

Statement by the First Minister: The Legislative Programme – 5 July 2022

Diolch, Llywydd. Today, I am pleased to make a statement on our legislative programme. This is an essential part of our ambitious and radical programme for government that will help to shape Wales for the future. We're now in the third Senedd term since the people of Wales voted to give the then National Assembly the power to make Assembly Acts. Since 2011, we have been building up to the volume of primary legislation that this Government will bring forward over the course of this Senedd term. This is a programme that demonstrates our extensive use of those powers, and at an extensive rate.

Dyw'r gwaith o gyflwyno'r rhaglen ddeddfwriaeth sylfaenol ddim yn digwydd mewn gwagle. Mae pwysau eraill yn bodoli sy'n effeithio ar y Llywodraeth a'r Senedd. Mae gennym raglen sylweddol o is-ddeddfwriaeth sy'n cyd-fynd â'n rhaglen ddeddfwriaeth. Yn aml, mae diffyg dealltwriaeth ynglŷn â pha mor eang a phwysig yw is-ddeddfwriaeth. Yn y blynyddoedd diwethaf, mae cynnydd amlwg wedi bod o ran maint y deddfwriaeth a phwysigrwydd y penderfyniadau sy'n cael eu gwneud fel hyn. Mae hynny wedi ychwanegu'n sylweddol at lwyth waith y Weithrediaeth a'r ddeddfwrfa, yn y Cyfarfod Llawn ac yn y pwyllgorau.

Bringing forward the primary legislative programme does not take place in a vacuum. Other pressures exist that have an impact on the Government and the Senedd. A significant programme of subordinate legislation sits alongside and underpins our legislative programme. Very often, there is a lack of understanding about how broad and important subordinate legislation is. In recent years, there has been an increase in the volume of such legislation and the importance of the decisions determined in this way. This has significantly increased the workload of the Executive and the legislature in recent years, both in Plenary and committees.

Since early February 2020, Llywydd, more than 300 items of subordinate legislation have been made in relation to coronavirus alone, often with fundamental impact on the daily lives of our fellow citizens. The current surge in COVID numbers, as we've discussed this afternoon, reminds us that this journey is still not over. And, Llywydd, while the volume of EU exit-related secondary legislation has diminished in the last 12 months, we will still be bringing Brexit-derived statutory instruments to the Senedd until the end of this calendar year.

Beyond COVID and Brexit, in the last 12 months, we have made over 50 SIs to implement major Acts passed in the last Senedd, including legislation to support schools and teachers to deliver our radical changes to the curriculum for Wales, and the provisions of the Local Government and Elections (Wales) Act 2021. Members will consider regulations to make 20 mph the default speed limit in residential areas next

week here in the Senedd, a key component of our programme for government. Further secondary legislation will follow during the year, including regulations to implement the Tertiary Education and Research (Wales) Bill, and aspects of the Health and Social Care (Quality and Engagement) (Wales) Act 2020, such as the duty of candour.

Llywydd, allwn ni chwaith ddim anwybyddu bwriadau deddfwriaethol Llywodraeth y Deyrnas Unedig. Yn yr hinsawdd bresennol, mae'r rhain yn creu risg sylweddol i Gymru ac i ddatganoli. Mae Ysgrifennydd Gwladol Cymru wedi dweud bod 27 o'r Biliau a gyhoeddwyd yn Araith y Frenhines ym mis Mai yn debygol o ymestyn i Gymru a bod yn gymwys iddi. Mae eisoes yn amlwg y bydd llawer o'r rhain yn cynnwys darpariaethau sy'n ymwneud â meysydd datganoledig, a fydd yn effeithio ar y setliad datganoli. Mae hynny'n golygu bod angen i'r Llywodraeth hon a'r Senedd fod yn wylidwrus, ystyried cynigion yn fanwl, ac ymateb yn unol â hynny.

