

**Constitutional and Legislative Affairs Committee
Inquiry into Making Laws in the Fourth Assembly
ML5 – Mold Town Council**

21ST MAY 2014

MOLD TOWN COUNCIL – CONSULTATION RESPONSE

Committee Inquiry: Making Laws in the Fourth Assembly

Q. What constitutes good practice in the drafting of a Bill? For example in relation to:

Response: Detailed consultation with key stakeholders, Stakeholders able to read and understand the draft bill (plain language), and that the document has clear links with earlier relevant bills

Q. What is your view of the content of the Explanatory Memoranda which accompany Bills and how useful are they in explaining the purposes of Bills

Response: Very helpful for lay persons to understand a summary of the Bill

Q. In a single chamber legislative system, what value to you place on the use of:
(a) draft Bills for consideration before a Bill is formally introduced;
(b) more time for Stage 1 scrutiny;
(c) the optional Report stage at the end of Stage 3 proceedings (as for example in the Mobile Homes (Wales) Bill and the Social Services and Well-being (Wales) Bill.

Response: a) Very important for consultation purposes to allow for additional views to be considered.

b) Allows for the detailed checks and balances which would normally be addressed by a second chamber

c) Unable to respond

Q. What is your view of the need for, and impact of, curtailed scrutiny of Bills?

Response: Reducing the opportunity for effective scrutiny is detrimental to the democratic process

Q. What is your view of the scope for “fast-tracking” Bills within the Assembly’s existing procedures?

Response: Would not support fast tracking bills other than in extreme circumstances, as it can be open to challenge without the necessary consultation and scrutiny.

Q. What is your view of the Welsh Government’s and the National Assembly’s capacity to legislate

[Type text]

Response: It would be improved with full implementation of the Silk Commissions report which recommended more developed powers.

Q. In particular, is the practice in relation to any of the following matters particularly admirable, or a cause for concern?

a. the use of plain language; Admirable

b. the avoidance of archaic or redundant expressions - Admirable

c. gender-neutrality; - Admirable

d. translation; - Admirable

e. length of sentences;

f. complexity of sections and subsections; cause for concern

g. the use of statements of purpose; - Admirable

h. the use of overview provisions;

i. the division of Bills into Parts and Chapters; - Admirable

j. the use of different kinds of heading; - Admirable

k. the use of Schedules; - cause for concern

l. numbering and lettering notation; - cause for concern

m. other aspects of Bill structure;

n. the use of examples in legislative text; - Admirable

o. the use of exceptions, provisos and savings; - Admirable

p. the use of tables, formulae, and diagrams; - Admirable

q. the incorporation of inert material or material not appearing to be intended to have legislative effect; - Admirable

r. the use of free-standing legislation, and legislation which operates by reference to other legislation; - Admirable

s. the use of textual amendment of other legislation; - Admirable

[Type text]

Q. Overall, where powers are granted to make subordinate legislation do they appear to be subjected to an appropriate level of scrutiny by the National Assembly?

Response: No, due to there being no second chamber.

Q. Does the experience of the Fourth Assembly suggest that the present capacity of the Welsh Government to bring forward legislation is:

- a. sufficient;
- b. insufficient; or ✓
- c. unnecessarily large

Q. Does the experience of the Fourth Assembly suggest that the present capacity of the National Assembly to process Government legislation is:

- a. sufficient;
- b. insufficient; or ✓
- c. unnecessarily large

Q. Does the experience of the Fourth Assembly suggest that the present capacity of the National Assembly to propose and process legislation other than Government legislation is:

- a. sufficient;
- b. insufficient; or ✓
- c. unnecessarily large?