

# Sixth Senedd procedural work: Priorities

In accordance with Standing Order 11.7(iv), the Business Committee is responsible for making recommendations on the general practice and procedures of the Senedd, including any proposals for the re-making or revision of Standing Orders.

The implementation of the Senedd Cymru (Members and Elections) Act 2024 will increase the number of Members to 96, change the way in which Members are elected, and make a number of other changes to the Senedd's statutory framework.

The Business Committee is reviewing a range of matters with a view to ensuring that the Senedd's procedural framework reflects these statutory changes, and provides a robust basis for the operation of the Senedd to be elected in 2026.

This report provides an overview of the issues that have been prioritised for consideration before the end of the Sixth Senedd in spring 2026.



## 1. Background

- 1.** The remit of the Business Committee is to facilitate the effective organisation of Senedd proceedings. Its functions are specified in SO 11.7, and include making recommendations on the general practice and procedure of the Senedd in the conduct of its business (including any proposals for the re-making or revision of Standing Orders, or any part thereof).
- 2.** To support the delivery of this function, the Business Committee maintains a rolling work programme of procedural matters identified as potentially requiring review or consideration. This may include matters raised by Senedd committees, the Welsh Government, individual Members of the Senedd or others.
- 3.** The Senedd Cymru (Members and Elections) Act 2024 (“the 2024 Act”) provides that the Senedd elected in May 2026 will have 96 Members, elected via closed list proportional representation to represent 16 constituencies. The 2024 Act also makes other changes to the Senedd’s statutory framework, including provision enabling the election of an additional Deputy Presiding Officer and a reduction in the length of a Senedd from five years to four.
- 4.** The Business Committee’s procedural work programme therefore includes consideration of matters arising from the 2024 Act, with a view to ensuring that the Senedd’s procedural framework reflects the statutory changes and provides a robust basis for the operation of the Senedd to be elected in 2026.

## 2. Approach to prioritisation

- 5.** In June 2025, the Business Committee reviewed its rolling work programme, taking account of factors such as:
  - Whether consideration of a matter must be completed before the first election at which 96 Members are elected.
  - Whether a matter would be more appropriately considered by the next Senedd.
  - Whether legislation other than the 2024 Act requires procedural changes to be considered.

- Whether consideration of a matter has a realistic chance of resolving a recognised issue (for example on the basis of the time remaining before the end of the Senedd, or the likelihood of reaching cross-party agreement).
- The extent to which consideration by the Business Committee or associated preparatory work on the matter had already begun.

6. In this way, the Business Committee identified three categories:

- Matters for consideration during the Sixth Senedd.
- Matters on which further scoping is required before a prioritisation decision can be taken.
- Matters to be highlighted for consideration during the Seventh Senedd.

7. The remainder of this report provides an overview of the issues within each category.

### 3. Matters identified for consideration during the Sixth Senedd

#### Implementation of provision enabling the election of an additional Deputy Presiding Officer

##### Background

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8. The 2024 Act enables, but does not require, the election of an additional Deputy Presiding Officer. Changes to Standing Orders would be required to enable the Senedd to make use of the enabling provision. Matters for consideration include, for example, how such a decision would be taken, and how the election of an additional Deputy Presiding Officer would be conducted.

9. A related issue first raised by the Special Purpose Committee on Senedd Reform (“the Special Purpose Committee”) in 2022, and subsequently considered by the Business Committee and the Reform Bill Committee, is the titles by which the Presiding Officer and Deputy Presiding Officer are to be known.

## **Reason for the Business Committee's decision**

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**10.** Unless enabling provision is included in Standing Orders before the end of the Sixth Senedd, there would be a delay before the next Senedd could make use of the flexibility offered by the 2024 Act (if it wished to do so).

## **Implementation of provision regarding scrutiny of subordinate legislation in the Legislation (Procedure, Publication and Repeals) (Wales) Act 2025**

### **Background**

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**11.** The Legislation (Procedure, Publication and Repeals) (Wales) Act 2025 ("the 2025 Act") brings together into one place, and assigns new labels to, the main scrutiny procedures that apply to the making of subordinate legislation by the Welsh Ministers. Changes to Standing Orders are therefore required to reflect the statutory changes.

### **Reason for the Business Committee's decision**

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**12.** Unless changes to Standing Orders are made before the relevant provisions in the 2025 Act come into force, there will be uncertainty about the procedures for scrutinising subordinate legislation.

