTS credit is converted to four tenths of a VRTS credit) and SPV van manufacturers to trade VRTS credits with CRTS participants (with the effect that a VRTS credit is converted to two CRTS credits on disposal) (articles 14 and 29 respectively);
- amend the financial penalties for non-compliance (articles 15 and 30 respectively);
- amend the qualifying rules for conversion of unused CRTS allowances into CCTS allowances, and unused VRTS allowances into VCTS allowances, to allow banked



allowances to be taken into account (articles 18 and 33 respectively). Part 2 also makes a number of consequential amendments (see articles 4, 6, 7, 11, 13, 16, 17, 19, 21, 22, 26, 28, 31, 32, 34, 35 and 36) and corrects a number of typographical errors (see articles 6(3)(a), 37, 38 and 43).

The amendments made by Part 3 of this Order allow manufacturers of OVC hybrid electric cars and vans which have been type-approved according to certain emission standards to apply for the CO2 emissions of the vehicles to be determined in accordance with new Schedule 3A to the 2023 Order.

Procedure

Negative.

This Order in Council was made by His Majesty before being laid before Senedd Cymru, the United Kingdom Parliament, the Scottish Parliament and the Northern Ireland Assembly.

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. The other three legislatures can also annul the Order, in accordance with the rules for annulment that apply to each of those legislatures.

Technical Scrutiny

The following point is identified for reporting under Standing Order 21.2 in respect of this instrument.

1. Standing Order 21.2(ix) – that it is not made or to be made in both English and Welsh

The Order has been laid before Senedd Cymru, the United Kingdom Parliament, the Northern Ireland Assembly and the Scottish Parliament. The Order has been made in English only. The Welsh Government's Explanatory Memorandum states as follows (at paragraph 2.2):

"As this instrument will be subject to UK, Scottish and Northern Irish Parliamentary scrutiny, it is not considered reasonably practicable for this instrument to be made or laid bilingually."

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.

We note the following extract from the Explanatory Memorandum (at paragraph 2.3):



“Alongside the consultation, the UK Government and Devolved Governments jointly commissioned the Climate Change Committee (“CCC”) for advice on this instrument in accordance with section 48 of the Climate Change Act 2008. This advice was published by the CCC on their website. [Letter: CCC response to Secretary of State for Transport on the VETS Order - Climate Change Committee.](#)”

Welsh Government response

A Welsh Government response is not required.

Legal Advisers

Legislation, Justice and Constitution Committee

5 November 2025



Senedd Cymru

Pwyllgor Deddfwriaeth, Cyfiawnder a'r Cyfansoddiad

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Welsh Parliament **Pack Page 34**

Legislation, Justice and Constitution Committee

SL(6)663 – The Land Transaction Tax (Modification of Special Tax Sites Relief) (No. 2) (Wales) Regulations 2025

Background and Purpose

These Regulations amend Schedule 21A to the Land Transaction Tax and Anti-avoidance of Devolved Taxes (Wales) Act 2017.

Schedule 21A provides for a relief from land transaction tax (“LTT”) for qualifying transactions of land within a special tax site. Under paragraph 2 of that Schedule, the relief currently applies to designated areas comprising the Celtic Freeport¹ and the Ynys Môn Freeport².

These Regulations extend the relief to further sites in Ynys Môn³, with effect from 21 November 2025.

Procedure

Draft Affirmative.

The Welsh Ministers have laid a draft of the Regulations before the Senedd. The Welsh Ministers cannot make the Regulations unless the Senedd approves the draft Regulations.

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.

Regulation 1(2) provides that these Regulations come into force at “midnight on 21 November 2025”.

The Welsh Government is asked to explain:

- (1) the purpose (and meaning) of “midnight” in this provision, given that section 29 of the Legislation (Wales) Act 2019 provides for a Welsh subordinate instrument to come into force at the beginning of a day specified in the instrument; and

¹ The areas designated by the UK Government as special areas by the Designation of Special Tax Sites (Celtic Freeport) Regulations 2024/1035 made on 16 October 2024.

² The areas designated by the UK Government as special areas by the Designation of Special Tax Sites (Anglesey Freeport) Regulations 2024/1286 made on 4 December 2024.

³ The areas designated by the UK Government as special areas by the Designation of Special Tax Sites (Anglesey Freeport) Regulations 2025/1079 made on 14 October 2025.



- (2) the reason for the italic coming into force date below the SI title confirming only that the Regulations come into force on 21 November 2025, instead of specifying the corresponding point in time mentioned in regulation 1(2).

Merits Scrutiny

The following 2 points are identified for reporting under Standing Order 21.3 in respect of this instrument.

- 2. Standing Order 21.3(i) – that it imposes a charge on the Welsh Consolidated Fund or contains provisions requiring payments to be made to that Fund or any part of the government or to any local or public authority in consideration of any licence or consent or of any services to be rendered, or prescribes the amount of any such charge or payment.**

Section 25 of the Tax Collection and Management (Wales) Act 2016 provides that the Welsh Revenue Authority must pay amounts collected in the exercise of its functions, which includes the collection of LTT, into the Welsh Consolidated Fund.

These Regulations extend special tax site relief from LTT to the identified further sites in Ynys Môn from 21 November 2025 until 30 September 2029.

- 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.**

Paragraph 3.6 of the Explanatory Memorandum to these Regulations notes that:

“The relief is a subsidy in the form of a geographically limited relief provided to those businesses buying land and meeting the qualifying conditions within the designated special tax site for a limited period of time. The Subsidy Control Scheme for Welsh Freeports was referred to the Competition and Markets Authority (“CMA”) in accordance with section 31 of the Subsidy Control Act 2022, and registered on the subsidy database in accordance with section 33 of that Act on 14 November 2024”.

Welsh Government response

A Welsh Government response to the technical reporting point is required.

Legal Advisers

Legislation, Justice and Constitution Committee

4 November 2025





Llywodraeth Cymru
Welsh Government

**WRITTEN STATEMENT
BY
THE WELSH GOVERNMENT**

TITLE **The Land Transaction Tax (Modification of Special Tax Sites Relief) (No.2) (Wales) Regulations 2025 and, The Land Transaction Tax (Modification of Special Tax Sites Relief) (No.3) (Wales) Regulations 2025**

DATE **21 October 2025**

BY **Mark Drakeford MS, Cabinet Secretary for Finance and Welsh Language**

I am pleased to announce that today I have laid two sets of draft regulations to make changes to the Land Transaction Tax and Anti-avoidance of Devolved Taxes (Wales) Act 2017 (“LTTA 2017”) to extend the land transaction tax (“LTT”) special tax sites relief to sites designated by the UK government in North Anglesey, as part of the Ynys Môn Freeport, and in the Flintshire and Wrexham Investment Zone (IZ).

The Land Transaction Tax (Modification of Special Tax Sites Relief) (No.2) (Wales) Regulations 2025 amends Schedule 21A of LTTA 2017 to provide LTT relief for the North Anglesey special tax sites located within the Ynys Môn Freeport.

The Land Transaction Tax (Modification of Special Tax Sites Relief) (No.3) (Wales) Regulations 2025 amends Schedule 21A of LTTA 2017 to provide LTT relief for the special tax sites located within the Flintshire and Wrexham IZ.

The tax incentives, including LTT special tax sites relief, are integral to both the Welsh Freeports Programme and IZs Programme and have been designed with the intention of helping sites attract private investment and deliver the policy objectives of each programme.

I look forward to the debate on both sets of regulations on the 18 November 2025.

The Land Transaction Tax (Modification of Special Tax Sites Relief) (No.2) (Wales) Regulations 2025

[The Land Transaction Tax \(Modification of Special Tax Sites Relief\) \(No.2\) \(Wales\) Regulations 2025](#)

[Explanatory Memorandum to the Land Transaction Tax \(Modification of Special Tax Sites Relief\) \(No.2\) \(Wales\) Regulations 2025](#)

The Land Transaction Tax (Modification of Special Tax Sites Relief) (No.3) (Wales) Regulations 2025

[The Land Transaction Tax \(Modification of Special Tax Sites Relief\) \(No.3\) \(Wales\) Regulations 2025](#)

[Explanatory Memorandum to the Land Transaction Tax \(Modification of Special Tax Sites Relief\) \(No.3\) \(Wales\) Regulations 2025](#)

SL(6)664 – The Land Transaction Tax (Modification of Special Tax Sites Relief) (No. 3) (Wales) Regulations 2025

Background and Purpose

These Regulations amend Schedule 21A to the Land Transaction Tax and Anti-avoidance of Devolved Taxes (Wales) Act 2017.

Schedule 21A provides for a relief from land transaction tax (“LTT”) for qualifying transactions of land within a special tax site. Under paragraph 2 of that Schedule, the relief currently applies to designated areas comprising the Celtic Freeport¹ and the Ynys Môn Freeport².

These Regulations extend the relief to the Flintshire and Wrexham Investment Zone³, with effect from 21 November 2025.

Procedure

Draft Affirmative.

The Welsh Ministers have laid a draft of the Regulations before the Senedd. The Welsh Ministers cannot make the Regulations unless the Senedd approves the draft Regulations.

Technical Scrutiny

The following point is identified for reporting under Standing Order 21.2 in respect of this instrument.

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

Regulation 1(2) specifies that these Regulations come into force at a particular point in time (at 12:01 a.m. on 21 November 2025).

However, the italic coming into force date below the SI title states “21 November 2025” and omits the relevant time.

¹ The areas designated by the UK Government as special areas by the Designation of Special Tax Sites (Celtic Freeport) Regulations 2024/1035 made on 16 October 2024.

² The areas designated by the UK Government as special areas by the Designation of Special Tax Sites (Anglesey Freeport) Regulations 2024/1286 made on 4 December 2024.

