



National Assembly for **Wales**
Cynulliad Cenedlaethol **Cymru**

UK Government Legislative Programme 2006-07

The Queen's Speech was delivered on 15 November 2006. This paper provides an overview of the bills and draft bills which form the UK Government's legislative programme for 2006-07, including those referred to in the Queen's Speech and those announced by the Government alongside the address.

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UK Government Legislative Programme 2006-07

Members' Research Service

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UK Government Legislative Programme 2006-07

1 Introduction

This paper provides an overview of the UK Government's legislative programme for the 2006-2007 parliamentary season, including bills referred to in the Queen's speech and those announced by the government alongside the address.

Wherever possible, the information provided is based on the published bill, its explanatory notes and background information from the relevant Government Department, for example on relevant White Papers. If the bill is unpublished, much of the information provided on the expected content of the bills is based on that made available by the Office of the Leader of the House of Commons.

Additional information, made available from the National Assembly for Wales and other parliamentary sources, is provided on bills which were introduced in a similar/same form during the 2005-2006 legislative programme but which fell when parliament was prorogued on 8 November 2006.

Information is included on actions taken by the National Assembly for Wales, such as committee scrutiny and assessments of the implications in terms of devolved powers.

2 The UK Government's Legislative Programme

At the beginning of each parliamentary session, the UK Government announces, in the Queen's speech, the legislation and draft legislation that it hopes to introduce during the session. The State Opening of Parliament for the 2006-2007 session took place on Wednesday 15 November 2006.

2.1 Assembly Government Proposals for Primary Legislation

Before the end of March each year, the Assembly Government is required to put a motion to Plenary setting out its proposals for primary legislation in the following parliamentary session. The Welsh Assembly Government made the following primary legislative proposals¹ to the UK Government for the 2006-2007 parliamentary session as discussed and agreed in Plenary on Wednesday 29 March 2006²:

- ◆ Housing (Suspension of Right to Buy) (Wales) Bill and
- ◆ Local Government (Town and Community Councils) (Wales) Bill

¹ Laid document, reference LD5526, *Cabinet's Proposals for Primary Legislation, 2006-2007*
<http://www.wales.gov.uk/documents/cms/2/DocumentsLaid/37B1A026000BF4FD0000436C0000000/N00000000000000000000000000042627.rtf>

² Record of Proceedings, 29 March 2006,
<http://www.wales.gov.uk/documents/cms/2/ChamberSession/380313AC00046B17000028C300000000/N00000000000000000000000000043063.pdf>

2.2 Assembly scrutiny of the legislative programme

Section 31(1) of the *Government of Wales Act 1998*³ requires, as soon as is reasonably practicable after the beginning of each session of Parliament, the Secretary of State for Wales to consult with the Assembly about the Government's legislative programme. This consultation must include attendance and participation in the proceedings of the Assembly. Accordingly, Standing Order 6.6(iv) requires Plenary time to be found for a debate with the Secretary of State and for the motion for debate to remit bills and proposals for bills of particular importance to Wales to relevant committees for consideration and report.⁴ On 28 November 2006⁵, The Secretary of State for Wales attended Plenary to give a statement on the Queen's Speech and participate in the Assembly's debate. The following bills were remitted to committee for scrutiny as a result:

- ◆ the Local Government Bill (Local Government and Public Services Committee)
- ◆ the Further Education and Training Bill (Education and Lifelong Learning Committee)
- ◆ the Climate Change Bill (Environment, Planning and Countryside Committee)
- ◆ the Mental Health Bill (Health and Social Services Committee)
- ◆ the Road Transport Bill (Enterprise, Innovation and Networks Committee)
- ◆ the Digital Switchover Bill (Culture, Sport and Welsh Language Committee).

2.2.1 *The role of committees*

Committee reports on remitted bills will be laid and may be debated in Plenary and drawn to the attention of relevant Welsh Assembly Government Ministers. In addition, some committees have submitted their reports through parliamentary, as well as governmental, channels in an attempt to secure amendments to bills or to influence parliamentary debate. To do so effectively, committees will need to act swiftly once bills have been remitted as the time available to scrutinise bills, agree reports and to submit these at an appropriate stage in a bill's progress is likely to be extremely limited.

Whether introduced into the House of Commons or Lords, bills are likely to reach their first committee stage (when detailed clause by clause scrutiny is conducted) within a matter of weeks of their being published. Typically, bills begin their committee stage around 4 sitting weeks after first being published. Amendments can be made at later stages in a bill's progression through both Houses but earlier submission of a report will increase the opportunity for the views of Assembly committees to influence parliamentary debate.

2.2.2 *Draft bills*

Following recommendations from the Select Committee on the Modernisation of the House of Commons, it is now increasingly common for bills to be published in draft form to allow pre-legislative scrutiny over a period of months. The Road Transport Bill will be a draft Bill.