## **Parliamentary business in the Seventh Senedd**

### **Background**

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**13.** The Future Senedd Committee was tasked with considering and reporting on matters relating to the organisation of business in the Seventh Senedd. This included matters such as the number, timetabling and business of plenary meetings, and the structure of the committee system and the timetabling of committee meetings.

**14.** The Chairs' Forum is currently reviewing matters relating to the operation and effectiveness of committees in the Sixth Senedd.

### **Reason for the Business Committee's decision**

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**15.** To assist in the smooth scheduling and operation of early business in the Seventh Senedd, the Business Committee intends to reflect and build on the

report of the Future Senedd Committee and any conclusions reached by the Chairs' Forum.

## Procedures relating to Member Bills

### Background

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**16.** SO 26 requires the Presiding Officer to hold, from time to time, a ballot to select the name of a Member who may seek the Senedd's leave to introduce a Bill to give effect to proposed policy objectives. Members who are granted leave to proceed may then introduce a Bill within 13 months. Such Bills are subject to the same scrutiny procedure as other Bills introduced under SO 26.

**17.** The procedures regarding the Member Bill process were last substantively reviewed in 2016. Issues regarding how Members are selected to introduce Bills were raised by the Legislation, Justice and Constitution Committee in correspondence in 2022 and 2023 and reports in 2022 and 2023. Members' expectations regarding Member Bills may also be affected by the increase in the size of the Senedd.

### Reason for the Business Committee's decision

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**18.** The Business Committee consulted on a review of the Member Bill procedure in spring 2025. Unless any procedural changes are made before the end of the Sixth Senedd, there could be delay in facilitating the operation of the Member Bill procedure in the Seventh Senedd, with potential implications for the number of Member Bills that may be developed, introduced and scrutinised within a four-year term.

## Procedures relating to the scrutiny of Bills introduced in accordance with SO 26

### Background

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**19.** The majority of Bills introduced to the Senedd are introduced in accordance with SO 26. SO 26 was last substantively reviewed in 2016. Matters regarding the legislative scrutiny procedure in SO 26—such as issues relating to the allocation of time for committees to report during Stage 1—have been raised on a number of occasions during the Sixth Senedd by Senedd committees and the Welsh Government.

## Reason for the Business Committee's decision

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**20.** The Business Committee consulted on a review of the Public Bill scrutiny procedure in spring 2025. The experience of Members, committees and the Welsh Government during the Sixth Senedd is key to assessing the implications of any procedural changes that might be proposed. In addition, there may be opportunities to introduce or pilot potential procedural reforms in the Sixth Senedd.

## Provision to pilot the election or appointment of committee chair roles on a job-sharing basis

### Background

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**21.** In 2022 the Special Purpose Committee recommended that the Business Committee should consider the practical and procedural issues associated with two Members job sharing the role of committee chair. The Business Committee issued a call for evidence on the principle of job sharing for committee chairs in summer 2024, followed by a second phase of targeted consultation on specific proposals in autumn 2024.

### Reason for the Business Committee's decision

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**22.** Significant work has already been done to develop proposals to enable the piloting of the election or appointment of committee chairs on a job-sharing basis. In addition, unless any procedural changes are made before the end of the Sixth Senedd, it would be unlikely that enabling provision would be in place before the election of the majority of committee chairs early in the Seventh Senedd.

## Recommendations of the Standards of Conduct Committee regarding the declaration and registration of Members' interests

### Background

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**23.** The Standards of Conduct Committee is considering the Senedd's arrangements for the registration and declaration of interests, with a view to ensuring that they remain fit for purpose across all aspects of Senedd business.

## Reason for the Business Committee's decision

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**24.** The registration and declaration of Members' interests is an important cornerstone of the Senedd's standards regime. If the Standards of Conduct Committee recommends procedural changes, then it will help to avoid any confusion or uncertainty, and ensure that the Seventh Senedd begins on a robust footing, if any changes are made before the start of the Seventh Senedd.

## Review of Standing Orders relating to 'constituency' and 'regional' Members

### Background

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**25.** The 2024 Act introduces closed list proportional representation as the means of election for all Members, replacing the current system by which some Members are elected to represent constituencies and others to represent regions.

## Reason for the Business Committee's decision

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**26.** Review of the small number of provisions in Standing Orders that make reference to constituency and regional Members is required to ensure the Senedd's procedures reflect the new statutory framework.

