

LAW DERIVED FROM THE EUROPEAN UNION (WALES) BILL – STAGE 3 GOVERNMENT AMENDMENTS

This table provides information about the amendments tabled in the name of Julie James AM on **20 March 2018**.

N o.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
3	<p>Page 14, after line 21, insert a new section—</p> <p>‘[] Duty to report on exercise of functions under sections 14(1) and 15(1)</p> <p>(1) The Welsh Ministers must lay before the National Assembly for Wales a report on the exercise of their consent function under section 14(1) or 15(1) before the end of a period of 60 days beginning with the day on which consent is given.</p> <p>(2) A report prepared under subsection (1) must—</p> <p>(a) give an explanation of the subordinate legislation being made, approved or confirmed;</p> <p>(b) specify the person upon whom the functions of making, approving or confirming the legislation have been conferred;</p> <p>(c) specify the Welsh Ministers’ reasons for giving the consent.</p> <p>(3) For the purposes of subsection (1), no account is to be taken of any time during which the National Assembly for Wales is dissolved or in recess for more than four days.’.</p>	<p>Tudalen 14, ar ôl llinell 22, mewnosoder adran newydd—</p> <p>‘[] Dyletswydd i adrodd ar arfer swyddogaethau o dan adrannau 14(1) a 15(1)</p> <p>(1) Rhaid i Weinidogion Cymru osod gerbron Cynulliad Cenedlaethol Cymru adroddiad ar arfer eu swyddogaeth cydsyniad o dan adran 14(1) neu 15(1) cyn diwedd cyfnod o 60 o ddiwrnodau sy’n dechrau â’r diwrnod y rhoddir cydsyniad.</p> <p>(2) Rhaid i adroddiad a lunnir o dan is-adran (1)—</p> <p>(a) rhoi esboniad o’r is-ddeddfwriaeth sy’n cael ei gwneud, ei chymeradwyo neu ei chadarnhau;</p> <p>(b) pennu’r person y mae’r swyddogaethau o wneud, cymeradwyo neu gadarnhau’r ddeddfwriaeth wedi eu rhoi iddo;</p> <p>(c) pennu rhesymau Gweinidogion Cymru dros roi’r cydsyniad.</p> <p>(3) At ddibenion is-adran (1), nid oes unrhyw ystyriaeth i’w rhoi i unrhyw amser pan yw Cynulliad Cenedlaethol Cymru wedi ei ddiddymu neu ar doriad am fwy na phedwar diwrnod.’.</p>	<p>The purpose of this amendment is to ensure the Assembly is kept informed of the exercise by the Welsh Ministers of their consent functions under sections 14(1) and 15(1) of the Bill.</p> <p>The effect of the amendment is that the Welsh Ministers must lay before the National Assembly for Wales a report on the exercise of their consent function before the end of a period of 60 days beginning with the day on which consent is given (but discounting any time during which the National Assembly for Wales is dissolved or in recess for more than four days). The report must: include an explanation of the subordinate legislation being made, approved or confirmed; specify the person making, approving or confirming the subordinate legislation; and include the Welsh Ministers’ reasons for giving consent.</p>

N o.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
4	<p>Page 18, after line 14, insert a new section—</p> <p>‘[] Repeal of this Act</p> <p>The Welsh Ministers may by regulations repeal this Act or any provision of this Act.’</p>	<p>Tudalen 18, ar ôl llinell 14, mewnosoder adran newydd—</p> <p>‘[] Diddymu’r Ddeddf hon</p> <p>Caiff Gweinidogion Cymru drwy reoliadau ddiddymu’r Ddeddf hon neu unrhyw ddarpariaeth o’r Ddeddf hon.’</p>	<p>The purpose of the amendment is that if the Law Derived from the European Union Bill, or any part thereof, once passed is no longer considered necessary, it can be repealed by regulations made by the Welsh Ministers.</p> <p>The effect of this amendment is to allow the Welsh Ministers to repeal the Law Derived from the European Union Bill, either in part or as a whole.</p>
5	<p>Schedule 2, page 21, line 13, leave out ‘or section 12’ and insert ‘, section 12 or section []’.</p>	<p>Atodlen 2, tudalen 21, llinell 14, hepgorer ‘neu adran 12’ a mewnosoder ‘, adran 12 neu adran []’.</p>	<p>This amendment links to amendment 2.</p> <p>The purpose of this amendment is to ensure that an appropriate level of scrutiny applies in respect of regulations to repeal the Act or any provisions of the Act, as provided for in amendment 2.</p> <p>Its effect is to provide that any regulations made under the power to repeal the Act or any provisions of the Act, as provided for in amendment 2, would be subject to the enhanced procedure.</p>

N o.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
6	Schedule 2, page 21, line 28, after '12', insert 'or section []'.	Atodlen 2, tudalen 21, llinell 29, ar ôl '12', mewnosoder 'neu adran []'.	<p>This amendment links to amendment 2.</p> <p>The purpose of this amendment is to ensure that an appropriate level of scrutiny is applied to any regulations made under the power to repeal the Act, or provisions of the Act, as provided for in amendment 2.</p> <p>Its effect is to provide that the full procedural requirements contained under sub-paragraphs (6) to (14) of paragraph 1 of Schedule 2 will apply to any regulations made to repeal the Act, or provisions of the Act, as provided for in amendment 2.</p>
7	Schedule 2, page 23, line 29, after '11', insert ', section 12'.	Atodlen 2, tudalen 23, llinell 34, ar ôl '11', mewnosoder ', adran 12'.	<p>The purpose of this amendment is to ensure that an appropriate level of scrutiny applies in respect of regulations to extend the life of the power in section 11(1) (Power to make provision corresponding to EU law after exit day)</p> <p>The effect is to ensure that regulations made under the power to extend the life of the power in section 11(1) cannot be subject to the urgent procedure.</p>

N o.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
8	Schedule 2, page 23, line 29, after '11', insert 'and section []'.	Atodlen 2, tudalen 23, llinell 34, ar ôl '11', mewnosoder 'ac adran []'.	<p>This amendment links to amendment 2.</p> <p>The purpose of this amendment is to ensure that an appropriate level of scrutiny applies in respect of regulations to repeal the Act or any provisions of the Act, as provided for in amendment 2.</p> <p>Its effect is to ensure that regulations made under the power to repeal the Act or any provisions of the Act, as provided for in amendment 2, cannot be subject to the urgent procedure.</p>