

Amending Standing Orders: Limited review of Consolidation Bill procedures

January 2024

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.

This report recommends a small number of amendments to Standing Order 26C – Consolidation Acts of the Senedd – following the Business Committee’s limited review of the Senedd’s procedures for Consolidation Bills. This limited review was undertaken in response to issues raised by the Legislation, Justice and Constitution Committee following completion of its work on the first Consolidation Bill introduced to the Senedd, and in advance of the introduction of the next Consolidation Bill.

The Senedd is invited to approve the proposals to amend the Standing Orders as at Annex A. The amended Standing Orders, if approved, are at Annex B.

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1. Background

1. The Historic Environment (Wales) Bill was the first Consolidation Bill introduced to the Senedd (on 4 July 2022) and received Royal Assent on 14 June 2023. Scrutiny of the Bill was led by the Legislation, Justice and Constitution (“LJC”) Committee.
2. On 28 September 2023, the LJC Committee wrote to the Business Committee to draw to its attention a small number of procedural issues it had observed during its consideration of the Bill.¹
3. In response to the letter, the Business Committee agreed to conduct a limited review of the specific Standing Orders commented on by the LJC Committee.² The Business Committee agreed to do this ahead of the next Consolidation Bill being introduced, and in advance of a full review of Standing Order 26C planned for a later point during this Senedd.

Purpose of a Consolidation Bill

4. The purpose of introducing a Consolidation Bill is to improve access to the law by:
 - bringing together all, or most, of the (generally primary) legislation on a specific subject or topic;
 - modernising its form and drafting, to make it easier to understand and apply.³
5. Procedures to enable the Senedd to consider Consolidation Bills were introduced to the Senedd in March 2021 in a new Standing Order (SO 26C). This followed extensive work in the Fourth and Fifth Senedd by predecessor Business Committees, in consultation with the then Constitutional and Legislative Affairs Committee, the Welsh Government and the Law Commission.

¹ Legislation, Justice and Constitution Committee, [Letter to the Business Committee: Standing Order 26C – Consolidation Acts of the Senedd](#), 28 September 2023.

² Business Committee, [Minutes of the meeting of 3 October 2023](#).

³ As Consolidation Bills should not bring about policy reform of any kind, developing and scrutinising a Consolidation Bill should be a legal, technical process that focuses on the consolidation of the existing law rather than the merits of the policy enshrined in it.

Process for a Consolidation Bill

6. Standing Order 26C provides a four-stage process for the consideration of a Consolidation Bill, with the third stage being optional (and not yet used by the Senedd):

- **Initial Consideration** – the responsible committee (LJC Committee in the Sixth Senedd) must consider and report on whether the Bill should proceed as a Consolidation Bill. The Bill then requires Senedd approval to proceed as a Consolidation Bill.
- **Detailed Committee Consideration** – detailed consideration by the LJC Committee of the Bill and any amendments tabled to that Bill. The LJC Committee must also consider and report on whether the Bill should proceed to Detailed Senedd Consideration or to Final Stage. The LJC Committee’s recommendation is followed unless a motion to the contrary is passed by the Senedd.
- **Detailed Senedd Consideration** – detailed consideration, by the Senedd, of the Bill and any amendments tabled to that Bill.
- **Final Stage** – a vote by the Senedd to pass the final text of the Bill.

Review of Standing Order 26C

7. As part of its report on the new Standing Order 26C, the Fifth Senedd’s Business Committee noted its expectation that—in keeping with usual practice for substantial new procedures of this kind—its successor committee would carry out a review of the operation of these procedures once there was some experience of using them in practice.⁴ The then Business Committee also specified its expectation that its successor would “consult with the Welsh Government, the responsible committee and others to inform that review and identify any areas of the procedure that require reform”.

8. The case for reviewing Standing Order 26C was supported by the Sixth Senedd’s LJC Committee in its initial consideration stage report on the Historic Environment (Wales) Bill.⁵ The report also emphasised the importance of consulting with Members of the Senedd, Senedd Committees and the Senedd Commission when conducting any review of the Senedd’s Standing Orders

⁴ Business Committee, [Amending Standing Orders: Consolidation Bills](#), March 2021.

