

PBMB10 Thomas Glyn Watkin

Senedd Cymru | Welsh Parliament

Y Pwyllgor Busnes | Business Committee

Adolygiad o'r broses ar gyfer Biliau Cyhoeddus a Biliau Aelod | Review of the Public Bill and Member Bill processes

Ymateb gan Thomas Glyn Watkin | Evidence from Thomas Glyn Watkin

Your experience of the Public Bill and Member Bill processes

1. Do any of the following apply to you or to the organisation on whose behalf you are responding to this consultation?

I am or have been a Welsh Government official;
I, or the organisation on whose behalf I am replying, have contributed to a Senedd committee's consideration of a Bill (for example by providing written or oral evidence or taking part in informal activity);
I have used the Senedd's website to find out information about a Bill or about how the Senedd considers Bills;
I have academic or research expertise in parliamentary procedures;
I have professional experience or expertise in parliamentary procedures.

Which issues do you want to comment on?

This consultation covers issues relating to both the Public Bill process and the Member Bill process (more information is available in the consultation document: https://senedd.wales/RPBMBP/consultation_document). You can share your views on as many or as few of the issues as you want. If you do not want to share your views on the Public Bill process, you can skip straight to the questions about the Member Bill process.

2. Do you want to share your views on issues relating to the Public Bill process?

Yes

Your opinion on the overall effectiveness of the Public Bill process

Summary of the process

One of the Senedd's main responsibilities is to make laws for Wales. It does this by considering and passing proposed laws. The proposed laws are called Bills.

The process for considering Bills usually includes four stages:

- Stage 1: after a Bill has been introduced, Senedd committees publish reports on the general principles and purpose of the Bill. The whole Senedd then debates the Bill and votes to decide whether or not the Bill should move to the next stage.
- Stages 2 and 3: during these stages Members can suggest changes to the wording of a Bill. At Stage 2 a committee debates the amendments and votes on whether the wording of the Bill should be changed. At Stage 3 the amendments are considered by the whole Senedd.
- Stage 4: the whole Senedd debates the Bill and votes to decide whether or not it should become law.

More information is available in the consultation document:

https://senedd.wales/RPBMBP/consultation_document

3. How effective or ineffective is the Senedd's approach to considering Bills?

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4. Please tell us about what you think is working well, what could be improved and whether there are any good examples from other parliaments that we should consider.

(We would be grateful if you could keep your answer to around 500 words).

The Stage One procedure is an excellent example of inclusive democracy in Wales. It provides an opportunity for anyone with an interest in a bill to comment on it, and the collection of written and oral evidence at the commencement of Senedd consideration provides a far better chance of concerns being addressed during the amendment stages. In the absence of a revising chamber, it harnesses expertise at an early stage of the legislative process, and which is arguably better than revision following consideration by an elected chamber. It is a gem of crown of Welsh devolution.

5. How satisfied or dissatisfied are you with the opportunities available to the public and to people and organisations with relevant expertise or lived experience or who would be affected by the Bill to contribute when the Senedd is considering Bills?

(We would be grateful if you could keep your answer to around 500 words).

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6. Please tell us about what you think is working well, what could be improved and whether there are any good examples from other parliaments that we should consider.

(We would be grateful if you could keep your answer to around 500 words).

See comments in answer 4 above.

Your opinion on timetabling for Stage 1 consideration of the general principles of a Bill

When a Bill is introduced, the Business Committee must decide whether to ask a responsible committee to consider and report on its general principles.

The Business Committee must also decide how long the committee has to do its work.

When a Bill is sent to a committee, the committee will usually gather evidence by launching a consultation, inviting relevant people to give oral evidence at formal meetings or arranging engagement activity such as focus groups or surveys. The committee will use the information it gathers to produce a report.

More information is available in the consultation document:

https://senedd.wales/RPBMBP/consultation_document

7. What are your views on the way timetables for Stage 1 consideration of the general principles of Bills are set, including the amount of time that is usually made available for committees to report?

Please tell us about what you think is working well, what could be improved and whether there are any good examples from other parliaments that we should consider.

(We would be grateful if you could keep your answer to around 500 words).

