



Mike Hedges MS,
Chair
Legislation, Justice and Constitution Committee

4 June 2025

Annwyl Mike,

Correcting errors in statutory instruments made by the Welsh Ministers

This letter responds to three letters from the Committee regarding corrections to statutory instruments made by the Welsh Ministers, all dated 9 May.

The Cockle Fishing Management and Permitting (Specified Area) (Wales) Order 2024 (“the 2024 Order”)

The Committee has asked about reporting point 20. The Government has given this further consideration but does not propose making an amendment to the 2024 Order to address this reporting point.

Schedule 1 to the 2024 Order specifies the areas by reference to precise coordinates. Specifying the areas in the 2024 Order also by an alternative reference to maps would, in the Welsh Government's view, be inappropriate (see provisions of paragraph 2.14 (Diagrams, images or maps) of *Writing Laws for Wales*).

Amending the footnotes or the Explanatory Note to the 2024 Order to include reference to the maps, would not be possible.

The Special School Residential Services (Service Providers and Responsible Individuals) (Wales) Regulations 2024 (“the 2024 Regulations”)

The Committee is correct to note that the definition of “DBS certificate” contained within the Adult Placement Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019 (“the 2019 Regulations”) differs to the definition that appears in the 2024 Regulations.

The wording that has been used in the 2024 Regulations matches the wording in the Regulated Services (Service Providers and Responsible Individuals) (Wales) Regulations 2017 (“the 2017 Regulations”), at regulation 35(3); that was the template for the various sets of regulations for the regulated services that followed.

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Gohebiaeth.Cwnsler.Cyffredinol@llyw.cymru
correspondence.Counsel.General@gov.wales

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.

It is agreed that the wording contained within the 2019 Regulations, when this detail was picked up and amended, is clearer and more accessible; therefore an amendment will be made to both the 2024 and the 2017 Regulations to address this.

We have also identified additional non-urgent amendments to be made to the 2017 Regulations and, subject to the legislative timetable, propose to deal with all of these matters in work to be undertaken in 2026-27.

Committee's analysis of errors to be corrected

Thank you for sharing the Committee's latest analysis. As previously, this is very helpful. I have provided a short update on those matters that were not the subject of my letter of 28 April – please see attached Annex.

Annual report to the Senedd on "The Future of Welsh Law"

During the Stage 3 proceedings on the Legislation (Procedure, Publication and Repeals) (Wales) Bill held on 13 May, I made a commitment to ensure the final annual report of the current programme will include information on errors and corrections. It is my current intention that this will be in the form of summary information and would include correction slips as well as amending instruments. It will be drawn from our existing records. However, if there is specific information that would be helpful to the Committee, please write to me before the summer recess, so I can consider whether this can be included.

I am copying this letter to the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs and to the Minister for Children and Social Care.

Yn gywir,



Julie James AS/MS

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

ANNEX

Update on instruments set out in Annex to Committee's correspondence of 9 May 2025 (where an update was not previously provided in correspondence from the Counsel General of 28 April 2025)

Ref ¹	SI number	Title of instrument	Update
023	2025/331	The Welsh Elections Information Platform Regulations 2025	Information in Committee's letter of 09/05/25 remains current. The Government intends to address reporting point 1 before the end of 2025.
024	2024/1251	The Feed Additives (Authorisations) and Uses of Feed Intended for Particular Nutritional Purposes (Amendment of Commission Regulation (EU) 2020/354) (Wales) Regulations 2024	As noted by the Committee, these have been amended (see: SI 2025/384).
025	2025/181	The Procurement (Miscellaneous Amendments) (Wales) Regulations 2025	Information in Committee's letter of 09/05/25 remains current. It is intended that reporting point 1 will be addressed by the Procurement (Wales) (Amendment) Regulations 2025.
029	2025/285	The National Health Service (Pharmaceutical Services) (Wales) (Miscellaneous Amendments) Regulations 2025	Information in Committee's letter of 09/05/25 remains current. The Government intends to address reporting point 1 as part of further amendments to the National Health Service (Pharmaceutical Services) (Wales) Regulations 2020 (SI 2020/1073), planned for summer 2025.
030	2025/293	The Agricultural Wages (Wales) Order 2025	Information in Committee's letter of 09/05/25 remains current. The Committee's views for reporting point 2 will be taken into account when the 2026 Order is prepared.
031	2025/400	The Development Procedure (Consultees) (Wales) (Miscellaneous Amendments) Order 2025	Information in Committee's letter of 09/05/25 remains current. The Government intends to address reporting point 1 before the end of 2025.

¹ This is the Committee's reference number (based on the table attached to correspondence of 9 May 2025)