⁵ Legislation, Justice and Constitution Committee, [Report on the Historic Environment \(Wales\) Bill](#), 23 December 2022.

which relate to new requirements or restrictions on how the Senedd considers legislative proposals within the context of a consolidated area of law.

9. With the next Consolidation Bill expected sometime during summer 2024⁶, the Business Committee concluded there was merit in undertaking a limited review of the small number of matters raised by the LJC Committee ahead of the future full review, in order to deal with any issues that may be resolved in advance of the second Bill's introduction. It is the Business Committee's intention that the fuller review of Standing Order 26C—recommended by the Fifth Senedd's Business Committee and the LJC Committee—takes place before the end of the Sixth Senedd, and:

- looks at Standing Order 26C in its entirety,
- draws on the learning from the second Consolidation Bill,
- enables consultation with relevant stakeholders, and
- allows examination of any issues considered too complex for this limited review.

⁶ Welsh Government, [Second Annual Report on the Government's programme to improve the accessibility of Welsh law](#), 1 November 2023.

2. The Business Committee's consideration

10. The Business Committee's limited review of Standing Order 26C focused on the following three issues highlighted by the LJC Committee following completion of its consideration of the first Consolidation Bill introduced to the Senedd:

- The point at which Detailed Committee Consideration is considered completed.
- The impact of the LJC Committee being unable to reach majority agreement on whether a Consolidation Bill should proceed to Detailed Senedd Consideration or Final Stage.
- The window available for a Member of the Senedd to object to an LJC Committee recommendation on whether a Consolidation Bill should proceed to Detailed Senedd Consideration or Final Stage.

11. A small number of miscellaneous typographical corrections were also considered.

Completion of Detailed Committee Consideration

Current procedures

12. Standing Order 26C as currently drafted states:

- 26C.35 Detailed Committee Consideration is completed when the last amendment has been disposed of or the last section or schedule has been deemed agreed, whichever is the later.
- 26C.36 After the completion of Detailed Committee Consideration proceedings, the responsible committee must report on the outcomes of its detailed consideration, and whether in its view the Consolidation Bill should proceed to Detailed Senedd Consideration or to Final Stage.

13. The wording of Standing Order 26C.35 is based on provisions in Standing Order 26.26 for the end of Stage 2 proceedings on a Public Bill (and for the end of

Detailed Committee Consideration for Private and Hybrid Bills⁷). However, in the case of Consolidation Bills, SO 26C.36 places an additional requirement on the LJC Committee: once proceedings are finished (i.e. all amendments have been disposed of/the last section or schedule has been deemed agreed), it must report on the outcomes of its Detailed Committee Consideration and give its view on whether the Consolidation Bill should proceed to Detailed Senedd Consideration or Final Stage.

14. In its letter to the Business Committee, the LJC Committee drew attention to “a potential issue with the idea that Detailed Committee Consideration is completed when the last amendment is disposed of or last section/Schedule has been deemed agreed given the obligation to report”.⁸

Conclusions of the limited review

15. Given the two-step nature of Detailed Committee Consideration (i.e. the disposal of amendments followed by the report on the outcome of the LJC Committee’s consideration), the Business Committee concludes that it would be helpful to provide clarity (particularly for the responsible committee and Members) about the distinction between the end of Detailed Committee proceedings and the LJC Committee subsequently reporting.

16. The Business Committee believes this clarity would also be helpful because:

- the date on which the LJC Committee reports can be significant: Detailed Senedd Consideration can only begin two sitting weeks after the LJC Committee has reported (unless a motion that the Senedd consider amendments at Detailed Senedd Consideration is agreed by the Senedd);⁹
- as long as the Senedd has not decided to undertake Detailed Senedd Consideration nor agreed a motion to proceed directly to Final Stage, a Final Stage motion can only be considered two sitting weeks after either: the LJC Committee has reported on the outcomes of its detailed consideration; or the deadline for the LJC Committee to report has passed.¹⁰

⁷ See Standing Orders 26A.78 for Detailed Committee Consideration of Private Bills and 26B.76 for Detailed Committee Consideration of Hybrid Bills.