³ The areas designated by the UK Government as special areas by the Designation of Special Tax Sites (Flintshire and Wrexham Investment Zone) Regulations 2025/1080 made on 14 October 2025.



Merits Scrutiny

The following 2 points are identified for reporting under Standing Order 21.3 in respect of this instrument.

- 2. Standing Order 21.3(i) – that it imposes a charge on the Welsh Consolidated Fund or contains provisions requiring payments to be made to that Fund or any part of the government or to any local or public authority in consideration of any licence or consent or of any services to be rendered, or prescribes the amount of any such charge or payment.**

Section 25 of the Tax Collection and Management (Wales) Act 2016 provides that the Welsh Revenue Authority must pay amounts collected in the exercise of its functions, which includes the collection of LTT, into the Welsh Consolidated Fund.

These Regulations extend special tax site relief from LTT to the identified Investment Zone from 21 November 2025 until 30 September 2034.

- 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.**

Paragraph 3.6 of the Explanatory Memorandum to these Regulations notes that,

“The relief is a subsidy in the form of a geographically limited relief provided to those businesses buying land and meeting the qualifying conditions within the designated special tax site for a limited period of time. The Subsidy Control Scheme for Welsh IZs was referred to the Competition and Markets Authority (“CMA”) in accordance with section 31 of the Subsidy Control Act 2022, and registered on the subsidy database in accordance with section 33 of that Act on 6 October 2025, Scheme SC11410.”

Welsh Government response

A Welsh Government response to the technical reporting point is required.

Legal Advisers

Legislation, Justice and Constitution Committee

4 November 2025





Llywodraeth Cymru
Welsh Government

**WRITTEN STATEMENT
BY
THE WELSH GOVERNMENT**

TITLE **The Land Transaction Tax (Modification of Special Tax Sites Relief) (No.2) (Wales) Regulations 2025 and, The Land Transaction Tax (Modification of Special Tax Sites Relief) (No.3) (Wales) Regulations 2025**

DATE **21 October 2025**

BY **Mark Drakeford MS, Cabinet Secretary for Finance and Welsh Language**

I am pleased to announce that today I have laid two sets of draft regulations to make changes to the Land Transaction Tax and Anti-avoidance of Devolved Taxes (Wales) Act 2017 (“LTTA 2017”) to extend the land transaction tax (“LTT”) special tax sites relief to sites designated by the UK government in North Anglesey, as part of the Ynys Môn Freeport, and in the Flintshire and Wrexham Investment Zone (IZ).

The Land Transaction Tax (Modification of Special Tax Sites Relief) (No.2) (Wales) Regulations 2025 amends Schedule 21A of LTTA 2017 to provide LTT relief for the North Anglesey special tax sites located within the Ynys Môn Freeport.

The Land Transaction Tax (Modification of Special Tax Sites Relief) (No.3) (Wales) Regulations 2025 amends Schedule 21A of LTTA 2017 to provide LTT relief for the special tax sites located within the Flintshire and Wrexham IZ.

The tax incentives, including LTT special tax sites relief, are integral to both the Welsh Freeports Programme and IZs Programme and have been designed with the intention of helping sites attract private investment and deliver the policy objectives of each programme.

I look forward to the debate on both sets of regulations on the 18 November 2025.

The Land Transaction Tax (Modification of Special Tax Sites Relief) (No.2) (Wales) Regulations 2025

[The Land Transaction Tax \(Modification of Special Tax Sites Relief\) \(No.2\) \(Wales\) Regulations 2025](#)

[Explanatory Memorandum to the Land Transaction Tax \(Modification of Special Tax Sites Relief\) \(No.2\) \(Wales\) Regulations 2025](#)

The Land Transaction Tax (Modification of Special Tax Sites Relief) (No.3) (Wales) Regulations 2025

[The Land Transaction Tax \(Modification of Special Tax Sites Relief\) \(No.3\) \(Wales\) Regulations 2025](#)

[Explanatory Memorandum to the Land Transaction Tax \(Modification of Special Tax Sites Relief\) \(No.3\) \(Wales\) Regulations 2025](#)

SL(6)659 – The Climate Change (Net Welsh Emissions Account Credit Limit) (Wales) Regulations 2025

Background and Purpose

These Regulations form part of a suite of Regulations that are referred to collectively as the Climate Change (Wales) Regulations 2025, which also include the Climate Change (Carbon Budget) (Wales) Regulations (which set a carbon budget, known as Carbon Budget 4, for 2031-2035) and the Carbon Accounting (Wales) (Amendment) Regulations 2025 (which amend the definition of a carbon unit).

These Regulations set a limit on the amount of carbon units that may be credited to the net Welsh emissions account, in accordance with section 33(4) of the Environment (Wales) Act 2016 (the "2016 Act").

Regulation 2 limits the number of carbon units that may be credited to the net Welsh emissions account for the budgetary period 2026-2030 to 0% of the carbon budget.

Before laying the draft Regulations, the Welsh Ministers obtained and took into account the advice of the Committee on Climate Change, in accordance with section 49(1) of the 2016 Act.

Procedure

Draft Affirmative.

The Welsh Ministers have laid a draft of these Regulations before the Senedd. The Welsh Ministers cannot make the Regulations unless the Senedd approves the draft Regulations.

Technical Scrutiny

The following point is identified for reporting under Standing Order 21.2 in respect of this instrument.

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

Regulation 2 refers to a number of terms which are defined by the parent Act to these regulations, the 2016 Act. Section 53 of the 2016 Act defines "carbon unit", "net Welsh emissions account", "budgetary period" and "carbon budget". The Legislation (Wales) Act 2019 does not contain a provision which provides that expressions used in subordinate legislation have the meaning which they bear in the Act under which the subordinate legislation is made. As a result, those terms will not bear the same defined meaning in regulation 2 of these Regulations that they have in Part 2 of the 2016 Act in the absence of



such an express interpretation provision. *Writing Laws for Wales*, paragraph 4.12(1), states as follows:

“A Welsh subordinate instrument should therefore include express provision wherever the intention is to attract meanings from the parent legislation”.

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 3 November 2025 and reports to the Senedd in line with the reporting point above.



Government response: The Climate Change (Net Welsh Emissions Account Credit Limit) (Wales) Regulations 2025

Technical Scrutiny point 1: We are grateful to the Committee for bringing this to our attention. The Regulations have been withdrawn to make the necessary amendment, with the aim of re-laying the Regulations on 11 November 2025 to keep to the same timeline for the debate.

Agenda Item 6.2

SL(6)660 – The Climate Change (Carbon Budget) (Wales) Regulations 2025

Background and Purpose

These Regulations form part of a suite of regulations made under the Environment (Wales) Act 2016 (“the 2016 Act”) that are referred to collectively as the Climate Change (Wales) Regulations 2025.

Part 2 of the 2016 Act requires the Welsh Ministers to meet targets for reducing net emissions of greenhouse gases in Wales.

Section 31(1) of the 2016 Act requires that the Welsh Ministers set carbon budgets for each 5-year budgetary period between 2016 and 2050.

Regulation 2 sets the carbon budget for the budgetary period 2031-2035 so it is limited to an average of 73% lower than the baseline.

Before setting carbon budgets in regulations, the Welsh Ministers must request, and take into account, advice from the Committee on Climate Change (“the CCC”). In May 2025, the CCC provided their advice to Welsh Ministers on the level of Wales’ fourth carbon budget for the five-year period between 2031 to 2035 (“Carbon Budget 4”). In the Explanatory Memorandum accompanying the Regulations, the Welsh Government states that the purpose of these regulations is to accept the CCC’s recommended level and set Carbon Budget 4 at an average of 73% lower than the baseline.

Procedure

Draft Affirmative

The Welsh Ministers have laid a draft of the Regulations before the Senedd. The Welsh Ministers cannot make the Regulations unless the Senedd approves the draft Regulations.

Technical Scrutiny

The following point is identified for reporting under Standing Order 21.2 in respect of this instrument.

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

In regulation 2, several terms are used which have been defined as terms for Part 2 of the 2016 Act, which is the parent Act of these Regulations, including “carbon budget”, “budgetary period” and “baseline”. However, the Legislation (Wales) Act 2019 does not contain a provision corresponding to section 11 of the Interpretation Act 1978, which



provides that expressions used in subordinate legislation have the meaning which they bear in the Act under which the subordinate legislation is made. As noted in Writing Laws for Wales, paragraph 4.12(1),

“A Welsh subordinate instrument should therefore include express provision wherever the intention is to attract meanings from the parent legislation”.

As a result, those terms will not bear the same defined meaning in regulation 2 of these Regulations that they have in Part 2 of the 2016 Act, in the absence of such an express interpretation provision.

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 3 November 2025 and reports to the Senedd in line with the reporting point above.



Government response: The Climate Change (Carbon Budget) (Wales) Regulations 2025

Technical Scrutiny point 1: We are grateful to the Committee for bringing this to our attention. The Regulations have been withdrawn to make the necessary amendment, with the aim of re-laying the Regulations on 11 November 2025 to keep to the same timeline for the debate.

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

Agenda Item 7.1

Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref: HID-PO-551-25

Mike Hedges MS
Chair - Legislation, Justice and Constitution Committee

5 November 2025

Dear Mike,

I am writing in accordance with the inter-institutional relations agreement to let you know that the Inter-Ministerial Group for Environment, Food and Rural Affairs will be held on 24 November. I will be representing the Welsh Government and chairing the meeting.

The meeting is expected to focus on water quality, the EU-UK Common Understanding Agreement, Fishing and Coastal Growth Fund, and CO₂ supplies. After the meeting I will update you on discussions and a communique will be issued.

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

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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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.



