

## **Annex A – Proposed draft provision amending GoWA section 79**

This provision would be brought forward as a Government amendment to the Well-being of Future Generations (Wales) Bill as soon as possible, at Stage 3 of scrutiny.

### **X Promotion of sustainable development**

For section 79 of the Government of Wales Act 2006 (sustainable development) substitute—

#### **“79 Sustainable development**

- (1) The Welsh Ministers must, in the exercise of their functions, make appropriate arrangements to promote sustainable development.
- (2) After each financial year the Welsh Ministers must publish a report containing a statement of the arrangements made in pursuance of subsection (1) that had effect during that financial year and must lay a copy of the report before the Assembly.
- (3) The arrangements referred to in subsection (1) may be made by the Welsh Ministers exercising their functions under section 8(1) of the Well-being of Future Generations (Wales) Act 2014 (duty of Welsh public bodies to set objectives and take steps to meet them in accordance with the sustainable development principle).”.

## Annex B : Comparison of duties in respect of sustainable development

GoWA 2006 s79	WFG Bill	Draft Revised s79 GoWA
<b>Make a scheme to promote SD (s.79(1))</b>	<p>Set well-being objectives which are designed to contribute to the well-being goals (s7).</p> <p>Apply the sustainable development principle in setting and achieving sustainable development (s8).</p>	Make appropriate arrangements to promote sustainable development
<b>Comparison</b>	WFG is more prescriptive as to what the Welsh Ministers should do and moves beyond a 'promote' duty and separate scheme, to well-being objectives that are the core principles of Welsh Ministers plans.	
<b>Keep the SD scheme under review and may remake or revise</b>	Make a statement including how the Welsh Ministers propose to keep the duty under review (s8 (3)).	No requirements.
<b>Comparison</b>	Rather than keeping the scheme under review, the Bill focuses on reviewing how the Welsh Ministers propose to fulfil the duty.	
<b>Publish a report on how scheme proposals have been implemented in the year</b>	Publish a report on the progress it has made in meeting its well-being objectives, including the application of the sustainable development principle (s13).	Report on the arrangements made in that financial year
<b>Comparison</b>	A reporting mechanism has been retained.	
<b>Following an election publish a report containing an assessment of effectiveness</b>	No requirements.	No requirements.
<b>Comparison</b>	Whilst there is no specific requirement for an assessment of effectiveness by the Welsh Ministers, the Future Generations Commissioner is separately under a duty to publish a regular Future Generations	

Report (s.21 of the Bill). As the scope of the new sustainable development duty covers identified public bodies in comparison to s79 GoWA it is therefore an assessment of the improvements which public bodies should make in applying the sustainable development principle.