⁸ Legislation, Justice and Constitution Committee, [Letter to the Business Committee: Standing Order 26C – Consolidation Acts of the Senedd](#), 28 September 2023.

⁹ SO 26C.42.

¹⁰ SO 26C.58.

17. To provide this clarity, the Business Committee proposes that Standing Order 26C be amended so that Detailed Committee Consideration is only completed when:

- the last amendment is disposed of or the last section/schedule has been agreed, **and**
- the responsible committee has reported on the outcomes of its detailed consideration (or the deadline by which it is required to report has passed).

Agreement on proceeding to Detailed Senedd Consideration or Final Stage

Current procedures

18. After Detailed Committee Consideration proceedings are completed, Standing Order 26C.36 requires the LJC Committee to report on whether the Senedd should consider amendments at Detailed Senedd Consideration, or whether the Bill should instead proceed directly to Final Stage.

19. If the LJC Committee recommends that the Bill be subject to Detailed Senedd Consideration, the recommendation is upheld unless the Senedd passes a motion that the Bill should proceed directly to Final Stage.¹¹ Similarly, if the LJC Committee recommends that the Bill should proceed to Final Stage, or if the deadline for the committee to report has passed, the Consolidation Bill proceeds to Final Stage unless the Senedd agrees a motion that Detailed Senedd Consideration should take place.¹²

20. Any Member can table a motion countering the LJC Committee's recommendation, and any such motion must be considered by the Senedd. The motion may be debated but not amended.¹³

21. Therefore, in contrast to Public, Hybrid and Private Bills, progression to an amending stage for the whole Senedd is not automatic in the case of a Consolidation Bill. Instead, the LJC Committee's recommendation is upheld unless a motion proposing a contrary approach is proposed by any Member and subsequently agreed by the Senedd. The Fifth Senedd Business Committee's

¹¹ SO 26C.39.

¹² SO 26C.40.

¹³ SO 26C.41.

report on introducing Standing Orders for Consolidation Bills explained this approach as follows:

“The [Detailed Senedd Consideration] procedure provides for the option of a plenary amending stage should one be required. Given the significant constraints on the nature and extent of a Consolidation Bill, it is anticipated that relatively few amendments will be tabled and these would usually be dealt with at the Detailed Committee Consideration stage. It is however recognised that there may occasionally be a need for a second amending stage, which is provided for in Detailed Senedd Consideration.”¹⁴

22. In its letter to the Business Committee, the LJC Committee highlighted an issue that could arise if it is unable to reach agreement on whether the Consolidation Bill should proceed to Detailed Senedd Consideration or Final Stage.¹⁵

23. In usual circumstances, when faced with an inability to reach agreement, committees are able to vote to determine the way forward and in practice may keep voting until there is a compromise. However, the binary choice between a Consolidation Bill having Detailed Senedd Consideration or not leaves little opportunity for a compromise to be reached.

Conclusions of the limited review

24. The Business Committee considered the scenario outlined by the LJC Committee, specifically a situation in which it could not reach a majority view and deliberations resulted in a tied vote. The Business Committee noted that, in such an event, the Chair’s casting vote would be engaged. It further noted that Standing Orders 17.37 and 6.20 require the LJC Committee Chair’s casting vote to be given in the affirmative where further discussion of the matter before the Senedd is possible, or in the negative where further discussion is not possible or where there is a vote on an amendment.

25. As Standing Order 26C allows the LJC Committee to choose either Detailed Senedd Consideration or Final Stage, the Business Committee recognises there is no explicit “default position” to put to the Committee’s members – the

¹⁴ Business Committee, [Amending Standing Orders: Consolidation Bill](#), March 2021.

¹⁵ Legislation, Justice and Constitution Committee, [Letter to the Business Committee: Standing Order 26C – Consolidation Acts of the Senedd](#), 28 September 2023.

question put to the vote could be “*that the Consolidation Bill proceed to Detailed Senedd Consideration*” or “*that the Consolidation Bill proceed to Final Stage*”.