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref: MA/HIDCC/2595/25

Mike Hedges MS Chair,
Legislation, Justice and Constitution Committee
Senedd Cymru
SeneddLJC@senedd.wales

3 November 2025

Dear Mike,

The Control of Mercury (Amendment) Regulations 2025

I wish to inform the Legislation, Justice and Constitution Committee of my intention to consent to the UK Government making and laying the Control of Mercury (Amendment) Regulations 2025 (“the 2025 Regulations”).

The 2025 Regulations intersect with devolved policy and will apply in relation to Wales. They will be made by the Secretary of State for Environment, Food and Rural Affairs in exercise of the powers conferred by Article 20(1) of Regulation (EU) 2017/852 of the European Parliament and of the Council of 17 May 2017 on mercury (EUR 2017/852) (“the Mercury Regulation”) as substituted by The Control of Mercury (Amendment) (EU Exit) Regulations 2020.

The 2025 Regulations will apply in relation to England, Scotland and Wales and pursuant to Article 21(3) are subject to the negative procedure. They are to be laid before Parliament on 2 December 2025 and will come into force on 23 December 2025.

Article 21(8) of the Mercury Regulation means that that the Secretary of State may not make the 2025 Regulations, being regulations to be made under Article 20(1) of the Mercury Regulation in relation to Wales, without the consent of the Welsh Ministers. Accordingly, Baroness Hayman of Ullock wrote to me on the 14 October 2025, requesting the Welsh Ministers’ consent to the 2025 Regulations. A similar request for consent has been sent to Scottish Ministers. I plan to provide my formal consent to Baroness Hayman of Ullock on 10 November 2025, unless the committee raises any concerns before that date.

Summary of the 2025 Regulations

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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.

The 2025 Regulations amend Part A of Annex 2 of the Mercury Regulation, to align UK law with recent decisions from the Minamata Convention on Mercury (COP-4 and COP-5), reflecting international commitments.

The 2025 Regulations update Annex 2 by introducing new entries and phase-out dates for specific mercury-containing products. These include very high accuracy capacitance and loss measurement bridges, as well as high frequency radio switches and relays used in monitoring and control instruments, with a maximum mercury content of 20 mg per item, except for those used in research and development.

The 2025 Regulations also address compact fluorescent lamps (CFLs) for general lighting purposes, specifying various wattage categories and deadlines for prohibition. Additionally, linear fluorescent lamps (LFLs) and non-linear fluorescent lamps (NFLs) are covered, with particular phosphor types and phase-out deadlines. Further provisions apply to cold cathode fluorescent lamps (CCFLs) and external electrode fluorescent lamps (EEFLs) for electronic displays not previously regulated. The 2025 regulations extend to strain gauges for use in plethysmographs, melt pressure transducers, transmitters, and sensors (with exceptions for high precision measurement), as well as mercury vacuum pumps, tyre balancers and wheel weights, photographic film and paper, and propellant for satellites and spacecraft.

Each product category is assigned a specific date by which its use is prohibited, mostly between 2025 and 2027.

Welsh Government Position

The Welsh Government's general principle is that the law relating to devolved matters should be made and amended in Wales. In certain circumstances, where there is a clear rationale for doing so, there are benefits working collaboratively with the UK Government.

On this occasion, I consider it appropriate for the substance of the UK Government amendments to apply to Wales, as timely implementation will ensure compliance with our international obligations under the Minamata Convention on Mercury. I consider that legislating separately for Wales would not be the most appropriate way to give effect to the necessary changes.

It is anticipated that the 2025 Regulations will be made on 2 December 2025 and they will come into force on 23 December 2025.

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



WRITTEN STATEMENT BY THE WELSH GOVERNMENT

TITLE	The Producer Responsibility Obligations (Packaging and Packaging Waste) (Amendment) Regulations 2025
DATE	04 November 2025
BY	Huw Irranca-Davies MS, Deputy First Minister and Cabinet Secretary for Climate Change & Rural Affairs

I have given consent to the UK Government to make and lay the Producer Responsibility Obligations (Packaging and Packaging Waste) (Amendment) Regulations 2025 ("the Regulations"). The Regulations intersect with devolved policy and will apply in relation to Wales. The Regulations are UK-wide and therefore apply in relation to England, Scotland, Northern Ireland and Wales.

The Regulations have been made by the Secretary of State for Environment, Food and Rural Affairs in exercise of powers conferred by the Environment Act 2021.

The Regulations amend the Producer Responsibility Obligations (Packaging and Packaging Waste) Regulations 2024 ("the 2024 Regulations") which introduced an Extended Producer Responsibility (EPR) scheme for packaging and packaging waste on a UK basis from 1 January 2025. The packaging EPR scheme seeks to ensure that the efficient cost incurred by local authorities in managing packaging waste is met by the producers who use and supply packaging, applying the "polluter pays" principle.

In particular, the Regulations will make further changes to the existing 2024 Regulations, refining the EPR scheme to deliver quality outcomes for the people of Wales. Key changes include the following:

- Amending the definition of "efficient waste management service" to ensure the environmental effects of the service are taken into account alongside the disposal costs, providing the Scheme Administrator with further flexibility to compare service types when making assessments in relation to local authority payments.
- Extending the provisions around commonly collected food grade plastic packaging to enable producers who collect food grade plastic directly from households to recycle the material back into food grade plastic – known as closed loop recycling - to offset their fees with the tonnages recycled.

- Enabling the establishment of a Producer Responsibility Organisation and a series of provisions designed to resolve technical issues, as to improve the administrative and operational efficiency of pEPR.
- A range of changes including changes corresponding to the above amendments, changes to enforcement provisions and transitional provisions.

Whilst it is normally the policy of the Welsh Government to legislate for Wales in matters of devolved competence, in certain circumstances there are benefits to Wales in doing so collaboratively with the UK Government where there is a clear rationale. In this case, the UK-wide Regulations will enable consistency across the UK while enabling Wales to sustain and build on its performance as second in the world for recycling. In turn, this will facilitate delivery of positive outcomes for Wales by allowing a uniform approach among commercial organisations as they invest, often in operations across the UK market. It is therefore appropriate that the Regulations are made on a UK-wide basis in this instance.

The Regulations were laid before Parliament on 3 November 2025 and subject to approval, will come into force on 1 January 2026.

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

Ein cyf/our ref: MA-HIDCC-1855-25

Mike Hedges MS
Chair
Legislation, Justice, and Constitution Committee
Senedd Cymru
Cardiff Bay
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SeneddLJC@senedd.wales

4 November 2025

Dear Mike,

I refer to my letter to you of 20/10/2025 regarding the Producer Responsibility Obligations (Packaging and Packaging Waste) (Amendment) Regulations 2025 (“the Regulations”).

I previously wrote to you to notify the Committee of my intention to give consent to the Secretary of State for Environment, Food and Rural Affairs for the above UK-wide Regulations to apply in relation to Wales. I am writing to notify you that I have now provided this consent. I also laid a Written Statement which can be found here: [Written Statement: The Producer Responsibility Obligations \(Packaging and Packaging Waste\) \(Amendment\) Regulations 2025 \(4 November 2025\) | GOV.WALES](#)

The Regulations intersect with devolved policy and will apply to Wales, England, Northern Ireland and Scotland. The Regulations are subject to the affirmative procedure, and they were laid before Parliament on 3 November 2025. Subject to debate and approval in the Houses of Parliament the Regulations will come into force on 1 January 2026.

I have also written to Llŷr Gruffydd, Chair of the Climate Change, Environment, and Infrastructure Committee.

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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.

Yours sincerely,

A handwritten signature in black ink, consisting of several fluid, overlapping strokes that form a stylized representation of the name.

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

Agenda Item 8.1

Jayne Bryant AS/MS
Ysgrifennydd y Cabinet dros Lywodraeth Leol a Thai
Cabinet Secretary for Housing and Local Government



Llywodraeth Cymru
Welsh Government

Ref: PO/JB/539/2025

John Griffiths MS
Chair
Local Government and Housing Committee
Senedd Cymru
Cardiff
CF99 1SN

4 November 2025

Dear John,

Thank you for the Local Government and Housing Committee's report in relation to the Homelessness and Social Housing Allocation (Wales) Bill, published on 17 October 2025.

I welcome the Committee's support for the general principles of the Bill and extend my thanks to you and the membership for your diligent and comprehensive assessment of the Bill. I have set out the Government's response to the Committee's recommendations in the annex to this letter and am pleased to have accepted or accepted in principle all, bar one.

I hope the attached information helps inform further scrutiny of the Bill and I look forward to continuing to work with the Committee as we proceed through the Senedd process.

I am copying this letter to the Chair of the Finance Committee and Chair of the Legislation, Justice and Constitution Committee.

Yours sincerely,

Jayne Bryant AS/MS

Ysgrifennydd y Cabinet dros Lywodraeth Leol a Thai
Cabinet Secretary for Housing and Local Government

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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.