2.2.3 *Welsh Grand Committee Debate*

³ *Government of Wales Act 1998* (chapter 38) <http://www.opsi.gov.uk/acts/acts1998/19980038.htm>

⁴ Standing Order 6.6(iv). Prior to an amendment made on 23 February 2005, bills were remitted to subject committees only.

⁵ National Assembly for Wales, Record of Proceedings, 28 November 2006,

http://www.wales.gov.uk/cms/2/ChamberSession/380313AC00046B17000028C30000000/6d14e55c77435247232cb1bbe49e86b0.htm#_Toc153253478

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On the 13 December 2006, the Welsh Grand Committee debated⁶ the UK Government's Legislative programme. This debate included discussion on the impact in Wales of the bills in the Queen's Speech.

⁶ Hansard, Welsh Grand Committee, 13 December 2006, <http://www.publications.parliament.uk/pa/cm/cmwelshg.htm>



3 Bills remitted to Assembly committees

Bill	Parliamentary Stage	Assembly Stage
<p>Climate Change Bill</p> <p>The Bill will form part of the UK Government's strategy to tackle climate change and address the issues raised by the government-commissioned Stern Review on the economics of climate change. The review concluded that the cost of inaction will be far higher than tackling climate change now.</p> <p>The legislation aims to put in place a long term goal and framework for emissions reductions in order to provide a firm basis on which business could plan ahead.</p>	<ul style="list-style-type: none"> • 	<p>Remitted to the Assembly's Environment, Planning and Countryside Committee on 28/11/06</p>
<p><i>Key clauses and further information</i></p> <p>Although not yet published the Bill is expected to comprise four elements:</p> <ul style="list-style-type: none"> ◆ It will put the Government's long term goal to reduce carbon dioxide emissions by 60% by 2050 into statute; ◆ Establish a Carbon Committee - an independent body to work with Government to reduce emissions over time and across the economy; Create enabling powers to put in place new emissions reduction measures needed to achieve the UK Government's goals; I ◆ Improve monitoring and reporting arrangements, including how the Government reports to Parliament. 		



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Bill	Parliamentary Stage	Assembly Stage
<p>Digital Switchover (Disclosure of Information) Bill</p> <p>The Bill allows social security information to be shared with the BBC in order to assist the delivery off the Digital Switchover Help Scheme.</p> <p>The Help Scheme, which the BBC will help establish and fund, will provide practical help for people aged 75 and over or with a significant disability to help them manage the transition from analogue to digital-only television. This process of digital switchover takes place by ITV region between 2007 and 2012.</p>	<ul style="list-style-type: none"> • 18/12/06 Commons: 2nd Reading • 16/11/06 Commons: 1st Reading 	<p>Remitted to the Assembly's Culture, Welsh Language and Sport Committee on 28/11/06</p> <p>13/12/06 Bill considered by Culture, Welsh Language and Sport Committee</p> <p>The Committee considered the Bill and agreed that no further scrutiny by this Committee was necessary. Members of the Committee noted that the Bill will apply fully in Wales as in the rest of the United Kingdom but that it confers no functions on the National Assembly for Wales or any Welsh public bodies.. The Committee will report to this effect to Plenary.</p>
<p><i>Key clauses and further information</i></p> <p>The Bill will apply fully to Wales, as to the remainder of the United Kingdom. It confers no functions on the National Assembly or any Welsh public bodies. It permits the supply of information held by the Secretary of State. There is no corresponding information held by the National Assembly, and therefore no corresponding function that could be given to the Assembly. No specifically Welsh issues have been identified.</p> <p>Further information about the Bill is available on the UK Parliament web-site at: http://www.publications.parliament.uk/pa/pabills/200607/digital_switchover.htm</p>		



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Bill	Parliamentary Stage	Assembly Stage
<p>Further Education and Training Bill [HL]</p> <p>This Bill implements proposals contained in the Department for Education and Skills' (DfES) White Paper "<i>Further Education: Raising Skills, Improving Life Chances</i>" which was published on 27 March 2006.</p>	<ul style="list-style-type: none">• 13/12/06 Lords: 2nd Reading• 20/11/06 Lords: 1st Reading	<p>Remitted to the Assembly's Education, Lifelong Learning and Skills Committee on 28/11/06</p> <p>01/02/07 Bill to be considered by Education, Lifelong Learning and Skills Committee</p>



Key clauses and further information

The Bill makes provision for:

- ◆ Restructuring the Learning and Skills Council (LSC) for England;
- ◆ Transferring the power (in England) to incorporate further education institutions and to dissolve further education corporations from the Secretary of State for Education and Skills to the Learning and Skills Council.

