

Agenda Supplement – Legislation, Justice and Constitution Committee

Meeting Venue:

For further information contact:

Video conference via Zoom

P Gareth Williams

Meeting date: 4 March 2024

Committee Clerk

Meeting time: 13.30

0300 200 6565

SeneddLJC@senedd.wales

Remote – Supplementary Pack

Please note the documents below are in addition to those published in the main Agenda and Reports pack for this Meeting

4 Inter–Institutional Relations Agreement

(13.40 – 13.45)

4.1 Correspondence from the Welsh Government: Inter–Ministerial Group meetings

(Page 1)

Attached Documents:

LJC(6)–08–24 – Paper 20 – Correspondence from the Deputy Minister for Arts, Sport and Tourism: The Culture and Creative Industries Inter–Ministerial Group and the Sport Inter–Ministerial Group, 1 March 2024

4.5 Correspondence from the Minister for Rural Affairs and North Wales, and Trefnydd: The Sea Fisheries (International Commission for the Conservation of Atlantic Tunas) (Amendment) (No. 2) Regulations 2024

(Pages 2 – 3)

Attached Documents:

LJC(6)–08–24 – Paper 21 – Correspondence from the Minister for Rural Affairs and North Wales, and Trefnydd, 29 February 2024

5 Papers to note

(13.45 – 13.50)



Senedd Cymru
Welsh Parliament

**5.1 Correspondence from the Counsel General and Minister for the Constitution:
The Welsh Government's draft budget for 2024–25**

(Pages 4 – 6)

Attached Documents:

LJC(6)–08–24 – Paper 22 – Correspondence from the Counsel General and
Minister for the Constitution, 1 March 2024

**8 Legislative Consent Memoranda on the Leasehold and Freehold
Reform Bill: Draft report**

(14.05 – 14.20)

(Pages 7 – 24)

Attached Documents:

LJC(6)–08–24 – Paper 18 – Draft report

Dawn Bowden AS/MS
Dirprwy Weinidog y Celfyddydau, Chwaraeon a Thwristiaeth
Deputy Minister for Arts, Sport and Tourism



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref: DB/00072/24

Huw Irranca-Davies MS
Chair
Legislation, Justice and Constitution Committee
Senedd Cymru

SeneddLJC@senedd.wales

1 March 2024

Dear Huw

I am writing in respect of my earlier notification to you of 23 February, that a meeting of the Culture and Creative Industries Inter-Ministerial Group (IMG), was scheduled to take place on 4 March.

Unfortunately, the meeting has been cancelled at the request of DCMS and a new date is being sought.

I would also like to inform you that I will be attending the Sport Inter-Ministerial Group on 1 March in Glasgow hosted by the Scottish Government.

I am also copying this letter to Mick Antoniw MS, the Counsel General and Minister for the Constitution; the Rt Hon Elin Jones MS, the Llywydd; and the Culture, Communications, Welsh Language, Sport, and International Relations Committee.

Yours sincerely,

Dawn Bowden AS/MS
Dirprwy Weinidog y Celfyddydau, Chwaraeon a Thwristiaeth
Deputy Minister for Arts, Sport and Tourism

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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.



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref MA-LG-0154-24

Huw Irranca-Davies, MS
Chair
Legislation, Justice and Constitution Committee

Cc: Counsel General and Minister for the Constitution

29th February 2024

Dear Huw,

The Sea Fisheries (International Commission for the Conservation of Atlantic Tunas) (Amendment) (No. 2) Regulations 2024

I have received a request from Lord Douglas-Miller, Minister for Biosecurity, Animal Health and Welfare, requesting formal consent for the Sea Fisheries (International Commission for the Conservation of Atlantic Tunas) (Amendment) (No.2) Regulations 2024 (the "2024 Regulations") which intersects with devolved competence, and will apply in relation to Wales.

The 2024 Regulations make provision in relation to the International Convention for the Conservation of Atlantic Tunas ("the Convention"), to which the United Kingdom is a contracting party.

The UK has an obligation under the United Nations Convention on the Law of the Sea to cooperate on the management of shared fish stocks through appropriate regional or sub-regional organisations. Tuna and tuna-like species are managed globally through Regional Fisheries Management Organisations; the Convention being one such example.

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The United Kingdom was formerly subject to the requirements of the Convention as a Member State of the European Union. Following EU exit, the UK has become a contracting party to the Convention as an independent coastal State. This instrument updates and amends retained EU law to account for further requirements under the Convention with respect to recreational and sport fishing. Under ICCAT rules, contracting parties must not allow the targeting of bluefin tuna in their waters for sport or recreation purposes without appropriate authorisation. The 2024 Regulations will insert into retained Regulation (EU) 2016/1627 a range of provisions which will prohibit recreational and sport fishing without a permit issued by a fisheries administration, in the case of Wales and the Welsh zone, issuing permits would be a matter for Welsh Ministers.

