

National Assembly for Wales

[Business Committee](#)

September 2013

Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales



Amending Standing Orders: Legislative Consent to Statutory Instruments made by UK Ministers and Private Bills

Purpose

1. In accordance with Standing Order 11.7(iv), the Business Committee is responsible for making recommendations on the general practice and procedures of the Assembly, including any proposals for the re-making or revision of Standing Orders.
2. The report proposes to amend Standing Order 29 to include a provision for giving consent to relevant UK Private Bills, and to introduce a new Standing Order 30A on legislative consent to statutory instruments made by UK Ministers. The changes agreed by Business Committee are found in Annexes A and C, and the proposal for a new Standing Order at Annexes B and D.

Background

3. In March 2012, the Constitutional and Legislative Affairs Committee published its report 'Inquiry into powers granted to Welsh Ministers in UK Laws'. Several of the Committee's recommendations called for amendments to the Assembly's Standing Orders, and so required a response by the Business Committee.

4. The Business Committee reported in April on changes to Standing Orders 29 and 30 that would implement recommendations 5, 6 and 7 of the CLAC report. These changes were formally agreed to by the Assembly on 1 May 2013.

5. The Business Committee noted in that report that it would consider amendments to Standing Orders that will put into effect CLAC's recommendation 11 on giving consent to statutory instruments made by UK Ministers, in due course. It also indicated that it would return to the matter of whether UK Private Bills could be included within the scope of Standing Order 29.

6. On the 18 June and 2 July, Business Committee considered proposals to introduce a new Standing Order 30A on legislative consent to statutory instruments made by UK Ministers. The Business Committee also considered proposals to amend Standing Order 29 to introduce a provision for giving consent to relevant UK Private Bills.

7. On 16 July, Business Managers agreed in principle to the proposed changes. Given that the procedure introduced by Standing Order 30A would be new, the Business Committee agreed to review the functioning of the procedure in light of experience in a year's time. The Standing Order puts in place a procedure similar to that for LCMs under Standing Order 29, but in relation to statutory instruments rather than Bills.

8. Business Managers also agreed in principle to amend Standing Order 29, so as to bring UK Private Bills which make relevant provision within its scope.

Recommendation 11

9. The CLAC report's recommendation 11 called on the Assembly's Standing Orders to be amended:

- to require the Welsh Government to seek the consent of the Assembly to any subordinate legislation made by UK Ministers alone that has an impact on the Assembly's legislative competence; and
- so that procedures for considering subordinate legislation are extended along the lines of the temporary procedure recently agreed by the Business Committee for considering Public Bodies Act Orders.

10. Discussion between Business Committee Secretariat and Welsh Government officials led to consideration of the practical difficulties that requiring consent for all UK subordinate legislation within the Assembly's competence would have. Such a change would also require the consent of the Wales Office.

11. However, DGN9 already states that the Assembly's agreement should be sought for any subordinate legislation made by UK Ministers that amends primary legislation within the Assembly's competence, such as Orders made under the Public Bodies Act or the Legislative and Regulatory Reform Act. Thus far, the Assembly has used a temporary procedure agreed by Business Committee for considering such Orders.

12. The Business Committee therefore agreed that the temporary procedure be formalised through amendments to Standing Orders.

The Proposed Procedure

13. The proposed procedure as set out in Annexes A and B, follows closely the model of the temporary procedure, which was itself based on the model of Standing Order 29 on consent in relation to UK Bills.

14. The essential points of the procedure are:

- The Government will lay a Statutory Instrument Consent Memorandum in relation to a relevant (draft) Statutory Instrument within three days of it being laid in the UK Parliament;
- Along with Memorandum, the Government will lay a copy of the (draft) Statutory Instrument, along with any supporting material (such as Explanatory Memorandums, Regulatory Impact Assessments etc) prepared by UK Ministers;
- Each Memorandum will be referred automatically to the Constitutional and Legislative Affairs (CLA) Committee for consideration. The CLA Committee may, if it considers it necessary, invite other committees to consider an Order;
- CLA and any other Committee it asks to do so, may report to the Assembly within 35 days (excluding recess) of the Memorandum being laid;
- After a Memorandum has been laid, any Member may table a Statutory Instrument Consent Motion seeking the Assembly's consent to the relevant provision in the relevant (draft) Statutory Instrument;
- The Motion will not be debated in Plenary until after the CLA and any other committee has reported.

