

Julie James MS

Counsel General and Minister for Delivery

26 September 2025

Dear Julie

Correcting errors in statutory instruments considered by the Legislation, Justice and Constitution Committee

Please find enclosed the Committee's latest analysis of when and how the Welsh Government has committed to correct errors in Welsh statutory instruments, for your information. The Committee's analysis takes into account the information you provided in your [letter](#) dated 4 June 2025. The Committee intends to write to the relevant Welsh Minister as regards [The National Health Service \(Pharmaceutical Services\) \(Wales\) \(Miscellaneous Amendments\) Regulations 2025](#).

Yours sincerely,



Mike Hedges

Chair



New issues / overdue amending instruments as of September 2025 (since the Committee previously considered this document in May)¹

Our ref #	SI number, and date laid	SI title	Relevant reporting points, and Welsh Government response	Relevant correspondence	Welsh Government department / policy area	Status
029	598, 7 March 2025	The National Health Service (Pharmaceutical Services) (Wales) (Miscellaneous Amendments) Regulations 2025	Reporting points 1 and 2: The Welsh Government response states that they undertake to make amendments / clarifications "when further amendments to the 2020 Regulations are planned in summer 2025."		Health	Overdue
033	623	<u>The Infrastructure Consent (Examination and Decision) (Procedure) (Wales) Regulations 2025</u>	Reporting points 3, 5, 9, 10, 12 to 17: The Welsh Government response states that they will seek to clarify the reporting points in an amending instrument before the coming into force of the Regulations on 15 December 2025.		Planning	Awaiting amending instrument/s before the coming into force of the Regulations on 15 December 2025.

¹ Red – Overdue, Orange – Due within next 6 months, Yellow – Promised but not imminent or no timeframe specified, Green – Amending SI laid

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034	624	<u>The Infrastructure Consent (Compulsory Acquisition) (Wales) Regulations 2025</u>	Reporting points 1 to 8: The Welsh Government response states that they will seek to clarify the reporting points in an amending instrument before the coming into force of the Regulations on 15 December 2025.		Planning	Awaiting amending instrument/s before the coming into force of the Regulations on 15 December 2025.
035	625	<u>The Infrastructure Consent (Pre-Application and Application Procedure and Transitional Provisions) (Wales) Regulations 2025</u>	Reporting points 2, 3, 6 to 20, and 22: The Welsh Government response states that they will seek to clarify the reporting points in an amending instrument before the coming into force of the Regulations on 15 December 2025.		Planning	Awaiting amending instrument/s before the coming into force of the Regulations on 15 December 2025.

Updated issues as of September 2025

Our ref #	SI number, and date laid	SI title	Relevant reporting points, and Welsh Government response	Notes and relevant correspondence	Welsh Government department / policy area	Status update
025	571, 14 Jan 2025	<u>The Procurement (Miscellaneous Amendments) (Wales) Regulations 2025</u>	Reporting point 1: The Welsh Government response states "We anticipate that additional regulations will be needed to finalise implementation of the 2023 Act. We will include this change in those Regulations."		Finance	Addressed in SL(6)613
014	503, 26 June 2024	<u>The Cackle Fishing Management and Permitting (Specified Area) (Wales) Order 2024</u>	Reporting point 20: The Welsh Government response states "As indicated in the Explanatory Memorandum, maps have been made available online. Maps of the individual fisheries are also provided with permit conditions. However, the point is noted and the Welsh Government will consider an amendment to the Order to add clarity."	Letter from the Counsel General on 4 June 2025 states "The Government has given this further consideration but does not propose making an amendment to the 2024 Order to address this reporting point. Schedule 1 to the 2024 Order specifies	Rural Affairs	Welsh Government state that no further action will now be taken.

