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Llywodraeth Cymru
Welsh Government

Mike Hedges MS, Chair
Legislation, Justice and Constitution Committee

6 November 2025

Annwyl Mike,

Legislation (Procedure, Publication and Repeals) (Wales) Act 2025

I am writing to inform you that the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs, as one of the Welsh Ministers, has made the Legislation (Procedure, Publication and Repeals) (Wales) Act 2025 (Commencement and Transitional and Saving Provisions) Order 2025.

Given the Committee's role under Standing Order 27 particularly and its wider interest in the 2025 Act, I attach a copy of the Order for information.

Yn gywir,

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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.

W E L S H S T A T U T O R Y
I N S T R U M E N T S

2025 No. 1160 (W. 189) (C. 56)

CONSTITUTIONAL LAW

**The Legislation (Procedure,
Publication and Repeals) (Wales)
Act 2025 (Commencement and
Transitional and Saving Provisions)
Order 2025**

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force the remaining provisions of the Legislation (Procedure, Publication and Repeals) (Wales) Act 2025 (“the 2025 Act”) and makes transitional and saving provision in connection with the coming into force of certain provisions.

Article 2 brings the following provisions of the 2025 Act into force on 1 January 2026—

- (a) section 1, which amends the Legislation (Wales) Act 2019 (“the 2019 Act”) by inserting a new Part 2A that makes provision about Welsh statutory instruments and the Senedd procedures for Welsh subordinate legislation;
- (b) section 3, which amends the 2019 Act by inserting a new Part 2B that makes provision about the publication, preservation, numbering and classification of Acts of Senedd Cymru, Welsh statutory instruments and other subordinate legislation made by the Welsh Ministers;
- (c) section 5, which amends the 2019 Act by inserting a new section 42A that requires the Counsel General to review the operation and effect of new Parts 2A and 2B of the 2019 Act;
- (d) section 6, which amends section 2 of the 2019 Act so that programmes to improve the accessibility of Welsh law must include proposals for correcting any errors or resolving any ambiguities in Welsh law;

- (e) section 8 and Schedule 3, which contain amendments to existing enactments that are necessary in consequence of new Parts 2A and 2B of the 2019 Act.

Article 3 provides that certain provisions of Part 2A of the 2019 Act do not apply to subordinate legislation made before 1 January 2026 or contained in a statutory instrument laid before Senedd Cymru in draft before that date, and saves corresponding provisions of the Statutory Instruments Act 1946 (“the 1946 Act”) in relation to that subordinate legislation.

Article 4 provides that certain provisions of Part 2B of the 2019 Act do not apply to Welsh legislation made before 1 January 2026, saves corresponding provisions of the 1946 Act and the Statutory Instruments Regulations 1947 in relation to that legislation, and ensures that the defence of non-publication under section 37S(2) of the 2019 Act includes cases where there has not been publication under section 2(1) of the 1946 Act.

Article 5 makes clear that section 2(3)(e) of the 2019 Act (as inserted by section 6 of the 2025 Act) applies only to programmes to improve accessibility of Welsh law that are prepared for terms of Senedd Cymru that begin after 1 January 2026.

W E L S H S T A T U T O R Y
I N S T R U M E N T S

2025 No. 1160 (W. 189) (C. 56)

CONSTITUTIONAL LAW

**The Legislation (Procedure,
Publication and Repeals) (Wales)
Act 2025 (Commencement and
Transitional and Saving Provisions)
Order 2025**

Made

4 November 2025

The Welsh Ministers make the following Order in exercise of the powers conferred on them by section 9(4) and (5) of the Legislation (Procedure, Publication and Repeals) (Wales) Act 2025⁽¹⁾:

Title and interpretation

1.—(1) The title of this Order is the Legislation (Procedure, Publication and Repeals) (Wales) Act 2025 (Commencement and Transitional and Saving Provisions) Order 2025.

