

15 July 2022

Dear colleague,

## Scrutiny of the first Welsh Consolidation Bill – the Historic Environment (Wales) Bill

You may be aware that the Welsh Government has recently introduced to the Senedd the first Welsh Consolidation Bill – the [Historic Environment \(Wales\) Bill](#) (the Bill). Further details about the scrutiny process for Consolidation Bills are set out in [Standing Order 26C](#) and the [Llywydd's guidance to support the operation of Standing Order 26C](#).

The [Legislation, Justice and Constitution Committee's](#) remit includes consideration of all Consolidation Bills introduced to the Senedd, and we have just begun our scrutiny of the Bill.

On [Monday 11 July](#), we took evidence from Mick Antoniw MS, the Counsel General and Minister for the Constitution, and drafters from the Welsh Government's Office of Legislative Counsel. A recording of the session, along with a verbatim transcript, are available on our [webpages](#).

The Committee has until 16 December 2022 to complete its initial consideration of the Bill. The Committee has agreed to scrutinise the Bill in line with Standing Order 26C.17, in that we will consider whether:

- i. we are satisfied that the scope of the consolidation is appropriate;
- ii. we are satisfied that the relevant enactments have been included within the consolidation;
- iii. the Bill correctly consolidates the enactments or changes their substantive legal effect only to the extent allowed by Standing Order 26C.2;

iv. the Bill consolidates the law clearly and consistently.

The Committee will also consider any other matter we believe is relevant to Standing Order 26C.

We are contacting you to offer you the opportunity to give us your views on the Bill and would welcome your thoughts on this consolidation exercise. You may have been contacted because of your potential interest/role as regards the historic environment in Wales; because of your potential interest/role in improving the accessibility of Welsh law; or because of your work with the Welsh Government as it undertook the consolidation exercise in advance of the introduction of the Bill.

In providing your views, we would ask that you structure your response as per the four points set out above.

In carrying out our scrutiny of the Bill, we must be mindful of the purpose of a consolidation exercise. A Consolidation Bill cannot reform the law or introduce new policy – it may only consolidate existing law (as set out in Standing Order 26C.2). As the responsible committee, we draw to your attention that we should not recommend any changes to the Bill that would amount to reforming the law as it would take the Bill outside the scope of a consolidation exercise.

In order for your views to inform our scrutiny of the Bill in the autumn term, we would be grateful to receive any response you wish to provide by 6 September.

We have set aside some time in our work programme in the autumn term to hear, in person, from those whose written evidence may warrant further discussion. As such, we would be grateful if you would note 24 October 2022 as the date on which such evidence sessions may be arranged.

We look forward to hearing your views.

Yours sincerely,

*Huw Irranca-Davies*

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Chair

## Providing Written Evidence

The Senedd has two official languages, Welsh and English.

In line with the [Senedd's Official Languages Scheme](#) the Committee requests that documents or written responses to consultations intended for publication or use in Senedd proceedings are submitted bilingually. When documents or written responses are not submitted bilingually, we will publish in the language submitted, stating that it has been received in that language only.

We expect other organisations to implement their own standards or schemes and to comply with their statutory obligation.

Please see [guidance for those providing evidence for committees](#).

## Disclosure of information

Please ensure that you have considered the Senedd's [policy on disclosure of information](#) before submitting information to the Committee.