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				<p>the areas by reference to precise coordinates. Specifying the areas in the 2024 Order also by an alternative reference to maps would, in the Welsh Government's view, be inappropriate (see provisions of paragraph 2.14 (Diagrams, images or maps) of Writing Laws for Wales).</p> <p>Amending the footnotes or the Explanatory Note to the 2024 Order to include reference to the maps, would not be possible."</p>		
009	457, 20 Feb 2024	<u>The Special Schools Residential</u>	Reporting point 3: The Welsh Government response states "A small alteration to the wording may assist	Letter from the Counsel General of 28 April 2025 states	Social Services	Welsh Government proposes to

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		<p><u>Services (Service Providers and Responsible Individuals) (Wales) Regulations 2024</u></p>	<p>the reader, but this is not an urgent amendment required to the regulations and will be reviewed at the earliest opportunity to amend."</p>	<p>that "it would not be appropriate to alter the wording as this would create an unwelcome difference with the same wording used in five other sets of Regulations. No further action will therefore be taken."</p> <p>The Committee wrote on 9 May 2025 stating "The Committee acknowledges that consistency is important, but notes that this does not necessarily mean that precedent wording should continue to be used when more accessible phrasing is available."</p>		<p>address these matters in 2026-27.</p>

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				<p>Letter from the Counsel General on 4 June 2025 states "It is agreed that the wording contained within the 2019 Regulations, when this detail was picked up and amended, is clearer and more accessible; therefore an amendment will be made to both the 2024 and the 2017 Regulations to address this. We have also identified additional non-urgent amendments to be made to the 2017 Regulations and, subject to the legislative timetable, propose to deal with all of these matters in work to be</p>		

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				undertaken in 2026-27."		
002	427, 5 Dec 2023	<u>The Building Control Profession (Charges) (Wales) Regulations 2023</u>	Reporting point 3: The Welsh Government response states "The missing wording seeks to add clarity to what is meant by "a statement of the work done and costs incurred by the Welsh Ministers" but does not in itself impact on what information must be provided to the payee and as such the Welsh Government does not consider that this impacts on the operation of the provision. We will insert the missing wording into the Welsh regulation when the Regulations are next updated, we do not have a timeframe for this currently."		Climate Change	Addressed in <u>SL(6)635</u>
032	436, 15 Dec 2023	<u>The Water Resources (Control of Agricultural Pollution) (Wales) (Amendment)</u>	Reporting point 3: The Welsh Government response states "The Welsh Government thanks the Committee for drawing these reporting points to our attention. We are liaising with the SI Registrar on the possibility of producing a Correction		Agriculture	Addressed in <u>SL(6)635</u>

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		<u>(No. 4) Regulations</u>	Slip to deal with these points at the earliest opportunity."			
006	444, 15 Jan 2024	<u>The Independent Schools (Prohibition on Participation in Management) (Wales) Regulations 2024</u>	Reporting point 1: The Welsh Government response states "The Welsh Government notes the Committee Report and agrees that it would have been helpful to refer to the definition in section 167A(6)(b) of the Education Act 2002. The Independent Schools (Prohibition on Participation in Management) (Wales) Regulations 2024 Regulations will be amended to address this point at the next available opportunity."		Education	Addressed in <u>SL(6)635</u>
008	454, 9 Feb 2024	<u>The National Health Service Joint Commissioning Committee (Wales) Regulations 2024</u>	Reporting point 2: The Welsh Government response states "The Welsh Government agrees that including a definition of these bodies would have been more precise, however, in context, the intention and legal effect is clear and correct. We will take the opportunity the next time the Regulations are amended to address this issue as necessary."		Health	Addressed in <u>SL(6)635</u> (But see reporting point 2 in report on 635)

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			<p>Reporting point 4: The Welsh Government response states "The Welsh Government agrees that including a definition of Integrated Care Board may have been more precise, however, in context, the intention and legal effect is clear and correct. We will take the opportunity the next time the Regulations are amended to address this issue as necessary."</p> <p>Reporting point 5: The Welsh Government response states "The Welsh Government agrees that the reference to section 11 of the Act within Schedule 2, in paragraph 6(1)(a) was unnecessary, however, the provision has the correct legal effect. We will take the opportunity the next time the Regulations are amended to address this issue as necessary."</p>			

