

# Agenda – Legislation, Justice and Constitution Committee

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Meeting Venue:	For further information contact:
Hybrid – Committee Room 4, Tŷ Hywel and videoconference via Zoom	P Gareth Williams Committee Clerk
Meeting date: 8 December 2025	0300 200 6565
Meeting time: 13.00	<a href="mailto:SeneddLJC@senedd.wales">SeneddLJC@senedd.wales</a>

## Hybrid

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### Public meeting

(13.00 – 14.00)

#### 1 Introduction, apologies, substitutions and declarations of interest

(13.00)

#### 2 President of the Welsh Tribunals: Evidence session on the annual report for 2024–25 and priorities for 2025–26

(13.00 – 14.00)

(Pages 1 – 17)

[President of Welsh Tribunals Sixth Annual Report 1 April 2024 – 31 March 2025](#)

[President of Welsh Tribunals Priorities 2025/2026](#)

Witnesses:

Sir Gary Hickinbottom, President of the Welsh Tribunals

David Sargent, Head of Operations for the Welsh Tribunals Unit, Welsh  
Government

Attached Documents:

LJC(6)–35–25 – Paper 1 – Briefing Paper



**3 Motion under Standing Order 17.42(vi) and (ix) to resolve to exclude the public from the following items: 4, 5, 12, 13, 14, 15 and 16**

(14.00)

**Private meeting**

(14.00 – 14.45)

**4 President of the Welsh Tribunals: Consideration of evidence**

(14.00 – 14.15)

**5 Senedd Cymru (Member Accountability and Elections) Bill: Draft report**

(14.15 – 14.45)

(To Follow)

Attached Documents:

LJC(6)–35–25 – Paper 2 – Draft report

**Break**

(14.45 – 14.50)

**Public meeting**

(14.50 – 15.20)

**6 Instruments that raise no reporting issues under Standing Order 21.2 or 21.3**

(14.50 – 14.55)

(Page 18)

Attached Documents:

LJC(6)–35–25 – Paper 3 – Draft report

**6.1 SL(6)680 – The Non-Domestic Rating Contributions (Wales) (Amendment) Regulations 2025**

## **7 Instruments that raise issues to be reported to the Senedd under Standing Order 21.2 or 21.3**

(14.55 – 15.00)

### **Made Negative Resolution Instruments**

#### **7.1 SL(6)681 – The Local Government (Standards Committees and Member Conduct) (Miscellaneous Amendments) (Wales) Regulations 2025**

(Pages 19 – 21)

[Regulations](#)

[Explanatory Memorandum](#)

Attached Documents:

LJC(6)–35–25 – Paper 4 – Draft report

## **8 Instruments that raise issues to be reported to the Senedd under Standing Order 21.7 – previously considered**

(15.00 – 15.05)

#### **8.1 SL(6)666 – Code of Practice on the exercise of social services functions in relation to Part 4 (direct payments and choice of accommodation) and Part 5 (charging and financial assessment) of the Social Services and Well-being (Wales) Act 2014**

(Pages 22 – 30)

Attached Documents:

LJC(6)–35–25 – Paper 5 – Report

LJC(6)–35–25 – Paper 6 – Welsh Government response

#### **8.2 SL(6)678 – The Children and Families (Wales) Measure 2010 (Commencement No. 10) Order 2025**

(Pages 31 – 32)

Attached Documents:

LJC(6)-35-25 – Paper 7 – Report

LJC(6)-35-25 – Paper 8 – Welsh Government response

## **9 Instruments that raise issues to be reported to the Senedd under Standing Order 21.2 or 21.3 – previously considered**

(15.05 – 15.10)

### **9.1 SL(6)679 – The Procurement Act 2023 (Specified International Agreements) (Amendment) (Wales) Regulations 2025**

(Pages 33 – 35)

Attached Documents:

LJC(6)-35-25 – Paper 9 – Report

LJC(6)-35-25 – Paper 10 – Welsh Government response

## **10 Inter-Institutional Relations Agreement**

(15.10 – 15.15)

### **10.1 Written Statement and correspondence from the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs: The Biocidal Products (Data Protection Periods) (Amendment) Regulations 2025**

(Pages 36 – 39)

Attached Documents:

LJC(6)-35-25 – Paper 11 – Written Statement by the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs, 28 November 2025

LJC(6)-35-25 – Paper 12 – Letter from the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs, 28 November 2025

### **10.2 Written Statement by the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs: The United Kingdom Internal Market Act 2020 (Exclusions from Market Access Principles: Glue Traps) Regulations 2025**

(Pages 40 – 41)

Attached Documents:

LJC(6)-35-25 – Paper 13 – Written Statement by the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs, 2 December 2025

## **11 Papers to note**

(15.15 – 15.20)

### **11.1 Correspondence from Mark Isherwood MS to the Finance Committee: British Sign Language (Wales) Bill**

(Pages 42 – 46)

Attached Documents:

LJC(6)-35-25 – Paper 14 – Letter from Mark Isherwood MS to the Finance Committee, 27 November 2025

### **11.2 Correspondence from the Minister for Mental Health and Wellbeing: Four nations response to the Competition and Markets Authority (CMA) market study into the UK infant and follow-on formula market**

(Page 47)

Attached Documents:

LJC(6)-35-25 – Paper 15 – Letter from the Minister for Mental Health and Wellbeing, 3 December 2025

### **11.3 Written Statement by the Cabinet Secretary for Finance and Welsh Language: Non-domestic rates support for 2026-27**

(Pages 48 – 49)

Attached Documents:

LJC(6)-35-25 – Paper 16 – Written Statement by the Cabinet Secretary for Finance and Welsh Language, 3 December 2025

## **Private meeting**

(15.20 – 16.25)

- 12 Supplementary Legislative Consent Memorandum (Memorandum No. 2) on the Victims and Courts Bill: Draft report**  
(15.20 – 15.25) (Pages 50 – 54)
- Attached Documents:  
LJC(6)–35–25 – Paper 17 – Draft report
- 13 Supplementary Legislative Consent Memorandum (Memorandum No. 2) on the Sustainable Aviation Fuel Bill**  
(15.25 – 15.35) (Pages 55 – 58)
- Attached Documents:  
LJC(6)–35–25 – Paper 18 – Legal Advice Note
- 14 Legislative Consent Memorandum on the Public Office Accountability Bill: Draft report**  
(15.35 – 15.50) (Pages 59 – 89)
- Attached Documents:  
LJC(6)–35–25 – Paper 19 – Draft report  
LJC(6)–35–25 – Paper 20 – Letter from the Welsh Local Government Association, 1 December 2025  
LJC(6)–35–25 – Paper 21 – Letter to the Welsh Local Government Association, 6 November 2025  
LJC(6)–35–25 – Paper 22 – Letter from the Llywydd, 1 December 2025  
LJC(6)–35–25 – Paper 23 – Letter to the Llywydd, 6 November 2025
- 15 Welsh Government Draft Budget 2026–27: Draft letter**  
(15.50 – 15.55) (Pages 90 – 92)
- Attached Documents:  
LJC(6)–35–25 – Paper 24 – Draft letter
- 16 Development of Tourism and Regulation of Visitor Accommodation (Wales) Bill: Draft report**  
(15.55 – 16.25) (To Follow)

[Letter to the Cabinet Secretary for Finance and Welsh Language, 12 November 2025](#)

[Letter from the Cabinet Secretary for Finance and Welsh Language, 25 November 2025](#)

Attached Documents:

LJC(6)-35-25 – Paper 25 – Draft report

Document is Restricted

# Agenda Item 6

## Statutory Instruments with Clear Reports 08 December 2025

### **SL(6)680 – [The Non-Domestic Rating Contributions \(Wales\) \(Amendment\) Regulations 2025](#)**

**Procedure: Made Negative**

These Regulations amend the Non-Domestic Rating Contributions (Wales) Regulations 1992 ('the 1992 Regulations'), which prescribe the rules for calculating non-domestic rating contributions to be paid by billing authorities in Wales to the non-domestic rates pool.