Your opinion on timetabling for the consideration of amendments to Bills

If a Bill is agreed at Stage 1, the Business Committee must decide which committee will be asked to consider amendments during Stage 2 (i.e. the first stage at which amendments are considered).

Consideration of amendments at Stage 3 (and any of the optional additional amending stages that can be used) takes place in Plenary (i.e. a meeting of the whole Senedd).

Amendments can't be considered until at least 15 working days after the relevant amending stage has started. Unless there are exceptional circumstances, amendments must be tabled (i.e. formally submitted for consideration) at least five working days before they are considered.

During this time, Members will consider whether they want to table any amendments and how they might vote on the amendments tabled by other Members (lists of amendments tabled on each day are published on the Bill's webpage).

After the deadline for tabling amendments has passed, there is a period of five working days before the amendments are considered in committee or in Plenary.

More information is available in the consultation document:

https://senedd.wales/RPBMBP/consultation_document

8. What are your views on the way timetables for the amending stages of Bills are set, including the amount of time that is usually made available for Members to table and consider amendments and prepare for proceedings?

Please tell us about what you think is working well, what could be improved and whether there are any good examples from other parliaments that we should consider.

(We would be grateful if you could keep your answer to around 500 words).

My impression from observing these procedures from outside is that they have worked well to date. With an increase in the Senedd membership after the 2026 elections, there may be a considerable increase in the number of amendments being submitted which could increase pressures of time for Stage 2 preparation and consideration.

Your opinion on Explanatory Memorandums and Regulatory Impact Assessments

When a Member in charge of a Bill (i.e. the Member who is proposing the new law) introduces a Bill they must also publish an Explanatory Memorandum and Regulatory Impact Assessment.

You can find examples on the webpages for the Bills the Senedd is currently considering: www.senedd.wales/legislation.

The Member in charge can include any information that they want, but as a minimum they must include the information listed in Standing Order 26.6 to 26.6C (<https://senedd.wales/media/ue1dqdmg/so-eng.pdf>).

If amendments are made to a Bill while it is being considered by the Senedd, the Member in charge must update the Explanatory Memorandum and Regulatory Impact Assessment.

More information is available in the consultation document: https://senedd.wales/RPBMBP/consultation_document

9. What are your views on how effective or ineffective the Explanatory Memorandums and Regulatory Impact Assessments that Members in charge of Bills produce are at providing adequate, accurate and proportionate information to inform consideration of Bills by the Senedd and people and organisations with an interest in a Bill?

Please tell us about what you think is working well, what could be improved and whether there are any good examples from other parliaments that we should consider.

(We would be grateful if you could keep your answer to around 500 words).

Explanatory Memoranda are very important in informing both the public and Senedd members of the thoroughness of the policy preparation that has gone into the making of a bill. That they set out not only what the bill is meant to achieve and how it is to achieve, but also the alternative methods of achieving the objective which have been considered and why the preferred option has been chosen, can and should prevent unnecessary duplication of discussion while allowing room for criticism. That being said, I find some of the EMs to be of a greater length than is strictly necessary to achieve the above goals.

Your opinion on the information available on Bill webpages

Every Bill that the Senedd is considering has its own page on the Senedd's website. You can see examples of Bill webpages on the Senedd's website: www.senedd.wales/legislation.

The pages are kept updated as Bills pass through the legislative process, and include information such as guidance about how the Senedd considers Bills. This includes information about the different stages in the legislative process, how amendments are tabled, and the different types of Bills:

<https://senedd.wales/senedd-business/legislation/guide-to-the-legislative-process/>

More information is available in the consultation document:

https://senedd.wales/RPBMBP/consultation_document

10. What are your views on the information that is provided on Bill webpages during the consideration of a Bill by the Senedd?

Please tell us about what you think is working well, what could be improved and whether there are any good examples from other parliaments that we should consider.

(We would be grateful if you could keep your answer to around 500 words).

I personally find the pages navigable, but I am unsure as to whether I would if I were less familiar with the legislative process.

11. What are your views on the guidance that is available to explain how the Senedd considers Bills?

Please tell us about what you think is working well, what could be improved and whether there are any good examples from other parliaments that we should consider.

(We would be grateful if you could keep your answer to around 500 words).