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			Reporting point 6: The Welsh Government response states "The Welsh Government agrees with the point raised by the Committee, however, the intention and legal effect is clear and correct. We will take the opportunity the next time the Regulations are amended to address this issue as necessary."			
010	466, 8 Mar 2024	<u>The Education (Pupil Exclusions and Appeals) (Pupil Referral Units) (Wales) (Amendment) Regulations 2024</u>	Reporting point 3: The Welsh Government response states "The Welsh Government acknowledges that there is an error in the Welsh text of the Schedule to the Education (Pupil Exclusions and Appeals) (Maintained Schools) (Wales) Regulations 2003 ("the Maintained School Regulations"). The reporting point does not relate to an error in the Education (Pupil Exclusions and Appeals) (Pupil Referral Units) (Wales) (Amendment) Regulations 2024 ("the 2024 PRU Regulations") but to an error in the Maintained School Regulations. The purpose and effect of the 2024 PRU Regulations is to change the law in		Education	Addressed in SL(6)635

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			relation to PRUs. We will make the necessary amendment to the Maintained Schools Regulations to correct the error the next time those Regulations are amended, which is anticipated to be later this year."			
011	470, 11 Mar 2024	<u>The Home Energy Efficiency Schemes (Wales) (Amendment) Regulations 2024</u>	Reporting point 2: The Welsh Government response states "We note the merit points concerning regulation 6 of the Regulations and the historical error in regulation 9(1)(a) of the principal Regulations. However, we do not think the current drafting creates any uncertainty or lack of clarity to the reader such that any amendments are required at this stage, but these errors will be corrected the next time the principal Regulations are amended."		Climate Change	Addressed in SL(6)635
020	538, 18 Oct 2024	<u>The Nutrition and Health Claims (Wales) (Amendment) Regulations 2024</u>	Reporting point 2: The Welsh Government response states "The Welsh Government agrees that the term "specified provision of the Regulation" in the modified text of the 1990 Act has not been given a meaning. We are investigating with		Health	Addressed in SL(6)635 (But see reporting point 1 in report on 635)

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			<p>the SI Registrar the possibility of making the change by correction slip."</p> <p>Reporting point 3: The Welsh Government response states "The Welsh Government agree that the location of the modification to the 1990 Act is not correctly described and the numbering of "(1B)" should instead refer to "(1A)". We are investigating with the SI Registrar the possibility of making the change by correction slip."</p> <p>Reporting point 6: The Welsh Government response states "The Welsh Government agrees that the modification to section 37(1) inserted by paragraph 5 of the new Schedule in relation to "unauthorised" is incorrect and should instead be "authorised". We are investigating with the SI Registrar the possibility of making the change by correction slip."</p>			

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021	544, 8 Nov 2024	<u>The Animal Health (Miscellaneous Fees) (Amendment and Revocation) (Wales) Order 2024</u>	Reporting point 1: The Welsh Government response states "The Welsh Government accepts that there is an inconsistency between the wording of the entries in Column 1 of Table 1 and will take steps to correct this when the instrument is next amended. However, the Welsh Government is satisfied that this difference does not undermine the legal effect of the instrument. The wording replicates that of the Animal Gatherings (Fees) (Wales) Order 2018 (the "2018 Order"), which is amended by this instrument. The 2018 Order makes provision for the determination of fees payable to the Welsh Ministers for the issue, amendment or renewal of licences for animal gatherings under the Animal Gatherings (Wales) Order 2010, amongst other provisions. At present, the prescribed fees included in the 2018 Order are scheduled to be reviewed in 2026. However, in the meantime, should the powers under section 84(1) of the		Rural affairs	Addressed in <u>SL(6)634</u>