The Bill enables:

- ◆ the Secretary of State to make regulations requiring all college principals to achieve a stipulated leadership qualification before taking up a new post ;
- ◆ the Privy Council to grant further education institutions in England powers to award their own foundation degrees.

Territorial coverage

The Bill extends to England and Wales and in part to Scotland and Northern Ireland.

Powers for Wales

The Bill gives Measure making powers to the National Assembly for Wales in the field of education and training.

The Bill contains provision amending the Government of Wales Act 2006 to confer legislative competence on the Assembly. The Bill will allow the Assembly to make Measures in respect of the following: facilities for post-16 education and training, new provisions for the establishment and discontinuance of further education institutions and their management and governance; new forms of learning delivery through collaborative arrangements; and the inspection of post-16 education and training.

Note: Following the merger of ELWa into the Welsh Assembly Government (April 2006), the functions akin to those undertaken by the Learning and Skills Council in England are exercised by Welsh Ministers in Wales.



Key clauses and further information

Provisions that apply to Wales or which affect Wales and England differently ⁷

- ◆ The Secretary of State's powers to direct removal of principals and senior post holders and to create and dissolve further education colleges will not be exercisable by the LSC in relation to Wales. These powers are currently exercisable by the Assembly and will in future be exercisable by the Welsh Ministers;
- ◆ Consent for colleges in Wales to form or acquire an interest in companies or charitable incorporated organisations for the purpose of conducting an educational institution would be obtained from the Welsh Ministers (in England it would be from the LSC);
- ◆ Further education colleges in Wales will be required to have regard to guidance from the Welsh Ministers about consulting learners and employers;
- ◆ Provision amending the requirement that industrial training boards demonstrate consensus for their levy proposals solely by reference to "relevant organisations" would apply in Wales;
- ◆ Provision generally requiring industrial training boards to submit levy proposals covering three years, rather than one, would also apply in Wales;
- ◆ Provision enabling the Learning and Skills Council to operate loans and shared services would operate in Wales only with the consent of Welsh Ministers.

Further information about the Bill is available on the UK Parliament web-site at:

http://www.publications.parliament.uk/pa/pabills/200607/further_education_and_training.htm

⁷ Further Education and Training Bill [HL] Explanatory Notes

<http://www.publications.parliament.uk/pa/ld200607/ldbills/006/en/07006x-.htm>



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Bill	Parliamentary Stage	Assembly Stage
<p>Local Government and Public Involvement in Health Bill</p> <p>The <i>Local Government and Public Involvement in Health Bill</i> was published on 13 December 2006. Some provisions of the Bill apply in relation to England and Wales, but most of it applies in relation to England only.</p> <p>The Local Government Bill embraces the principles of 'double devolution', that is, devolving more central government jurisdiction to local government and more local government powers to local communities.</p>	<ul style="list-style-type: none">• 12/12/06 Commons: 1st Reading	<p>Remitted to the Assembly's Local Government and Public Services Committee on 28/11/06</p> <p>18/01/07 Bill to be considered by Local Government and Public Services Committee</p>



Key clauses and further information

Part 12, together with Schedule 14, of the Bill makes amendments to Part 1 of Schedule 5 to the *Government of Wales Act 2006* conferring enhanced legislative competence (i.e. powers to make Measures) on the Assembly in specific fields. These are:

- ◆ Matter 12.1: Powers to alter boundaries of counties and county boroughs (i.e. to effect a reorganisation of local government).
- ◆ Matter 12.2: The making, coming into force and confirming of a byelaw.
- ◆ Matter 12.3: The conduct of elected members, co-opted members and employees of the following local authorities in Wales.
- ◆ Matter 12.4: County council and county borough council strategies for promoting and improving the economic, social and environmental well-being of local authority areas in Wales or contributing to sustainable development in the United Kingdom.
- ◆ Matter 12.5: The making of arrangements by specified authorities in Wales to secure improvement in the exercise of their functions, i.e. provisions equivalent to the best value duties in Part 1 of the *Local Government Act 1999*.

The Bill also makes certain changes to the Best Value regime established under the *Local Government Act 1999*, including the abolition of certain requirements in England. These powers will continue to be available to the Welsh Ministers but the Assembly will be able to amend or replace these provisions. Clause 110 confers on the Welsh Ministers a power to modify enactments obstructing compliance with best value, and removes from the Secretary of State the power to do so in relation to Welsh best value authorities.

While welcoming the Bill, the Finance, Local Government and Public Services Minister, Sue Essex AM stated:

There is scope in this Bill to give yet further powers to the National Assembly. I will be discussing with the Secretary of State amendments to the Bill that would give Wales further powers but, as I have made clear, the Assembly Government has no intention of seeking amendments relating to local government electoral arrangements.⁸

Further information about the Bill is available on the UK Parliament web-site at:

http://www.publications.parliament.uk/pa/pabills/200607/local_government_and_public_involvement_in_health.htm

⁸ Welsh Assembly Government, Press Release, *Local Government Minister welcomes new Bill*, 13 December 2006.