Schedule 4 to the 1992 Regulations contains adult population figures for each billing authority.

These Regulations substitute a new Schedule 4 to the 1992 Regulations with updated adult population figures to ensure that the basis for calculating contributions from billing authorities remains up-to-date and to enable billing authorities to calculate their non-domestic rating contributions for the financial year 2026-27.

**Parent Act:** Local Government Finance Act 1988

**Date Made:** 18 November 2025

**Date Laid:** 20 November 2025

**Coming into force date:** 31 December 2025



## **SL(6)681 – The Local Government (Standards Committees and Member Conduct) (Miscellaneous Amendments) (Wales) Regulations 2025**

### **Background and Purpose**

These Regulations amend-

- (a) the Standards Committees (Wales) Regulations 2001 (“the 2001 Regulations”),
- (b) the Conduct of Members (Principles) (Wales) Order 2001 (“the 2001 Order”), and
- (c) the Local Authorities (Model Code of Conduct) (Wales) Order 2008 (“the 2008 Order”).

Part 3 of the Local Government Act 2000 (“the Act”) makes provision concerning the conduct of local government members and employees.

Section 49(2) of the Act makes provision for the principles which govern the conduct of members and co-opted members of relevant authorities in Wales. These principles are set out in the Schedule to the 2001 Order.

Section 50(2) of the Act makes provision for a model code which sets out the conduct expected of members and co-opted members of relevant authorities in Wales. The model code of conduct is set out in the Schedule to the 2008 Order.

Section 53(1) of the Act requires every relevant authority in Wales to establish a standards committee. The 2001 Regulations make provision in respect of the size, composition and proceedings of standards committees and sub committees, along with the appointment, term of office and re-appointment of independent members to those committees.

These Regulations amend existing requirements of the model code of conduct for relevant authorities, to ensure its requirements align with the protected characteristics and socio-economic duty specified in the Equality Act 2010. Similar amendments are also made to the 2001 Order.

These Regulations also remove the lifetime prohibition on previous members and employees of a relevant authority sitting as independent members on the standards committee of the authority to which they were previously elected, or previously worked, or the standards committee of a corporate joint committee (“CJC”) of which the relevant authority is a constituent authority, or a National Park authority. The changes make provision for waiting periods in respect of specified former members and officials.



## Procedure

Negative.

The Regulations were made by the Welsh Ministers before they were laid before the Senedd. The Senedd can annul the Regulations within 40 days (excluding any days when the Senedd is: (i) dissolved, or (ii) in recess for more than four days) of the date they were laid before the Senedd.

## Technical Scrutiny

The following three points are identified for reporting under Standing Order 21.2 in respect of this instrument.

### **1. Standing Order 21.2(vi) – that its drafting appears to be defective or it fails to fulfil statutory requirements**

In the preamble, in the second paragraph, it refers to “sections 49(5) and 50(5) of **the Act**”. However, the Local Government Act 2000 has not been defined as “the Act” in the previous paragraph of the preamble. Therefore, it should either note “**that Act**” in the reference in the second paragraph or there should be a definition in brackets, “(**“the Act”**)”, after the first reference to the Local Government Act 2000 in the previous paragraph of the preamble.

### **2. Standing Order 21.2(vi) – that its drafting appears to be defective or it fails to fulfil statutory requirements**

In regulation 2(2), reference is made to the Local Government Act 1972 and to the Local Government Act 2000 in the new definition of “senior, cabinet or executive post” that is inserted in regulation 2 of the Standards Committees (Wales) Regulations 2001. However, both of those Acts have already been defined as “the 1972 Act” and “the 2000 Act” respectively in the existing text of regulation 2 of the 2001 Regulations. Therefore, the defined terms should have been used in the new definition when referring to those Acts.

### **3. Standing Order 21.2(vi) – that its drafting appears to be defective or it fails to fulfil statutory requirements**

In regulation 4(a), a new definition of “protected characteristics” is inserted “at the appropriate place” in paragraph 1(1) of the Schedule to the Local Authorities (Model Code of Conduct) (Wales) Order 2008. However, there are several problems with this approach in relation to the existing Welsh text of paragraph 1(1) of the Schedule to the 2008 Order. One of the existing definitions, “eich awdurdod” (“your authority”), was not listed in the correct place according to Welsh alphabetical order in the original text of paragraph 1(1) of the Schedule to the 2008 Order. In addition, it appears that the existing definition of “registered society” was only inserted into the English text of both paragraphs 1(1) and 10(2)(a)(ix)(bb) of the Schedule to the 2008 Order by paragraph 21 of the Schedule to UK SI 2014/1815. Therefore, this definition is missing from the Welsh text of paragraph 1(1) of the Schedule to the 2008 Order (and also from paragraph 10(2)(a)(ix)(bb)). As a result, the amendment made



to paragraph 1(1) of the Schedule to the 2008 Order does not fully succeed because of the missing definition and the fact that not all of the existing definitions were listed in alphabetical order in the Welsh text.

### **Merits Scrutiny**

No points are identified for reporting under Standing Order 21.3 in respect of this instrument.

### **Welsh Government response**

A Welsh Government response is required.

#### **Legal Advisers**

**Legislation, Justice and Constitution Committee**

**3 December 2025**



Senedd Cymru

**Pwyllgor Deddfwriaeth, Cyfiawnder a'r Cyfansoddiad**

—

Welsh Parliament

**Legislation, Justice and Constitution Committee**

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# Agenda Item 8.1

## **SL(6)666 – Code of Practice on the exercise of social services functions in relation to Part 4 (direct payments and choice of accommodation) and Part 5 (charging and financial assessment) of the Social Services and Well-being (Wales) Act 2014**

### **Background and Purpose**

This Code of Practice (“the Code”) is issued under section 145 of the Social Services and Well-being (Wales) Act 2014 (“the Act”). Local authorities, when exercising their social services functions, must act in accordance with the requirements contained in the Code.

The Code has been revised to add a recently introduced financial recognition scheme to the list of forms of capital that should be fully disregarded in the financial assessment for charging for all forms of care and support.

The scheme was introduced in the Care and Support (Charging) and (Financial Assessment) (Wales) (Miscellaneous Amendments) Regulations 2025.

The financial recognition scheme to be added to the Code is the Lesbian, Gay, Bisexual and Transgender Financial Recognition Scheme.