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			Animal Health Act 1981 be exercised by statutory instrument to prescribe other fees, the Welsh Government will consider amending Column 1 of Table 1 in that earlier instrument, if appropriate."			
026	580, 29 Jan 2025	<u>The Bread and Flour (Wales) Regulations 2025</u>	Reporting point 1: The Welsh Government response states "The Welsh Government acknowledges that there is an issue with the use of the word "blawd" to cover both "flour" and "meal", in the context of the Welsh text of the definition of "flour" ("blawd") in regulation 2 of the Bread and Flour (Wales) Regulations 2025 ('the Regulations'). The Welsh Government is considering how best to amend the definition to properly distinguish "flour" from "meal" in the Welsh text of the definition but anticipates including a correcting amendment within the omnibus amending instrument being brought forward before the summer recess."		Wellbeing	Addressed in SL(6)635

Our ref #	SI number, and date laid	SI title	Relevant reporting points, and Welsh Government response	Notes and relevant correspondence	Welsh Government department / policy area	Status update
			<p>Reporting point 3: The Welsh Government response states "The Welsh Government confirms that the words "CI Pigment White 18" was included intentionally in the Welsh language text in the Table in Schedule 2 to the Regulations. "CI Pigment White 18" is a name used by the Colour Index™, for which there is no standardised Welsh equivalent. The Welsh Government acknowledges that the word "Chalk" is an error – the equivalent Welsh word "Sialc" should have been used and anticipates including a correcting amendment within the omnibus amending instrument being brought forward before the summer recess."</p> <p>Reporting point 4: The Welsh Government response states "In the Table in Schedule 3 to the Regulations, the wording "...consisting essentially of finely-divided metallic iron..." was taken from the equivalent wording in Schedule 2 to the Bread and Flour</p>			

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			<p>Regulations 1998. On further consideration, the Welsh Government believes that, in the context of the relevant text of the Regulations, the word “essentially” in the English language text is effectively redundant. The Welsh Government considers that the corresponding Welsh language text (“wedi ei gyfansoddi”) is correct and carries equivalent meaning. For clarity, the Welsh Government anticipates including a correcting amendment to the English language text (to remove the word “essentially”) within the omnibus amending instrument being brought forward before the summer recess.”</p> <p>Reporting point 5: The Welsh Government response states “The Welsh Government acknowledges the point. The error is in the Welsh text.</p>			

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			<p>The term “weigh in weight” (often written as “w/w”) refers to the proportion of a particular substance within a mixture, as measured by weight or mass. The Welsh equivalent would be “pwysau yn ôl pwysau” The Welsh Government anticipates including a correcting amendment within the omnibus amending instrument being brought forward before the summer recess.”</p>			
027	588, 13 Feb 2025	<p><u>The Care and Support (Charging) and (Financial Assessment) (Wales) (Miscellaneous Amendments) Regulations 2025</u></p>	<p>Reporting point 2: The Welsh Government response states “The Welsh Government is grateful to the Committee for pointing out that the Secretaries of State for Energy Security and Net Zero, for Science, Innovation and Technology, for Business and Trade, and for Culture, Media and Sport, and the Transfer of Functions (National Security and Investment Act 2021 etc) Order 2023 (S.I. 2023/424) made consequential amendments to the English text of the Financial Assessment Regulations but omitted to make the equivalent change to the</p>		Social care	Addressed in SL(6)635

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			<p>Welsh text. Writing Laws for Wales recommends that only relevant amending instruments are cited in a footnote. It would not be usual to cite instruments making minor consequential amendments. In our view this is not changed by the equivalence issue which you have helpfully pointed out, however the Government intends to address this matter in the omnibus amending statutory instrument that will be laid before summer recess"</p>			
014	503, 26 June 2024	<p><u>The Cackle Fishing Management and Permitting (Specified Area) (Wales) Order 2024</u></p>	<p>Reporting point 3: The Welsh Government response states "In relation to point a), the Welsh Government accepts the point raised and will take steps to correct this. The Welsh Government is satisfied these minor differences do not undermine the legal effect of the instrument. In relation to point b), a line of text has been erroneously omitted from the definition. An amendment will be brought forward to rectify this."</p>		Rural affairs	<p>Addressed in SL(6)634 (But see entry ref 014 above)</p>

