

SL(6)673 – The Legislation (Procedure, Publication and Repeals) (Wales) Act 2025 (Commencement and Transitional and Saving Provisions) Order 2025

Background and Purpose

The Legislation (Procedure, Publication and Repeals) (Wales) Act 2025 (“the 2025 Act”) seeks to bring together and formalise the procedural arrangements for making Welsh subordinate legislation, and the requirements for publishing Acts of the Senedd and Welsh statutory instruments and other subordinate legislation that is not made by statutory instrument. It is also intended to improve the accessibility of Welsh law by repealing, amending and otherwise disapplying in relation to Wales enactments that are no longer of practical utility or benefit; and making amendments to the Legislation (Wales) Act 2019 (“the 2019 Act”).

This Order brings into force sections 1, 3, 5, 6 and 8 of, and Schedule 3 to, the 2025 Act on 1 January 2026.

Section 1 of the 2025 Act amends the 2019 Act by inserting a new Part 2A that makes provision about Welsh statutory instruments and the Senedd procedures for Welsh subordinate legislation.

Section 3 of the 2025 Act amends the 2019 Act by inserting a new Part 2B that makes provision about the publication, preservation, numbering and classification of Acts of Senedd Cymru, Welsh statutory instruments and other subordinate legislation made by the Welsh Ministers.

Section 5 of the 2025 Act amends the 2019 Act by inserting a new section 42A that requires the Counsel General to review the operation and effect of new Parts 2A and 2B of the 2019 Act.

Section 6 of the 2025 Act amends section 2 of the 2019 Act so that programmes to improve the accessibility of Welsh law must include proposals for correcting any errors or resolving any ambiguities in Welsh law.

Section 8 of, and Schedule 3 to, the 2025 Act make consequential amendments to the 2019 Act.

The Counsel General and Minister for Delivery wrote to the Committee on 6 November 2025 to inform the Committee that the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs had made this Order.

Procedure

No procedure.



Scrutiny under Standing Order 21.7

The following point is identified for reporting under Standing Order 21.7 in respect of this Order.

1. It is noted that the Order brings into force section 1 of the 2025 Act, which inserts a new Part 2A into the 2019 Act. This replaces the existing Senedd scrutiny procedures for Welsh statutory instruments with the following:
 - a) the Approval Procedure replaces the 'draft affirmative' procedure so a statutory instrument will only become law if it is approved by a vote in the Senedd;
 - b) the Confirmation Procedure replaces the 'made affirmative' procedure meaning that a statutory instrument will become law when it is made, but will only remain in force if it is confirmed in a vote by the Senedd within a set period of time; and
 - c) the Annulment Procedure replaces the 'negative procedure' where the statutory instrument becomes law when it is made but can be annulled by the Senedd up to 40 days after it is laid.

The new procedures do not apply to subordinate legislation made before 1 January 2026 or contained in a statutory instrument laid before the Senedd in draft before that date.

Government response

A Welsh Government response is not required.

Committee Consideration

The Committee considered the instrument at its meeting on 25 November 2025 and reports to the Senedd in line with the reporting point above.