Llywydd, we also cannot ignore the legislative intentions of the UK Government, which, in the current climate, represent a significant risk to Wales and to devolution. The Secretary of State for Wales has said that 27 UK Bills announced in the Queen's Speech in May are likely to extend and apply to Wales. It is already clear that many of these will contain provisions relating to devolved areas, and this will result in incursions into the devolution settlement. This requires this Government and the Senedd to remain vigilant, consider proposals in detail, and respond accordingly.

Llywydd, despite these many other legislative pressures and the challenging context during the first year of this Senedd term, we have already introduced four primary Bills to the floor of the Senedd. The Tertiary Education and Research (Wales) Bill was passed by Members last week and will put a new system in place for post-16 education and training in Wales. Members will consider Stage 3 amendments to our Welsh Tax Acts etc. (Power to Modify) Bill this afternoon. That Bill will provide Welsh Ministers with carefully delineated and time-limited powers to respond quickly to protect Welsh citizens against sudden and unexpected decisions of the UK Government that could have a significant impact on the liabilities of individuals and on revenue for Welsh public services. We've already introduced the Social Partnership and Public Procurement (Wales) Bill. This unique legislation, delivered in conjunction with our social partners, will ensure the fair rights of workers and lead to more socially responsible public procurement. And, yesterday, we introduced the first consolidation Bill before the Senedd, the Historic Environment (Wales) Bill, which will make the law in Wales relating to listed buildings and the historic environment more accessible in future.

Llywydd, rwy'n troi nawr at Filiau sydd i'w cyflwyno yn y flwyddyn i ddod. Mae'r Llywodraeth hon wedi ymrwymo i greu Cymru decach, wyrddach a chryfach. Cafodd y portffolio newid hinsawdd ei greu i'w gwneud yn haws i brif feysydd y Llywodraeth ddatganoledig gael yr effaith fwyaf yn y maes hwn. Mae dyletswydd foesol i ni wneud cynnydd ar yr agenda hwn, a byddwn yn cyflwyno nifer o Filiau i wneud cyfres o newidiadau pwysig dros y 12 mis nesaf.

Llywydd, I now turn to those Bills to be brought forward in the coming year. This Government is committed to creating a fairer, greener and stronger Wales. The establishment of a climate change portfolio was designed to make it easier to mobilise the main areas of devolved Government with the greatest impact in this area. There is a moral imperative that we make progress on this agenda, and we will bring forward a number of Bills to make a series of important changes over the next 12 months.

As an early priority, Llywydd, we will bring forward a Bill to ban or restrict the sale of some of the most commonly littered single-use plastics in Wales. This will meet our key programme for government commitment in this area. But, in addition, the Bill will also support our ongoing legal challenge to the United Kingdom Internal Market Act 2020. In the current litigation, brought by the Counsel General, the court has indicated it would find it helpful to consider a practical example, in the form of a piece of Senedd legislation, against which it can test the issues under consideration. This Bill will provide that practical example, and in that context we will be seeking the agreement of Business Committee to expedite the scrutiny of the Senedd on this Bill.

Llywydd, a clean air Bill is a significant priority for this Government. We want to build on action already under way to reduce emissions and deliver vital improvements in air quality, supporting healthier communities and better environments. Our White Paper set out how we intend to enable ambitious air quality targets and put in place a more robust regulatory framework to support them. This will be accompanied by measures to make sure all parts of society play their part in reducing air pollution, and I look forward to working with Members across the Chamber to develop that Bill once it is introduced.

Llywydd, we have set out our ambition to reform the way agriculture is supported in the future, with an emphasis both on high-quality and sustainable food production and rewarding farmers for the delivery of environmental and associated social outcomes. We will publish an outline sustainable farming scheme ahead of the Royal Welsh Show and the series of summer agriculture events that follow. Llywydd, the timing here is deliberate. It will allow for meaningful engagement on the detail of the proposed scheme ahead of the introduction of the agriculture Bill itself, which will be brought before the Senedd in the autumn.