Our ref #	SI number, and date laid	SI title	Relevant reporting points, and Welsh Government response	Notes and relevant correspondence	Welsh Government department / policy area	Status update
			<p>Reporting point 5: The Welsh Government response states "In article 8(3) the intention is to refer to the period of any given permit period and not to the definition of the "single permit period". The term "permit period" takes its ordinary meaning. The Welsh Government are satisfied no additional definition is required. However, steps will be taken to ensure equivalence between the English and Welsh texts."</p> <p>Reporting point 7: The Welsh Government response states "The Welsh Government agrees with the point raised. An amendment will be brought forward to rectify this."</p> <p>Reporting point 10: The Welsh Government response states "The Welsh Government agrees with the</p>			

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			<p>point raised and will take steps to correct this typographical error.”</p> <p>Reporting point 11: The Welsh Government response states “The Welsh Government agrees with the reporting point and will take steps to address this. “Bernir” is the better term and “barnu” is the glossary term for “deem”.”</p> <p>Reporting point 14: The Welsh Government response states “The Welsh Government agrees with the reporting point and steps will be taken to correct the omission.”</p> <p>Reporting point 15: The Welsh Government response states “The Welsh Government agrees with the reporting point and steps will be taken to remove remaining references to “cockle” from Byelaw 13A of the Byelaws of the former North Western and North Wales Sea Fisheries Committee.”</p>			

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			<p>Reporting point 16: The Welsh Government response states “The Welsh Government agrees with the reporting point and steps will be taken to correct the reference to the Byelaws.”</p> <p>Reporting point 17: The Welsh Government response states “In relation to article 9(4), the Welsh Government agrees with the reporting point and steps will be taken to replace the verb “will”. In relation to article 12(1)(b) and (c), the Welsh Government agrees with the reporting point and steps will be taken to replace the verb “will”. In relation to article 16(2), the Welsh Government agrees with the reporting point and steps will be taken to replace the verb “will”. Otherwise, the Welsh Government does not consider the use of “will” in this Order requires clarification.”</p>			

Amending statutory instruments discussed in the meeting of 6 May 2025 where no action has occurred or deadlines passed since the Committee last considered them²

Our ref #	SI number, and date laid	SI title	Relevant reporting points, and Welsh Government response	(Amending) Instrument laid?	Relevant correspondence	Welsh Government department / policy area	Status
004	437, 20 Dec 2023	<u>The National Health Service (General Medical Services Contracts) (Wales) (Amendment) Regulations 2023</u>	Reporting points 5 to 8: The Welsh Government response states "The Welsh Government notes this point and will make an amendment to the principal Regulations when the opportunity arises."	No	Letter from the Counsel General 28 April 2025: "The Government intends to address reporting points 5 to 8 together with amendments to the 2023 Regulations following contract negotiations during 2024/25; this instrument will be brought forward in the coming months and these amendments will therefore not form part of either of the omnibus amending instruments."	Health	Amending SI due "in the coming months".

² Red – Overdue, Orange – Due within next 6-9 months, Yellow – Promised but not imminent or no timeframe specified, Green – Amending SI laid

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023	582, 4 Feb 2025	<u>The Welsh Elections Information Platform Regulations 2025</u>	Reporting point 1: The Welsh Government response states “... The Committee is aware that the Welsh Government intends to amend this S.I., once the Conduct Order is made, to cross refer to that Order. The Welsh Government commit to taking that opportunity to make this amendment at the same time. This will be done before the end of 2025.”	No		Constitution	Amending SI due before the end of 2025
031	609, 31 March 2025	<u>The Development Procedure (Consultees) (Wales) (Miscellaneous Amendments) Order 2025</u>	Reporting point 1: The Welsh Government response states “This will be addressed in the next suitable legislative vehicle before the end of the year.”			Planning	Issue to be addressed before the end of 2025