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Bill	Parliamentary Stage	Assembly Stage
<p>Mental Health Bill [HL]</p> <p>The publication of the <i>Mental Health Bill</i> (HL)⁹ on 16 November 2006 is the UK Government's third attempt in eight years to reform the <i>Mental Health Act 1983</i>.</p> <p>Proposals to reform the Act were initially published in 1999, followed by a draft bill in 2002 which was strongly opposed by mental health campaigners. A second draft bill was published in 2004, but this was also widely opposed and was heavily criticised by the Joint Committee on the Draft Mental Health Bill (2004). The UK Government abandoned it in March 2006 and instead announced its intention to press ahead with what many campaigners regard as the more controversial aspects of the previous draft mental health bills in a shorter, more 'streamlined' bill.¹⁰ This third bill seeks to amend the existing <i>Mental Health Act 1983</i>.</p>	<ul style="list-style-type: none">• 08/01/07 Lords: Committee stage• 28/11/06 Lords: 2nd Reading• 16/11/06 Lords: 1st Reading	<p>Remitted to the Assembly's Health and Social Services Committee on 28/11/06</p> <p>25/01/07 Bill to be considered by Health and Social Services Committee</p>

⁹ *Mental Health Bill* 2006 (HL) as introduced in the House of Lords on 16 November 2006 <http://www.publications.parliament.uk/pa/ld200607/ldbills/001/2007001.pdf>

¹⁰ Department of Health, "Next steps for the Mental Health Bill", 23 March 2006

http://www.dh.gov.uk/PublicationsAndStatistics/PressReleases/PressReleasesNotices/fs/en?CONTENT_ID=4132068&chk=SbH%2BGa



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Key clauses and further information

Part 1 of the Mental Health Bill sets out to amend the existing Mental Health Act 1983 to:

- ◆ Ensure that patients receive the treatment they need to protect themselves and the public from harm;
- ◆ Bring mental health law into line with modern service provision;
- ◆ Strengthen patient safeguards; and remedy incompatibilities with Human Rights legislation.

Part 2 of the Bill is also being used to introduce "Bournewood safeguards" through amending the Mental Capacity Act 2005. These changes provide for procedures to authorise the deprivation of liberty of a person resident in a hospital or care home who lacks capacity to consent.

Part 3 sets out general provisions such as transitional and consequential amendments.

The Mental Health Bill revives a number of proposals included in earlier draft legislation, which were heavily criticised and eventually dropped in March this year. It aims to introduce powers of compulsory community treatment and enable preventive detention of people deemed to have dangerous and severe personality disorders. UK Government ministers have said that the Bill is essential to improve the safety of patients and the public. But the Mental Health Alliance has said that the measure is "flawed and profoundly disappointing".¹¹

Territorial coverage

The Mental Health Bill applies to England and Wales. Many of the statutory instrument making powers are to be exercised by the appropriate authority, i.e. for Wales, it will be for Welsh Ministers. Under the Government of Wales Act 2006, Welsh Ministers will be responsible for implementing the Bill and developing statutory instruments and a Code of Practice in relation to Wales.¹²

¹¹ The Mental Health Alliance is a coalition of 78 organisations working to secure better mental health legislation for England and Wales. <http://www.mentalhealthalliance.org.uk/>

¹² Department of Health, *Mental Health Bill* Regulatory Impact Assessment
<http://www.dh.gov.uk/assetRoot/04/14/05/01/04140501.pdf>



Key clauses and further information

Powers for Wales

In March 2006, the Minister for Health and Social Services made a statement on the decision to drop the draft Mental Health Bill (2004) in favour of an amended 1983 Act.¹³ Brian Gibbons said:

“The Department of Health has acknowledged that there has been significant criticism of the draft 2004 Bill as being too long and difficult to understand. This, combined with the legislative timetable pressures, has influenced the decision to pursue a shorter, more streamlined Bill. The Bill will seek to address the main issues that the UK Government feels are pertinent in relation to the 1983 Act. In particular, it will introduce supervised treatment in the community for suitable patients, following an initial period of detention and treatment in hospital. Further treatment and assessment would also be on an in-patient basis.”

In response, Jenny Randerson AM asked the Minister to investigate if there is scope for seeking framework powers for those aspects of the legislation that are not Home Office driven, as per the UK Government's White Paper commitment. The Minister responded that he was happy to do that, saying that the Assembly Government generally takes that approach and that looking at framework powers would be one of the options once he has sight of the bill.¹⁴

In a minority party debate on mental health on 21 November 2006, Brian Gibbons AM responded to an amendment calling for legislation affecting mental health services in Wales to be devolved by saying:¹⁵

I looked at this very carefully. Despite the attractions of looking for framework legislation in several areas, in relation to the recently published Mental Health Bill, the practical difficulties and the discontinuities that could occur over the border between England and Wales suggest that, on balance, it would not be practical to seek full devolution in all areas of mental health. In fact, it would probably end up being detrimental to patients rather than helping them.