Producing a revised Code also presents an opportunity to add reference to amending charging and financial assessment regulations that have come into effect since the previous revision. To this effect, the Care and Support (Charging) (Wales) (Amendment) Regulations 2024 and the Care and Support (Charging) and (Financial Assessment) (Wales) (Miscellaneous Amendments) Regulations 2025 have been referenced in the revised Code as appropriate. These revisions have been made to ensure clarity and completeness as the regulations amend principal regulations already referred to in the Code. The revised Code also incorporates editorial and stylistic revisions.

### **Procedure**

Draft negative

A draft of the code must be laid before the Senedd. If, within 40 days (excluding any time when the Senedd is dissolved or is in recess for more than 4 days) of the draft being laid, the Senedd resolves not to approve the draft code then the Welsh Ministers must not issue the code.



If no such resolution is made, the Welsh Ministers must issue the code (in the form of the draft) and the code comes into force on a day specified in an order made by the Welsh Ministers.

## Scrutiny under Standing Order 21.7

The following 9 points are identified for reporting under Standing Order 21.7 in respect of this code.

1. This Code has been laid in place of a previous version of the Code which was withdrawn following the Committee's consideration of the previous version on 16 June 2025. 30 points were identified for reporting and a Welsh Government response was received. The Explanatory Memorandum states at paragraph 2.2:

*This revised Code addresses matters identified for correction in the draft revised Code laid on 3 June 2025 and subsequently withdrawn on 27 June 2025, SL(6)6171.*

Whilst most of the matters that were identified have been addressed, clarification in relation to some of the previous reporting points is requested, as set out below.

2. Section 146(1) of the Act states - "Before issuing or revising a code under section 145, the Welsh Ministers must consult such persons as they think fit on a draft of the code (or revised code)."

The Welsh Government was asked, in relation to the withdrawn Code, to explain how it considered that the decision not to undertake a consultation was compliant with section 146(1) of the Act.

The response set out the following:

*Consideration has been given to this provision and the Welsh Ministers do not think fit to consult any persons on this occasion given the extent to which the proposal is seeking to revise the existing Code.*

*The main revision entails adding a recently introduced financial recognition scheme to the list of forms of capital that should be fully disregarded in the financial assessment for charging for all forms of care and support. The financial recognition scheme is a newly introduced scheme and given that the Care and Support (Charging) and (Financial Assessment) (Wales) (Miscellaneous Amendments) Regulations 2025, which amend the Care and Support (Financial Assessment) (Wales) Regulations 2015 to add the new scheme to the list of capital to be disregarded, came into force on 7 April 2025, the revision to the Code will reflect the law currently in force. Local authorities are thus in a neutral position. Beneficiaries of the financial recognition scheme are unlikely to object to the revision to the Code as evidently, they are benefiting from the capital being disregarded.*



*Given this reasoning, as well as seeking to avoid stakeholder consultation fatigue in such a circumstance as this, the Welsh Ministers do not think fit to consult any persons in this instance.*

However, the following is noted in the Explanatory Memorandum to this Code:

*A 3-week consultation exercise on the draft revised Code took place between 26 September to 17 October 2025. The Welsh Government wrote to the Directors of Social Services of the 22 local authorities highlighting the technical revisions proposed to the Code, providing a draft of the revised Code for review and inviting feedback and observations.*

*The Welsh Government did not receive any responses to the consultation. This was anticipated, as the proposed changes to the Code either reflect existing legal provisions already in force or constitute technical and editorial amendments that do not alter the substantive operation of the Code.*

3. In paragraph 5.22 of the Code, there is a difference between the English and Welsh text. In the English text, it notes "from the date that **care and support** was first provided" but the meaning given by the Welsh text is "from the date that **the statement** was first provided".
4. In Annex D, in paragraph 4.3, in the final bullet points, the term "qualifying relative" has been expressed by using the term "berthynas **cymhwysol**" in the Welsh text, however the defined term in Schedule 2 to the Care and Support (Financial Assessment) (Wales) Regulations 2015 is "perthynas **cymwys**".
5. In Annex D, in paragraph 5.5, in the final sentence, there is a difference between the English and Welsh text. In the English text, it notes "The local authority should advise..." but the meaning given by the Welsh text is that "The local authority should note...". Earlier in that paragraph the word "cyngtori" rather than "nodi" has been used to express the meaning of "advise", so it means that the Welsh text is also inconsistent.

This point was raised in relation to the withdrawn Code and the Welsh Government response to the reporting point was as follows:

*The verb "advise" is used in paragraph 5.5 of Annex D to the draft revised Code in two different ways. The first use refers to an obligation that the local authority should give advice or guidance to people in relation to considering how they intend to use, maintain and insure their property, and the second use of the verb relates to the local authority giving official information, i.e. specifying if it intends to place any conditions on how the property is used etc. whilst it is the subject of any Deferred Payment Agreement. The Welsh Government is of the view that the*



*vocabulary used in the Welsh text is therefore consistent with the different uses of the word "advise" in the English text.*

The Welsh Government is asked to confirm if it is still of this view.

6. In the Code, in the English text, "DPA" is the defined term for "deferred payment agreement" and in the Welsh text, the full phrase meaning "deferred payment agreement" is the corresponding term noted in paragraph 9.2 of the Code. However, there are repeated differences between the English and Welsh text, in relation to the use of "DPA", "deferred payment agreement" and "agreement" in the Code as follows—
  - a) in Annex B, at the end of paragraph 2.16, in the English text, it notes "Deferred Payment Agreement" rather than using the defined term "DPA". This also occurs in the English text of paragraph 8.13 of Annex C of the Code;
  - b) in Annex D, in paragraph 5.3, in the bullet points, there are repeated differences between the English and Welsh text, in relation to the use of "DPA" and "agreement"—
    - i) in the first, second, eleventh and twelfth bullet points, it notes "agreement" in the English text, but the meaning given by the Welsh text is "deferred payment agreement" or "DPA";
    - ii) in the eighth bullet point, it notes "DPA" in the English text, but the meaning given by the Welsh text is "deferred payments";
  - c) in Annex D, in the English text, it notes "the DPA" but the meaning given by the Welsh text is "the agreement" in paragraphs 9.2, 9.3, 9.5, 9.8, 10.1 (including the heading), 10.2, 10.3, 10.4, 10.5 and 11.9;
  - d) in Annex F, in paragraph 5.1, in the English text, the phrase "deferred payment agreement" is defined again as "DPA", however it has already been defined in paragraph 9.2 of the Code. In addition, in paragraph 6.1 of Annex F, "a DPA" is used twice, but in the Welsh text a phrase meaning "such an agreement" is used on the second occasion.
7. There are examples in both language texts of "the agreement" being used instead of "DPA" in the English text and the full phrase meaning "deferred payment agreement" in the Welsh text. This occurs in paragraphs 4.3 (in the first bullet point), 5.1, 10.3, 10.4 (in the opening words), 10.5, and 11.1(a) of Annex D. It is also queried whether the defined term should be used in paragraph 3.2 of Annex D in place of "deferred payment".



In addition, "agreement" is used in the context of a different written agreement in paragraphs 8.5, 8.6, 8.12 and 8.16 of Annex C, which may also be a consideration.