Our ref #	SI number, and date laid	SI title	Relevant reporting points, and Welsh Government response	(Amending) Instrument laid?	Relevant correspondence	Welsh Government department / policy area	Status
030	600, 11 March 2025	<u>The Agricultural Wages (Wales) Order 2025</u>	Reporting point 2: : The Welsh Government response states "... we note your comments and will take them into account for the 2026 Order."			Agriculture	Issue will be addressed in the 2026 Order

Statutory instruments where the errors have been rectified (previously discussed at Committee)

Our ref #	SI number (and laid date)	SI title	Amending instrument laid?
005	441, 10 Jan 2024	<u>The Firefighters' Pension Schemes and Compensation Scheme (Amendment) (Wales) Order 2024</u>	Yes <u>SL(6)530</u> , laid 23 September 2024
007	453, 2 Feb 2024	<u>The Official Controls (Import of High-Risk Food and Feed of Non-Animal Origin) (Amendment of Commission Implementing Regulation (EU) 2019/1793) (Wales) Regulations 2024</u>	Yes <u>SL(6)552</u> , laid 27 November 2024
012	489, 29 May 2024	<u>The Education (Co-ordination of School Admission Arrangements and Miscellaneous Amendments) (Wales) Regulations 2024</u>	Yes <u>SL(6)536</u> , laid 9 October 2024
015	504, 28 June 2024	<u>The National Health Service (General Medical Services Contracts) (Prescription of Drugs Etc.) (Wales) (Amendment) Regulations 2024</u>	Yes <u>SL(6)542</u> , laid 25 October 2024
018	516, 11 Sept 2024	<u>The Listed Buildings and Conservation Areas (Procedure and Interest Rate) (Wales) Regulations 2024</u>	Yes <u>SL(6)555</u> , laid 29 November 2024
019	517, 11 Sept 2024	<u>The Historic Environment (Wales) Act 2023 (Consequential Provision) (Secondary Legislation) Regulations 2024</u>	Yes <u>SL(6)555</u> , laid 29 November 2024
017	510, 19 July 2024	<u>The Education (Student Finance) (Miscellaneous Amendments) (Wales) Regulations 2024</u>	Yes <u>SL(6)591</u> , laid 21 February 2025
003	431, 12 Dec 2023	<u>The Education (Student Finance) (Miscellaneous Amendments) (No. 3) (Wales) Regulations 2023</u>	Yes <u>SL(6)591</u> , laid 21 February 2025

022	N/A	Healthy food environment regulations	Yes, <u>SL(6)585</u> , laid 11 February 2025
016	507, 18 July 2024	<u>The Agricultural Tenancies (Requests for Landlord's Consent or Variation of Terms) (Wales) Regulations 2024</u>	Yes, <u>SL(6)592</u> , laid 28 February 2025
024	554, 29 Nov 2024	<u>The Feed Additives (Authorisations) and Uses of Feed Intended for Particular Nutritional Purposes (Amendment of Commission Regulation (EU) 2020/354) (Wales) Regulations 2024</u>	Yes, <u>SL(6)607</u> , laid 26 March 2025
013	493, 11 June 2024	<u>The Procurement (Wales) Regulations 2024</u>	Yes, <u>SL(6)571</u> , laid 14 January 2025) (But see entry ref 025 above)
001	292, 22 Nov 2022	<u>The Trade in Animals and Related Products (Amendment and Legislative Functions) and Animal Health (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2022</u>	Yes, <u>SL(6)608</u> , laid 28 March 2025 (With the exception of point 30 of report on 292 (see reporting point 2 of report on 608))
028	551, 22 Nov 2024	<u>The National Health Service (Pharmaceutical Services) (Wales) (Amendment) Regulations 2024</u>	Yes, <u>SL(6)598</u> , laid 7 March 2025 (But see entry ref 029 above)