## Standing Order 'thresholds'

### Background

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**27.** Throughout Standing Orders there is provision specifying the number of Members required for specific purposes (for example, the number of Members required to form a political group, or who must be present for a committee meeting to be quorate). As the 2024 Act will increase the overall number of Members of the Senedd, the Future Senedd Committee was tasked with reviewing whether the existing 'thresholds' would remain appropriate in a larger Senedd.

## Reason for the Business Committee's decision

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**28.** The Future Senedd Committee has made recommendations regarding Standing Order thresholds. Some of the thresholds underpin key parts of the Senedd's structures and operation—for example there is a link between the ability of Members to form political groups and the eligibility of Members to be

elected as Presiding Officer or Deputy Presiding Officer. The allocation of committee chairs and members is also linked to political group membership. It would therefore limit any potential disruption to the structures and operation of the Seventh Senedd if any procedural changes were made before the end of the Sixth Senedd.

## 4. Matters on which further scoping is required before decisions can be taken

### **Finance Committee review of budget procedures**

#### **Background**

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**29.** The Finance Committee has been reviewing the budget process and supplementary budget procedures as they relate to Directly Funded Bodies.

#### **Reason for the Business Committee's decision**

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**30.** The Business Committee agreed to consult the Finance Committee on the timescales for its work, and whether it anticipates that its conclusions will necessitate any procedural review work before the end of the Sixth Senedd.

## 5. Matters to be highlighted for consideration during the Seventh Senedd

### **Accountability of the Democracy and Boundary Commission Cymru**

#### **Background**

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**31.** The 2024 Act renamed the Local Democracy and Boundary Commission of Wales as the Democracy and Boundary Commission Cymru ("the DBCC") and conferred on it responsibility for the Senedd's electoral boundary arrangements and reviews.

**32.** In its January 2024 [Stage 1 report](#) on the then Senedd Cymru (Members and Elections) Bill, the Reform Bill Committee considered how accountability arrangements for the DBCC could balance the necessary independence of the



DBCC with appropriate assurance about its governance and operation, and transparency about how key postholders are appointed. It recommended:

*“Recommendation 25. The Business Committee should, as part of its procedural review prior to the 2026 election, consider appropriate models of accountability for the Democracy and Boundary Commission Cymru in respect of its functions in relation to Senedd constituency boundaries, including the potential use of the Llywydd’s Committee. The accountability model put in place should include the option for a relevant Senedd committee, if it wishes to do so, to hold pre-appointment hearings as part of the processes for appointing the chair and chief executive of the Democracy and Boundary Commission Cymru.”*

### **Reason for the Business Committee’s decision**

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**33.** The Business Committee concluded that a review of the scale and complexity required could not be completed before the end of the Sixth Senedd. Such a review would, for example, need to consider the type of accountability appropriate for a body that must be free from political influence. In addition, if such functions were to be delegated to the Llywydd’s Committee, it is possible that primary legislation would be required. The pre-appointment hearings aspect of the recommendation may also need to be considered in the context of any broader work conducted in respect of Welsh Government public appointments (see paragraphs 61 to 64).

## **Codification of Welsh law**

### **Background**

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**34.** The Welsh Government’s January 2024 policy document on the future of Welsh law revised accessibility programme describes codification:

*“In practice, codification means publishing the law on particular subjects together in one place and taking steps to preserve the structure of legislation on a particular subject once it has been brought to order. So where we have one Act on a particular subject, either because it has been consolidated or there has been wholesale reform of the law in the area, we should continue to have one Act. When a proposal is made to*

*change the law in relation to the subject that change should be made by amending that Act, not making a new one that sits alongside it, unless there is a very good reason not to.”*

**35.** It further states that, through the consolidation of planning law, the Welsh Government intends to create a code of Welsh law relating to planning. The Welsh Government announced in April 2025 that two Consolidation Bills would be introduced in the final year of the Sixth Senedd for this purpose.

### **Reason for the Business Committee’s decision**

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**36.** To date, no codes of Welsh law have been established. It is therefore too soon to consider whether any specific procedural reforms are required.

## **‘Cognate’ Bills**

### **Background**

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**37.** ‘Cognate’ Bills are Bills that are distinct, but closely associated with one another, and intended to progress through a legislature’s scrutiny processes in a coordinated way.