8. In Annex D, in paragraph 6.4, the English text reads "as part of the administrative costs local authorities can charge for putting a DPA, should they wish to do so." From the meaning of the Welsh text, it appears that the words "in place" are missing after "a DPA" in order to express "ar waith".
9. The Welsh Government response to reporting point 28 in relation to the withdrawn Code set out the following:

*Prior to re-laying the draft revised Code, paragraph 3.1 of Annex F to the English text will be revised to clarify the example timeframe for debt accrual. The words:*

*"if an invoice was issued giving 30 days to pay, the payment becomes due on day 30 and a debt accrues if this is not met"*

*will be substituted with:*

*"if an invoice was issued where payment is due on or before 30 calendar days from date of invoice, payment of the invoice becomes overdue at 31 calendar days from date of invoice, and a debt will accrue from that day".*

*The Welsh text will be revised to correspond to the English text.*

*In addition, the word "anfon" will be replaced with "dyroddi" to correspond to "issue" in the English text.*

However, the revised Code does not include this revised wording, and the original wording has been removed. The Welsh Government is asked why a different approach was taken to the one set out in the response.

## Government response

A Welsh Government response is required to reporting points 3 to 9.

## Committee Consideration

The Committee considered the instrument at its meeting on 17 November 2025 and reports to the Senedd in line with the reporting points above.



## **Government Response: Code of Practice on the exercise of social services functions in relation to Part 4 (direct payments and choice of accommodation) and Part 5 (charging and financial assessment) of the Social Services and Well-being (Wales) Act 2014**

The Government acknowledges the matters raised. While some points require correction or clarification, the majority are minor drafting points that do not change the operation or legal effect of the Code.

In light of this, the Government proposes to the Committee that the identified corrections, detailed below, be made prior to issuing the Code of Practice. The Government considers this approach pragmatic and proportionate, ensuring the Code of Practice is published accurately without unnecessary delay.

**Scrutiny point 3:** Paragraph 5.22 of the Welsh text will be revised so that “*o’r dyddiad y rhoddwyd y datganiad yn gynta*” is replaced with “*o’r dyddiad y rhoddwyd y gofal a chymorth yn gynta*” to correspond with the English text.

**Scrutiny point 4:** In Annex D, in paragraph 4.3, in the final bullet points, the term “*berthynas cymhwysol*” in the Welsh text will be replaced with “*berthynas cymwys*” to ensure consistency with the defined term in Schedule 2 to the Care and Support (Financial Assessment) (Wales) Regulations 2015.

**Scrutiny point 5:** The view of the Welsh Government remains as expressed in response to the reporting point raised in relation to the withdrawn Code.

**Scrutiny point 6:** In the context where “*DPA*”, “*deferred payment agreement*” and “*agreement*” appear in both the English and Welsh texts of the Code, the Welsh Government considers there to be no ambiguity as to which agreement is being referred to. For clarity and to maintain consistency between the two language texts, the following revisions will be made before the Code is issued.

- a) In the English text, at the end of paragraph 2.16 in Annex B, and in paragraph 8.13 of Annex C of the Code, references to the full term “*Deferred Payment Agreement*” will be replaced with the defined term “*DPA*”. This corresponds with the Welsh text where the full phrase meaning “*deferred payment agreement*” will be used throughout the Code.
- b) In Annex D, in paragraph 5.3, revisions will be made prior to issuing the Code as follows.
  - i) in the first, second, eleventh and twelfth bullet points, “*agreement*” in the English text will be replaced with the defined term “*DPA*” to

correspond to the Welsh text where the full phrase meaning “*deferred payment agreement*” is used;

- ii) in the eighth bullet point, the Welsh text will be revised to replace the text meaning “*deferred payments*” with text meaning “*a deferred payment agreement*” to correspond with use of the defined term “*a DPA*” in the English text;
- c) In Annex D, the Welsh text meaning “*the agreement*” will be replaced with text meaning “*the deferred payment agreement*” in paragraphs 9.2, 9.3, 9.5, 9.8, 10.1 (including the heading), 10.2, 10.3, 10.4, 10.5 and 11.9 to correspond to the use of “*DPA*” in the English text;
- d) in Annex F, in paragraph 5.1, in the English text, where the phrase “*deferred payment agreement*” is defined again, this will be corrected and “*deferred payment agreement (DPA)*” will be replaced with “*DPA*”. In paragraph 6.1 of the Welsh text the phrase meaning “*such an agreement*” will be replaced with text meaning “*deferred payment agreement*”.

**Scrutiny point 7:** Where “*the agreement*” appears instead of “*DPA*” in the English text, and instead of the full phrase meaning “*deferred payment agreement*” in the Welsh text, this will be replaced with “*DPA*” or words meaning “*deferred payment agreement*” as required in paragraphs 4.3 (in the first bullet point), 5.1, 10.3, 10.4 (in the opening words), 10.5, and 11.1(a) of Annex D. In addition, the defined term “*DPA*” will be used in paragraph 3.2 of Annex D in place of “*deferred payment*” in the English text, and the Welsh text will be revised to correspond with this change.

Although the Welsh Government considers it clear that the written agreements referred to in paragraphs 8.5, 8.6, 8.12 and 8.16 of Annex C are distinct from the deferred payment agreements referred to elsewhere, the revisions outlined above will confirm that distinction.

**Scrutiny point 8:** In Annex D, in paragraph 6.4, the English text will be revised to read “*as part of the administrative costs local authorities can charge for putting a DPA **in place**, should they wish to do so.*” This will correspond with the Welsh text.

**Scrutiny point 9:** Upon review of the Code prior to its relaying, it was decided to remove the example timeframe for debt accrual from paragraph 3.1 of Annex F.

The current Code provides that: “*The point at which a debt becomes due continues to be the date at which the amount imposed becomes due to the local authority. This means that, for example, if an invoice was issued giving 30 days to pay, the payment becomes due on day 30 and a debt accrues if this is not met.*”

The draft revised Code provides that: *“The point at which a debt becomes due remains the date on which the amount is payable, in accordance with the terms set out by the local authority.”*

This change was made because the example could create confusion where local authorities apply different invoicing terms from those illustrated. The Welsh Government considers the revised wording sufficiently clear without an example. This revision was highlighted during consultation with local authorities, and no comments or observations were received in response.

Minor issues such as formatting and correcting typographical errors will also be corrected prior to issuing the Code of Practice.

## **SL(6)678 – The Children and Families (Wales) Measure 2010 (Commencement No. 10) Order 2025**

### **Background and Purpose**

This is the tenth Commencement Order made by the Welsh Ministers under the Children and Families (Wales) Measure 2010 (“the Measure”). The Order brings into force section 71 of the Measure, which is a general interpretation provision.

### **Procedure**

No procedure.

### **Scrutiny under Standing Order 21.7**

The following point is identified for reporting under Standing Order 21.7 in respect of this Order.

1. It is noted that the Order brings into force section 71 of the Measure, which is a general interpretation provision. It appears unusual that this provision has not been brought into force previously as it contains defined terms which are included in provisions that are already in force. The Welsh Government is therefore asked to confirm why it is bringing section 71 of the Measure into force now and has not done so previously.

### **Government response**

A Welsh Government response is required.

### **Committee Consideration**

The Committee considered the instrument at its meeting on 1 December 2025 and reports to the Senedd in line with the reporting point above.



