

Rt Hon Elin Jones MS  
Llywydd  
Chair, Business Committee

21 October 2022

Dear Llywydd

**LJC Committee: Annual Report 2021/22**

Last week we published our annual report for 2021/22, which provides an analysis of the work we have undertaken in the first year of the Sixth Senedd across the breadth of our wide remit.

My purpose in writing is to draw your attention to paragraphs 54 and 55 of our report which concern a view often stated by the Welsh Government in seeking to explain why it is using UK Bills to legislate in devolved areas. These paragraphs state:

*"54. We have also noted that the Welsh Government has sometimes suggested that the reason for using a UK Government Bill is because the UK Government will have been able to introduce legislation to the UK Parliament far sooner than the Senedd's timetable would allow. In our report on the Welsh Government's Legislative Consent Memorandum on the Leasehold Reform (Ground Rent) Bill, we said:*

*"Decisions regarding when to introduce legislation for scrutiny in the Senedd are a matter for the Welsh Government and once a Bill is introduced, a timetable for scrutiny will be set by the Business Committee in accordance with Standing Order 26. We consider it inappropriate for the Welsh Government to use arguments relating to the Senedd's timetable for scrutiny to justify using a UK Government Bill to legislate in a devolved area."*

*55. We reiterate that view and will be drawing it to the attention of the Business Committee."*



On 10 October 2022, we took evidence from the Counsel General and Minister for the Constitution and Permanent Secretary to the Welsh Government on the Welsh Government's capacity to legislate. Our session covered comments made by the Counsel General about using a UK Bill to make legislative provision in devolved areas if "there is no time to bring forward similar in the Senedd". The exchanges can be viewed from paragraph 90 onwards.

We will continue to monitor the arguments put forward by the Welsh Government regarding its use of UK Bills to legislate in devolved areas.

We intend to draw relevant matters to Business Committee's attention should the Welsh Government persist with arguments relating to the Senedd's capacity for scrutiny to justify pursuing and/or agreeing to the inclusion of provisions in devolved areas in UK Bills.

Yours sincerely,

A handwritten signature in dark ink that reads "Huw Irranca-Davies". The signature is written in a cursive style and is underlined with a single horizontal stroke.

Huw Irranca-Davies

Chair