Homelessness and Social Housing Allocation (Wales) Bill

Government Response to the recommendations from the Local Government and Housing Committee Report

Recommendation	Government Response	Comments
<p>Recommendation 1: We recommend that the Senedd agrees to the general principles of the Homelessness and Social Housing Allocation (Wales) Bill.</p>	<p>Noted</p>	<p>We are grateful to the Committee for their consideration of the Bill.</p>
<p>Recommendation 2: The Welsh Government should significantly increase the Social Housing Grant and Housing Support Grant for 2026-27 and, in addition find innovative ways of raising funds to deliver the supply of social housing needed to achieve the aims of the Bill.</p>	<p>Accept in Principle</p>	<p>The Regulatory Impact Assessment sets out a detailed and comprehensive assessment of the costs of the Bill and the clear requirement for additional investment.</p> <p>As we have made clear in our Strategic Partnership Agreement with local government, where new responsibilities come with additional cost, it may not always be about seeking extra money but about identifying funding which could be redirected from elsewhere to have the maximum impact. Beyond that, any new responsibilities would be funded.</p> <p>Future budgets are a matter for the next Government, but I have laid strong foundations for the legislation and set the necessary practice change in motion. We have increased the Housing Support Grant by over 60% since 2019-20, now reaching £204 million this financial year. We have also transferred £21.32 million homelessness funding into the Revenue Support Grant to give local authorities more flexibility to meet their needs.</p> <p>With over £240 million provided to homelessness services and prevention work in 2025-26, we are providing a firm foundation for the Bill.</p>

Recommendation	Government Response	Comments
<p>Recommendation 3: The Welsh Government should ensure that delivering more social and affordable homes is a cross-government priority and is not undermined by other policies.</p>	<p>Accept in Principle</p>	<p>We recognise the importance of delivering more homes and addressing barriers to housing supply. We are committed to work across our departments to ensure housing delivery remains a strategic priority. While it is not possible to make commitments on behalf of future governments, creating more homes is one of the First Minister's top four cross-government priorities – not least because we know that social and affordable housing can reduce poverty, improve physical and mental health - and help drive economic growth.</p>
<p>Recommendation 4: We recommend the Bill is amended to place a duty on the Welsh Government to publish a specific timetable setting out the phased approach to implementing the legislation.</p>	<p>Reject</p>	<p>We have published an implementation timetable in the response to the Finance Committee.</p> <p>The Legislation, Justice and Constitution Committee (LJCC) made two recommendations which we have accepted in principle; to amend the Bill so that Welsh Ministers are required to provide progress reports to the Senedd towards full implementation of the Act and a requirement to evaluate the Act by the end of 2033. I believe acceptance in principle of these recommendations provides strong assurance that implementation of the Bill will be progressed efficiently and I am not of the view that an additional requirement to publish a timetable is necessary on the face of the Bill.</p>
<p>Recommendation 5: The Welsh Government should provide regular updates to the Senedd on progress in preparing for the implementation of this legislation, including an update no later than the end of 2029 on the steps it has taken towards full implementation.</p>	<p>Accept in Principle</p>	<p>I welcome this recommendation and note its alignment to recommendation 2 of the LJCC's report. I have instructed my officials to prepare an amendment in relation to the LJCC's recommendation to be tabled at stage 2.</p>
<p>Recommendation 6: The Welsh Government should undertake further work to gather evidence on whether additional groups should be granted exemption to the local connection test.</p>	<p>Accept</p>	<p>The Welsh Government will gather further evidence to inform its consideration of potential exemptions to the local connection requirement and, as the Committee notes, the Bill contains Regulation-making powers to provide for exemptions in the future.</p>

Recommendation	Government Response	Comments
<p>Recommendation 7: The Code of Guidance for Local Authorities on the Allocation of Accommodation and Homelessness should be strengthened to signpost applicants to independent advice.</p>	<p>Accept</p>	<p>We will strengthen the new Code of Guidance to ensure all applicants are signposted to independent advice throughout their homelessness application.</p>
<p>Recommendation 8: The Welsh Government should ensure that the other provisions affecting care leavers are implemented early enough to mitigate any potential negative impact on care leavers from the abolition of the priority need test.</p>	<p>Accept</p>	<p>We will develop a detailed implementation timetable with delivery partners. I have previously outlined that the prevention and allocations provisions of the Bill will be scheduled for earlier implementation as they will reduce pressure in the overall system. As the policy intention of the provisions targeted towards care leavers focus on homelessness prevention and ending use of the homelessness system at the point of transition, I expect them to fall into this first phase of implementation.</p>
<p>Recommendation 9: The Welsh Government should identify good practice models of intensive support services for households with the highest level of complex need, and should provide the necessary resources and leadership to require these services to be delivered in every local authority where they are needed.</p>	<p>Accept</p>	<p>Work to develop practice guidance and identify good practice models of work is already underway, drawing on international best practice. Addressing homelessness requires a whole system public service response, especially in supporting those who face multiple disadvantage and have complex needs. The Bill will require local housing authorities to promote cooperation between themselves and other bodies, and these arrangements must include a protocol for handling cases involving persons who are or may become homeless and who may also be in need of other support or services.</p>
<p>Recommendation 10: The Welsh Government should provide clarity that the duty to help to retain suitable accommodation can be extended beyond twelve months, in line with the recommendations of the Expert Panel, and bring forward an amendment to specify this on the face of the Bill.</p>	<p>Accept in Principle</p>	<p>The stated timeframe within the Bill is simply a timeframe during which it is expected that any issue related to a suitable accommodation is most likely to arise. The Bill already allows for the duty to continue beyond twelve months if necessary. However, we agree with the principle of providing clarity concerning that flexibility and will consider if an amendment could provide further clarity, whilst ensuring the overall effect of the clause is not undermined.</p>

Recommendation	Government Response	Comments
<p>Recommendation 11: The Welsh Government should undertake further analysis of the potential need under the duty to provide help to retain suitable accommodation by using figures from a greater number of local authorities and provide a revised estimate of the expected costs ahead of implementing this provision.</p>	<p>Accept</p>	<p>The work undertaken to develop the Regulatory Impact Assessment was rigorous and detailed. Our previous experience suggests that local authorities are not always able to provide data around the proposed duty, hence the modelling work based on a smaller number. However, we will undertake further analysis and incorporate any additional evidence into a revised estimate, prior to implementation.</p>
<p>Recommendation 12: The Welsh Government should bring forward an amendment to provide for a formal review of the impact of the ‘ask and act’ duty introduced by section 21. A review should include how the duty is working for the public bodies listed in Preventing homelessness and the position in relation to those not listed, monitoring of these sectors, and consideration of whether changes need to be made to the list.</p>	<p>Accept in principle</p>	<p>We recognise the importance of reviewing the operation and impact of the “ask and act” duty, including how it is working for the public bodies listed in the Bill and the position in relation to those not currently listed. We will incorporate evaluation of “ask and act” into the evaluation we have committed to deliver in response to recommendation 3 of the LJCC’s report.</p>
<p>Recommendation 13: The Welsh Government should set out how it expects good practice to be adopted consistently in how schools identify and notify local authorities of homelessness risk, including its own role in disseminating information.</p>	<p>Accept</p>	<p>There are already examples of best practice in several schools and we will use these to support this work. Officials are planning a number of workstreams which will support schools to identify and prevent homelessness, utilising existing legal powers, the “Keeping Learners Safe” guidance and aligning work around safeguarding. We will also work with Community Focussed School Managers and local authorities to support schools.</p>
<p>Recommendation 14: In light of the strong evidence in support of including schools and primary care on the list of public bodies subject to the ‘ask and act’ duty, the Welsh Government should monitor the effectiveness of its alternative approaches with a view to adding these sectors to the duty if</p>	<p>Accept</p>	<p>The Welsh Government will monitor the effectiveness of its alternative approaches with a view to adding these sectors to the duty, if necessary, using the power to amend the list through secondary legislation.</p>

Recommendation	Government Response	Comments
necessary, using the power to amend the list through secondary legislation.		
<p>Recommendation 15: We support the evidence from NYAS and recommend that the Welsh Government should assess the case for extending provisions aimed at care leavers in future, so that they apply to all up to the age of 25, not just those in education or training. This includes the duty to ensure that suitable accommodation is available for care leavers and the reasonable preference for social housing allocation, which we consider later in this report.</p>	<p>Accept in principle</p>	<p>The Bill mirrors the six categories of care leavers set out in the Social Services and Well-being (Wales) Act 2014. I do not believe this Bill is the right vehicle to re-define who care leavers are and for the purposes of this legislation we do not believe that would be helpful.</p> <p>In using the existing categories, we can create an enhanced system of support for care leavers in Wales – providing local authorities with clarity about who is owed duties.</p> <p>A review of the code of practice, alongside the wider needs of care leavers is due to take place in the next Senedd term and this recommendation will be considered as part of that work. If this should result in proposed changes to primary legislation, this is better done through an amendment to the Social Services and Well-being (Wales) Act 2014, which will require more extensive consideration with all stakeholders.</p>
<p>Recommendation 16: The Welsh Government should use existing regulation-making powers to amend the suitability requirements, and to prohibit the use of temporary accommodation which contains category 1 hazard and is unfit for human habitation.</p>	<p>Accept in principle</p>	<p>I remain committed to amending the Homelessness (Suitability of Accommodation) (Wales) Order 2015 so that accommodation where there is a presence of a category 1 hazard or which is unfit for human habitation cannot be considered suitable accommodation. My officials are in conversation with local authorities as part of the planning for this secondary legislation and a stakeholder working group is in the process of being established.</p>
<p>Recommendation 17: The Welsh Government should update us on the changes to be made to the Homelessness (Suitability of Accommodation) (Wales) Order 2015, including the timescale for such secondary legislation. Changes prohibiting accommodation</p>	<p>Accept</p>	<p>As set out under recommendation 16, the Welsh Government remains committed to introducing changes to the Homelessness (Suitability of Accommodation) (Wales) Order 2015 to raise the standards of accommodation across Wales. I will update the Committee on a timetable for these Regulations as soon as possible.</p>

