

Rebecca Evans AC/AM
Y Gweinidog Cyllid a'r Trefnydd
Minister for Finance and Trefnydd



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref
Ein cyf/Our ref

Mick Antoniw AM,
Chair, Constitutional and Legislative Affairs Committee,
National Assembly for Wales,
Cardiff Bay,
CARDIFF, CF99 1NA

21 May 2019

Dear Mick,

Thank you for your letter relating to the Regulation and Inspection of Social Care (Wales) Act 2016 (Commencement No. 6, Savings and Transitional Provisions) Order 2019 and the Public Health (Wales) Act 2017 (Commencement No. 4) Order 2019.

The former mentioned Order does indeed illustrate the scale of provision that may be necessary when changing from one legislative framework to another. We are always careful when drafting to ensure that Orders of this kind do not overstep the bounds of what is permissible or appropriate.

In respect of the latter mentioned Order, and other example Commencement Orders shown in the annex, it should be noted that these Orders are not in fact required to be laid before the National Assembly for Wales as suggested in your correspondence. Instead such Orders are notified by Welsh Government officials directly to the Constitutional and Legislative Affairs Committee secretariat as a courtesy after being made, specifically in recognition of the Committee's discretionary functions under Standing Order 21.7(iv). Officials endeavour to provide this notification promptly following an Order's registration and publication on legislation.gov.uk, although when volumes are high this may be affected by the processing of business that is required to be laid. On this occasion an internal administrative oversight delayed our notification of the Order.

With regards to your question about the sequencing of such Orders, the timing between the three actions is dependent on the approach being taken to implementation and confirming to stakeholders the date or dates an Act's provisions will come into force, so they can make preparations. In some cases, this is confirmed in legislation some months ahead of time, in others, the Government works closely with stakeholders to ensure they are aware of the planned date of commencement in advance, but the Order itself is not made until close to that date.

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

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

Correspondence.Rebecca.Evans@gov.wales
Gohebiaeth.Rebecca.Evans@llyw.cymru

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.

I would be happy for my officials and your Committee Secretariat to discuss the current notification arrangement further, if it would be helpful.

I am copying this letter to the Counsel General and Brexit Minister.

Yours sincerely,

A handwritten signature in black ink that reads "Rebecca Evans." The signature is written in a cursive style.

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