15. The proposed Standing Orders require that the Government lay a memorandum for all SIs and draft SIs that amend primary legislation within the Assembly's competence.

UK Private Bills

16. At its meeting held in public on Monday 18 March, the Business Committee considered changes to the Standing Orders that would implement recommendations 5, 6 and 7 of the Constitutional and Legislative Affairs Committee report on Powers to Welsh Ministers in UK Bills.

17. At that meeting, the Committee heard from the Minister for Government Business that the inter-governmental agreement required to effectively implement all the proposed changes had not thus far been forthcoming. That relates to the proposals to require an LCM for provisions in UK Bills which modify the powers of Welsh Ministers, and to extend the LCM provisions to include UK Private Bills.

18. The Business Committee agreed to investigate the possibility of establishing an inter-Parliamentary procedure for those rare occasions where UK Private Bills make provision within the Assembly's legislative competence.

19. Discussions between the Business Committee Secretariat and colleagues at Westminster established that the Assembly can be informed at an early stage of any relevant Private Bills by the House authorities, making it possible for a Memorandum to be laid before the Assembly by the Presiding Officer.

20. The draft Standing Order 29.2B provides for a process whereby the Presiding Officer lays a memorandum in relation to a relevant UK Private Bill. The Presiding Officer's memorandum would not set out whether she believed it was appropriate for the provision to be made or not.

21. As is the case for other Legislative Consent Memoranda, it would be open to any Member to table a motion that consent be given, and a Member

wishing to do so would table a memorandum of their own under the proposed Standing Order 29.2C including an explanation of why it is considered appropriate for that provision to be made.

Action

22. The Business Committee agreed the changes to Standing Orders on 24 September 2013 and the Assembly is invited to approve the proposals as at Annexes B and D.

Annex A

<p>STANDING ORDER 30A –Consent in Relation to Statutory Instruments made by UK Ministers</p>	<p>New Standing Order</p>
<p>Subordinate Legislation made by UK Ministers Making Provision Requiring the Assembly’s Consent</p>	
<p>30A.1 In Standing Order 30A, “relevant statutory instrument” means a statutory instrument or draft statutory instrument laid before the UK Parliament by UK Ministers which makes provision (“relevant provision”) in relation to Wales amending primary legislation within the legislative competence of the Assembly (apart from incidental, consequential, transitional, transitory, supplementary or savings provisions relating to matters that are not within the legislative competence of the Assembly);.</p>	<p>New Standing Order</p> <p>The draft SO defines a ‘relevant statutory instrument’ as one which makes provision to amend primary legislation within the Assembly’s legislative competence.</p> <p>Devolution Guidance Notice 9 already includes a commitment by the UK Government to seek the Assembly’s consent on any SIs which amend primary legislation within the Assembly’s competence. This SO therefore puts in place a process for the Assembly to consider and consent to such SIs.</p>
<p>Statutory Instrument Consent Memorandum</p>	<p>New Heading</p>
<p>30A.2 A member of the government must lay a memorandum (“a statutory instrument consent memorandum”) in relation to any relevant statutory instrument laid before the UK Parliament by UK Ministers, normally no later than three days after it is laid before the UK Parliament.</p>	<p>New Standing Order</p> <p>This new Standing Order sets out that the Welsh Government must lay a legislative consent memorandum in relation to relevant UK subordinate legislation, in the same was as it does</p>