Your opinion on the information available during amending stages

General guidance about amendments and amending stages is available on the Senedd's website: <https://senedd.wales/senedd-business/legislation/guide-to-the-legislative-process/>

- When a Bill is in an amending stage, specific information is added to its webpage.
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- Meeting dates and tabling deadlines
- Order of consideration (this is the order in which the sections and schedules of a Bill will be considered).
- Notices of amendments/daily lists (these are lists of the amendments tabled on a particular day during the tabling period).
- Marshalled List (This is a list of all of the amendments that will be considered during proceedings, arranged in the order in which they will be disposed of (an explanation of how amendments can be disposed of is provided later in this consultation)).
- Groupings List (This is a list of any thematic groups that the committee chair or the Llywydd have decided to put the amendments into for the purposes of debate).

More information is available in the consultation document:

https://senedd.wales/RPBMBP/consultation_document

12. What are your views on the information that is provided on Bill webpages during amending stages?

Please tell us about what you think is working well, what could be improved and whether there are any good examples from other parliaments that we should consider.

(We would be grateful if you could keep your answer to around 500 words).

I find it satisfactory.

Your opinion on how admissibility of amendments is assessed

Amendments may only be tabled if they are admissible i.e. if they are allowed under the Senedd's rules. Guidance about amendments is provided on the Senedd's website (<https://senedd.wales/senedd-business/legislation/guide-to-the-legislative-process/>), and Senedd officials can also provide specific advice to Members.

There are four formal tests that an amendment must pass to be admissible. The purpose of the tests is to help make proceedings run smoothly, to make better law by preventing amendments that cover completely separate or new policy issues that haven't been considered during Stage 1, and to ensure that decisions taken by the Senedd at each stage are respected.

These tests are set out in Standing Order 26.61

(<https://senedd.wales/media/ue1dqdmg/so-eng.pdf>). Like in other parliaments, amendments are also inadmissible if they are identical to an amendment that has already been tabled.

More information is available in the consultation document:

https://senedd.wales/RPBMBP/consultation_document

13. What are your views on the rules, processes and available guidance relating to the admissibility of amendments?

Please tell us about what you think is working well, what could be improved and whether there are any good examples from other parliaments that we should consider.

(We would be grateful if you could keep your answer to around 500 words).

Your opinion on how amendments are debated and disposed of

During amending stages the text of the Bill is considered in detail. When all of the text of the Bill has been agreed, the amending stage ends.

Like in other parliaments, there are two parts to the consideration of amendments: debate and disposal.

- Debating amendments. Amendments are usually grouped into themes for the purposes of debate. Once an amendment has been debated, it can't be debated again during that stage. This helps to avoid repetition or duplication, and ensures that related issues are discussed together.
- Disposing of amendments. Amendments are disposed of when they are reached in the Marshalled List. The rules for disposing of amendments balance the rights of individual Members (i.e. any Member can move any amendment, object to an amendment being withdrawn, or force a vote by objecting to an amendment being agreed), with ensuring that changes can only be made if there is a majority in support of the change (i.e. if a vote is held and there is a tie, the casting vote is used against the amendment and the text of the Bill stays as it was).

More information is available in the consultation document:

https://senedd.wales/RPBMBP/consultation_document

14. What are your views on the way that amendments are debated and disposed of?

Please tell us about what you think is working well, what could be improved and whether there are any good examples from other parliaments that we should consider.

(We would be grateful if you could keep your answer to around 500 words).

This has worked well to date, but the system may well come under pressure with the increase in membership.

This may be of particular concern at Stage 3. Whereas to date the practice has been to allow all amendments which are in order to be debated, it may be difficult to maintain this approach when balancing it against time pressures if the increase in membership results in an increase in the number of amendments.

Your opinion on Financial Resolutions

A Financial Resolution is an in principle authorisation by the Senedd for the Welsh Government to spend money on a new service or for a new purpose (or increase spending on an existing service or purpose) as a consequence of a Bill.

A Bill (or amendment) only needs a Financial Resolution if it meets the tests set out in Standing Orders 26.69 to 26.71 (<https://senedd.wales/media/ue1dqdmg/so-eng.pdf>).