**38.** The Welsh Government intends to introduce two cognate Consolidation Bills in autumn 2025 for the purposes of consolidating planning law.

### **Reason for the Business Committee’s decision**

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**39.** To date, no cognate Bills have been introduced, and no specific procedural barriers have been identified.

**40.** In preparation for the introduction of the anticipated cognate planning Consolidation Bills in autumn 2025, the Business Committee is considering the practical implications for scrutiny in the usual way i.e. the timetable for stages other than those taken in plenary. Should any specific procedural barriers arise, they will be considered accordingly.

## **Consolidation Bills**

### **Background**

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**41.** Consolidation Bills are Bills introduced by a member of the government for the purpose of consolidating existing primary legislation, secondary legislation, and common law. Such Bills pass through different scrutiny procedures to those

that apply to the majority of Bills. To date, only one Consolidation Bill has been considered by the Senedd (the Historic Environment (Wales) Bill).

**42.** In its Initial Consideration Stage report on that Bill, the Legislation, Justice and Constitution (“LJC”) Committee recommended that a full review of SO 26C should be undertaken after a second Consolidation Bill had been considered by the Senedd. However, in September 2023 the LJC Committee wrote to the Business Committee to highlight specific issues that merited earlier consideration. Subsequently, in January 2024, the Business Committee reported on a limited review of the Consolidation Bill procedures.

### **Reason for the Business Committee’s decision**

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**43.** The anticipated Bills to consolidate planning law are expected to be introduced in autumn 2025, and are therefore unlikely to complete their passage through the Senedd with sufficient time remaining to enable a procedural review to be undertaken before the end of the Sixth Senedd.

## **Legislation (Procedure, Publication and Repeals) (Wales) Act 2025: LJC Committee recommendations**

### **Background**

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**44.** In its February 2025 Stage 1 report on the then Legislation (Procedure, Publication and Repeals) (Wales) Bill, the LJC Committee recommended that the Business Committee consider:

- Whether a sifting committee should consider any laid subordinate legislation to decide the appropriate level of scrutiny.
- Proposing the introduction of a procedure to allow for amendable ‘think again’ motions to statutory instruments.

### **Reason for the Business Committee’s decision**

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**45.** The work required to deliver these recommendations would be significant, and there is unlikely to be sufficient time for this to be completed before the end of the Sixth Senedd.

## Legislative consent process

### Background

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**46.** Various aspects of the Senedd's procedures regarding, and the broader operation of, the legislative consent process have been raised by Members, the Welsh Government and Senedd committees on a number of occasions.

**47.** Most recently a focused review by the Business Committee led to changes to SO 29.1 to clarify the provisions of a UK Bill that require a legislative consent memorandum, and the provisions of the Bill to which the Senedd is being asked to consent (or not) when considering a related motion. In October 2024, the Business Committee agreed to pause any further work until this change and relationships with the new UK Government has had time to bed-in.

### Reasons for the Business Committee's decision

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**48.** Senedd procedures are only one element of the broader legislative consent process. Other elements would require UK-level constitutional change and broad political consensus to address; it may be unlikely that significant changes would be achievable in the time remaining in the Sixth Senedd.

## Legislative diversity quotas for characteristics other than gender

### Background

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**49.** In 2022 the Special Purpose Committee recommended that:

*"Recommendation 11. We recommend that the Senedd should be elected with integrated statutory gender quotas.*

*[...]*

*Recommendation 15. We recommend that a relevant committee considers how further work can best be undertaken on examining the merits and implications of legislative diversity quotas for characteristics other than gender. We anticipate that this consideration will inform decisions on whether such quotas may, in time, provide effective mechanisms for encouraging the election of a more diverse Senedd, at an appropriate time in the future."*

**50.** The Welsh Government introduced the Senedd Cymru (Electoral Candidate Lists) Bill in March 2024. The Member in charge of the Bill made a statement that, in her view, the Bill would be within the Senedd's legislative competence. The Llywydd made a statement that the Bill would, in her view, not be within the Senedd's legislative competence.

**51.** In September 2024, the Member in charge of the Bill issued a written statement indicating her intention to seek the Senedd's agreement to withdraw the Bill. The statement provided an update on the Welsh Government's plans to publish diversity and inclusion guidance for political parties in accordance with provision in the Elections and Elected Bodies (Wales) Act 2024. The Senedd subsequently agreed to the withdrawal.