	<p>for Bills under SO29.</p> <p>A tighter deadline is proposed for laying a memorandum here, compared to SO29. This is due to the tighter timeframe for approving SIs compared to Bills.</p>
<p>30A.3 Any member, other than a member of the government, who intends to table a statutory instrument consent motion in relation to a relevant statutory instrument must first lay a statutory instrument consent memorandum, but must not normally do so until after a member of the government has laid a statutory instrument consent memorandum in respect of that statutory instrument.</p>	<p>New Standing Order</p> <p>The Government must lay a memorandum whether they intend to table a motion or not. Other members, however, may only lay a memorandum if they intend to table a motion.</p> <p>This Standing Order is consistent with the new procedure set out in SO29.</p>
<p>30A.4 A statutory instrument consent memorandum must:</p> <ul style="list-style-type: none"> (i) summarise the objective of the statutory instrument; (ii) specify the extent to which the statutory instrument makes (or would make) relevant 	<p>New Standing Order</p> <p>This draft new SO replicates the current provisions of SO29.3 in relation to UK Bills, as well as the requirements of the temporary procedure agreed by the Business Committee in relation to Public Bodies Act Orders.</p>

<p>provision;</p> <p>(iii) explain whether it is considered appropriate for that provision to be made and for it to be made by means of the statutory instrument;</p> <p>(iv) where a statutory instrument consent memorandum has already been laid in relation to the same provisions in the same statutory instrument set out how and why the new memorandum differs from the previous memorandum.</p>	
<p>30A.5 At the same time as it lays a statutory instrument consent memorandum, the government must also lay the statutory instrument or draft statutory instrument and any supporting material, including Explanatory Memoranda and Regulatory Impact Assessments, prepared by UK Ministers.</p>	<p>New Standing Order</p> <p>The laying of such documents was required by the temporary procedure agreed by Business Committee in relation to Public Bodies Act Orders and will inform the committee scrutiny of the memorandum.</p>
<p>30A.6 Any statutory instrument consent memorandum may be considered by the committee responsible for the functions specified in Standing Order 21.7 (referred to within Standing Order 30A as “the responsible committee”).</p>	<p>New Standing Order</p> <p>In line with the temporary procedure, this draft SO means that any Memoranda tabled under this Standing Order are automatically referred to the Constitutional and Legislative Affairs Committee. This is in line with the temporary procedure</p>

	<p>and reflects the tighter deadlines required for reporting on Orders compared to Bills. .</p> <p>Referring the SIs automatically to the CLA allows the committee and its staff to start working on the memorandum immediately, without having to wait for it to be referred by Business Committee</p>
<p>30A.7 The responsible committee may invite other committees also to consider a memorandum.</p>	<p>New Standing Order</p> <p>In line with the temporary procedure, the CLA may – if it considers it necessary – invite other committees to consider a memorandum tabled under this Standing Order.</p>
<p>30A.8 The responsible committee and any other committee considering the memorandum must report to the Assembly within 35 days of the memorandum being laid, unless the Business Committee establishes and publishes a different timetable providing for a longer period.</p>	<p>New Standing Order</p> <p>The temporary procedure states 35 days, which may be extended at the Government’s discretion or at the request of the committee.</p> <p>The draft SO allows Business Committee to extend the period by publishing a timetable, but not to shorten it.</p>
<p>30A.9 In calculating for the purposes of Standing Order 30A.8 a period of days, no account is to be taken of any time during which the Assembly is dissolved or in recess for more than 4</p>	<p>New Standing Order</p> <p>This SO makes clear that the 35 days does not include periods</p>

days.	when the Assembly is not sitting.
Statutory Instrument Consent Motion	
30A.10 After a statutory instrument consent memorandum has been laid, any member may, subject to Standing Order 30A.3 table a motion (“a statutory instrument consent motion”) seeking the Assembly’s agreement to the inclusion of a relevant provision in a relevant statutory instrument.	<p>New Standing Order</p> <p>This new Standing Order duplicates the provisions of SO 29.6.</p> <p>The temporary procedure compelled the government to lay a motion at the same time as it laid the memorandum. However, given the changes that have been made to SO29 since then, it is considered appropriate that the new provisions in relation to subordinate legislation follow the same principle as those for Bills.</p>
30A.11 The Assembly must consider a statutory instrument consent motion which has been tabled.	<p>New Standing Order</p> <p>This replicates the provision in SO29 in relation to UK Bills.</p>
30A.12 A statutory instrument consent motion must not be debated until after the responsible committee and any other committee considering the statutory instrument consent memorandum has reported in accordance with Standing Order 30A.8.	<p>New Standing Order</p> <p>The temporary procedure states 40 days after the Order was laid, i.e. five days longer than the committee has to report. The draft SO replicates the provision of SO29 in stating that the motion may not be considered until after the committee has</p>

