

Jack Sargeant AS/MS

Y Gweinidog Diwylliant, Sgiliau a Phartneriaeth Gymdeithasol
Minister for Culture, Skills and Social Partnership



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref
Ein cyf/Our ref JS/10689-24

7 February 2025

Dear Mike,

Thank you for your letter of 31 January on behalf of the Legislation, Justice and Constitution Committee on the Employment Rights Bill and legislative consent.

I am pleased to provide further information on the Bill to inform the Committee's consideration of the legislative consent memorandum and supplementary legislative consent memorandum I laid on 5 and 19 December respectively.

The Senedd Commission's inclusion in the scope of clause 26 results from its listing in Part 1 of Schedule 19 to the Equality Act 2010 (under the heading of "Parliamentary and Devolved Bodies"). The Scottish Parliamentary Corporate Body is similarly within scope. For the purposes of the 2010 Act and connected legislation, these parliamentary bodies are distinct from other devolved Welsh and Scottish public authorities.

The requirement that a Minister of the Crown consult the Welsh Ministers before making regulations under the new section 78A applies only where the regulations apply to a body listed in Part 4 of Schedule 19 to the 2010 Act. The requirement to consult does not apply in respect of regulations that apply to the Senedd Commission because it is listed in Part 1 of the Schedule, not Part 4.

Concerning clauses 49, 52 and 54, these provisions have regard to devolved matters in accordance with Standing Order 29. We therefore assessed that the consent of the Senedd was required.

Regarding clause 25, regulations made by the Welsh Ministers under the new section 83C of the Procurement Act 2023 will be subject to the affirmative procedure in the Senedd (as per the amendments to section 122(10) of the 2023 Act).

Please note the numbering of clauses used above is that of the Bill at introduction, for consistency with your letter and with the legislative consent memorandum and supplementary

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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.

legislative consent memorandum. The version of the Bill published on 27 January following amendment in Committee stage uses an updated numbering.

I am copying this letter to the Llywydd and Chair of the Senedd Commission, the Chair of the Economy, Trade and Rural Affairs Committee and the Chair of the Equality and Social Justice Committee.

Your sincerely,

A handwritten signature in black ink that reads "JACK SARGEANT". The signature is written in a cursive style with a large initial 'J' and a long horizontal line extending from the end of the name.

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