

National Assembly for Wales

Constitutional and Legislative Affairs Committee

CLA623 - The Fire and Rescue Services (National Framework) (Wales) (Revision) Order 2015

Procedure:

Negative

Background

Section 21 of the Fire and Rescue Services Act 2004 requires the Welsh Ministers to prepare a Fire and Rescue National Framework, which must set out priorities and objectives for fire and rescue authorities in Wales. It may also provide guidance to fire and rescue authorities in connection with the discharge of any of their functions. Fire and rescue authorities must have regard to the framework in carrying out their functions.

Article 2 of this Order substitutes the Fire and Rescue National Framework for Wales 2016 (“the Framework”) for the Fire and Rescue National Framework for Wales 2012.

Technical Scrutiny

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

The Order was made on the 23rd November 2015, but purported to give effect to a document that was not then in existence – the new Framework to be published on the 25th November.

[Defective drafting – Standing Order 21.2(vi)]

Merits Scrutiny

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

Government Response

The Government accepts the technical point identified by the Legal Adviser to the Constitutional and Legislative Affairs Committee in his draft Report. An Order correcting the error was made on 8 December 2015 and laid on 9 December 2015, with a coming into force date of 1 January 2016.

Legal Advisers
Constitutional and Legislative Affairs Committee
01 December 2015