	reported.
Conforming with Acts of Parliament	
30A.13 Where procedures for gaining the Assembly's consent to a statutory instrument are set out in an Act of Parliament, the Business Committee may adapt the procedure set out in Standing Order 30A as required in order conform with the relevant Act.	<p>New Standing Order</p> <p>None of the three cases highlighted in the CLA report: the Public Bodies Act 2011, the Regulatory Enforcement and Sanctions Act 2008, or the Legislative and Regulatory Reform Act 2006 specify how the Assembly should give its consent to draft Orders brought forward by UK Ministers. However, it is possible that a future Act may do so.</p> <p>This Standing Order allows Business Committee to adapt the procedure where necessary to conform with the requirements of such an Act.</p>

CONSEQUENTIAL CHANGES

STANDING ORDER 21 – Constitutional and Legislative Affairs	
Functions	
21.7 A responsible committee may consider and report on: <p>(i) any other subordinate legislation laid before the</p>	<p>Amend this Standing Order</p> <p>This amendment broadens the enabling power of a committee designated under SO21 to consider and report on SIs requiring</p>

<p>Assembly other than that subject to Special Assembly Procedure under Standing Order 28;</p> <p>(ii) the appropriateness of provisions in Assembly Bills and in Bills for Acts of the United Kingdom Parliament that grant powers to make subordinate legislation to the Welsh Ministers, the First Minister or the Counsel General;</p> <p>(iii) <u>any statutory instrument consent memorandum laid in relation to a relevant statutory instrument under Standing Order 30A;</u>consequences for legislation subject to the consideration of the Assembly of draft orders Part 1 of the Legislative and Regulatory Reform Act 2006;</p> <p>(iv) the exercise of commencement powers by the Welsh Ministers;</p> <p>(v) any legislative matter of a general nature within or relating to the competence of the Assembly or Welsh Ministers; or</p> <p>(vi) draft legislation which is the subject of consultation.</p>	<p>the Assembly's consent under any Act of Parliament, and not just those under Part 1 of the Legislative and Regulatory Reform Act 2006.</p>
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Annex B

STANDING ORDER 30A –Consent in Relation to Statutory Instruments made by UK Ministers

Subordinate Legislation made by UK Ministers Making Provision Requiring the Assembly’s Consent

30A.1 In Standing Order 30A, “relevant statutory instrument” means a statutory instrument or draft statutory instrument laid before the UK Parliament by UK Ministers which makes provision (“relevant provision”) in relation to Wales amending primary legislation within the legislative competence of the Assembly.

Statutory Instrument Consent Memorandum

30A.2 A member of the government must lay a memorandum (“a statutory instrument consent memorandum”) in relation to any relevant statutory instrument laid before the UK Parliament by UK Ministers, normally no later than three days after it is laid before the UK Parliament.

30A.3 Any member, other than a member of the government, who intends to table a statutory instrument consent motion in relation to a relevant statutory instrument must first lay a statutory instrument consent memorandum, but must not normally do so until after a member of the government has laid a statutory instrument consent memorandum in respect of that statutory instrument.

30A.4 A statutory instrument consent memorandum must:

- (i) summarise the objective of the statutory instrument;
- (ii) specify the extent to which the statutory instrument makes (or would make) relevant provision;
- (iii) explain whether it is considered appropriate for that provision to be made and for it to be made by means of the statutory instrument;

- (iv) where a statutory instrument consent memorandum has already been laid in relation to the same provisions in the same statutory instrument set out how and why the new memorandum differs from the previous memorandum.

30A.5 At the same time as it lays a statutory instrument consent memorandum, the government must also lay the statutory instrument or draft statutory instrument and any supporting material, including Explanatory Memoranda and Regulatory Impact Assessments, prepared by UK Ministers.

