

House of Commons  
LONDON  
SW1A 0AA

30 June 2016

To: All Welsh Members of Parliament

Dear Colleague

### **Wales Bill –proposed amendments for 5 July**

Following the introduction of the Wales Bill earlier this month I wish to draw your attention to draft amendments that I have published today relating to clauses to be debated on Tuesday, 5 July. I have written to the Secretary of State and all Welsh MPs and hope that these will be put forward for debate so that we can work together to deliver a constitutional settlement that is workable, clear and provides a firm foundation for the Assembly's future.

In the wake of last week's Leave vote in the EU Referendum, it is crucial that Wales has a strong constitutional framework and that the Bill continues its passage through Parliament. As Llywydd, it is my role to represent the interest of the Assembly to ensure it serves effectively the people of Wales. It is an innovative step for the Llywydd to publish amendments. I am taking that step because I wish to be open about improvements to the Bill that are important for the institution. The amendments are informed by the evidence presented during pre-legislative scrutiny of the draft Bill and the conclusions of the Assembly's previous Constitutional and Legislative Affairs Committee (CLA) as well as the institution's experience of working with the current settlement. I am continuing to discuss these with the Secretary of State for Wales and welcome the progress made so far.

These amendments are intended to reflect two key principles.

The first is an important constitutional principle: the Assembly should consent to any change in its powers. Therefore the statutory legislative

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consent arrangements between the Assembly and Parliament should be no narrower than the scope of the inter-governmental convention currently in place. Likewise, the Assembly should give its consent before the power to vary the income tax rate is devolved.

The second principle addressed by the amendments is that, after 16 years of devolution, the Assembly should have both the power and the flexibility to determine its own internal affairs. This principle finds its expression in the following areas of amendment:

- The Bill devolves power to the Assembly in respect of its electoral arrangements, which is welcome, but there are some outstanding issues. The 7-day timeframe within which the Assembly is required to hold its first meeting and elect a Presiding Officer causes practical difficulties and does not allow the Assembly the same flexibility as Scotland, where the requirement is to elect the Presiding Officer within 14 days. Similarly, I wish to see the power to vary the date of Assembly general elections, and to fix the date of extraordinary Assembly elections, transferred to the Presiding Officer, as is the case in Scotland. Currently, the Bill would transfer the first of these powers to the Welsh Ministers, and leave the second with the Secretary of State.
- I believe that the Bill should therefore also be amended to remove new and unnecessary prescriptions in respect of its operational arrangements, which occur in the provisions requiring a super-majority and justice impact assessments.
- I am pleased to see that the Bill gives the Assembly control over financial, accountability and audit affairs for Welsh bodies. I would like the Bill to include a small number of additional important provisions on this matter.

The attached documents contain a detailed description of the changes I am suggesting, as well as the draft amendments themselves.

The amendments that I have proposed address issues to be debated during the first day of Commons Committee scrutiny only (Part 1 of the Wales Bill, excluding clause 3 and related schedules) on 5 July. I hope to provide further suggestions in respect of matters to be discussed on the second day of Committee stage in the Commons on 11 July. I have also written to the Secretary of State setting out my initial views on the Wales Bill more generally, including on the Reserved Powers model. [[Letter 21 June](#)]



I hope therefore that these amendments help inform and support robust, early scrutiny of the Bill both in Parliament and here in the Assembly, led by a new CLA Committee. I look forward to following the debate next week.

I would be pleased to discuss any aspect with you further if you wish to contact my office.

Yours sincerely

A handwritten signature in blue ink that reads "Elin Jones". The signature is written in a cursive style.

Elin Jones AM  
Llywydd

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