Recommendation	Government Response	Comments
<p>which is unfit for human habitation should be made as soon as possible, regardless of any further changes made which we understand are planned based on the temporary accommodation reviews required by the Bill.</p>		
<p>Recommendation 18: We recommend that the Welsh Government publishes tightly defined referrals guidance that specifies the circumstances in which RSLs may refuse a referral, and also stipulates effective information-sharing about any support needs the applicant may have.</p>	<p>Accept</p>	<p>I confirm my commitment to issue a Code of Guidance that addresses every part of the Bill, including guidance related to section 33. My officials are preparing a Stage 2 amendment which will require this.</p>
<p>Recommendation 19: The Welsh Government should establish a national common standard for data on social housing waiting lists and allocations, publishing robust data at local and national level.</p>	<p>Accept in Principle</p>	<p>The Bill will allow Welsh Ministers to introduce regulations specifically related to technical aspects of Common Housing Registers, including specifying the information they must hold. Such regulations will be developed in close engagement with local authorities to determine the types of information required to ensure effective prioritisation of applicants and the allocation of accommodation. This will ensure minimum standardised information requirements are established across all local authorities within Wales.</p> <p>Once Common Housing Registers are established and embedded we will be able to consider how local and national datasets can be used.</p>
<p>Recommendation 20: The Welsh Government should make its case for including the provision to create qualifying persons criteria in the Bill, and unless it can do so, the provision should be removed.</p>	<p>Accept in Principle</p>	<p>Social housing waiting lists are registers of people who would like social housing. They are not registers of housing need and cannot be relied upon in assessing and understanding housing need at both a local and national level.</p> <p>Allowing local authorities to determine their own qualifying criteria (outside of reasonable preference groups) provides them with the best opportunity to understand local housing need and respond to specific</p>

Recommendation	Government Response	Comments
		<p>localised demographical requirements, whilst managing expectations of local communities.</p> <p>This provision includes safeguards, establishing regulation making powers which allow Welsh Ministers to prescribe what can and cannot be considered qualifying criteria by local housing authorities.</p>
<p>Recommendation 21: As the Code of Guidance will need to be updated to reflect the changes being made by this legislation, the Welsh Government should revise the Guidance to specify that a local authority may write to an applicant, noting that they are minded to find them to be deliberately manipulating the housing system, in the same way as the Code of Guidance provides such powers in the context of intentionality.</p>	<p>Accept in principle</p>	<p>We agree with the Committee that the implications of behaviour which may be classed as deliberate manipulation must be discussed with the applicant as early as possible, to ensure applicants understand the potential consequences of their actions.</p> <p>Guidance will be provided on how the test and outcome are be communicated to applicants. We will consider whether there could be a role for ‘minded to’ letters, considering the stage at which the test is to be applied and the role of such a letter, within the drafting of the provision.</p>
<p>Recommendation 22: The Welsh Government should address concerns about possible unintended consequences arising as a result of new section 167A(2)(b)(ii) of the Housing Act 1996. Evidence provided by legal professionals highlighted how the deliberate manipulation test could negatively impact people who may not intend to manipulate the housing system, but may be considered to have done so given the way the Bill is drafted.</p>	<p>Accept in Principle</p>	<p>The deliberate manipulation test has been carefully drafted to guard against unintended consequences and describes clearly the acts or omissions that amount to deliberate manipulation. The drafting is clear that, for the purposes of section 167A(2), an act or omission in good faith may not be treated as deliberate.</p> <p>We will ensure that supporting training and guidance enhances this message, supporting delivery partners to implement the provision within the spirit of this Bill.</p>

Conclusion	Government response
<p>Conclusion 1: In our legacy report at the end of this Senedd term, we will recommend to our successor committee that it seeks regular updates from the next government on the timing of implementing the provisions.</p>	<p>Thank you.</p>
<p>Conclusion 2: The Welsh Government should engage further with local authorities to understand their concerns on the level of resource needed to implement provisions relating to the prevention support and accommodation plans.</p>	<p>Local authorities are our key delivery partners and we have engaged closely with them throughout development of the Bill, along with other stakeholders. We will continue to work closely with them during implementation planning and as we revise the RIA.</p>
<p>Conclusion 3: We support the provision to abolish the intentionality test as we agree that it should not be part of a trauma-informed homelessness system. However, we acknowledge that local authorities have significant concerns about this, and believe that ahead of implementation the Welsh Government should work to support all local authorities to prepare by adopting existing good practice in avoiding the formal use of intentionality.</p>	<p>We are working with local authorities to support the transition away from intentionality, which will align with the phased commencement of the Bill. Advice to local authorities will promote trauma-informed approaches and be based on good practice.</p>
<p>Conclusion 4: While we support ending intentionality to move to a more trauma-informed service, we also understand the concerns of those who worry that deliberate manipulation could be used in similar ways, leading to vulnerable people being unable to access social housing. The Welsh Government should take steps via guidance and training to ensure that deliberate manipulation is implemented in a trauma-informed way.</p>	<p>The Welsh Government will ensure there is detailed, trauma-informed guidance and relevant training to support implementation by local authorities.</p> <p>The deliberate manipulation test has been carefully drafted to ensure that it relates only to deliberate and intentional actions or actions not taken, that results in the loss of accommodation.</p> <p>Where people are found to have deliberately manipulated the system, the guidance will support local authorities in ensuring the applicant continues to receive wider housing support, including assistance in exploring and</p>

Conclusion	Government response
	accessing other housing options. They will remain entitled to homelessness services.
<p>Conclusion 5: We support the longer period during which local connection referrals relating to prisoners can take place, however we remain concerned as to how effective this will be in reality, especially cross-border. This is an area of concern and we request further information as to how the Welsh Government will work with the UK Government to implement this. We would also welcome further information as to how this will apply to prisoners released 'at time served'.</p>	<p>Under the Bill, a local connection referral can take place six months prior to release where someone is deemed homeless. Where someone is at threat of homelessness, the referral can take place at any time in a sentence, including on the first day in custody, regardless of length of sentence.</p> <p>We note the Committee's concern in relation to an implementation gap between the policy intention of the Bill and practice between prisons and local authorities across the UK. The Post Custody Accommodation Working Group, which is co-chaired between senior officials within the Welsh Government and HMPPS is the vehicle for improving the outcomes for people leaving custody and returning to Wales. The group will manage a specific workstream focussed on cross border practice.</p> <p>Anyone on remand would be considered homeless if they have no accommodation available to them in the community. This will ensure that people in prison who are on remand and released shortly after or upon sentencing will be known to local authorities, who will be better able to prepare for release.</p>
<p>Conclusion 6: We believe that, in providing regular updates to the Senedd on preparations for implementation, the Welsh Government should include details of how the post-custody accommodation working group is progressing its arrangements to meet the need for earlier local connection referrals for prisoners.</p>	<p>Updates on the work of the Post Custody Accommodation Working Group will be included in the progress reports to be laid within the Senedd.</p>
<p>Conclusion 7: We are concerned that ending a duty to provide homelessness support is a drastic step and believe that options for providing further support should be put in place before such action is taken as a last</p>	<p>The focus of this Bill is how we help people, not whether we help people. However, there are a very narrow set of circumstances where it may be necessary to end duties.</p>

<p>Conclusion</p> <p>resort. The Welsh Government should amend the Bill to clarify that duties can only be ended for unacceptable behaviour if the local authority is satisfied that there is no other way they can deliver homelessness functions to that applicant.</p>	<p>Government response</p> <p>I am reticent to amend these duties as suggested by the Committee. During the drafting process we worked very carefully to ensure they include strong safeguards against unintended consequences. In the case of property which has been destroyed or seriously damaged, duties can only be ended where there is no reasonable excuse for the actions taken by the applicant or member of their household and there are no special circumstances that would make it appropriate for the duties to continue to apply.</p> <p>In the case of violent or threatening behaviour towards members of the workforce, the duties can only be ended if there are no special circumstances that would make it appropriate for the duties to continue to apply.</p> <p>I believe the very narrow set of circumstances set out in the Bill strike the right balance between an accessible homelessness service and the accountability of applicants. Violence towards people undertaking homelessness functions, and serious, deliberate and intentional damage or destruction of property is not acceptable.</p>
<p>Conclusion 8:</p> <p>The guidance on unacceptable behaviour that brings duties to an end must be strong and emphasise that survivors of abuse must not have their duties ended as a result of the unacceptable behaviour of an abusive person residing with them.</p>	<p>The Bill has been drafted to ensure that duties can only be brought to an end in response to unacceptable behaviour, where there are no ‘special circumstances’ that make it appropriate for the relevant duty to continue to apply. This is intended to capture cases where abusive partners etc. behave unacceptably and it would be unfair for entire households to lose their support.</p> <p>Clear and robust guidance will be developed to accompany the Bill, setting out examples of special circumstances, and other actions that may be appropriate to be taken by local authorities to support the other members of the household in such circumstances. We intend to develop this guidance with expert partners, including exploitation and domestic abuse specialists.</p>

Conclusion	Government response
<p>Conclusion 9: Training for professionals and training packages will be essential in terms of being able to identify the signs of homelessness and in how to respond. We note from the implementation timescale cited by the Cabinet Secretary that the duty is due to commence as part of the second phase in 2028-29, and while there is significant time to plan ahead, this time must be spent wisely.</p>	<p>Training is essential for the effective implementation of “ask and act” and this has been accounted for in the RIA. Pre-implementation planning is already underway including learning from pilot work, the rollout of similar provisions in the Violence Against Women, Domestic Abuse and Sexual Violence Act and identifying appropriate learning platforms.</p>
<p>Conclusion 10: Effective implementation will be key to the success of the ‘ask and act’ provisions and stakeholders must be involved in designing a system that works for everyone. The CAVHIS experience and the input of other bodies must be at the forefront of planning for implementation.</p>	<p>Engagement and working co-productively has been central to the development of this Bill and will continue to be so. We are already working closely with partners to plan for how “ask and act” could be effectively rolled out and how training needs will be met.</p>
<p>Conclusion 11: Strong guidance on the use of the power to refer will be needed and developed by the Welsh Government in partnership with local authorities and RSLs.</p>	<p>The Welsh Government recognises that the new provisions of the Bill regarding co-operation between local housing authorities and social landlords must be supported by technical practice guidance. As set out in our response to recommendation 18, we are committed to developing such guidance and plan to introduce a stage 2 amendment to require this.</p> <p>This guidance will cover the reasonable timeframe for a social landlord to make an offer of accommodation following a request by a local housing authority; good reasons for not making an offer of accommodation; and reasonable requests for information about a social landlord’s accommodation. Guidance will also be provided about the process should a local authority refer a case to the Welsh Ministers for consideration. This guidance will be developed in partnership with both local authorities and RSLs and will be consulted on, as required by the Bill.</p>