30A.6 Any statutory instrument consent memorandum may be considered by the committee responsible for the functions specified in Standing Order 21.7 (referred to within Standing Order 30A as “the responsible committee”).

30A.7 The responsible committee may invite other committees also to consider a memorandum.

30A.8 The responsible committee and any other committee considering the memorandum must report to the Assembly within 35 days of the memorandum being laid, unless the Business Committee establishes and publishes a different timetable providing for a longer period.

30A.9 In calculating for the purposes of Standing Order 30A.8 a period of days, no account is to be taken of any time during which the Assembly is dissolved or in recess for more than 4 days.

Statutory Instrument Consent Motion

30A.10 After a statutory instrument consent memorandum has been laid, any member may, subject to Standing Order 30A.3, table a motion (“a statutory instrument consent motion”) seeking the Assembly’s agreement to the inclusion of a relevant provision in a relevant statutory instrument.

30A.11 The Assembly must consider a statutory instrument consent motion which has been tabled.

30A.12 A statutory instrument consent motion must not be debated until after the responsible committee and any other committee considering the statutory

instrument consent memorandum has reported in accordance with Standing Order 30A.8

Conforming with Acts of Parliament

30A.13 Where procedures for gaining the Assembly's consent to a statutory instrument are set out in an Act of Parliament, the Business Committee may adapt the procedure set out in Standing Order 30A as required in order to conform with the relevant Act.

CONSEQUENTIAL CHANGES

STANDING ORDER 21 – Constitutional and Legislative Affairs

Functions

21.7 A responsible committee may consider and report on:

- (i) any other subordinate legislation laid before the Assembly other than that subject to Special Assembly Procedure under Standing Order 28;
- (ii) the appropriateness of provisions in Assembly Bills and in Bills for Acts of the United Kingdom Parliament that grant powers to make subordinate legislation to the Welsh Ministers, the First Minister or the Counsel General;
- (iii) any statutory instrument consent memorandum laid in relation to a relevant statutory instrument under Standing Order 30A;
- (iv) the exercise of commencement powers by the Welsh Ministers;
- (v) any legislative matter of a general nature within or relating to the competence of the Assembly or Welsh Ministers; or
- (vi) draft legislation which is the subject of consultation.

Annex C

<p>STANDING ORDER 29 – Consent in relation to UK Parliament Bills</p>	
<p>UK Parliament Bills Making Provision Requiring the Assembly's Consent</p>	<p>No amendment necessary</p>
<p>29.1 In Standing Order 29, “relevant Bill” means a Bill under consideration in the UK Parliament which makes provision (“relevant provision”) in relation to Wales:</p> <ul style="list-style-type: none"> (i) for any purpose within the legislative competence of the Assembly (apart from incidental, consequential, transitional, transitory, supplementary or savings provisions relating to matters that are not within the legislative competence of the Assembly); or (ii) which modifies the legislative competence of the Assembly. 	<p>No amendment necessary</p>
<p>Legislative Consent Memorandum</p>	<p>No amendment necessary</p>
<p>29.2 A member of the government must lay a memorandum (“a legislative consent memorandum”) in relation to:</p>	<p>No amendment necessary</p>

<p>(i) any UK Government Bill that is a relevant Bill on its introduction to the first House, normally no later than 2 weeks after introduction;</p> <p>(ii) any UK Private Member's Bill that was a relevant Bill on introduction and remains a relevant Bill after the first amending stage in the House in which it was introduced, normally no later than 2 weeks after it completes that stage;</p> <p>(iii) any Bill introduced into the UK Parliament that, by virtue of amendments:</p> <p style="padding-left: 40px;">(a) agreed to; or</p> <p style="padding-left: 40px;">(b) tabled by a Minister of the Crown or published with the name of a Minister of the Crown in support,</p> <p>in either House, makes (or would make) relevant provision for the first time or beyond the limits of any consent previously given by the Assembly, normally no later than two weeks after the amendments are tabled or agreed to.</p>	
<p>29.2A Any member, other than a member of the government, who intends to table a legislative consent motion in relation to a</p>	<p>No amendment necessary</p>