**Government Response: The Children and Families (Wales) Measure 2010  
(Commencement No. 10) Order 2025**

**Scrutiny point 1:** The Welsh Government acknowledges the reason for the Committee's request to clarify the reasons for bringing section 71 of the Children and Families (Wales) Measure 2010 ("the Measure") into force at this stage.

Commencement of section 71 of the Measure was overlooked on implementation of the Measure. Whilst section 71 of the Measure is a general interpretation provision, this oversight does not appear to have caused an issue in operation of the overall statutory framework introduced by the Measure to date.

However, the Welsh Government recognises the legal certainty that commencing the provision brings and has therefore taken the step of commencing section 71 of the Measure now. Commencement of section 71, albeit at a late stage, ensures clarity within the statute book.

## **SL(6)679 – The Procurement Act 2023 (Specified International Agreements) (Amendment) (Wales) Regulations 2025**

### **Background and Purpose**

Schedule 9 to the Procurement Act 2023 lists international agreements to which the UK is a party and which contain procurement obligations to which effect must be given in the UK.

These Regulations (alongside the UK Government's the Procurement Act 2023 (Specified International Agreements and Saving Provision) (Amendment) Regulations 2025) amend Schedule 9 to the 2023 Act to reflect the procurement chapters of the international agreements entered between the UK and the Republic of Iraq and the Republic of Kazakhstan. These include requirements that suppliers from those countries receive equal treatment to domestic suppliers when bidding for contracts which are covered by the agreements.

### **Procedure**

Draft Affirmative

The Welsh Ministers have laid a draft of the Regulations before the Senedd. The Welsh Ministers cannot make the Regulations unless the Senedd approves the draft Regulations.

### **Technical Scrutiny**

The following one point is identified for reporting under Standing Order 21.2 in respect of this instrument.

#### **1. Standing Order 21.2(vi) - that its drafting appears to be defective or it fails to fulfil statutory requirements.**

In regulation 4(3)(d), there is no reference to an interpretation or definition provision for the term "below-threshold contract". We note that this is a defined term in section 5(5) of the Procurement Act 2023 but the Legislation (Wales) Act 2019 does not contain a provision which provides that expressions used in subordinate legislation have the same meaning which they bear in the parent Act.

### **Merits Scrutiny**

No points are identified for reporting under Standing Order 21.3 in respect of this instrument.

### **Welsh Government response**

A Welsh Government response is required.



## Committee Consideration

The Committee considered the instrument at its meeting on 1 December 2025 and reports to the Senedd in line with the reporting point above.



Senedd Cymru

**Pwyllgor Deddfwriaeth, Cyfiawnder a'r Cyfansoddiad**

—

Welsh Parliament **Pack Page 34**

**Legislation, Justice and Constitution Committee**

## **Government Response: The Procurement Act 2023 (Specified International Agreements) (Amendment) (Wales) Regulations 2025**

**Technical Scrutiny point 1:** The Welsh Government note the point raised regarding regulation 4(3)(d) and the absence of a definition for the term “*below-threshold contract*”. We note the guidance set out in paragraph 4.2(2) of Writing Law for Wales which states “...if it is obvious from the context what the term is referring to, there should be no need for a definition”. Due to the reference to section 87 (“*regulated below-threshold contracts: notices*”) of the Procurement Act 2023 in regulation 4(3)(c), and direct cross-reference to this in sub-paragraph (d), we were of the view that a definition was not needed as it was clear that the provision can only relate to below-threshold contracts within the context of the Procurement Act 2023.

However, we recognise there is an argument that a direct reference to s.5(5) of the Procurement Act 2023 might be helpful to readers. We therefore propose to insert this definition through an amending provision to be included in a further set of regulations currently being drafted to amend Schedule 9, and which we anticipate will be laid in February 2026.



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## WRITTEN STATEMENT

BY

THE WELSH GOVERNMENT

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<b>TITLE</b>	<b>The Biocidal Products (Data Protection Periods) (Amendment) Regulations 2025</b>
<b>DATE</b>	<b>28 November 2025</b>
<b>BY</b>	<b>Huw Irranca-Davies MS, Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs</b>

Members of the Senedd will wish to be aware that we are giving consent to the Secretary of State exercising a subordinate legislation-making power in a devolved area in relation to Wales.

Agreement was sought by the Minister for Social Security and Disability, Sir Stephen Timms, to make the Biocidal Products (Data Protection Periods) (Amendment) Regulations 2025 ('the Regulations'). The Regulations apply to Wales, England and Scotland.

The Regulations amend article 95(5) of Regulation (EU) No 528/2012 of the European Parliament and of the Council concerning the making available on the market and use of biocidal products ("the Great Britain Biocidal Products Regulation" or "GB BPR"). They extend the date set out in article 95(5) of the GB BPR on which data protection ends for those active substance/product-type combinations listed in Annex 2 to Regulation (EU) No 1062/2014 where no decision has yet been reached. The date is extended for five years from 31 December 2025 to 31 December 2030.

The Regulations also make amendments to paragraphs 3 and 5 of article 95 to update references to Regulation (EC) No 1451/2007 to Regulation (EU) No 1062/2014, which superseded it.

By virtue of article 95(5) of GB BPR, the data protection period for approximately 300 active substance/product type combinations included in the GB Review Programme of existing active substances, but on which an approval decision has not yet been reached, will end on 31 December 2025. This would mean that those active

substances which are yet to be reviewed would receive no data protection after that time.

As a result, active substance manufacturers or those supporting their approval would no longer be able to charge other companies to use their data after 31 December 2025, preventing them from recovering the costs of commissioning the data. Although the consequences of not amending article 95(5) are difficult to predict, there is a significant risk it would lead to companies withdrawing their active substances from the GB market because they are no longer financially viable. This would have knock on impacts on the pest control, transportation and water treatment sectors and could increase public health and safety risks.

Article 60 of GB BPR provides that where data has been protected under GB BPR, once that protection has expired the data cannot be protected again. To avoid data protection ending for active substances in scope, the period in article 95(5) of GB BPR is being extended by five years to 31 December 2030.

In accordance with the GB BPR, the Secretary of State sought Welsh and Scottish Ministers consent to the Regulations.

Although the Welsh Government's general principle is that laws relating to devolved matters should be made in Wales, in this instance it is considered appropriate for the Secretary of State to legislate on a GB-wide basis, given that Welsh Ministers do not have the powers to make the Regulations and a GB-wide approach ensures timely implementation and policy continuity.

The Regulations are subject to the negative procedure and were laid before the UK Parliament on 26 November 2025. There is no policy divergence between the Welsh and UK Government in this matter and the Regulations amend legislation that was not made bilingually. The Regulations neither impact on the legislative competence of the Senedd nor the executive competence of the Welsh Ministers.