Conclusion	Government response
<p>Conclusion 12: The Welsh Government should consider how it intends to monitor the impact of the provisions in terms of allocations acceptances and refusals.</p>	<p>The Welsh Government acknowledges there is a paucity of data surrounding social housing allocation data in Wales.</p> <p>We accept the importance of monitoring the impact of the provisions relating to allocations, particularly in terms of compliance with requests made from local housing authorities for RSLs to make offers of accommodation. We are committed to transparency and accountability in the implementation of the Bill and will consider how best to monitor this, doing so with local authorities and Registered Social Landlords, with a view to obtaining a consistent and meaningful picture of the effectiveness of the provisions over time.</p>
<p>Conclusion 13: We believe that, once implemented, the provisions relating to co-operation between local authorities and RSLs will need to be carefully monitored to assess how they work in practice.</p>	<p>The duty to co-operate between local housing authorities and Registered Social Landlords should be based on improved partnership working between housing provider partners generally. We will work closely with both partners throughout implementation and explore opportunities for understanding and assessing work in practice.</p>
<p>Conclusion 14: Clear guidance will be needed on the implementation of the power in section 35 to determine categories of people eligible for social housing. While local authorities will need flexibility to use the power to meet their local needs, significant divergence across Wales should be avoided to prevent a postcode lottery. Guidance should also be clear that equality legislation should be adhered to when deciding on qualifying criteria. RSLs should be involved in discussions and decisions on what should constitute 'qualifying criteria'.</p>	<p>When making changes to their social housing allocation schemes, section 167(7) of the Housing Act 1996 requires that local housing authorities must share their proposals with every social landlord partner and afford them time to respond. As public authorities, local authorities are subject to human rights and equality legislation.</p> <p>The Bill provides flexibility for local authorities to respond most effectively to local housing need. Where local authorities choose to make use of this power, they will have to ensure that all persons who belong to a reasonable preference group qualify (unless they are ineligible on the grounds of unacceptable behaviour).</p> <p>Robust guidance will be developed to support its implementation and ensure it meets the policy intention to assist in waiting list management and the potential resource savings made as a result.</p>

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Conclusion	Government response
<p>Conclusion 15: The Welsh Government should keep the qualifying persons provision under review and remove it in future if it is no longer needed or causing significant unintended consequences.</p>	<p>We will review use of this provision where local authorities choose to use it. The Bill ensures Welsh Ministers are able to respond effectively through regulation making powers where this power is not being used as intended.</p>
<p>Conclusion 16: Disqualification from social housing allocation does not provide a sustainable solution to tackling unacceptable behaviour and further support should be provided prior to such action being taken. The Welsh Government should provide strong trauma-informed guidance to ensure that exclusion from social housing is only used in extreme cases.</p> <p>Pack Page 69</p>	<p>Local authorities have a discretion to disqualify a person from allocation if they, or a member of their household, has been guilty of unacceptable behaviour serious enough to make them unsuitable to be a tenant, and at the time the application is considered, that person is still considered to be unsuitable as a tenant by reason of that behaviour. The Bill places emphasis on current risk, rather than historic risk and requires the local authority to take into account, in particular, the likelihood of that behaviour reoccurring. The meaning of unacceptable behaviour was narrowed under the Renting Homes (Wales) Act 2016 and, as such, there should be only a small number of cases that reach this high threshold and result in ineligibility for social housing.</p> <p>As with all other elements of the Bill, robust guidance will be developed to support the implementation of this and promote a trauma-informed approach.</p>
<p>Conclusion 17: We welcome the Cabinet Secretary's commitment to consider amending the Bill to allow for specified types of social housing allocation to take place outside the common housing register and request an update as part of the debate on the general principles of the Bill.</p>	<p>We recognise the initial drafting of the Bill may be too restrictive and we are considering an amendment to be tabled at stage 2 to address this.</p>



WRITTEN STATEMENT BY THE WELSH GOVERNMENT

TITLE	Draft Budget 2026-27
DATE	3 November 2025
BY	Mark Drakeford MS, Cabinet Secretary for Finance and Welsh Language

Today, the Welsh Government's Detailed Draft Budget for 2026-27 is published. This Budget invests over £27bn in Wales - £22.3bn of resource funding, £3.6bn of capital funding and £1.2bn of non-domestic rates funding to local government. It provides more than £800m of additional funding to Welsh Government departments.

In setting these draft spending plans, Cabinet has built on the foundations of 2025-26 when the Welsh Budget received a considerable uplift in both resource and capital funding. These allocations have been carried forward and departmental allocations increased in line with forecast inflation in the first stage of the Draft Budget.

Each Cabinet Secretary has made decisions about how the inflationary uplift is being allocated within their own portfolios. The Detailed Draft Budget Report explains those decisions, and detailed tables showing each portfolio's Budget Expenditure Lines (BEL) are also published today.

[The Detailed Draft Budget documents are all available on the Welsh Government website.](#)

- Detailed Draft Budget Report 2026-27
- Tables supporting spending plans
- Budget expenditure lines

[The following supporting documents are also being published today:](#)

- Strategic Integrated Impact Assessment – Interim Assessment
- Distributional Analysis of Devolved Public Spending in Wales 2026-2027
- Infrastructure Finance Plan 2026 to 2027
- Implementation costs of legislation
- Consultation on legislative proposals relating to the Welsh Tax Acts
- Gender Budgeting in Practice - Learning from Pilot Schemes in Wales (2019–2024)



WRITTEN STATEMENT BY THE WELSH GOVERNMENT

TITLE	Consultation on Legislative Proposals Relating to the Welsh Tax Acts
DATE	3 November 2025
BY	Mark Drakeford MS, Cabinet Secretary for Finance and Welsh Language

Today sees the launch of a [public consultation on legislative proposals to amend the Welsh Tax Acts](#):

- Tax Collection and Management (Wales) Act 2016
- Land Transaction Tax and Anti-avoidance of Devolved Taxes (Wales) Act 2017
- Landfill Disposals Tax (Wales) Act 2017

The proposed changes are technical in nature and are intended to clarify, enhance and future-proof our devolved tax legislation and to support wider public service delivery in Wales. Should the new Welsh Government wish to take these changes further primary legislation could be introduced early in the next Senedd Cymru term. These proposals mark the next step in Wales' fiscal devolution journey and are a sign of the growing maturity of Wales' tax system.

This consultation is being jointly undertaken by the Welsh Revenue Authority (WRA) and Welsh Government. Views are sought from the public, lawyers, tax advisers and representative bodies on discrete, largely technical changes to the Welsh Tax Acts. These changes have been identified through the WRA's seven years of operational experience in collecting and managing devolved taxes, as well as feedback from the industry, Welsh public service partners, and in response to changes to relevant UK legislation.

Whilst some changes in this consultation may be made by regulations, we are bringing together all of the proposals to comprise what would become Wales's first tax maintenance bill.

A separate [consultation was also launched recently, exploring the process for making future changes to the devolved tax legislation](#). These proposals seek to ensure that tax laws can be updated efficiently when needed, particularly in response to tax avoidance activities or changes to similar UK taxes.

The changes proposed in this consultation would enable the WRA to continue to manage Welsh taxes as effectively as possible, building on over £2 billion in devolved tax revenues collected since 2018 which have been reinvested by the Welsh Government in services such as the Welsh NHS and our schools.

The consultation closes on 26 January 2026. Full consideration will be given to the responses to inform next steps and support further policy development. It will be for the next Welsh Government to decide whether to give effect to these proposals through new primary legislation, subject to Senedd approval.



WRITTEN STATEMENT BY THE WELSH GOVERNMENT

TITLE	UK Railways Bill
DATE	05 November 2025
BY	Ken Skates, Cabinet Secretary for Transport and North Wales

Today, we welcome the laying of the UK Railways Bill which will enable the biggest transformation of the rail sector in a generation, modernising and improving rail services and delivering a more integrated, accountable, and passenger-focused railway.

Since the announcement that a Railways Bill would be included in the UK Government's Legislative programme, we have been working closely with the UK Government to deliver a number of outcomes to ensure the bill achieves the best deal for Wales.

As a result of this collaborative working we have been able to agree to the inclusion of a specific clause in the Bill, which provides for the development of a **Memorandum of Understanding (MoU)** between the Secretary of State for Transport and Welsh Ministers.

This clause recognises the shared ambition to codify devolved responsibilities, funding arrangements, and joint governance mechanisms, thereby strengthening accountability in the delivery of rail services across the Wales and Borders area. In parallel, UK and Welsh Government officials have jointly undertaken the drafting of a **Heads of Terms for this Memorandum**, which has been a positive and collaborative process.

The MOU which is currently expected to be published in Spring 2026 will be supported by a partnership agreement between the new organisation created through the Bill, Great British Railways (GBR), and TfW. This will ensure we are working towards jointly agreed shared objectives for Wales and Borders rail services and UK services serving destinations in the Wales and Borders geography.

The Heads of Terms includes our shared ministerial intention for:

1. Shared objectives and control period / funding period planning for the Wales and Borders area - An outline of jointly agreed and published objectives and business plans that are shaped by both governments.