<p>relevant Bill must first lay a legislative consent memorandum, but must not normally do so until after a member of the government has laid a legislative consent memorandum in respect of that Bill.</p>	
<p><u>29.2B</u> The Presiding Officer must lay a legislative consent memorandum in relation to any UK Private Bill that is a relevant Bill on its introduction to the first House, normally no later than 2 weeks after introduction.</p>	<p>Insert new Standing Orders</p> <p>The new Standing Order provides for the Presiding Officer to lay a memorandum in relation to any UK Private Bill that is a relevant Bill.</p> <p>Discussions with colleagues at Westminster have established that the Assembly can be informed at an early stage of any relevant Private Bills by the House authorities, making it possible for a Memorandum to be laid before the Assembly by the Presiding Officer. As is the case for other Legislative Consent Memoranda, it would be open to any Member to table a motion that consent be given. The Assembly's consent would then be communicated to the UK Parliament via a letter from Clerk to Clerk.</p>
<p><u>29.2C</u> Any member, other than the Presiding Officer, who intends to table a legislative consent motion in relation to a relevant Private Bill must first lay a legislative consent</p>	<p>Insert new Standing Order</p> <p>The new Standing Order allows other Members to table a motion</p>

<p><u>memorandum, but must not normally do so until after the Presiding Officer has laid a legislative consent memorandum in respect of that Private Bill.</u></p>	<p>in relation to a UK Private Bill, but first they must lay a memorandum of their own, as they must do in relation to other relevant Bills under SO29.2A. The memorandum laid by the Member must explain why it is considered appropriate for that provision to be made and for it to be made by means of the Bill.</p>
<p>29.3 A legislative consent memorandum must:</p> <ul style="list-style-type: none"> (i) summarise the policy objectives of the Bill; (ii) specify the extent to which the Bill makes (or would make) relevant provision; (iii) explain whether it is considered appropriate for that provision to be made and for it to be made by means of the Bill. (iv) where the Bill contains any relevant provision conferring power to make subordinate legislation on Welsh Ministers, set out the Assembly procedure (if any) to which the subordinate legislation to be made in the exercise of the power is to be subject; and (v) where a legislative consent memorandum has already been laid in relation to the same 	<p>No amendment necessary</p>

<p>provisions in the same Bill, set out how and why the new memorandum differs from the previous memorandum.</p>	
<p><u>29.3A Standing Order 29.3(iii) does not apply to a memorandum laid by the Presiding Officer under Standing Order 29.2B.</u></p>	<p>New Standing Order</p> <p>The purpose of the memorandum laid by the Presiding Officer under Standing Order 29.2B will be to inform the Assembly of the Private Bill and the relevant provisions it makes. It will not be for the Presiding Officer to take a view on whether appropriate for that provision to be made and for it to be made by means of the Bill. That judgement will be made by any Member who decides to table a motion, who must explain in their memorandum under 29.2C why they consider it appropriate for that provision to be made and for it to be made by means of the Bill</p>
<p>29.4 The Business Committee must:</p> <ul style="list-style-type: none"> (i) normally refer any legislative consent memorandum to a committee or committees for consideration; and (ii) establish and publish a timetable for the committee or committees to consider and report on it. 	<p>No amendment necessary</p>

<p>29.5 <i>[Standing Order removed by resolution of the Assembly on 01 May 2013]</i></p>	<p>No amendment necessary</p>
<p>Legislative Consent Motion</p>	<p>No amendment necessary</p>
<p>29.6 After a legislative consent memorandum has been laid, any member may, subject to Standing Orders 29.2A and 29.2C, table a motion (“a legislative consent motion”) seeking the Assembly’s agreement to the inclusion of a relevant provision in a relevant Bill.</p>	<p>Amend Standing Order Standing Order amended to include new Standing Order 29.2C.</p>
<p>29.7 The Assembly must consider a legislative consent motion which has been tabled.</p>	<p>No amendment necessary</p>
<p>29.8 When a legislative consent memorandum is referred by the Business Committee for consideration by a committee or committees in accordance with Standing Order 29.4, the a related legislative consent motion must not be debated, until either:</p> <p>(i) the committee or committees have reported in</p>	<p>No amendment necessary</p>

accordance with Standing Order 29.4; or

- (ii) the deadline by which a committee is required to report in accordance with Standing Order 29.4 has been reached.