If the Llywydd decides that a Bill (or amendment) needs a Financial Resolution, then the Bill can't be considered beyond Stage 1 until one has been agreed.

If a Financial Resolution is needed, but one is not agreed within six months of the end of Stage 1, the Bill will fall and no further consideration can be given to it.

More information is available in the consultation document:

https://senedd.wales/RPBMBP/consultation_document

15. What are your views on the rules and processes relating to Financial Resolutions?

Please tell us about what you think is working well, what could be improved and whether there are any good examples from other parliaments that we should consider.

(We would be grateful if you could keep your answer to around 500 words).

Your opinion on additional optional amending stages

The rules provide for the Senedd to hold additional amending stages for specific Bills if it considers it appropriate to do so. These stages are not used often.

- Report Stage. After Stage 3 has been completed, the Member in charge of the Bill may ask the Senedd to consider amendments at Report Stage. All of the same rules apply to Report Stage as applied at Stage 3 (e.g. all Members may table amendments, and the usual admissibility rules apply to amendments).
- Further Stage 3 (and/or Further Report Stage). After all selected amendments have been disposed of at Stage 3 (or Report Stage) but before the Llywydd has announced that the stage has been completed, the Member in charge of a Bill or a member of the Welsh Government may ask the Senedd to consider amendments at Further Stage 3 (or Further Report Stage). Most of the same rules apply to Further Stage 3 (and Further Report Stage), but only the Member in charge of the Bill or members of the Welsh Government may table amendments. Amendments are only admissible if they meet the usual rules and are also solely for the purpose of clarifying a provision of the Bill or giving effect to commitments made during the earlier Stage 3 proceedings.

More information is available in the consultation document:

https://senedd.wales/RPBMBP/consultation_document

16. What are your views on the rules relating to the additional optional amending stages and the use made of them by the Senedd?

Please tell us about what you think is working well, what could be improved and whether there are any good examples from other parliaments that we should consider.

(We would be grateful if you could keep your answer to around 500 words).

Their existence is useful, even if little or no use has so far been made of them.

Your opinion on the rules for Emergency Bills

The rules provide for the Welsh Government to be able to ask the Senedd to agree to treat a government Bill as an Emergency Bill. If the Senedd agrees to this, different rules apply to the way that the Senedd considers that Bill.

More information is available in the consultation document:

https://senedd.wales/RPBMBP/consultation_document

17. What are your views on the rules relating to government Emergency Bills?

Please tell us about what you think is working well, what could be improved and whether there are any good examples from other parliaments that we should consider.

(We would be grateful if you could keep your answer to around 500 words).

Appropriate.

Any other opinions on the Public Bill process

We would also welcome any other views you have about the process for considering Bills, including any issues relating to or arising from:

- The Welsh Government's approach to legislating and/or engaging with the Senedd's consideration of Bills.
- The Senedd's decision to continue to allow Members and others to participate virtually or in person in formal committee and Plenary business.
- The increase in the number of Members of the Senedd from 60 to 96 in 2026.
- The increase in the frequency of Senedd elections from every five years to every four years.
- The use of technology or democratic innovations.
- The Senedd's official languages (Welsh and English).
- The impact on people or groups with different characteristics or from different backgrounds (including different socioeconomic backgrounds and the protected characteristics of age, disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation specified in the Equality Act 2010).

18. Do you have any views on the issues listed above, or any other issues relating to the Public Bill process that you have not already covered in your response?

(We would be grateful if you could keep your answer to around 500 words).

To the best of my knowledge, the Senedd's legislative processes have not to date been hampered by the use of wrecking amendments and filibusters by opponents. With the possibility of members from a wider range of parties being elected in 2026, this may change, which may result in use having to be made, for example, to time limits, which has so far not been necessary.

Which issues do you want to comment on?

The next sections of this consultation cover issues relating to the Member Bill process. You can share your views on as many or as few of the issues as you want. If you do not want to share your views on the Member Bill process, you can skip straight to the end of the consultation.

19. Do you want to share your views on issues relating to the Member Bill process?

Yes

Your opinion on the Member Bill process: overall effectiveness

Like most parliaments, the Senedd's rules include potential for individual backbench Members (i.e. Members who are not in the Welsh Government) to introduce their own Bills.