2. Track and Train Integration - Agreed principles to deliver a more responsive and resilient railway by delivering a simpler, better, integrated railway for the users of the Wales and Borders network.
3. A GBR Wales and Borders Business Unit - To provide Wales and Borders area with a dedicated, empowered Business Unit within GBR that will deliver against the shared objectives set by both governments.
4. England & Wales Cross-Border services - An aligned framework between Welsh Ministers and the Secretary of State for joint governance and transparent funding arrangements concerning cross-border rail services, reflecting the vital importance these services have on the connectivity, wellbeing and economic development of communities in both Wales and England.
5. Access and Use - Principles to enable GBR and TfW to work together to simplify access contracts and charging framework and ensure GBR's capacity allocation decisions and Infrastructure Capacity Plan development are consistent with the joint objectives established for the Wales and Borders area.
6. Core Valley Lines (CVL) - To support TfW to integrate track and train, reduce internal regulatory complexity, and jointly develop an interface framework with GBR for service continuity across both networks.
7. Wales Rail Board and Enhancements - A formally recognised and renewed Wales Rail Board as a strategic body within the governance framework. The evolved Wales Rail Board will review funding allocations, business plans, and performance of enhancement schemes across the Wales and Borders area.
8. Governance - Governance principles to ensure adequate accountability channels to UK and Welsh Ministers by GBR and TfW.
9. Appointments and Representation - Welsh Ministers role in shaping the overall recruitment strategy for the GBR Board, and consultation from the GBR CEO during the recruitment of senior executives within the Wales and Borders Business Unit.
10. The publication, review and amendment process for the MoU.

The ambition of the Welsh Government remains the full devolution of rail services and infrastructure, to enable us to deliver an improved and better integrated transport system for Wales. This statement marks a significant step forward in our collaborative approach to rail reform, and I am confident that our continued joint working with the UK Government will ensure the delivery of a modern, integrated railway that works for passengers across the United Kingdom.

Agenda Item 8.5

Julie James AS/MS
Y Cwnsler Cyffredinol a'r Gweinidog Cyflawni
Counsel General and Minister for Delivery



Llywodraeth Cymru
Welsh Government

Mike Hedges MS, Chair
Legislation, Justice and Constitution Committee

6 November 2025

Annwyl Mike,

Legislation (Procedure, Publication and Repeals) (Wales) Act 2025

I am writing to inform you that the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs, as one of the Welsh Ministers, has made the Legislation (Procedure, Publication and Repeals) (Wales) Act 2025 (Commencement and Transitional and Saving Provisions) Order 2025.

Given the Committee's role under Standing Order 27 particularly and its wider interest in the 2025 Act, I attach a copy of the Order for information.

Yn gywir,

Julie James AS/MS

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

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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.

W E L S H S T A T U T O R Y
I N S T R U M E N T S

2025 No. 1160 (W. 189) (C. 56)

CONSTITUTIONAL LAW

**The Legislation (Procedure,
Publication and Repeals) (Wales)
Act 2025 (Commencement and
Transitional and Saving Provisions)
Order 2025**

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force the remaining provisions of the Legislation (Procedure, Publication and Repeals) (Wales) Act 2025 (“the 2025 Act”) and makes transitional and saving provision in connection with the coming into force of certain provisions.

Article 2 brings the following provisions of the 2025 Act into force on 1 January 2026—

- (a) section 1, which amends the Legislation (Wales) Act 2019 (“the 2019 Act”) by inserting a new Part 2A that makes provision about Welsh statutory instruments and the Senedd procedures for Welsh subordinate legislation;
- (b) section 3, which amends the 2019 Act by inserting a new Part 2B that makes provision about the publication, preservation, numbering and classification of Acts of Senedd Cymru, Welsh statutory instruments and other subordinate legislation made by the Welsh Ministers;
- (c) section 5, which amends the 2019 Act by inserting a new section 42A that requires the Counsel General to review the operation and effect of new Parts 2A and 2B of the 2019 Act;
- (d) section 6, which amends section 2 of the 2019 Act so that programmes to improve the accessibility of Welsh law must include proposals for correcting any errors or resolving any ambiguities in Welsh law;

- (e) section 8 and Schedule 3, which contain amendments to existing enactments that are necessary in consequence of new Parts 2A and 2B of the 2019 Act.

Article 3 provides that certain provisions of Part 2A of the 2019 Act do not apply to subordinate legislation made before 1 January 2026 or contained in a statutory instrument laid before Senedd Cymru in draft before that date, and saves corresponding provisions of the Statutory Instruments Act 1946 (“the 1946 Act”) in relation to that subordinate legislation.

Article 4 provides that certain provisions of Part 2B of the 2019 Act do not apply to Welsh legislation made before 1 January 2026, saves corresponding provisions of the 1946 Act and the Statutory Instruments Regulations 1947 in relation to that legislation, and ensures that the defence of non-publication under section 37S(2) of the 2019 Act includes cases where there has not been publication under section 2(1) of the 1946 Act.

Article 5 makes clear that section 2(3)(e) of the 2019 Act (as inserted by section 6 of the 2025 Act) applies only to programmes to improve accessibility of Welsh law that are prepared for terms of Senedd Cymru that begin after 1 January 2026.

W E L S H S T A T U T O R Y
I N S T R U M E N T S

2025 No. 1160 (W. 189) (C. 56)

CONSTITUTIONAL LAW

The Legislation (Procedure,
Publication and Repeals) (Wales)
Act 2025 (Commencement and
Transitional and Saving Provisions)
Order 2025

Made

4 November 2025

The Welsh Ministers make the following Order in exercise of the powers conferred on them by section 9(4) and (5) of the Legislation (Procedure, Publication and Repeals) (Wales) Act 2025⁽¹⁾:

Title and interpretation

1.—(1) The title of this Order is the Legislation (Procedure, Publication and Repeals) (Wales) Act 2025 (Commencement and Transitional and Saving Provisions) Order 2025.

(2) In this Order—

“the 1946 Act” (“*Deddf 1946*”) means the Statutory Instruments Act 1946⁽²⁾;

“the 2019 Act” (“*Deddf 2019*”) means the Legislation (Wales) Act 2019⁽³⁾;

“the 2025 Act” (“*Deddf 2025*”) means the Legislation (Procedure, Publication and Repeals) (Wales) Act 2025.

Provisions coming into force on 1 January 2026

2. The following provisions of the 2025 Act come into force on 1 January 2026—

- (a) section 1 (new Part 2A of the 2019 Act);
- (b) section 3 (new Part 2B of the 2019 Act);

(1) 2025 asc 3.
(2) 1946 c. 36.
(3) 2019 anaw 4.

- (c) section 5 (post-legislative scrutiny);
- (d) section 6 (activities to improve accessibility of Welsh law);
- (e) section 8 and Schedule 3 (consequential amendments).

Procedure for making Welsh subordinate legislation

3.—(1) In this article “pre-commencement subordinate legislation” means subordinate legislation—

- (a) made before 1 January 2026, or
- (b) contained in a draft statutory instrument laid before Senedd Cymru before that date.

(2) Sections 37C to 37H of and Schedules 1A to 1C to the 2019 Act do not apply to pre-commencement subordinate legislation.

(3) Sections 4(1), 5 to 7 and 11A(4) of the 1946 Act⁽¹⁾ continue to have effect in relation to pre-commencement subordinate legislation as they had effect immediately before 1 January 2026, despite paragraph 1 of Schedule 3 to the 2025 Act.

(4) Section 40 of the 2019 Act continues to have effect in relation to pre-commencement subordinate legislation as it had effect immediately before 1 January 2026, despite paragraph 14 of Schedule 3 to the 2025 Act.

Publication etc. of Welsh legislation

4.—(1) Sections 37N to 37R of the 2019 Act do not apply to a Welsh statutory instrument made before 1 January 2026.

(2) In section 37S(2) of the 2019 Act, the reference to publication in accordance with section 37Q is to be read, in relation to a Welsh statutory instrument made before 1 January 2026, as a reference to publication under section 2(1) of the 1946 Act.

(3) Sections 37U and 37W of the 2019 Act do not apply to a Welsh statutory instrument made before 1 January 2026 or an Act of Senedd Cymru that receives Royal Assent before 1 January 2026.

(4) Sections 37X and 37Y(1) of the 2019 Act do not apply to a Welsh statutory instrument made before 1 January 2026.

(5) Section 37Z of the 2019 Act does not apply to a Welsh subordinate instrument (within the meaning

(1) Section 4(1) was amended by section 18 of and paragraph 4(2) of Schedule 6 to the Constitutional Reform Act 2005 (c. 4) and section 11A was inserted by section 160 of and paragraph 3 of Schedule 10 to the Government of Wales Act 2006 (c. 32).

given by section 3(2) of the 2019 Act) made before 1 January 2026.

(6) Section 37Z1 of the 2019 Act does not apply to a Welsh statutory instrument made before 1 January 2026.

(7) Despite paragraph 1 of Schedule 3 to the 2025 Act, the following provisions continue to have effect in relation to a Welsh statutory instrument made before 1 January 2026 as they had effect immediately before 1 January 2026—

- (a) section 2 of the 1946 Act⁽¹⁾ and regulations 3 and 4 of the Statutory Instruments Regulations 1947⁽²⁾;
- (b) section 3(1) of the 1946 Act⁽³⁾ and regulations 9 and 10(2) of those Regulations.

Activities to improve accessibility of Welsh law

5. The amendment made by section 6 of the 2025 Act does not apply to the programme prepared under section 2(1) of the 2019 Act for the term of Senedd Cymru in which section 6 comes into force.

Huw Irranca Davies

Deputy First Minister and Cabinet Secretary for
Climate Change and Rural Affairs, one of the Welsh
Ministers

4 November 2025

(1) Amended by section 1(1)(a) of the Statutory Instruments (Production and Sale) Act 1996 (c. 54).
(2) S.I. 1948/1.
(3) Amended by section 1(1)(a) and (b) of the Statutory Instruments (Production and Sale) Act 1996.

