

Rebecca Evans MS
Minister for Finance and Local Government

3 February 2023

Dear Rebecca

The Government of Wales Act 2006 (Budget Motions and Designated Bodies) (Amendment) Order 2023

We considered [The Government of Wales Act 2006 \(Budget Motions and Designated Bodies\) \(Amendment\) Order 2023](#), and the Welsh Government's response to our draft reporting points, at our meeting on [30 January 2023](#). Our [report](#) was laid before the Senedd after the meeting.

While I thank you for your timely response to the points we have raised in our report, we have further questions which we wish to raise with you.

Our first technical reporting point notes that, in article 2(2) of the Order, "Her Majesty's Chief Inspector of Education and Training in Wales" is inserted in the list of designated bodies in the Schedule to the 2018 Order. Following the death of Her Majesty Queen Elizabeth II and her succession by Charles III, and in accordance with section 10 of the *Interpretation Act 1978* (the 1978 Act), we believed it necessary that "His Majesty's Chief Inspector of Education and Training in Wales" should be inserted instead.

The response we have received rejects this view and suggests that, in accordance with sections 10 and 23 of the 1978 Act, the reference to this statutory body is construed as "His Majesty's Chief Inspector of Education and Training in Wales".

In our view, it cannot be correct to continue to refer to the body as 'Her Majesty's' when the sovereign is now a king. While the 1978 Act ensures that [existing](#) legislation will continue to operate when there's a change of monarch, we do not think it should be used as justification for continuing to use a factually inaccurate term when making new legislation (or amending existing legislation).

1. We would be grateful if you would provide further clarity on why this new Order should not refer to the current monarch.
2. Furthermore, if the Welsh Government's position is accepted as correct, for how long do you intend to continue using "Her Majesty" in new legislation?
3. When will the Welsh Government (or the UK Government if relevant) begin the process of amending the names of the relevant bodies to ensure that the legislation is accurate and accessible in future?

Our second technical reporting point noted that, in article 2(2) in the Welsh language version of the Order, the bodies have not been listed correctly in alphabetical order. "Cyngor y Gweithlu Addysg" should come before "Cymwysterau Cymru" because the letter "ng" comes before the letter "m" in the Welsh alphabet. As a result, we consider that the description of the amendment which notes that the bodies are to be inserted at the "appropriate place" is unclear.

Again, this view has been rejected. In response, we have been told that article 2(2) of the Order uses the plural "at the appropriate places insert" and "yn y lleoedd priodol mewnoder" and, as the Schedule to the 2018 Order is an alphabetical list, the four bodies listed within the 2023 Order will be inserted alphabetically into the 2018 Order, regardless of their appearance within the 2023 Order.

4. We would welcome your views on why you consider it reasonable to expect the reader to identify the error in this Order, which relates to letters in the middle of two words, and then insert the terms into the correct places in the 2018 Order.

I would be grateful to receive a response by 23 February 2023.

Yours sincerely,

A handwritten signature in dark ink that reads "Huw Irranca-Davies". The signature is written in a cursive style and is underlined with a single horizontal stroke.

Huw Irranca-Davies
Chair