As a contracting party, the UK has an obligation to implement measures (known as 'recommendations') adopted under the Convention. Although the conduct of international relations is a reserved function, the obligations and their implementation are devolved in so far as they related to devolved matters (e.g. fisheries) and extend to Welsh Ministers in respect of Wales and the Welsh zone.

The Regulations amends retained EU law to implement recommendations adopted under the Convention which have not yet been reflected in the relevant legislation to ensure the UK is meeting its international obligations.

As these Regulations implement UK-wide, international obligations in relation to the Convention, it is appropriate they are made on a UK basis. Therefore, I intend to give my consent to the Secretary of State to make the 2024 Regulations, so the provisions therein apply in relation to Wales.

The anticipated laying date is 14 March and the SI is subject to the affirmative procedure meaning it can be made following a resolution.

I am copying this letter to the Counsel General and Minister for the Constitution and writing in similar terms to the Chair of the Economy, Trade and Rural Affairs Committee.

Yours sincerely,

A handwritten signature in cursive script that reads "Lesley Griffiths".

Lesley Griffiths AS/MS
Y Gweinidog Materion Gwledig a Gogledd Cymru, a'r Trefnydd
Minister for Rural Affairs and North Wales, and Trefnydd

Agenda Item 5.1

Mick Antoni AS/MS
Y Cwnsler Cyffredinol a Gweinidog y Cyfansoddiad
Counsel General and Minister for the Constitution



Llywodraeth Cymru
Welsh Government

Huw Irranca-Davies MS
Chair
Legislation, Justice and Constitution Committee
Senedd Cymru

seneddLJC@senedd.wales

1 March 2024

Dear Huw,

Thank you for the Legislation, Justice and Constitution Committee's report following the Scrutiny of the Welsh Government's draft budget for 2024-25. Please find my response to the three recommendations contained within the report in Annex 1 below.

Yours sincerely,

Mick Antoni AS/MS

Y Cwnsler Cyffredinol a Gweinidog y Cyfansoddiad
Counsel General and Minister for the Constitution

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Annex 1

Responses to the Recommendations set out in the Legislation, Justice and Constitution's report following Scrutiny of the Welsh Government's draft budget for 2024-25

Recommendation 1

The Counsel General should provide us with a date by which the Welsh Government will publish its first progress report on the Delivering Justice for Wales programme.

I accept this recommendation. The [Delivering Justice for Wales progress report](#) was published on 22 February 2024.

Recommendation 2

When such information is available, the Welsh Government should provide an initial assessment of the expected costs of reform to the Welsh Tribunals, alongside a draft version of the bill which will provide for that reform.

I reject this recommendation. Initial assessments of the expected costs of reform have already been provided by the [Law Commission](#) and in the draft Regulatory Impact Assessment published alongside [the tribunals reform White Paper in June 2023](#). The Regulatory Impact Assessment which will accompany the Bill will set out more fully the expected costs of reform.

It is not our intention to publish a draft version of the Bill prior to its introduction. In his annual Legislative Statement, delivered in June 2023, the First Minister indicated that the Government intended to bring forward legislation relating to the devolved tribunal system in Wales during this Senedd term. As we discussed when I appeared before the Committee earlier this week, the timing of the introduction of such legislation is, of course, subject to the processes for setting the Legislative Programme and will be set out by the new First Minister. There has been significant opportunity for involvement in the policy formulation process through the consultation that has already been conducted by the Law Commission and by the Welsh Government on the back of the White Paper, and we continue to engage with those affected by the legislation as we finalise its content. I look forward to continuing to engage with the Senedd, Committees and stakeholders during the passage of the legislation.

Recommendation 3

The Welsh Government should, following the conclusion of its initial assessment of the report of the Independent Commission on the Constitutional Future of Wales, provide the Senedd with detailed information on how the allocation in the draft budget for 2024-25 to progress the outcome of its work will be used.

I accept this recommendation. As the Committee has noted, the draft budget was set before we received the Commission's final report. We will be considering the final report as a Government, and making our response to the Senedd in due course. There will be a staff cost element to the budget, which will be looked at once the Welsh Government has responded to the Commission's recommendations. That said, it is clear that a substantial programme of work would be required to take forward the Commission's recommendations, several of which would fall to the Welsh Government to lead, while others would require the engagement of the UK Government and other devolved Governments.

As part of our Cooperation Agreement with Plaid Cymru, in the Final Budget published this week we have made additional allocation in a number of areas. We will be providing a further £1m to take forward work on Constitutional Reform. This includes funds to procure research on justice outcomes in Wales and to support preparations for devolution. This provision is set out in [a joint paper](#) setting out a range of areas of agreement where allocations have been made. I will be happy to provide further information to the Committee as discussions progress.

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