Members will also be aware that we have made significant progress since establishing our coal tip safety taskforce two years ago. The Law Commission's landmark report, 'Regulating Coal Tip Safety in Wales', was published earlier this year. It clearly concluded that the law as it stands is not fit for today's purposes. The report informed our White Paper consultation and we will introduce a Bill on coal tip safety to establish a consistent approach to the management, monitoring and oversight of disused coal tips throughout Wales. This will protect those communities that bear the legacy of our industrial past, as well as support critical infrastructure and the environment by reducing the likelihood of landslides.

Llywydd, we're also committed to simplifying the consenting process for specified types of major on and offshore infrastructure, and we will, therefore, introduce an infrastructure consenting Bill to provide more certainty for communities and developers alike. The Bill will replace existing statutory regimes for the consenting of Welsh infrastructure projects, and it will rationalise the number of authorisations required to construct and operate a project into a single consent.

Llywydd, mae datganiad blynyddol y rhaglen ddeddfwriaethol yn cael ei ddefnyddio fel arfer i gyhoeddi Biliau y bydd y Llywodraeth yn eu cyflwyno yn ystod y 12 mis nesaf. Fodd bynnag, mae'r Senedd yn craffu ar ddeddfwriaeth mewn continwwm, ac nid yw Biliau'n cwmpo ar ddiwedd sesiwn. Felly, fe hoffwn i edrych ychydig ymhellach ymlaen at ddechrau trydedd flwyddyn y rhaglen a sôn am nifer o Filiau pwysig eraill.

Llywydd, the annual legislative programme statement has been typically used to announce the Bills that the Government will introduce in the coming 12 months. However, the Senedd scrutinises legislation in a continuum, and Bills do not fall at the end of a session. Therefore, I want to look a little further ahead to the start of the third year of the programme and to mention a number of other important Bills.

Llywydd, as I mentioned earlier, the challenges for both the Executive and the legislature in managing the legislative pressures associated with primary and secondary legislation initiated here, as well as legislation initiated in Westminster, are considerable. To ensure that this Senedd is able to execute its responsibilities and ensure that we have greater capacity to scrutinise legislation, we will bring forward a Bill to reform the Senedd. We're on track to deliver on our commitment set out in the co-operation agreement with Plaid Cymru to deliver that Bill within 12 to 18 months of the special purpose committee's report. This crucial, once-in-a-generation legislation will create a modern Senedd, reflecting the Wales we live in today and with the means to represent and deliver for the people of Wales.

We heard of the importance of transport earlier this afternoon, Llywydd, and transport accounts for nearly a fifth of our carbon emissions, yet we cannot currently plan bus networks to help break our reliance on private cars by making sure people can access services reliably and sustainably. Our consultation on fundamental change to the way bus services are planned in Wales closed last week. In the autumn of next year, we will bring forward a bus Bill, allowing all levels of government in Wales to work together to design the bus networks our communities need.

And early in that third year we will also introduce a local government finance Bill. It will be before the Senedd before the end of 2023, and that Bill will deliver our programme for government commitment to reform the council tax in Wales. Through partnership working and extensive engagement with ratepayers, we continue to explore options for non-domestic rate reform, and that will require a combination of both primary and subordinate legislative action.

Llywydd, mae agenda llawn o ddeddfwriaeth o'n blaen, ond mae'r rhain yn gerrig sylfaen pwysig tuag at y Gymru rydym am ei gweld. Er mwyn cyflawni'r agenda, byddwn yn parhau i weithio ar draws y Siambr hon i sicrhau ein bod yn gwneud y ddeddfwriaeth orau bosibl sy'n gwella bywydau holl bobl Cymru. Mae'r datganiad hwn yn dangos ein hymrwymiad i ddyfodol tecach, gwyrddach a chryfach, ac rwy'n cymeradwyo'r rhaglen ddeddfwriaethol hon i'r Senedd.

Llywydd, there's packed legislative agenda ahead of us, but these are the significant building blocks towards the Wales we want to see. To deliver it, we will continue to work across the Chamber to ensure our legislation is the best it can be and improves the lives of all the people of Wales. This statement demonstrates our commitment to a fairer, greener and stronger future, and I commend this legislative programme to the Senedd.