(2) In this Order—

“the 1946 Act” (“*Deddf 1946*”) means the Statutory Instruments Act 1946⁽²⁾;

“the 2019 Act” (“*Deddf 2019*”) means the Legislation (Wales) Act 2019⁽³⁾;

“the 2025 Act” (“*Deddf 2025*”) means the Legislation (Procedure, Publication and Repeals) (Wales) Act 2025.

Provisions coming into force on 1 January 2026

2. The following provisions of the 2025 Act come into force on 1 January 2026—

(a) section 1 (new Part 2A of the 2019 Act);

(b) section 3 (new Part 2B of the 2019 Act);

(1) 2025 asc 3.
(2) 1946 c. 36.
(3) 2019 anaw 4.

- (c) section 5 (post-legislative scrutiny);
- (d) section 6 (activities to improve accessibility of Welsh law);
- (e) section 8 and Schedule 3 (consequential amendments).

Procedure for making Welsh subordinate legislation

3.—(1) In this article “pre-commencement subordinate legislation” means subordinate legislation—

- (a) made before 1 January 2026, or
- (b) contained in a draft statutory instrument laid before Senedd Cymru before that date.

(2) Sections 37C to 37H of and Schedules 1A to 1C to the 2019 Act do not apply to pre-commencement subordinate legislation.

(3) Sections 4(1), 5 to 7 and 11A(4) of the 1946 Act⁽¹⁾ continue to have effect in relation to pre-commencement subordinate legislation as they had effect immediately before 1 January 2026, despite paragraph 1 of Schedule 3 to the 2025 Act.

(4) Section 40 of the 2019 Act continues to have effect in relation to pre-commencement subordinate legislation as it had effect immediately before 1 January 2026, despite paragraph 14 of Schedule 3 to the 2025 Act.

Publication etc. of Welsh legislation

4.—(1) Sections 37N to 37R of the 2019 Act do not apply to a Welsh statutory instrument made before 1 January 2026.

(2) In section 37S(2) of the 2019 Act, the reference to publication in accordance with section 37Q is to be read, in relation to a Welsh statutory instrument made before 1 January 2026, as a reference to publication under section 2(1) of the 1946 Act.

(3) Sections 37U and 37W of the 2019 Act do not apply to a Welsh statutory instrument made before 1 January 2026 or an Act of Senedd Cymru that receives Royal Assent before 1 January 2026.

(4) Sections 37X and 37Y(1) of the 2019 Act do not apply to a Welsh statutory instrument made before 1 January 2026.

(5) Section 37Z of the 2019 Act does not apply to a Welsh subordinate instrument (within the meaning

(1) Section 4(1) was amended by section 18 of and paragraph 4(2) of Schedule 6 to the Constitutional Reform Act 2005 (c. 4) and section 11A was inserted by section 160 of and paragraph 3 of Schedule 10 to the Government of Wales Act 2006 (c. 32).

given by section 3(2) of the 2019 Act) made before 1 January 2026.

(6) Section 37Z1 of the 2019 Act does not apply to a Welsh statutory instrument made before 1 January 2026.

(7) Despite paragraph 1 of Schedule 3 to the 2025 Act, the following provisions continue to have effect in relation to a Welsh statutory instrument made before 1 January 2026 as they had effect immediately before 1 January 2026—

- (a) section 2 of the 1946 Act⁽¹⁾ and regulations 3 and 4 of the Statutory Instruments Regulations 1947⁽²⁾;
- (b) section 3(1) of the 1946 Act⁽³⁾ and regulations 9 and 10(2) of those Regulations.

Activities to improve accessibility of Welsh law

5. The amendment made by section 6 of the 2025 Act does not apply to the programme prepared under section 2(1) of the 2019 Act for the term of Senedd Cymru in which section 6 comes into force.

Huw Irranca Davies

Deputy First Minister and Cabinet Secretary for
Climate Change and Rural Affairs, one of the Welsh
Ministers

4 November 2025

(1) Amended by section 1(1)(a) of the Statutory Instruments (Production and Sale) Act 1996 (c. 54).

(2) S.I. 1948/1.

(3) Amended by section 1(1)(a) and (b) of the Statutory Instruments (Production and Sale) Act 1996.