

C(5)035 – The Legislation (Wales) Act 2019 (Commencement) Order 2019

Background and Purpose

This Order brings Part 2 of the Legislation (Wales) Act 2019, which makes provision about the interpretation and operation of Welsh legislation, fully into force on 1 January 2020. Part 2 of the Act will therefore apply to Assembly Acts that receive Royal Assent on or after 1 January 2020, and to Welsh subordinate instruments made on or after that date.

The Order also amends provisions that refer to the day on which Part 2 comes into force, so that they refer instead to 1 January 2020.

Procedure

No procedure.

Scrutiny under Standing Order 21.7

Two points are identified for reporting under Standing Order 21.7 in respect of this Order:

1. Article 4 of the Order amends section 23B of the Interpretation Act 1978. The beginning of the English version of article 4 (correctly) states: "In section 23B...". But the beginning of the Welsh version of article 4 (incorrectly) states: "Yn lle adran 23B...".

However, we accept that the overall context makes it clear what article 4 is seeking to achieve.

2. We note that this Order is made under both section 38 (which includes a power to make **regulations**) and section 44(2) (which includes a power to make an **order**) of the Legislation (Wales) Act 2019, and that section 39 of that Act helpfully allows the Welsh Ministers to exercise a power to make regulations and a power to make an order in a single instrument (in this case, labelled an order).

Government Response

No government response is required.

Legal Advisers

Constitutional and Legislative Affairs Committee

11 October 2019