Unless the government supports a Member's Bill, it may be fairly unlikely to become law.

Even if a Member does not succeed in changing the law, the process gives them an opportunity to engage with people with experience and expertise in an issue, develop alternative policy and legal proposals, highlight issues that they think are important, and seek commitments or actions from the government.

More information is available in the consultation document:

https://senedd.wales/RPBMBP/consultation_document

20. How effective or ineffective is the Member Bill process?

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21. Please tell us about what you think is working well, what could be improved and whether there are any good examples from other parliaments that we should consider.

(We would be grateful if you could keep your answer to around 500 words).

There are sufficient opportunities for backbench members to bring forward legislative proposals, and several have resulted in primary legislation being made since 2007.

22. How do you think the effectiveness or ineffectiveness of Member Bills and the Member Bill process should be assessed?

(We would be grateful if you could keep your answer to around 500 words).

Not simply numerically. Backbench initiatives can, and have, resulted in government legislation, primary and/or secondary, incorporating the ideas put forward with the benefit of policy development, and can also raise public awareness of issues which deserve wider and further consideration.

Your opinion on how Members are selected for the opportunity to propose a Bill

Members of the Senedd can only introduce a Bill if they are selected in a Member Bill ballot. The Llywydd decides how often to hold ballots, and how many Members will be selected in each ballot.

Separately, Members who have ideas about laws they would like to make can ask the Business Committee to let them lead a Member's Legislative Proposal debate in Plenary. This gives the Senedd the chance to debate the Member's idea, but it does not give the Member permission to introduce a Bill.

The process works differently in other parliaments.

More information is available in the consultation document:

https://senedd.wales/RPBMBP/consultation_document

23. What are your views on the current arrangements for selecting Members for the opportunity to propose a Bill?

Please tell us about what you think is working well, what could be improved and whether there are any good examples from other parliaments that we should consider.

(We would be grateful if you could keep your answer to around 500 words).

How Members who have been selected in a ballot get agreement to introduce a Bill

When a Member of the Senedd is selected in a ballot, they have 25 working days to get the Senedd's agreement to introduce their proposed Bill. If more Members vote in favour of the proposed Bill than against, the Member gets 'leave to proceed'.

If a Member gets leave to proceed they have 13 months to develop and introduce their Bill. Usually during that time the Member will consult the public and stakeholders, and work with Senedd officials and others to develop their Bill.

The process works differently in other parliaments.

More information is available in the consultation document:

https://senedd.wales/RPBMBP/consultation_document

24. What are your views on the current arrangements for how Members who have won the ballot get agreement to introduce a Bill?

Please tell us about what you think is working well, what could be improved and whether there are any good examples from other parliaments that we should consider.

(We would be grateful if you could keep your answer to around 500 words).

Your opinion on the information that Members must provide during the process

The rules provide that Members who want to propose or introduce Bills have to provide certain information at different points in the process:

- When they enter the ballot, the Member must provide the proposed title of their Bill and the policy objectives it would achieve.
 - When they ask the Senedd for leave to proceed, the Member must provide the proposed title and policy objectives, and information about any support for the Bill, any consultation they have done and any expected costs or savings.
 - When they introduce their Bill, the Member must comply with all of the rules about Explanatory Memorandums and Regulatory Impact Assessments that apply to any other Bill.
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The process works differently in other parliaments.

More information is available in the consultation document:

https://senedd.wales/RPBMBP/consultation_document

25. What are your views on the requirements for the information that Members have to provide at each stage of the Member Bill process?

Please tell us about what you think is working well, what could be improved and whether there are any good examples from other parliaments that we should consider.

(We would be grateful if you could keep your answer to around 500 words).

The need for members to provide the title and policy objectives of their bill prior to entering a ballot prevents the government, or another backbench member, being able to 'hand down' an idea or a bill to a backbench colleague successful in the ballot. I am not convinced that this restriction is beneficial, and should in my view be reconsidered.

Your opinion on the 'scope' of Member Bills

The Bill that a Member introduces must give effect to the proposal that they put into the ballot and got the Senedd's agreement to introduce i.e. the Member can't introduce a Bill to do something completely different or on a different topic.