The Regulations and accompanying Explanatory Memorandum, setting out the detail of the provenance, purpose and effect of the amendments is available here:

[The Biocidal Products \(Data Protection Periods\) \(Amendment\) Regulations 2025](#)

[The Biocidal Products \(Data Protection Periods\) \(Amendment\) Regulations 2025 - Explanatory Memorandum](#)

Huw Irranca-Davies AS/MS  
Y Dirprwy Brif Weinidog ac Ysgrifennydd y Cabinet dros Newid  
Hinsawdd a Materion Gwledig Deputy First Minister and Cabinet  
Secretary for Climate Change and Rural Affairs



Llywodraeth Cymru  
Welsh Government

Ein cyf/Our ref: MA/HIDCC/2537/25

Mike Hedges MS  
Chair  
Legislation, Justice and Constitution Committee  
Welsh Parliament  
Cardiff Bay  
Cardiff  
CF99 1SN

2 December 2025

Dear Mike,

### **The Biocidal Products (Data Protection Periods) (Amendment) Regulations 2025**

I refer to my letter to you of 11 November 2025. I wish to inform the Committee I have given my consent to the Secretary of State to make the Biocidal Products (Data Protection Periods) (Amendment) Regulations 2025 (“the Regulations”). I have laid a Written Statement which can be found here [The Biocidal Products \(Data Protection Periods\) \(Amendment\) Regulations 2025](#).

The Regulations intersect with devolved policy and apply to Wales (they also apply to England and Scotland). The Regulations are subject to the negative procedure and were laid before Parliament on 25 November 2025 with a commencement date of 30 December 2025.

Although the Welsh Government’s general principle is that statutory instruments relating to devolved matters should be made by the Welsh Ministers, on this occasion it was considered appropriate for the Regulations to be made by the Secretary of State for the reasons outlined in my letter of 11 November.

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1SN

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

[Gohebiaeth.Huw.Irranca-Davies@llyw.cymru](mailto:Gohebiaeth.Huw.Irranca-Davies@llyw.cymru)  
[Correspondence.Huw.Irranca-Davies@gov.wales](mailto:Correspondence.Huw.Irranca-Davies@gov.wales)

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.

Yours sincerely,

A handwritten signature in black ink, consisting of several fluid, overlapping strokes that form a stylized representation of the name 'Huw Irranca-Davies'.

**Huw Irranca-Davies AS/MS**

Y Dirprwy Brif Weinidog ac Ysgrifennydd y Cabinet dros Newid Hinsawdd a Materion  
Gwledig

Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs



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## WRITTEN STATEMENT

BY

THE WELSH GOVERNMENT

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**TITLE**        **The United Kingdom Internal Market Act 2020 (Exclusions from Market Access Principles: Glue Traps) Regulations 2025**

**DATE**        **02 December 2025**

**BY**            **Huw Irranca-Davies MA, Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs**

Members of the Senedd will wish to be aware that I have given consent to the Secretary of State exercising a subordinate legislation-making power in a devolved area in relation to Wales.

Agreement was sought by the Parliamentary Under Secretary of State, Baroness Hayman of Ullock to make The United Kingdom Internal Market Act 2020 (Exclusions from Market Access Principles Glue Traps) Regulations 2025. The Regulations extend to England and Wales, Northern Ireland, and Scotland.

The Agriculture (Wales) Act 2023 prohibited the use of glue traps in Wales. Although the Welsh Government's general principle is the law relating to devolved matters should be made in Wales, only the Secretary of State has the relevant power under the United Kingdom Internal Market Act 2020 to make the Regulations.

The Regulations are being made under The United Kingdom Internal Market Act 2020 (UKIMA) and will exclude the sale of glue traps from the market access principles within the Act. This means that the market access principles will not apply to, nor affect the operation of, any legislation so far as it prohibits the sale of glue traps in any part of the United Kingdom.

In accordance with UKIMA, the UK Minister for Animal Welfare and Biosecurity, approached Ministers in Northern Ireland, Scotland and Wales for consent to the application of these regulations to each of the UK nations. This follows a request by

Scottish Ministers for an exclusion from UKIMA in order that the ban on the use of glue traps in Scotland can extend to include a ban on supply.

The Regulations are subject to the affirmative procedure and were laid before the UK Parliament on 1 December 2025. The Regulations neither impact on the legislative competence of the Senedd nor the executive competence of the Welsh Ministers.

The Regulations do not currently impact upon our policies or operations in Wales. As no evidence has been put forward after two years suggesting the ban on the use of glue traps is insufficient, I do not have any plans at this time to expand the ban in Wales to include sale. Should evidence be presented however that necessitates extending the ban to include sale, with the exclusion in place, there would be no potential barriers stemming from UKIMA. I am content on this occasion to provide consent for the Regulations to be made in the UK Parliament.

The Regulations and accompanying Explanatory Memorandum, setting out the detail of the provenance, purpose and effect of the amendments is available here:

[The United Kingdom Internal Market Act 2020 \(Exclusions from Market Access Principles: Glue Traps\) Regulations 2025](#)



Welsh  
Conservatives

Ceidwadwyr  
Cymreig

Peredur Griffiths MS  
Chair, Finance Committee  
Senedd Cymru  
Cardiff Bay  
CF99 1SN

27 November 2025

Dear Peredur,

## **British Sign Language (Wales) Bill**

Thank you to the Finance Committee for your scrutiny of the British Sign Language (Wales) Bill ("the Bill") during Stage 1 and for the report which was published on 10 November 2025. I have set out my response to the Committee's conclusions and recommendations at Annex A.

It has not been possible for me to accept all of the Committee's recommendations, and I have provided reasons for this in the detailed response at Annex A. However, I would like to make the general point that should the Bill progress through the legislative process, I will continue to develop the RIA and will, of course, publish a revised RIA as appropriate.

Lastly, I wanted to make you aware that I will also be writing to the Chairs of the Equality and Social Justice Committee and the Legislation, Justice and Constitution Committee with respect to their Stage 1 Reports, and will copy the letters to all three Committee Chairs.

Regards

**Mark Isherwood MS**  
**Member of the Welsh Parliament for North Wales**

## Annex A

### Response from Mark Isherwood, MS to the Finance Committee's Report on the British Sign Language (Wales) Bill

**Conclusion 1.** The Committee is broadly content with the financial implications of the Bill as set out in the Regulatory Impact Assessment, subject to the comments and recommendations in this report.

**Conclusion 2.** The Committee welcomes the collaborative approach between the Member in charge and the Welsh Government in developing the costs of the Bill, and considers this a model of good practice for future non-government Bills.

**Conclusion 3.** The Committee believes that the approach of estimating the costs of the Bill by drawing on comparable legislation makes effective use of existing data and methodologies and that this has produced a clear and credible overview of the financial implications of the Bill.

#### **Response: Noted**

I am happy that the Committee is broadly content with the financial implications of the Bill set out in the Regulatory Impact Assessment, as outlined in Conclusion 1. My response to the specific comments and recommendations made by the Committee are set out separately within this response.

I very much welcome, and appreciate, the Committee's Conclusion 2 regarding the collaborative approach between me as Member in charge of the Bill and the Welsh Government in developing the costs of the Bill. I am extremely grateful to the Cabinet Secretary for Social Justice in working closely with me on developing the Bill. This collaborative approach has been invaluable across all aspects of the Bill's development, and I look forward to that collaboration continuing as the Bill progresses through the Senedd's legislative process.

I also very much welcome the Committee's Conclusion 3. In developing the RIA, a significant amount of work was undertaken, including looking at comparable legislation and existing data, and I truly believe that the costs set out in the RIA are as robust and as complete as I could have possibly made them.

**Recommendation 1.** The Committee recommends that the Member in charge works with the Cabinet Secretary to analyse the cost benefits of the Bill and updates the Regulatory Impact Assessment to include further information on these benefits, including how they will be analysed and when they are anticipated to be delivered.

