



Llywodraeth Cynulliad Cymru
Welsh Assembly Government

WRITTEN STATEMENT BY THE WELSH ASSEMBLY GOVERNMENT

Title: Measure Powers in UK Bills

Date: 10 March 2011

By: John Griffiths, Counsel General

Assembly Members have previously been advised of the Measure powers being sought in various UK Bills currently progressing through the UK Parliament. In light of the 'Yes' vote in the Referendum held on 3rd March, the consequence of which will be that the Assembly's legislative powers will be as set out in Schedule 7 to the Government of Wales Act, these Measure powers are no longer required. The UK Government will therefore be tabling amendments to remove these provisions from each of the Localism, Education, and Budget Responsibility and National Audit Bills (where there is sufficient Parliamentary time available).

The Localism Bill had three Measure power provisions in relation to local referendums on proposed increases in council tax, development management functions and Housing Revenue Account (HRA) and HRA subsidy reform. The scope of Schedule 7 adequately covers these matters.

The Education Bill had two Measure powers provisions in relation to the regulation and training of teachers and the wider education workforce in Wales and Pre 16 School Funding. Schedule 7 also covers these points.

The Budget Responsibility and National Audit Bill had Measure power provisions in relation to the governance arrangements for the Auditor General for Wales. Schedule 7 as it currently exists does not cover this, and so the Bill also makes provision for the necessary amendment to Schedule 7. That provision will stand, whereas the equivalent provision amending Schedule 5 is no longer required and will be omitted from the Bill if Parliamentary time will allow.

The UK Government will also be tabling an amendment to the Postal Service Bill to remove the current provision which amends Matter 6.1 (Environment) of Schedule 5 of the Government of Wales Act 2006 to erase reference to the Postal Services Commission in the exception. There is no equivalent reference to the Postal Services Commission in Schedule 7 of the Government of Wales Act 2006.