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15 June 2010

*Deur Ffisr Niuste*

### **Referendum on further law-making powers for the National Assembly for Wales**

You wrote to the previous Secretary of State for Wales on the 17 February 2010 to notify him of the National Assembly for Wales's resolution made on 9 February, calling for a referendum on further law-making powers for the Assembly. This triggered a statutory requirement for the Secretary of State to either lay a draft Order in Council under section 103(1) of the Government of Wales Act (draft referendum Order) before Parliament, or refuse to do so and give reasons for the refusal, within the period of 120 days ending on 17 June 2010.

In accordance with section 104(3)(b) of the Government of Wales Act 2006, I am writing to notify you that I am unable to lay the draft referendum Order before Parliament within the 120-day period.

The principal reason I am unable to lay the draft Order within the period ending on 17 June 2010 is that due to circumstances I inherited from the previous administration, I have not been able to fulfil my duty set out in section 104(4) of the Political Parties, Elections and Referendums Act 2000 to consult the Electoral Commission on the wording of the referendum question, and as a result the Electoral Commission has not yet tested and reported on the intelligibility of the question. Your decision that the date and question should not be considered until after the General Election has meant that we have not yet submitted a question to the Electoral Commission, which has confirmed that it will need at least 10 weeks to carry out its assessment and then report. This inevitably leads to a position where we cannot lay the referendum Order by the 17 June 2010

However, the UK coalition Government remains committed to progressing the referendum, and to laying the draft referendum Order as soon as possible, following receipt of the Electoral Commission's report on the question.



Both you and I and the Deputy First Minister have discussed a possible timetable for the referendum, taking account of all the stages that need to be gone through to prepare for it. In the light of our discussion, we have agreed that we should aim for a referendum to be held before the end of the first quarter of 2011.

In the meantime, I am grateful for the work our officials have done in progressing the drafting of the referendum Order, and hope that this co-operation will continue over the coming months.

I am copying this letter to the Prime Minister, Cabinet colleagues and Sir Gus O'Donnell. I also intend to attach a copy of it to the Written Ministerial Statement I am making today.

*Ynys*  
*Carwyn Jones*

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