Further information about the Bill is available on the UK Parliament web-site at:

http://www.publications.parliament.uk/pa/pabills/200607/mental_health.htm

¹³ RoP p28, 23 March 2006

¹⁴ Ibid. p31

¹⁵ RoP p101, 21 November 2006



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Bill	Parliamentary Stage	Assembly Stage
<p>Road Transport Bill (draft)</p> <p>A draft Road Transport Bill to tackle road congestion and improve public transport is to be published in 2007. The UK Government has said that this is in response to increased road congestion, and would make available additional powers for local authorities to develop road pricing pilot schemes and to regulate bus services.</p>	<ul style="list-style-type: none"> • 	<p>Remitted to the Assembly's Enterprise, Innovation and Networks Committee on 28/11/06</p>
<p><i>Key clauses and further information</i></p> <p>A feature of this draft bill would be the empowerment of local authorities to take control over their localised transport issues through the reform of Passenger Transport Authorities and Executives in English cities. In Wales, the <i>Transport (Wales) Act 2006</i> enables the Assembly to ensure that the transport functions of local authorities in Wales are discharged in a way which reflects the patterns of travel within Wales. The Assembly can also direct local authorities as to how they prepare local transport plans and to direct two or more authorities to enter into arrangements for joint working.</p> <p>Changes to the local regulation of bus services will be included in the bill. On 12 December 2006 the Department for Transport published <i>Putting Passengers First: the Government's proposals for a modernised national framework for bus services</i>¹⁶. The document sets the UK Government's proposals for bus service provision. The document states:</p> <p>"it will be for the Welsh Assembly Government to decide whether to adopt the reforms proposed in this report and to be brought forward in the proposed draft Road Transport Bill. The Assembly Government will be discussing these proposals with the main stakeholders in Wales."</p> <p>The Assembly's former Economic Development and Transport Committee carried out joint scrutiny with the Welsh Affairs Committee of the draft Transport (Wales) Bill in 2004. Both Committees called for further powers for the Assembly over the provision of bus services in Wales. This recommendation was rejected by the UK and Welsh Assembly Governments.</p>		

¹⁶ Department for Transport, *Putting Passengers First The Government's proposals for a modernised national framework for bus services*, 12 December 2006
http://www.dft.gov.uk/stellent/groups/dft_localtrans/documents/page/dft_localtrans_613800.pdf

4 Other Bills of interest

Bill	Parliamentary Stage	Assembly Stage
<p>Concessionary Bus Travel Bill [HL]</p> <p>The Bill will implement the pledge by Gordon Brown in the 2006 Budget to give free off-peak travel on local buses for over 60s and disabled people anywhere in England from April 2008. Such a scheme already operates in Wales.</p>	<ul style="list-style-type: none"> • 08/01/07 Lords: Committee stage • 12/12/06 Lords: 2nd Reading • 27/11/06 Lords: 1st Reading 	
<p><i>Key clauses and further information</i></p> <p>The Bill replaces the section of the <i>Transport Act 2000</i> which contains the current mandatory bus travel concession for Wales and (most of) England with two new sections. One section provides for the new national concession for England (for journeys beginning outside the London bus network); the other restates the existing concessionary scheme in Wales.</p> <p>The only significant change to the legislation which might affect Wales is the inclusion of order-making powers enabling the Welsh Ministers and the Secretary of State to require, in their respective territories, the recognition of concessionary passes issued under each other's concessionary regimes, and those of Scotland and Northern Ireland. These powers could be used once all parties had agreed the practical arrangements of a reciprocal United Kingdom wide scheme. The Welsh Ministers' powers include power to adjust the way in which bus operators are reimbursed under the Welsh scheme, so that they can be reimbursed for carrying concessionaires from outside Wales.</p> <p>The Bill does not change the way the current Welsh scheme operates, nor does it affect the National Assembly's existing powers to alter the scope of the scheme.</p> <p>Further information about the Bill is available on the UK Parliament web-site at: http://www.publications.parliament.uk/pa/pabills/200607/concessionary_bus_travel.htm</p>		