**52.** The Welsh Government's diversity and inclusion guidance for registered political parties was published in March 2025.

### **Reason for the Business Committee's decision**

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**53.** There is insufficient time remaining in the Sixth Senedd for the Business Committee or another Senedd committee to undertake the policy development work that would be required to give effect to the Special Purpose Committee's recommendation 15. Arguably, political parties and the Welsh Government are better placed to develop policy in relation to this, rather than utilising limited Senedd committee scrutiny capacity to undertake policy development work. In addition, there continues to be uncertainty regarding the Senedd's legislative competence in respect of diversity quotas.

## **Post-Brexit procedural reforms (relating to UK-wide common frameworks and the UK Internal Market Act 2020)**

### **Background**

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**54.** Following consideration of recommendations made by Senedd committees, in 2023 the Business Committee consulted Senedd committees, the Chairs' Forum and the Welsh Government on potential proposals to facilitate scrutiny of the practical effect on legislation introduced in the Senedd and other UK parliaments of the UK Internal Market Act 2020 ("UKIMA") and UK-wide common policy frameworks.

**55.** The UK Government is currently reviewing the UKIMA and the common frameworks.

## **Reason for the Business Committee's decision**

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**56.** In February 2025, the Business Committee agreed to defer further consideration of these matters until after the UK Government's review, as the outcome of this review will need to be considered before any proposals can be finalised. It is unlikely that the UK Government's review will be completed in sufficient time to enable the Business Committee to complete its consideration of these issues before the end of the Sixth Senedd. Some aspects of the proposals relating to explanatory memoranda for Senedd Bills may be picked up as part of the work on procedures relating to Bill scrutiny.

## **Senedd representation on interparliamentary bodies**

### **Background**

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**57.** The Senedd has formal or informal representation on a number of interparliamentary bodies, including membership of the Interparliamentary Forum ("the IPF") and an invitation to send informal observers to the UK-EU Parliamentary Partnership Assembly ("the PPA"). There is no formal process for appointing such representatives.

**58.** The Chairs' Forum agreed in January 2025 to nominate the chairs of the LJC Committee and the Climate Change, Environment and Infrastructure Committee as members of the IPF, and the chairs of the Economy, Transport and Rural Affairs Committee and the Culture, Communications, Welsh Language, Sport and International Relations Committee as observers to the PPA.

**59.** Following representations from the LJC Committee, the Llywydd agreed that consideration should be given to how the Senedd's representation on interparliamentary bodies is determined.

### **Reason for the Business Committee's decision**

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**60.** The Business Committee concluded that this matter requires consideration by the Llywydd in the first instance. While further review by the Business Committee may then be required, there is unlikely to be sufficient time for this to be completed before the end of the Sixth Senedd. In addition, it is unlikely that further decisions on Senedd representation on interparliamentary bodies will be required before the end of the Sixth Senedd.

## Senedd role in Welsh Government public appointments

### Background

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- 61.** The Welsh Government is responsible for making public appointments to a range of appointments across all aspects of public life. Regulated appointments must be made in accordance with the Governance Code on Public Appointments, and independent assurance that appointments comply with the Code is provided by the Commissioner for Public Appointments.
- 62.** Since 2019, agreement has been in place between the Senedd and the Welsh Government that Senedd committees may choose to hold pre-appointment hearings with the Welsh Government's preferred candidate for some public appointments, such as those with a significant impact on the public. There have also been examples of Senedd committee chairs and/or members being invited by the Welsh Government to participate in other aspects of the recruitment process.
- 63.** In March 2025, the Public Administration and Public Accounts Committee reported on its inquiry into public appointments. It recommended:

*"Recommendation 20. We recommend that the Senedd Business Committee consider whether the existing protocol, as agreed between the Llywydd and the then First Minister Mark Drakeford in relation to pre-appointment hearings, should be reviewed, updated and codified into Standing Orders. We believe that an appropriate body within the Senedd should have some oversight of the ad hoc arrangements that vary from appointment to appointment in terms of Committees involvement in Welsh Government led public appointments and the representation of Committee members on Welsh Government led appointments panels."*

### Reason for the Business Committee's decision

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- 64.** The Business Committee concluded that this matter requires consideration by the Llywydd in the first instance. While further review by the Business Committee may then be required, there is unlikely to be sufficient time for this to be completed before the end of the Sixth Senedd.