

Mick Antoniw MS

Counsel General and Minister for the Constitution

15 March 2024

Dear Mick

Correcting Welsh Statutory Instruments

Thank you for your [letter dated 7 March 2024](#), which we considered at our meeting on [11 March](#).

On the matter of correction slips, we again welcome the additional clarification you have provided regarding the priority attached to the processing of correction slips by the SI Registrar. To assist with overall transparency of the statutory instrument scrutiny process, we would like to offer the following suggestion. When responses to our reports indicate that the Welsh Government is investigating with the SI Registrar the possibility of making the change by correction slip, it may be useful if the responses made reference to the fact that, if a correction slip is agreed to, the processing of such slips will be suitably prioritised and actioned by the SI Registrar. We believe this would highlight that a correction slip may not be immediately available on legislation.gov.uk.

As regards subordinate legislation which is used to amend errors in previous instruments, again we would like to offer a suggestion. You will know that all explanatory memoranda accompanying subordinate legislation laid before the Senedd includes a section – section 2 – which is used to highlight matters which may be of special interest to the Legislation, Justice, and Constitution Committee. Should an instrument be laid before the Senedd which is correcting a previously scrutinised instrument, we would find it helpful if the relevant information could be set out in section 2, including the reference number of the instrument and a footnote to our report. We note that the UK Government aims to do as such, in accordance with its [Guide to Preparing Explanatory Memoranda \(EMs\) to Statutory Instruments](#) (Part 3, paragraph 11.1, page 19).

We may write again to comment more broadly on the arrangements the Welsh Government has put in place to make Members of the Senedd aware of any corrections that will be made to a draft

statutory instrument subject to the affirmative procedure, after a draft has been approved by the Senedd but before it is signed by one of the Welsh Ministers.

Finally, we are aware that the forthcoming resignation of the First Minister and the nomination of a new First Minister will mean that you, as the Counsel General, will cease to hold office. That may of course be temporary. Should you not be reappointed, I would like to take the opportunity to thank you for your positive engagement with the Committee over the past few years and further thank you for your willingness to openly and constructively discuss the significant and important matters which fall within our respective responsibilities. Should you be reappointed, we of course look forward to continuing our constructive engagement.

Yours sincerely,

A handwritten signature in black 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