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Bill	Parliamentary Stage	Assembly Stage
<p>Legal Services Bill [HL]</p> <p>In July 2003, the UK Government appointed Sir David Clementi to carry out an independent review of the regulatory framework for legal services in England and Wales. In December 2004, Sir David published a Report following his Review¹⁷. The Government subsequently published a white paper¹⁸ setting out proposals for the regulatory reform of legal services on 17 October 2005.</p> <p>The draft Legal Services Bill¹⁹ was introduced in Parliament on 24 May 2006. A Joint Committee on the Draft Legal Services Bill was established and published its report on 25 July 2006²⁰. The report raised a number of concerns including 'the level of government involvement in the proposed new regulatory system for legal services proposed in the draft Legal Services Bill as potentially damaging to the independence of the legal profession from government' and proposals to de-regulate the business structures within which legal services can be provided²¹. The <i>Legal Services Bill</i>²² received its first reading on 23 November in the House of Lords.</p>	<ul style="list-style-type: none"> • 06/12/06 Lords: 2nd Reading • 23/11/06 Lords: 1st Reading 	<ul style="list-style-type: none"> •

¹⁷ Clementi, D. (December 2004) *Report of the Review of the Regulatory Framework for Legal Services in England and Wales*
<http://www.legal-services-review.org.uk/content/report/report-chap.pdf>

¹⁸ Department for Constitutional Affairs, *The Future of Legal Services: Putting the Consumer First*, 17 October 2005: <http://www.dca.gov.uk/legalsys/folwp.pdf>

¹⁹ Department for Constitutional Affairs (24 May 2006) *Draft Legal Services Bill, Explanatory Notes and Regulatory Impact Assessment*: <http://www.official-documents.gov.uk/document/cm68/6839/6839.pdf>

²⁰ Joint Committee on the Draft Legal Services Bill, *Volume 1 Report*, 25 July 2006, HC 1154-I, HL Paper 232-I: <http://www.publications.parliament.uk/pa/it200506/jtselect/jtlegal/232/232i.pdf>

²¹ Joint Committee on the Draft Legal Services Bill press notice, 25 July 2006: http://www.parliament.uk/parliamentary_committees/jcdlsb/jcdlsb_250706_pn2_.cfm

²² *Legal Services Bill [HL], Bill 9, 2006-07*: <http://www.publications.parliament.uk/pa/ld200607/ldbills/009/07009.i-v.html> . Explanatory Notes can be accessed here: <http://www.publications.parliament.uk/pa/ld200607/ldbills/009/en/07009x--.htm>



Key clauses and further information

The Bill makes provision for:

- ◆ A new regulatory framework that will replace the existing framework for the regulation of legal services in England and Wales;
- ◆ The establishment of the Legal Services Board: a single oversight body, independent from both Government and approved regulators (for example, the Law Society and Bar Council);
- ◆ The establishment of an independent Office for Legal Complaints (OLC): a body with statutory power to handle complaints about services provided by persons subject to oversight regulation by the Board;
- ◆ 'Alternative Business Structures' (ABS) which will enable lawyers and non-lawyers to work together to deliver legal and other services and allow for external investment in practices.

Territorial coverage

The Bill extends to England & Wales and Scotland in part.

Powers for Wales

This is a non-devolved area. The Social Justice and Regeneration Committee questioned representatives of the Legal Services Commission on 21 September 2006²³ where the provision of legal services was presented and discussed within a social justice context:

'Naturally, although the responsibility for legal services has not been devolved, the clients, the people who need that support, are Welsh and when their problems are discussed in the round, they have problems that need the support of the health and education services and—as you mentioned in the previous item—they have homelessness problems. The answers to all those problems are within the Assembly's remit, so it is natural that the legal commission should co-operate closely with the health, education and housing services and so on' Mr Tom Jones, Commissioner for Wales, Legal Services Commission.²⁴

Further information about the Bill is available on the UK Parliament web-site at:

http://www.publications.parliament.uk/pa/pabills/200607/legal_services.htm

²³ RoP 21 September 2006, Social Justice and Regeneration Committee:

<http://www.wales.gov.uk/documents/cms/2/CommitteeMeeting/N0000000000000000000000000061/001752b33d98639f0828a975d504385e.pdf>

²⁴ Ibid, para 208



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Bill	Parliamentary Stage	Assembly Stage
<p>Statistics and Registration Services Bill</p> <p>The Bill will create a new and independent Statistics Board, outside of Ministerial control, as a legal successor body to the ONS. The Board will be a Non-Ministerial Department, made up of a majority of external, non-executive, members. The Board will have a statutory responsibility to promote and safeguard the quality and comprehensiveness of all official statistics. With the exception of civil registration functions, the ONS's current responsibilities will transfer to the new Board, as will statistical functions of the Registrar General, including the Census. The Bill establishes the Registrar General as a corporation sole, and provides for proper employment status and rights for registration officers as local authority employees.</p>	<ul style="list-style-type: none">• 08/01/07 Commons: 2nd Reading• 21/11/06 Commons: 1st Reading	



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Key clauses and further information

Part 1 of the Bill extends to England and Wales, Scotland and Northern Ireland, apart from clause 59 on evidence in legal matters, which will be governed by the law in England and Wales. Part 2 on the Registration Service extends only to England and Wales, as Scotland and Northern Ireland each have their own General Register Office and Registrar General.