26. The Business Committee noted that, while not tested to date, in the event of a tied vote, clerks would in practice advise the LJC Committee’s Chair to exercise their casting vote in whichever way resulted in the committee recommending that the Consolidation Bill proceed to Detailed Senedd Consideration. This would be most in keeping with the underlying principles and precedents applied to the use of the casting vote – i.e. to enable further discussion of the matter before the Senedd.

27. On the basis that:

- the issue did not arise in practice for the LJC Committee during consideration of the first Consolidation Bill, and
- in the event that the LJC Committee were unable to reach agreement in relation to the second Consolidation Bill, procedural advice would be provided to the Chair in line with the underlying principles and precedents applied to the use of the casting vote, to enable business to progress,

the Business Committee is satisfied that it would be appropriate to return to this matter later in this Senedd, as part of the fuller review of Standing Order 26C.

Timescales for Members to object to the responsible committee’s recommendation

Current procedures

28. Standing Orders 26C.39 and 26C.40 allow any Member who objects to the recommendation made in the LJC Committee’s Detailed Committee Consideration report to table a motion which counters the recommendation. Standing Order 26C.41 ensures that such a motion must be considered by the Senedd, and may be debated but not amended.

29. In practice, any objecting Member will need to move quickly to table and seek the Senedd’s agreement to their motion because:

- Detailed Senedd Consideration starts two sitting weeks after the LJC Committee reports that the Senedd should consider amendments at Detailed Senedd Consideration,¹⁶ or
- a Final Stage motion can be considered once two sitting weeks have passed since the LJC Committee reported that the Bill should proceed to the Final Stage (or two sitting weeks after the deadline by which the committee was required to report)¹⁷.

30. In its letter to the Business Committee, the LJC Committee illustrated the tight timescales facing a Member wishing to counter the responsible committee's recommendation:

"...if a non-government Member disagreed with our recommendation in our report laid before the Senedd on [Friday] 10 March 2023 and wanted to debate a motion under either Standing Order 26.C39 or 26C.40, we believe that the Member needed to have put the request to the Business Committee by [Tuesday] 14 March 2023".¹⁸

31. The LJC Committee's calculations are based on the following:

- The Senedd normally meeting only on a Tuesday and a Wednesday.
- The requirement in Standing Order 11.11 that the organisation of business in Plenary is announced one sitting week in advance.
- The requirement in Standing Order 12.20 that a motion is tabled at least five working days before it is debated.
- The deadline for the responsible committee's report being a Friday.

Conclusions of the limited review

32. The Business Committee considered amending relevant Standing Orders to allow Members more time to consider and act on their position on the responsible committee's report and recommendation, by extending the window between the responsible committee reporting and Detailed Senedd

¹⁶ SO 26C.42.

¹⁷ SO 26C.58.

¹⁸ Legislation, Justice and Constitution Committee, [Letter to the Business Committee: Standing Order 26C – Consolidation Acts of the Senedd](#), 28 September 2023.

Consideration being able to start / consideration of a Final Stage motion being possible.

33. There was some support in the Business Committee to extend the window from two to three sitting weeks on the basis that it would:

- enable a Member to discuss the matter in a party group meeting (this would not have been possible in the example given by the LJC Committee's letter without divulging the contents of an unpublished report),
- allow one meeting cycle to write to the Business Committee to give notice of an intention to table a motion (in the LJC Committee's example, a late item would likely have needed to be added to the Business Committee's agenda),
- allow a Member who does not have political representation on the LJC Committee time to digest its report and consider their position in relation to the Consolidation Bill, and
- be unlikely to have a severe impact on a Consolidation Bill's timetable given that Consolidation Bills are not intended to introduce new policy.

34. However, as there was not unanimous support for this change and on the basis that Members did not report problems with these Standing Orders during the passage of the first Consolidation Bill, the Business Committee concluded that it would return to this matter as part of the fuller review of Standing Order 26C that will take place later in this Senedd.

Miscellaneous typographical corrections

35. During the course of this limited review of Standing Order 26C, the Business Committee has identified a small number of typographical corrections.

