

Jeremy Miles MS, Counsel General
Rebecca Evans MS, Minister for Finance and Trefnydd

21 December 2020

Dear both

Breaches of the 21 day rule

We wrote to you on 22 October 2020 to note that the Committee had considered and reported on 12 instruments which had been laid **in breach of the 21 day rule** since our meeting on 14 September 2020. Since our letter of 22 October, we have considered and reported on a further eight such instruments.

Our reports on these instruments noted the reasons for the breaches, as set out in the Minister for Finance and Trefnydd's respective letters to the Llywydd.

We acknowledge that seven out of the eight sets of regulations we considered during this time relate to urgent international travel restrictions as a result of the Covid-19 pandemic. We accept the reasons for such breaches.

You will be aware that there may be implications for those affected by legislation that comes into force at short notice. You will also be aware that the requirements of section 11A(4) of the *Statutory Instruments Act 1946* reflect the significance of such legislation and such decisions by the Welsh Ministers.

It is for these reasons that we have been monitoring the frequency of the Welsh Ministers' breaches of the 21 day rule, and why it is important that the practice does not become normalised in any way. We will continue to monitor the frequency and



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circumstances of future breaches and we may give this matter further consideration as we approach our legacy work.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Mick Antoniw', with a horizontal line underneath the name.

Mick Antoniw AM

Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg

We welcome correspondence in Welsh or English