**Response: Accept**

I would be very happy to work with the Cabinet Secretary, where possible, to further analyse the cost benefits of the Bill.

However, as I set out in the Regulatory Impact Assessment, the benefits flowing from the Bill will very much depend on the detail and content of the National BSL strategy and the BSL plans. The strategy and plans will be the primary documents that will determine how BSL is promoted and its use facilitated in Wales. Without knowing the full detail of what those key documents will contain, it will not be possible to fully, and accurately, quantify the cost benefits.

I have been clear throughout this process that this is very much a framework Bill and as such, the detail of the BSL Strategy and Plans should be left for Welsh Government and local public bodies to agree. I have also been clear that in developing the BSL strategy and plans, it would be essential to consult the Deaf community and to engage with the BSL Adviser (to be established under the Bill). Much of that work can only be undertaken once the Bill has been enacted.

**Recommendation 2.** The Committee recommends that the Member in charge works with the Welsh Government to clarify how its existing and planned BSL policies will interact with the provisions of the Bill, to determine whether the cost estimates set out in the Regulatory Impact Assessment accurately reflect additional financial requirements, or whether some costs may already be covered through existing commitments.

**Response: Accept**

I would be very happy to work with the Cabinet Secretary, where possible, to clarify how its existing and planned BSL policies will interact with the provisions of the Bill.

As has been outlined during the Bill scrutiny, Welsh Government has been undertaking work in relation to BSL policy during the time I have been developing the Bill. This includes the establishment of the BSL stakeholder group that has now completed its work and has recently made specific recommendations.

The Government has also committed to developing a 'BSL route map' which will be a significant piece of work that will help towards the development of the BSL strategy etc. As a consequence of this work, I'm confident that this will not result

in additional costs above the estimates included within the RIA for producing a BSL strategy. If there was a reduction in costs of producing the BSL strategy, it is unlikely to be significant. It may also be that the BSL advisor and advisory panel can focus more time and effort on developing the details of the strategy because the route map will already be in agreed. All of this work, I believe, compliments the provisions of the Bill rather than there being any cross-over of work.

I don't believe that any of the work undertaken by the Welsh Government would fall within the costs estimate set out in the rest of the RIA, as these are specifically about the requirements on the face of the Bill, i.e. the development of the BSL Strategy, BSL plans and establishment of the BSL Adviser and panel.

There will inevitably be some cross over between on-going BSL policy in Welsh Government and the actions that fall from the strategy and plans. This can only accurately be assessed once the detail of the strategy and plans is known

**Recommendation 3.** The Committee recommends that the Member in charge works with the Welsh Government to provide further clarity on the costs arising from the Bill for listed public bodies, particularly in relation to the implementation of BSL plans.

**Response: Reject**

The RIA already considered by the Committee sets out the costs for listed public bodies in developing the BSL plans that are required under the Bill. I am content that the costs provided in this respect are accurate. However, in relation to the costs to listed public bodies in implementing the Bill, this will very much depend on the content and detail of the National BSL strategy and the BSL plans.

It will be for each of the listed public bodies to determine the contents of its own BSL plan. Each of the listed public bodies will have the greatest understanding of their own needs, whether that be within their defined local authority or health board areas, or more nationally for those listed public bodies that have a national role.

It will not be possible for the BSL plans to be developed in isolation, as listed public bodies will first need to consider the National Strategy and associated guidance before developing and finalising their plans. Without knowing the full detail of what those key documents will contain, the costs attributed to implementing them must be counted as unquantified.

**Recommendation 4.** The Committee recommends that the Welsh Government conducts a post-implementation review of the Bill and for it to include an assessment of the overall costs and benefits of the Bill and whether this meets the expected costs set out in the Regulatory Impact Assessment

**Response: Noted**

Whilst this recommendation is directed towards Welsh Government, rather than me as Member in charge of the Bill, I do not believe that a full 'post-implementation review' would be necessary.

Section 7 of the Bill already contains a statutory reporting provision that requires Welsh Ministers to prepare and publish a report that assesses the progress made in promoting and facilitating the use of BSL in accordance with the Act. Section 7 reports are required to be published at least once in every period of 3 years.

This reporting provision is broadly in line with the statutory review provisions within the Public Services Ombudsman (Wales) Act 2019, to which the Committee referred in the report.

As such I do not believe a separate post implementation review would be necessary.

I agree that an assessment of the overall costs and benefits of the Bill, and whether this met the expected costs set out in the Regulatory Impact Assessment could be beneficial. However, that will be for the Cabinet Secretary to consider and respond to.

Sarah Murphy AS/MS  
Y Gweinidog Iechyd Meddwl a Llesiant  
Minister for Mental Health and Wellbeing

Agenda Item 11.2

Llywodraeth Cymru  
Welsh Government

Ein Cyf/Our Ref: MA/SM/1344/25

Mike Hedges MS  
Chair, Legislation, Justice and Constitution Committee  
Welsh Parliament  
Cardiff Bay  
Cardiff  
CF99 1SN

3 December 2025

Dear Mike,

In February this year, the Competition and Markets Authority (CMA) [published the results of its market study on infant formula](#). The focus of the market study was the lack of competition in the infant formula market and the negative impact this has on consumer choice and the affordability of infant formula products. Their final report featured a list of recommendations for governments across the UK to consider. Since the publication of this report, my officials have been working with officials in the other UK nations to develop a four nations response to the CMA's recommendations.

I am writing to confirm that the UK Government have, today, [published](#) a response to the CMA on behalf of all UK nations. As set out in the response, ministers in each nation have agreed to proceed at first with a package of non-legislative measures to address the issues with the infant formula market identified in the CMA's report. We intend to review the impact of this non-legislative package in due course and consider whether further action, including potential legislative change, is required. I will therefore write to you again, should we determine through our work that a change in approach may be necessary.

I have also sent a letter to the Chair of the Children and Young People's Committee and the Chair of the Health and Social Care Committee.

Yours sincerely,



**Sarah Murphy AS/MS**  
Minister for Mental Health and Wellbeing  
Y Gweinidog Iechyd Meddwl a Llesiant

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:  
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Bae Caerdydd • Cardiff Bay  
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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.



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## WRITTEN STATEMENT BY THE WELSH GOVERNMENT

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**TITLE**     **Non-domestic rates support for 2026-27**

**DATE**     **03 December 2025**

**BY**       **Mark Drakeford MS, Cabinet Secretary for Finance and Welsh Language**

Today, I am announcing that the Welsh Government will provide an additional package of non-domestic rates support worth £116m over the next two financial years.

The next non-domestic rating list will take effect on 1 April 2026, following revaluation. This will be the second revaluation delivered this Senedd term and the first on the three-yearly cycle introduced as part of our programme of non-domestic rates reforms.

As a consequence, the standard multiplier will be reduced substantially in 2026-27, to 0.502. This will be the first reduction of the multiplier in Wales since 2010.

Earlier this year, we [confirmed](#) plans to introduce a lower retail multiplier to re-balance the non-domestic rates system in favour of small to medium sized retail shops. The new retail multiplier will be set at 0.350 for 2026-27. This will reduce the non-domestic rates bills of eligible ratepayers by around £20m.

