

**Y Pwyllgor Materion Cyfansoddiadol a Deddfwriaethol  
Constitutional and Legislative Affairs Committee**

Cynulliad  
Cenedlaethol  
Cymru

National  
Assembly for  
Wales



Leighton Andrews AM  
Minister for Public Services  
Welsh Government  
5th Floor, Tŷ Hywel  
Cardiff Bay  
CF99 1NA

10 February 2015

Dear Leighton

Thank you for your letter of 23 December 2014 regarding *The Non-Domestic Rating (Multiplier) (Wales) (No. 2) Order 2014*, which we considered at our meeting on 12 January 2015.

We understand the difficulties that the Welsh Government has faced in making this legislation in this and previous years. Similar issues have also arisen in relation to the making of subordinate legislation relating to council tax.

Nevertheless, and as we suggested in our report on the Council tax regulations in 2013, we believe there is scope for smoothing the passage and scrutiny of subordinate legislation that is dependent on the timing of the Chancellor's Autumn Statement.

We agreed that it would be helpful to suggest our preferred way of handling the scrutiny of this legislation in the future. We propose therefore three key

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milestones as part of the scrutiny process, namely:

- i. written notice from the Welsh Government, by the 31 October, of the position regarding the making of any subordinate legislation related to the Chancellor's Autumn Statement. Subsequent correspondence could provide updates as necessary.
- ii. provision of draft subordinate legislation to our lawyers by the 21 November, without the relevant figures that are dependent on the Chancellor's statement. This would be in line with current practice and enable the committee to be briefed at a meeting prior to the Christmas recess.
- iii. aiming to debate the relevant subordinate legislation in plenary at least 5 working days after the regulations have been scrutinised by the committee. This would allow the committee to report within a fair amount of time and avoid a situation in which the committee's work is constrained by untypical timetables that deviate markedly from normal practice.

I would welcome your thoughts on these proposals and look forward to hearing from you in due course.

Yours sincerely

A handwritten signature in black ink that reads "David Melding". The signature is written in a cursive style with a long, sweeping underline that extends to the right.

**David Melding AM**  
**Chair**