Annex D

STANDING ORDER 29 – Consent in relation to UK Parliament Bills

UK Parliament Bills Making Provision Requiring the Assembly’s Consent

29.1 In Standing Order 29, “relevant Bill” means a Bill under consideration in the UK Parliament which makes provision (“relevant provision”) in relation to Wales:

- (i) for any purpose within the legislative competence of the Assembly (apart from incidental, consequential, transitional, transitory, supplementary or savings provisions relating to matters that are not within the legislative competence of the Assembly); or
- (ii) which modifies the legislative competence of the Assembly.

Legislative Consent Memorandum

29.2 A member of the government must lay a memorandum (“a legislative consent memorandum”) in relation to:

- (i) any UK Government Bill that is a relevant Bill on its introduction to the first House, normally no later than 2 weeks after introduction;
- (ii) any UK Private Member’s Bill that was a relevant Bill on introduction and remains a relevant Bill after the first amending stage in the House in which it was introduced, normally no later than 2 weeks after it completes that stage;
- (iii) any Bill introduced into the UK Parliament that, by virtue of amendments:
 - (a) agreed to; or
 - (b) tabled by a Minister of the Crown or published with the name of a Minister of the Crown in support,

in either House, makes (or would make) relevant provision for the first time or beyond the limits of any consent previously given by

the Assembly, normally no later than two weeks after the amendments are tabled or agreed to.

29.2A Any member, other than a member of the government, who intends to table a legislative consent motion in relation to a relevant Bill must first lay a legislative consent memorandum, but must not normally do so until after a member of the government has laid a legislative consent memorandum in respect of that Bill.

29.2B The Presiding Officer must lay a legislative consent memorandum in relation to any UK Private Bill that is a relevant Bill on its introduction to the first House, normally no later than 2 weeks after introduction.

29.2C Any member, other than the Presiding Officer, who intends to table a legislative consent motion in relation to a relevant Private Bill must first lay a legislative consent memorandum, but must not normally do so until after the Presiding Officer has laid a legislative consent memorandum in respect of that Private Bill.

29.3 A legislative consent memorandum must:

- (i) summarise the policy objectives of the Bill;
- (ii) specify the extent to which the Bill makes (or would make) relevant provision;
- (iii) explain whether it is considered appropriate for that provision to be made and for it to be made by means of the Bill.
- (iv) where the Bill contains any relevant provision conferring power to make subordinate legislation on Welsh Ministers, set out the Assembly procedure (if any) to which the subordinate legislation to be made in the exercise of the power is to be subject; and
- (v) where a legislative consent memorandum has already been laid in relation to the same provisions in the same Bill, set out how and why the new memorandum differs from the previous memorandum.

29.3A Standing Order 29.3(iii) does not apply to a memorandum laid by the Presiding Officer under Standing Order 29.2B.

29.4 The Business Committee must:

- (i) normally refer any legislative consent memorandum to a committee or committees for consideration; and
- (ii) establish and publish a timetable for the committee or committees to consider and report on it.

29.5 [Standing Order removed by resolution of the Assembly on 01 May 2013]

Legislative Consent Motion

29.6 After a legislative consent memorandum has been laid, any member may, subject to Standing Orders 29.2A and 29.2C, table a motion (“a legislative consent motion”) seeking the Assembly’s agreement to the inclusion of a relevant provision in a relevant Bill.

29.7 The Assembly must consider a legislative consent motion which has been tabled.

29.8 When a legislative consent memorandum is referred by the Business Committee for consideration by a committee or committees in accordance with Standing Order 29.4, the a related legislative consent motion must not be debated, until either:

- (i) the committee or committees have reported in accordance with Standing Order 29.4; or
- (ii) the deadline by which a committee is required to report in accordance with Standing Order 29.4 has been reached.