A higher multiplier will levy a marginal supplement on the largest (by value) properties in the tax-base, to offset the revenue foregone through the retail multiplier and support the overall policy objective. The new higher multiplier will be set at 0.515. This is little more than one penny in the pound higher than the standard multiplier for 2026-27 and substantially lower than the current multiplier for all properties.

Regulations will be brought forward to set the values of the new differential multipliers early in New Year. Subject to the approval of the Senedd, this important structural change to the non-domestic rates system will take effect on 1 April 2026.

The Welsh Government will also provide transitional relief to all ratepayers whose liabilities will increase by more than £300 following the revaluation. Any such increases will be phased in over two years. Eligible ratepayers will pay 33% of their additional liability in the first year (2026-27) and 66% in the second year (2027-28), before reaching their full liability in the third year (2028-29). £116m will be provided over two years fully to fund this relief, supporting all areas of the tax-base in a consistent and straightforward manner.

To provide for transitional relief, I will lay the draft Non-Domestic Rating (Chargeable Amounts) (Wales) Regulations 2025 before the Senedd as soon as possible. Subject to the approval of the Senedd, the Regulations will come into force on 31 December 2025 and apply from 1 April 2026.

This generous package of support is in addition to our fully funded permanent reliefs which are currently worth £250m to businesses and other ratepayers every year. The Welsh Government remains committed to supporting businesses to recover from recent economic challenges and to thrive moving forward.

# Agenda Item 12

By virtue of paragraph(s) vi of Standing Order 17.42

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# Agenda Item 14

By virtue of paragraph(s) vi of Standing Order 17.42

Document is Restricted

Document is Restricted

Dr Chris Llewelyn  
Chief Executive, Welsh Local Government Association (WLGA)

6 November 2025

Dear Chris,

### Public Office (Accountability) Bill Legislative Consent Memorandum

The Legislation, Justice and Constitution Committee considered the Public Office (Accountability) Bill ("the Bill") Legislative Consent Memorandum ("the Memorandum") during our meeting on 3 November 2025.

The Bill creates new legal duties and criminal offences that will apply to local authorities, their members and staff.

To help us with our scrutiny of the Memorandum, we would appreciate your response to the following questions:

1. To what extent, if at all, have local authorities in Wales been involved in the development of the Bill, and/or have been consulted about any relevant provisions?
2. Do you have any views on the scope of the new legal duties and criminal offences set out in the Bill insofar as they will apply to Welsh local authorities, members or staff of those authorities? Do you believe there could be any unintended consequences caused by the way in which the Bill is drafted?
3. The Memorandum states that some of the Bill's provisions appear to duplicate or expand existing mechanisms on candour such as the Ethical Framework within Local Government via the Code of Conduct (Qualifying Local Government Employees) (Wales) Order 2001. Do you have any views on any potential implications of this duplication on local authorities?

4. Do you have any other comments to make on the Bill or on the Memorandum to support our scrutiny?

The Senedd's Business Committee has set a reporting deadline for the Memorandum of 19 December 2025. I would therefore be grateful if you could respond to this letter no later than 21 November if possible, so that we can consider your response before we issue our report. If you have any concerns with this timetable please let us know.

Yours sincerely,

A handwritten signature in black ink that reads "Mike Hedges". The signature is written in a cursive style and is underlined with a single horizontal line.

Mike Hedges  
Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.





**Y Gwir Anrhydeddus Elin Jones AS**

Llywydd, Senedd Cymru

**Right Honourable Elin Jones MS**

Llywydd, Welsh Parliament

**Senedd Cymru**

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Mike Hedges

Chair of Legislation, Justice and Constitution Committee

Welsh Parliament

Cardiff Bay

Cardiff

CF99 1SN

1 December 2025

Dear Mike,

### **Public Office (Accountability) Bill Legislative Consent Memorandum**

Thank you for your letter of 6 November 2025. I apologise for the slight delay in providing this response, which is now set out below.

1. Has the Senedd Commission been involved in the development of the Bill and/or has it been consulted about any relevant provisions?

No, the Senedd Commission has not been involved in the development of this Bill, nor consulted about its provisions

2. Do you have any views on the Bill's application to Members of the Senedd and to members of staff of the Senedd? In particular, do you consider that there could be any unintended consequences caused by the way in which the Bill is drafted?

Thank you for drawing to my attention clause 12 and Schedule 4 to the Bill and the application of those provisions to Members of the Senedd and members of staff of the Senedd.

Paragraphs 29 – 37 of the Explanatory Notes to the Bill helpfully clarify that clauses 12 and 13 place on a statutory footing the existing common law offence of misconduct in public office in order to give effect to recommendations made by the Law Commission in its 2020 report. Paragraph 37 confirms there is no intention to change the scope of the existing offence. Clause 16 of the Bill abolishes the common law offence.

The existing common law offence applies to all “public officers acting as such”. There is no clear definition which means that each case falls to be considered on its merits. I consider that Members of the Senedd and members of staff of the Senedd fall within its scope. On that basis, I am content with clauses 12 and 13 and I do not foresee any unintended consequences.

3. Do you have any other comments to make on the Bill or on the Memorandum?

The Bill creates criminal offences relating to the delivery of public services in Wales. In my view, many of the provisions of the Bill fall within the legislative competence of the Senedd. The exception to that general proposition is the extension of legal aid to bereaved families, which is clearly reserved to Westminster. Much of the Bill could, therefore, have been made by the Senedd for Wales, but clearly some provisions are reserved.

Finally, I note that discussions between the Welsh Government and the UK Government are continuing and that the Welsh Government is seeking further information as to the operation of the Bill before it makes a recommendation to the Senedd in relation to consent.

Yours sincerely,



The Rt. Hon. Elin Jones MS/AS

Llywydd

Croesewir gohebiaeth yn Gymraeg neu Saesneg / We welcome correspondence in Welsh or English

The Rt. Hon Elin Jones MS  
Llywydd and Chair of Senedd Commission

6 November 2025

Dear Llywydd,

**Public Office (Accountability) Bill Legislative Consent Memorandum**

The Legislation, Justice and Constitution Committee considered the Public Office (Accountability) Bill ("the Bill") Legislative Consent Memorandum ("the Memorandum") during our meeting on 3 November 2025.

We note that Clause 12 provides that a person who holds public office commits an offence if (a) they use that office to obtain a benefit or cause another person to suffer a detriment and (b) they know, or ought to have known, that doing so is a seriously improper act. Schedule 4 sets out who "holds public office", which includes Members of the Senedd and members of staff of the Senedd.

To help us with our scrutiny of the Memorandum, we would appreciate your views on the following :

1. Has the Senedd Commission been involved in the development of the Bill and/or has it been consulted about any relevant provisions?
2. Do you have any views on the Bill's application to Members of the Senedd and to members of staff of the Senedd? In particular, do you consider that there could be any unintended consequences caused by the way in which the Bill is drafted?
3. Do you have any other comments to make on the Bill or on the Memorandum?

As you will be aware, the Business Committee has set a reporting deadline for the Memorandum of 19 December 2025. I would therefore be grateful if you could respond to this letter no later than 21 November so that we can consider your response before we issue our report. If you have any concerns with this timetable please let us know.

Yours sincerely,

Mike Hedges

Mike Hedges

Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.



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