The Bill applies generally to Wales. The Board in Welsh is to be known as "Y Bwrdd Ystadegau". Wales is treated slightly differently to Scotland and Northern Ireland under sections relating to information on births, deaths and NHS registrations (sections 39 and 41), and sections relating to disclosure of information between public authorities and the Board (sections 44 and 48).

Section 6 defines official statistics as including those produced by a Welsh ministerial authority, and allows Welsh Ministers to specify by order other statistics to be included in the definition of official statistics. Section 11 allows Welsh Ministers to specify by order rules and principles relating to pre-release access to wholly Welsh devolved statistics. However section 62 specifies that, for the Welsh Ministers to make an order under sections 6 or 11, a draft of the instrument containing the order must first be approved by the National Assembly for Wales. Welsh Ministers will also have certain functions in relation to the Board, such as appointment to the Board and the issuing of directions if they feel there has been a failure by the Board.

Further information about the Bill is available on the UK Parliament web-site at:

http://www.publications.parliament.uk/pa/pabills/200607/statistics_and_registration_service.htm



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Bill	Parliamentary Stage	Assembly Stage
<p>Welfare Reform Bill</p> <p>The Welfare Reform Bill was initially introduced in the House of Commons on the 4th July 2006 and has been carried over from the previous Parliamentary session. In the previous session the Bill completed 12 out of 16 scheduled Standing Committee sittings.</p> <p>It was re-introduced in the Queen's Speech, November 2006, and had its first Reading in the 2006-07 session on the 16 November 2006.</p> <p>It brings forward the proposals discussed in the Welfare Reform Green Paper published in January 2006 called '<i>A new deal for welfare - Empowering people to work</i>'²⁵.</p>	<ul style="list-style-type: none">• 28/11/06 Commons: Committee stage• 16/11/06 Commons: 2nd Reading• 16/11/06 Commons: 1st Reading <p>2005-06 session:</p> <ul style="list-style-type: none">• 24/07/06 Commons: 2nd Reading• 04/07/06 Commons: 1st Reading	<p>27/09/06 Bill considered by Equality of Opportunity Committee</p>

²⁵ '*A new deal for welfare - Empowering people to work*' Green Paper, Department for Work and Pensions, 24 January 2006, http://www.dwp.gov.uk/welfarereform/legislation_green_paper.asp



Key clauses and further information

The Bill replaces incapacity benefits with a new Employment and Support Allowance, it reforms the way in which Housing Benefit is calculated for some claimants and introduces Housing Benefit sanctions to discourage anti-social behaviour. It introduces reforms to the administration of social security, mainly in relation to the detection and prevention of fraud. The Bill also introduces some minor amendments to legislation concerning bereavement benefits, Disability Living Allowance, the Social Fund, Vaccine Damage Payments, the Independent Living Funds and compensation for pneumoconiosis and related conditions.

Territorial coverage

Most measures in the Bill extend to England and Wales and Scotland but not to Northern Ireland. Some Clauses do not extend to Scotland. The Bill affects England and Wales in the same way. It does not contain any measures which affect the powers of The National Assembly for Wales.

On behalf of the National Assembly for Wales, the Department for Education, Lifelong Learning and Skills (DELLS) is leading the liaison with the Department for Work and Pensions on the impact of the Bill in Wales.

Further information about the Bill is available on the UK Parliament web-site at:

http://www.publications.parliament.uk/pa/pabills/200607/welfare_reform.htm

5 Other Bills

5.1 Communities and Local Government

Greater London Authority Bill

The Bill will give additional powers to the GLA (the Mayor of London and London Assembly) to support the delivery of better public services in London. The Bill elevates the Mayor's planning and housing powers significantly in response to the new challenges associated with delivering the London Olympics and increasing housing supply for the capital.

The Bill extends to England and Wales.

[Further information about the Bill](#)

5.2 Constitutional Affairs

Tribunals, Courts and Enforcement Bill [HL]

The Bill creates a new, simplified legal framework for tribunals. It will change the existing threshold criteria to allow a more diverse range of applicants to apply to become a judge, and will create a single piece of bailiff law governing the activities of all civil enforcement agents and greater regulation of those agents who are not Crown employees.

The Bill extends to England and Wales.

[Further information about the Bill](#)

5.3 Health

Draft Human Tissue and Embryo Bill

The Bill will ensure that the law that regulates human reproductive technologies is updated to reflect new technologies, and will promote public confidence in human reproductive technologies through effective regulatory controls.

