



Wales Act 2017

2017 CHAPTER 4

PART 1

CONSTITUTIONAL ARRANGEMENTS

Other provision about legislation by the Assembly

10 Super-majority requirement: amendments relating to procedure etc

(1) Section 111 of the Government of Wales Act 2006 (proceedings on Bills) is amended as set out in subsections (2) to (5).

(2) In subsection (6), before paragraph (a) insert—

“(za) the Supreme Court decides on a reference made in relation to the Bill under section 111B(2)(b) (reference following Presiding Officer’s decision that Bill does not contain protected subject-matter) that any provision of the Bill relates to a protected subject-matter.”.

(3) After subsection (6) insert—

“(6A) The standing orders must provide for an opportunity for the reconsideration of a Bill after its rejection if (and only if), on a reference made in relation to the Bill under section 111B(2)(a) (reference following Presiding Officer’s decision that Bill contains protected subject-matter), the Supreme Court decides that no provision that is subject to the reference relates to a protected subject-matter.”

(4) For subsection (7) substitute—

“(7) The standing orders must, in particular, ensure that—

- (a) any Bill amended on reconsideration in accordance with standing orders made by virtue of subsection (6)(a), (b) or (c), and
- (b) any Bill reconsidered in accordance with standing orders made by virtue of subsection (6)(za) or (6A),

Status: This is the original version (as it was originally enacted).

is subject to a final stage at which it can be approved or rejected.”

(5) In subsection (8)—

- (a) after “109(5)” insert “, 111A(3) and (4), 111B(2)(b)”;
- (b) for “which has been amended on reconsideration” substitute “to which subsection (7)(a) or (b) applies”.

(6) In section 112 of that Act—

- (a) in the heading, at the end insert “(legislative competence)”;
- (b) in subsection (2)(b) omit “subsequent”.

(7) In section 114 of that Act (power of Secretary of State to intervene), in subsection (4)

- (a) in paragraph (b) omit “subsequent”;
- (b) in paragraph (c), after “section” insert “111B or”.

(8) In section 115 of that Act (Royal Assent)—

- (a) in subsection (2)(a), after “section” insert “111B or”;
- (b) after subsection (3) insert—

“(3A) The Presiding Officer may not submit a Bill for Royal Assent if the Supreme Court has decided on a reference made in relation to the Bill under section 111B(2)(b) (reference following Presiding Officer’s decision that Bill does not contain protected subject-matter) that any provision of the Bill relates to a protected subject-matter unless, since the decision, the Bill has been approved in accordance with standing orders made by virtue of section 111(7).”