



**Constitutional and Legislative
Affairs Committee**

Alun Davies AM
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Welsh Government
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5 October 2011

Dear Alun

CLA38 - The Alien and Locally Absent Species in Aquaculture (England and Wales) Regulations 2011

The Committee considered the above Statutory Instrument at its meeting on 3 October 2011. A copy of our report on the regulations, along with the Welsh Government response, is attached for information.

The Committee was very grateful for the undertaking given in the Government's response that a Welsh translation of instruments made jointly with the UK Parliament would be provided where possible in future. The Committee agreed that this was a welcome step forward. However, Committee Members noted that a Welsh translation would have no legal standing and would not address the fundamental issue that instruments made in English only do not comply with the Assembly's standing orders. The Committee will, therefore, continue to be required to report on such instruments under Standing Order 21.2 (ix).

The Committee was also grateful for the undertaking that in future Explanatory Memorandums for such instruments would be addressed to the relevant Assembly Committee and would include at least a Welsh Government perspective on the instrument in question. This is also a very welcome step forward.

The Committee asked me to clarify two further points with you. Firstly, are the undertakings given in this case made on behalf of all the Welsh Ministers? Secondly, has any assessment been made of the impact of these particular regulations on Wales alone and, if so, would you be able to publish the assessment for the public record?

Yours sincerely

David Melding AM
Chair, Constitutional and Legislative Affairs Committee