

Jane Hutt MS

Cabinet Secretary for Social Justice, Trefnydd and Chief Whip

21 March 2025

Dear Jane

Welsh Government's Legislative Consent Memoranda on the Public Authorities (Fraud, Error and Recovery) Bill

You will know that the Committee is currently considering the Welsh Government's Legislative Consent Memorandum and Supplementary Legislative Consent Memorandum (Memorandum No. 2) on the Public Authorities (Fraud, Error and Recovery) Bill.

At our meeting on 17 March 2025 the Committee noted that, in the Memorandum, you state that the Senedd's consent is required for clauses 1, 2, 5, 6, 7, 9, 10, 64, 65, 67 and 69 of the Bill, and Schedules 1 and 2 to the Bill.

The Committee is unclear why the Welsh Government has concluded that only some clauses in Part 1 of the Bill require the Senedd's consent while others do not. It would appear that the Minister for the Cabinet Office could use any of the powers in Part 1 of the Bill on behalf of a Devolved Welsh Authority. For example, you have stated that the Senedd's consent is required for clause 7, which allows the Minister to use powers in the *Police and Criminal Evidence Act 1984* to investigate suspected fraud against a public authority; as such, why is consent then not also required for clause 3, which allows the Minister to require a person to provide information for the same purposes?

The Committee would be grateful if you would clarify the basis for the Welsh Government's conclusion on consent, as set out in the Memorandum.

We would welcome a response by 17 April 2025.



I am copying this letter to the Public Accounts and Public Administration Committee.

Yours sincerely,

A handwritten signature in black ink that reads "Mike Hedges". The signature is written in a cursive style and is underlined with a single horizontal stroke.

Mike Hedges

Chair



Senedd Cymru
Welsh Parliament