Agenda Item 9

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

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Agenda Item 10

Jayne Bryant MS
Ysgrifennydd y Cabinet dros Lywodraeth Leol a Thai
Cabinet Secretary for Housing and Local Government



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref JB-PO-558-25

John Griffiths MS, Chair, Local Government and Housing Committee

5 November 2025

Dear John,

Thank you for providing the Committee's questions on the Building Safety (Wales) Bill. My responses are attached at Annex 1.

I also agreed to write to you on various matters including: the delivery model for Building Safety Authorities, workforce planning and apprenticeships for environmental health officers.

I share the desire to see local authorities working together to deliver their functions under the new regime.

Support from Local Partnerships was commissioned to advise, and work with, local authorities and other stakeholders on developing a delivery model to ensure successful implementation of the Bill. The remit of the Local Partnerships work was confined to the delivery models possible under the Bill, with the functions of Building Safety Authorities being placed on local authorities. Therefore, the Joint Inspection Team was not considered as a potential delivery model. This work involved strategic engagement with local authorities and fire and rescue authorities with the high-level objective of local authorities agreeing an operating model for Building Safety Authorities across Wales.

I have recently received Local Partnerships' report and have agreed with the recommendation for local authorities to work together, mirroring the footprint of each of the three fire and rescue authorities, with a single authority taking the lead in each area.

There was a clear preference for joint working across multiple authorities and a broad consensus that the new Building Safety Authorities should operate in close proximity to fire and rescue authorities. Local Partnerships will now proceed in supporting local authorities in the development of a "critical path" setting out the necessary steps towards working together in this way.

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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.

To further support local authorities in preparing for the new regime, I have also asked my officials to explore the development of a centralised national IT platform. This will be undertaken in partnership with local authorities and fire and rescue authorities to ensure it meets their needs. It will also be undertaken on a cross-Welsh Government basis to ensure join up where appropriate and that we adopt experiences and learn lessons from elsewhere across Government.

As I mentioned to the Committee, to support implementation of the Bill my officials are leading a workstream with a specific focus on local authority workforce. The core objective of the workstream is the development of a strategic workforce plan, which is co-designed with local authorities and the WLGA.

The workforce plan will focus on issues around recruitment, retention and skills development. The plan will feed into investment in skills and apprenticeship training under the new regime, so that we have a cohesive approach to workforce planning. I am happy to share the plan with the Committee once it has been finalised.

I was happy to tell the Committee, we have developed higher apprenticeships for environmental health officers, which went live earlier this year. This programme is already supporting apprentices in environmental health across Wales. My officials continue to engage with the sector and Medr (the Commission for Tertiary Education and Research) in relation to the development of a degree apprenticeship for environmental health practitioners.

I would also like to follow up on the discussion in Committee about additional costs to registered social landlords. Firstly, the transcript of your oral evidence session on 9 October shows that Trivallis did not claim that the costs to them were around £100,000. Community Housing Cymru (CHC) attributed that to another, unnamed, housing association, seemingly reflecting the costs of conducting fire risk assessments in all category 3 buildings. However, fire risk assessments are already required now under the Fire Safety Order for such premises, so these are not additional costs arising from the Bill.

Secondly, we have since had further engagement with CHC, from which it appears they and their members had misinterpreted some elements of the Bill. In particular, they believed that the Bill requires annual fire risk assessments for all buildings in scope. This may well underlie some of the cost estimates that were presented to the Committee. Section 30(5) of the Bill requires the principal accountable person to ensure that the current fire risk assessment is *reviewed* at least once in every 12 months after the assessment was made. A *new* assessment is only required in the circumstances specified in section 30(2) or when directed to do so by the fire safety authority (section 30(4)).

My officials have had extensive engagement with registered social landlords and CHC, including presenting at CHC's Safety Member Community event earlier in the year, to support their understanding of how the Bill will impact the sector. Officials recently responded on 27 points of clarification requested by CHC and a further session with CHC and their members has been arranged. I acknowledge the new

regime is complex and we will continue to work with stakeholders throughout implementation to ensure that everyone understands what is required of them.

I can also confirm that representatives of the telecommunications sector were reassured to learn that, unlike the Building Safety Act 2022, the Bill does not deal with building regulations or construction. Further, the gateway 2 process in Wales will not rely on a single regulator, as it does in England. The telecommunications sector is anxious to avoid the practical difficulties it has experienced with the gateway 2 process in England. To that end, officials are making arrangements for representatives of the sector to work through the detail with Welsh local authorities ahead of implementation of the gateway 2 process in Wales. However, that work is separate from, and has no implications for, the Bill and its implementation in due course.

I hope this information helps with the Committee's ongoing considerations and I look forward to receiving its report in due course.

I am copying this to the Chairs of the Legislation, Justice and Constitution Committee and the Finance Committee.

Yours sincerely,

A handwritten signature in cursive script that reads "Jayne Bryant".

Jayne Bryant AS/MS

Ysgrifennydd y Cabinet dros Lywodraeth Leol a Thai

Cabinet Secretary for Housing and Local Government

Annex 1: Responses to Questions from the Local Government and Housing Committee

- 1. Do you recognise that there could be unintended consequences associated with section 65, given the risks to tenants' security of tenure that could arise from withholding rent, and if so do the benefits of the right to withhold rent outweigh the risks?**

Section 65 of the Bill seeks to ensure that certain written demands given to a tenant must contain the relevant building safety information, such as the name and contact details of the principal accountable person. We would encourage residents that consider rent is not due as a result of this provision to seek their own advice. We also intend to issue guidance on this.

Resident empowerment is at the heart of the regime. Ensuring residents have this vital information to allow them to raise concerns and have discussions with the principal accountable person and building safety authority for their building is paramount. I am confident that the amendments made to the Landlord and Tenant Act 1987 are reasonable to ensure that residents are empowered with the vital information they need in order to raise any concerns about the safety of their building.

- 2. We've heard strong representations that providing lots of information to tenants is expensive for landlords and not necessarily more transparent if tenants are unable to understand the information they've been given. Would you consider amending the duty in Section 65 from the provision of information to 'making information available', to address concerns on costs?**

I heard the representations to Committee that providing lots of information to tenants could be expensive, but I don't agree that we need to amend the duty in section 65 nor the duty in section 46. The information that would be required to be provided, on the face of new sections 47B and 49B of the Landlord and Tenant Act 1987 (inserted by section 65), is primarily contact information. We think these duties are proportionate. We have no current plans to prescribe further information under section 49B(5)(e). Section 46 provides a power for the Welsh Ministers to make regulations requiring an accountable person for a regulated building to give information or copies of particular documents to other persons, including, residents. We intend to use regulations to set out what information must be given to residents routinely, and what information must be given to a resident if they have requested it (section 46(4)). What information, how the information or copies of documents must be given, and the format in which they must be given, will be set out in regulations and will of course be subject to public consultation. Regulations could, for example, prescribe that certain information could be provided electronically if this is a resident's preferred method of communication. But in broad terms, we expect the information that would be given routinely to residents would be standard information such as, for example, information about what residents should do in the event of a fire, how residents can raise building safety complaints, the contact details for the principal and

accountable persons and information about residents' duties. An important part of the consultation will focus on the format of information to be provided, ensuring it is clear, proportionate, and accessible and we will of course work closely with stakeholders to shape the content and format of information provided to residents.

The regime is designed to redress the balance between residents and those responsible for their buildings. In the interest of transparency and resident safety, duties placed on accountable persons to provide information to residents are considered reasonable and fair. The critical importance of providing building safety information to residents was a key finding of the Hackitt Report, which noted many residents were frustrated by the intermittent and partial nature of building safety information. It recommended residents should be proactively provided with a set of information that supports them to understand the safety systems in place for their building. In our own research and engagement with residents, they have consistently told us of the importance of receiving building safety information in order to feel safe in their homes and to understand their own role in keeping their building safe.

3. We've heard a call for the Bill to be amended so that accountable persons in Category 1 buildings must involve residents in the development of the engagement strategy required by the Bill, and also specifically in respect of evacuation processes especially for disabled people. What is your view on these representations and would you consider making amendments in respect of these matters at stage two?

We absolutely recognise the importance of meaningful resident engagement and the value of co-producing strategies with residents. I saw firsthand when I visited St Tydfil's Court in Merthyr Tydfil in the summer how empowered residents feel by the processes Merthyr Valley Homes have in place to engage residents and what a difference that is making to how they feel about the building they live in.

That's why we've included regulation-making powers under section 39(7)(a), which will allow the Welsh Ministers to specify circumstances in which consultation with residents about the residential engagement strategy must take place. These regulations will specify the circumstances in which residents will be consulted, which could for example, include when the strategy is prepared or when any revisions to the strategy are made, or when significant material alterations are being made to the building which requires the strategy to be updated. The development of these regulations will be subject to public consultation. I would encourage stakeholders to engage with that process so we can shape the regulations in a way that reflects the lived experience of residents and the operational realities for accountable persons.

In respect of evacuation processes for disabled people, we set out in our response to the Grenfell Tower Inquiry report that we are committed to working with stakeholders to identify the most appropriate means of ensuring provisions are in place to plan for the evacuation of residents whose ability to self-evacuate is compromised. The Bill already requires accountable persons to take all

reasonable steps to ensure residents can escape from the premises quickly and safely. That includes disabled residents. If necessary, the Welsh Ministers can make further provision about this matter in regulations and guidance. Ensuring this work is done in partnership with all those with an interest in this area is of the utmost importance. My officials have had discussions with disabled people, including Disability Wales, about the challenges they face in evacuating buildings and the solutions they would like to see. There is not a one size fits all solution, but evacuation plans formed part of those discussions.

We are also exploring the possibility of using data about vulnerable people, which is already securely held, to inform the response to an emergency and, where necessary, the rescue of such people.

Agenda Item 12

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

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