

Jane Hutt AM/AC  
Arweinydd y Tŷ a'r Prif Chwip  
Leader of the House and Chief Whip



Llywodraeth Cymru  
Welsh Government

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## Wales Bill

In last week's Business Committee meeting, I undertook to provide an update on the Legislative Consent Motion (LCM) on the Wales Bill for Committee Members' information.

You will be aware of the First Minister's statement on 8 June in which he gave a cautious welcome to the revised Bill. However, the Welsh Government has made clear that there are a number of areas where we remain concerned about the powers for Wales. We are expecting amendments to be made to the bill by the UK Government in certain areas. There are also issues which we are continuing to negotiate with the Wales Office and other departments to improve the Bill but these discussions have not yet reached a conclusion. In summary, the Welsh Government is not in a position to seek the consent of the Assembly to the Bill in its current form.

The Welsh Government is also still considering the detail of the Bill as introduced and there may be further issues to be raised with the UK Government shortly, in addition to those we have already identified.

For a Bill of this magnitude and significance for Wales, we firmly believe that the LCM process should not be rushed. The Bill, in our view, requires amendment before it can be considered to be fit for purpose, and we believe the Assembly should have the opportunity to make its decision about whether to give its legislative consent in the later stages of the Bill, when amendments have been made and it is near its final form.

Of course, the Welsh Government takes its responsibility to follow Standing Orders very seriously, and is committed to laying a Legislative Consent Memorandum under Standing Order 29 at a time when it is meaningful to do so. While the requirement in Standing Order 29 is to normally lay within two weeks of introduction, we consider that it is reasonable in this case to delay laying the Memorandum, and also to delay the LCM debate, so that the

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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.

Assembly is fully informed and makes its decision about legislative consent on the basis of a near final version of the Bill.

The proposals for modification of the devolution settlement put forward in the Wales Bill encompass both modifications to the Assembly's legislative competence, and modifications of executive functions of Welsh Ministers and the Assembly. While modifications to the Assembly's legislative competence would fall to be dealt with by the LCM process, modifications to functions falling outside legislative competence would not. Modifications of Welsh Ministers' functions do require Welsh Ministers' consent, and both they, and modifications of Assembly and Assembly Commission functions, should be included in a written statement laid by the Welsh Government under Standing Order 30. We will aim to lay both the Legislative Consent Memorandum, and the Standing Order 30 written statement, at around the same time, to provide a joined-up view of the Bill, when the Bill is in its later stages.

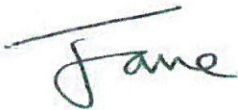
The Welsh Government would, however, wish to ensure that Assembly Members are as well informed as possible at this stage, in particular, to help inform Assembly scrutiny of the Bill. In order to do everything possible to assist scrutiny of the Bill, the Welsh Government intends to lay a General Explanatory Memorandum giving as much information as possible whilst negotiations are still taking place. The advantage of laying a General Explanatory Memorandum at this stage is that it will be able to deal with all provisions contained in the Bill, rather than having to separate issues of legislative competence from matters relating to executive functions and deal with them in the separate documents required under Standing Orders 29 and 30.

The intention of the General Memorandum is to draw out the key issues on the Bill which we hope would be more helpful to the committee scrutinising the Bill, rather than provide the detail required under SO 29 and SO 30. The Bill's provisions are expected to change substantially, therefore there is limited value in attempting at this stage to comment on the appropriateness of each individual provision.

The Welsh Government's aim is to lay this General Explanatory Memorandum at the beginning of July. We hope it will assist the Committee's scrutiny of the Bill.

I would be happy for you to share this letter with members of Business Committee.

Best Wishes,

A handwritten signature in black ink that reads "Jane". The signature is written in a cursive, flowing style.

**Jane Hutt AM/AC**  
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