The Bill extends to the United Kingdom

5.4 Home Office

Border and Immigration Bill

The Bill will provide the immigration service with further powers to police the country's borders, tackle immigration crime, and make it easier to deport those who break the law.

Corporate Manslaughter and Corporate Homicide Bill

The Bill creates a new offence to be called corporate manslaughter (corporate homicide in Scotland) and will make it easier to prosecute organisations when their gross negligence leads to death. The Bill is carried over from the previous session 2005/06.

The Bill extends to the United Kingdom.

[Further information about the Bill](#)

Criminal Justice Bill

The Bill will toughen up trial processes for when an offender fails to appear without good reason; create new powers to tackle anti-social and violent behaviour, and; make sentencing processes clearer and address imbalances in the process for overturning convictions and releasing offenders.

The Bill extends to England and Wales.

Fraud (Trials without a Jury) Bill

The Bill will make amendments in relation to, section 43 of the Criminal Justice Act 2003, which provides for serious and complex fraud trials to take place without a jury. The Bill extends to England and Wales.

[Further information about the Bill](#)

Offender Management Bill

The Bill aims to reduce re-offending and better protect the public by providing new arrangements for the provision of probation services, and other measures to improve the efficiency and effectiveness of how offenders are managed in custody and the community.

The Bill extends to England and Wales.

[Further information about the Bill](#)

Organised Crime Bill

The Bill will introduce a comprehensive package of new powers that will strengthen and improve the ability of law enforcement agencies to tackle and prevent serious organised crime, thereby reducing its harm to society.

The Bill extends to England, Wales and Northern Ireland, and some provisions will also apply to Scotland.

5.5 Northern Ireland

Justice and Security (Northern Ireland) Bill

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The Bill includes provision for jury reform and a new system of non-jury trial, following the repeal of the Diplock Court system; provision of powers for the armed forces, police and Secretary of State for Northern Ireland, and; provision for the extension of the remit of the Security Industry Authority to Northern Ireland and an extension of the powers of the Northern Ireland Human Rights Commission (NIHRC).

The Bill extends to Northern Ireland only.

[Further information about the Bill](#)

Northern Ireland (St Andrews Agreement) Bill

The Bill gives legislative effect to those elements of the St Andrews Agreement that require primary legislation and thereby paves the way for the restoration of the devolved institutions in Northern Ireland on 26 March 2007. The Bill received Royal Assent on 22 November 2006.

The Act extends to Northern Ireland only.

[Further information about the Bill/Act](#)

5.6 Trade and Industry

Consumers, Estate Agents and Redress Bill [HL]

The Bill contains measures to strengthen and streamline consumer representation by bringing together the National Consumer Council, Energywatch and Postwatch, giving consumers a more effective, single voice and offering better value for money.

The Bill extends to the United Kingdom.

[Further information about the Bill](#)

Draft Local Better Regulation Office Bill

The draft Bill would create a new independent body – the Local Better Regulation Office – which would aim to help businesses comply with trading standards and environmental health regulations.

The Bill extends to the United Kingdom.

5.7 Transport

Crossrail Bill

The Bill will give the powers necessary for the construction and maintenance of Crossrail, a new east-west cross-London rail link, including new tunnels under central London. The Bill is carried over from the previous session 2005/06.

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The Bill extends to England and Wales.

[Further information about the Bill](#)

5.8 Treasury

Consolidated Fund Bill

The Bill authorises the use of resources for the service of the years ending with 31st March 2007 and 31st March 2008 and to apply certain sums out of the Consolidated Fund to the service of the years ending with 31st March 2007 and 31st March 2008.

[Further information about the Bill](#)

Income Tax Bill

The Bill will restate, with minor changes, certain enactments relating to income tax; and for connected purposes.

[Further information about the Bill](#)

Investment Exchanges and Clearing Houses Bill

The Bill will confer a specific power on the Financial Services Authority to prevent UK recognised investment exchanges and recognised clearing houses from making changes to their rules which would impose an unnecessary regulatory burden on issuers of securities and other users of UK markets.

The Bill extends to the United Kingdom.

[Further information about the Bill](#)

Planning-gain Supplement (Preparations) Bill

The Bill will permit expenditure in preparation for the imposition of a tax on the increase in the value of land resulting from the grant of permission for development.

[Further information about the Bill](#)

5.9 Work and Pensions

Child Support Bill

The Bill will create a new organisation to deliver child support; create a system that allows all parents to make their own arrangements for child support; introduce more enforcement powers to deal with parents who repeatedly fail to pay maintenance, and; create a simple and more effective way of assessing, collecting and enforcing child maintenance.



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The Bill extends to the United Kingdom

Pensions Bill

The Bill contains measures to reform the State Pension, establish a Delivery Authority for personal accounts, and some simplification of private pensions. The Bill extends to the United Kingdom.

[Further information about the Bill](#)