



Llywodraeth Cymru  
Welsh Government

# Report on the Implementation of Law Commission Proposals

2022-2023

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**MICK ANTONIW MS**

COUNSEL GENERAL  
AND MINISTER FOR  
THE CONSTITUTION

# Introduction

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**I am pleased to present this report on the Welsh Ministers' implementation of Law Commission proposals. This is the eighth annual report to be presented following the passing of the Wales Act 2014, which established more direct working relationships between the Commission and the Welsh Ministers. It covers the period from 15 February 2022 to 14 February 2023.**

The Law Commissions Act 1965, as amended by the Wales Act 2014, places the Welsh Ministers under a duty to report to Senedd Cymru each year on the extent to which they have implemented Law Commission proposals relating to Welsh devolved matters.

This report provides updates on the progress made over the last twelve months on a range of issues that have been the subject of Law Commission recommendations. We have introduced legislation relating to wildlife within the Agriculture (Wales) Bill and are committed to delivering a Planning Consolidation Bill, working closely with the Law Commission on its production, and a Bill in relation to Coal Tip Safety in Wales during this Senedd term. We continue to make progress in taking forward Law Commission proposals in relation to taxi and private hire services, leasehold and commonhold reform and devolved Welsh tribunals.

This update and the progress noted demonstrates the importance the Welsh Government places on Law Commission proposals.

# Scope of the report

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- 1.** Section 3C of the Law Commissions Act 1965, as inserted by Section 25 of the Wales Act 2014, places a duty on the Welsh Ministers to report annually to Senedd Cymru on the extent to which Law Commission proposals have been implemented that year.
- 2.** This is the eighth annual report to be published by the Welsh Ministers under the Act. The report covers the period from 15 February 2022 to 14 February 2023..
- 3.** As stipulated by the Act, the report covers Law Commission proposals relating to Welsh devolved matters that have been implemented during the year, and proposals relating to Welsh devolved matters that have not been implemented, including plans for implementation and decisions taken not to implement proposals.
- 4.** The report covers the reports of the Law Commission of England and Wales as far as they relate to Welsh devolved matters.

# Proposals that have been implemented

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- 5.** The Welsh Government has not completed the implementation of any Law Commission proposals during this reporting period.

# Proposals that have not yet been implemented

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## Planning Law in Wales

6. Good progress is being made on the production of the Planning Consolidation Bill, where we continue to work closely with the Law Commission on this significant project. This very large and technical project, which involves producing a Bill that is likely to be around 400 pages long (800 pages in both languages), is being informed by the [Law Commission report on planning law in Wales](#), the [interim response to the Law Commission report on planning law in Wales](#) and the [detailed response to the Law Commission report on planning law in Wales](#) and continues to benefit from the Law Commission's valuable knowledge through their ongoing involvement.

## Electoral Law

7. In October 2022 the Welsh Government launched its [consultation on an Electoral administration and reform White Paper](#), which sets out its aims to reform and modernise the electoral administration in Wales and includes a longer term commitment to consolidating electoral law.

## Taxi and Private Hire Services

8. In early 2023 the Deputy Minister for Climate Change will launch a consultation on proposals for legislation to modernise the taxi and private hire vehicle sector and to address the problems of 'cross-bordering'.

## Residential Leasehold and Commonhold

9. The Welsh Government continues to work towards developing joint legislation with the UK Government to enact the recommendations of the residential leasehold projects.

## Wildlife Law

10. The **Agriculture (Wales) Bill** was laid before the Senedd on 26 September 2022. The Bill includes provision for a complete ban on the use of snares and glue traps. If the Bill is passed, Wales will be the first country in the UK to introduce a complete ban, fulfilling our Programme for Government commitment.

## Devolved Welsh Tribunals

11. As part of the Law Commission's 13th Programme of Law Reform, the Commission and the Welsh Government agreed to embark on a Wales-only project on the law relating to devolved Welsh tribunals. The project is now completed and the **Law Commission published its report** in early December 2021. Work to implement the recommendations is ongoing.

## Coal Tip Safety

12. The Law Commission report **Regulating Coal Tip Safety in Wales** was published and laid in the Senedd on 24 March 2022. The review found the current legislation relating to coal tip safety, the Mines and Quarries (Tips) Act 1969, does not effectively address the management of disused coal tips. The Law Commission report provided clear direction and scope which, combined with our analysis, informed the **Welsh Government's Coal Tip Safety (Wales) White Paper** published on 10 May 2022. In September 2022, the Welsh Government published its interim response to the Law Commission, which addressed the key themes of the report. This was followed in November 2022 with the publication of the **Summary of Consultation Responses** to the White Paper.
13. A full response to the Law Commission's report will be issued in March 2023.
14. The Welsh Government is committed to introducing primary legislation during this Senedd to establish an effective regime to regulate disused tips in Wales, which can help respond to future climate change impacts.

## Automated Vehicles

15. Further to the Welsh Government publishing its twenty-year transport strategy – **Llwybr Newydd** – in March 2021 and setting out its transport policy's contribution to decarbonisation in **Net Zero Wales – Carbon Budget 2** in October 2021, the Welsh Government continues to gather evidence in this field and welcomes the Law Commission's work on an issue that is critical for the future of passenger transport.

# Proposals that are not to be implemented

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- 16.** The Welsh Government has not taken any decisions not to implement proposals in the Law Commission's report during this reporting period. The Welsh Government has taken no decisions not to implement recommendations made by a Law Commission report during this reporting period.