Otherwise, most of the rules about what a Bill can or can't do are the same for Member Bills as for any Bill. The main difference is that Member Bills are not allowed to amend or introduce taxes.

When they are deciding on the scope of their proposal, Members may also want to consider the rules about Financial Resolutions (i.e. the mechanism by which the Senedd is asked to agree in principle to money being spent as a result of a Bill).

A Bill (or amendment) only needs a Financial Resolution if it meets the tests set out in Standing Orders 26.69 to 26.71 (<https://senedd.wales/media/ue1dqdmg/so-eng.pdf>).

If the Llywydd decides that a Bill (or amendment) needs a Financial Resolution, then the Bill can't be considered beyond Stage 1 until one has been agreed.

If a Financial Resolution is needed, but one is not agreed within six months of the end of Stage 1, the Bill will fall and no further consideration can be given to it.

Only a member of the Welsh Government can move a motion for a Financial Resolution (i.e. formally ask the Senedd to take a decision on it). This means that the Welsh Government can cause a Member Bill which needs a Financial Resolution to fall without explaining why, even if the Senedd has agreed the Bill's general principles.

The process works differently in other parliaments.

More information is available in the consultation document:

https://senedd.wales/RPBMBP/consultation_document

26. What are your views on the rules for what Member Bills can and can't do?

Please tell us about what you think is working well, what could be improved and whether there are any good examples from other parliaments that we should consider.

(We would be grateful if you could keep your answer to around 500 words).

Appropriate.

27. What are your views on how the Senedd is asked to agree in principle to the financial implications of Member Bills?

Please tell us about what you think is working well, what could be improved and whether there are any good examples from other parliaments that we should consider.

(We would be grateful if you could keep your answer to around 500 words).

This is a very important check which the government, even a minority government, can utilise to prevent unbudgeted expenditure, although a minority government would risk a backlash for its own legislation if it chose to weaponise the requirement.

The financial resolution is only needed if the Llywydd decides that the bill involves significant expenditure, and - as noted in the consultation paper - 'significant' is not defined. There could be difficulty if the Llywydd found no need for a financial resolution where the government believed that significant expenditure was involved.

Your opinion on the support and resources available for Member Bills

Developing and introducing a Bill takes a significant amount of time and work. There are different ways in which a Member can access support and resources to help them with this.

- Members' and political groups' support staff
- Office and Constituent Liaison Fund
- External stakeholder resources
- Senedd resources
- Welsh Government resources

The process works differently in other parliaments.

More information is available in the consultation document:

https://senedd.wales/RPBMBP/consultation_document

28. What are your views on the availability of support and resources for Member Bills

Please tell us about what you think is working well, what could be improved and whether there are any good examples from other parliaments that we should consider.

(We would be grateful if you could keep your answer to around 500 words).

Any other opinions on the Member Bill process

We would also welcome any other views you have about the process for Member Bills, including any issues relating to or arising from:

- The increase in the number of Members of the Senedd from 60 to 96 in 2026.
 - The increase in the frequency of Senedd elections from every five years to every four years.
 - The Senedd's official languages (Welsh and English).
 - The impact on people or groups with different characteristics or from different backgrounds (including different socioeconomic backgrounds)
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and the protected characteristics of age, disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation specified in the Equality Act 2010).

29. Do you have any views on the issues listed above, or any other issues relating to the Member Bill process that you have not already covered in your response.

(We would be grateful if you could keep your answer to around 500 words).

The increase in membership, coupled with the number of retirements that have been announced, will mean that there will be a very 'significant' number of new members in 2026. For the legislative processes to continue working smoothly, time and resources need to be devoted to bringing new members up to speed with the work of legislation and scrutiny. It was very apparent in 2007, that some members - even some returning from the previous Assembly - were not fully aware or prepared for the tasks they faced. Any widescale problem arising from inexperience would be an embarrassment to the Senedd and Welsh democracy.

End of the consultation

Thank you for sharing your views. Before you submit your response, please let us know if you have any other comments.

30. Are there any other comments that you would like to make?

(We would be grateful if you could keep your answer to around 500 words).
