



Elin Jones AC, Llywydd

Cynulliad Cenedlaethol Cymru

Elin Jones AM, Presiding Officer

National Assembly for Wales

Y Pwyllgor Cydraddoldeb, Llywodraeth Leol a Chymunedau
Equality, Local Government and Communities Committee
ELGC(5)-24-17 Papur 7/ Paper 7

Committee Chairs
National Assembly for Wales
Cardiff Bay
CF99 1NA

11 July 2017

Dear Committee Chair

Implementation of the Wales Act 2017

As you will be aware, the Wales Act 2017 provides that the Secretary of State for Wales must appoint, through regulations, a 'principal appointed day' on which the new reserved powers model will come into force. The Act also provides that the Secretary of State must consult me, as Llywydd, before making such regulations.

I enclose a letter from the Secretary of State setting out his intention to appoint **6 April 2018** as the principal appointed day. He also indicates that he intends to commence most of the remaining provisions in the Wales Act at the same time.

You will note from the Secretary of State's letter that he intends to write further in relation to the implications for the Legislative Consent process as a result of the two-year Parliamentary session. I will share this letter with you in due course.

I would be grateful if you could let me know by Friday 28 July whether your committees have any comments to make on the Secretary of State's proposals.

Yours sincerely

Elin Jones AM
Llywydd

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10th July 2017

Dear Elin,

I am writing regarding the implementation of the Wales Act 2017. The Act provides for the Secretary of State to appoint, through regulations, a “principal appointed day” (PAD) on which the new reserved powers model comes into force. The Act specifies that I consult the Welsh Ministers and the Assembly’s Presiding Officer before making regulations appointing the PAD. I am therefore writing to seek your views on my proposal to specify **6 April 2018 as the principal appointed day**.

Three key factors have informed my proposed date. Firstly, the need to implement the new reserved powers model of Welsh devolution as soon as practicable, to provide a clearer settlement and a well-defined division between devolved and reserved responsibilities. The lack of clarity that is a feature of the current Welsh devolution settlement continues to hinder our administrations working together as effectively as they might.

The 2017 Act requires the PAD to be at least four months after the regulations appointing the date are made. Making these regulations this autumn would provide Parliament, the National Assembly for Wales and both our governments with sufficient notice to prepare for the new model.

Secondly, as you know the new devolved taxes - the Land Transaction Tax and Landfill Disposals Tax - come on stream on 6 April 2018. Bringing the reserved powers model into force on the same day would deliver a strong message that Welsh devolution has come of age.


Thirdly, we need to be clear about the model of Welsh devolution which applies as we prepare for our exit from the European Union. Implementing the reserved powers model in April 2018 provides us with sufficient time to make the necessary preparations before exit day.

I also propose to commence most of the remaining sections of the Wales Act 2017 in the same order. These sections devolve further powers to the National Assembly and the Welsh Ministers. The devolution of these powers is already reflected in the reserved powers model and so it makes sense to bring these sections into force at the same time.

The current session of Parliament will run until 2019, meaning the new reserved powers model would be brought force mid-way through the session. Clearly this has implications for any Legislative Consent Motions that may be required, and my officials are working to assess the impact. I will write to you once this analysis is completed. You will be aware that under Schedule 7 to the 2017 Act the current *conferred* powers model would continue to apply to those Assembly Bills which have passed Stage 1 by the PAD.

I would be grateful to receive your response by **4 September**, enabling the regulations to be drafted by early autumn. I am happy to share with you the regulations in draft before they are laid.

I am writing in similar terms to the First Minister of Wales.

Yours,


Alun Cairns MP
Secretary of State for Wales
Ysgrifennydd Gwladol Cymru