Cross-referencing

36. Standing Order 26C.54 currently contains a cross-referencing error, referring to Standing Order 26C.85 rather than Standing Order 26C.82. As it is clear from Standing Order 26C.54 that the intention is to cross-reference the admissibility criteria listed in Standing Order 26C.82 (as opposed to Standing Order 26C.85, which deals with arrangements for the grouping of amendments for the

purpose of debate), the Business Committee proposes that this is corrected as part of this limited review.

Consistency

37. The Senedd's Standing Orders generally use words, rather than numerals, to denote numbers one to nine (with numerals used for numbers 10 and above). As the English version of Standing Order 26C currently uses a mixture of both, the Business Committee proposes that numerals below 10 are replaced with words in Standing Order 26C, for the purpose of consistency. The Welsh Standing Order does not need to be amended.

38. Standing Order 26C also uses different language in different places when referring to the deadline for the responsible committee's report on the outcomes of its detailed consideration. Standing Orders 26C.40 and 26C.58 refer to situations in which the deadline "has passed" while Standing Order 26C.18 refers to the deadline "[having] been reached". As the effect of both phrases is the same, the Business Committee proposes using "has passed" throughout Standing Order 26C, for the purpose of consistency and clarity.¹⁹

¹⁹ The same inconsistency elsewhere in Standing Orders (SO 25.30, 26.11 and 29.8) will be dealt with when those Standing Orders are next considered by the Business Committee.

Annex A: Proposed changes to Standing Order 26C, and explanatory notes

STANDING ORDER 26C – Consolidation Acts of the Senedd		
26C.18	<p>Not earlier than five working days after either:</p> <ul style="list-style-type: none"> (i) the responsible committee has reported on whether the Bill should proceed as a Consolidation Bill; or (ii) the deadline by which the responsible committee is required to report has been reached <u>has passed</u>, <p>the Member in charge of the Bill may propose that the Senedd agree that the Bill should proceed as a Consolidation Bill.</p>	<p>Amend Standing Order</p> <p>Replace “has been reached” with “as passed” for clarity and consistency of language within the Standing Order.</p>
26C.35	<p>Detailed Committee Consideration <u>proceedings are</u> is completed when the last amendment has been disposed of or the last section or schedule has been deemed agreed, whichever is the later.</p>	<p>Amend Standing Order</p> <p>This change is to clarify that only Detailed Committee Consideration proceedings (rather than the whole Stage) are completed when the last amendment has been disposed of or the last section/schedule has been deemed agreed.</p>
26C.36	<p>After the completion of Detailed Committee Consideration proceedings, the responsible committee must report on the outcomes of its detailed consideration, and whether in its</p>	<p>Retain Standing Order</p> <p>Standing Order included for information.</p>

STANDING ORDER 26C – Consolidation Acts of the Senedd		
	view the Consolidation Bill should proceed to Detailed Senedd Consideration or to Final Stage.	
26C.36A	<p><u>Detailed Committee Consideration is completed when:</u></p> <p>(i) <u>Detailed Committee Consideration proceedings are completed; and</u></p> <p>(ii) <u>either the responsible committee has reported on the outcomes of its detailed consideration or the deadline by which the responsible committee is required to report in accordance with Standing Order 26.C13 has passed.</u></p>	<p>Insert new Standing Order</p> <p>This change is to provide clarity that the Detailed Committee Consideration stage of the Consolidation Bill process is only over when:</p> <ul style="list-style-type: none"> proceedings are completed (i.e. the last amendment has been disposed of or the last section/schedule has been agreed), and the responsible committee has reported on the outcomes of its detailed consideration (or the deadline by which it is required to report has passed).
26C.52	When all amendments selected at Detailed Senedd Consideration proceedings have been disposed of, any member of the government may without notice move that the Senedd consider further amendments at further Detailed Senedd Consideration proceedings. Such a motion may not be debated or amended.	<p>Retain Standing Order</p> <p>Standing Order included for information.</p>

STANDING ORDER 26C – Consolidation Acts of the Senedd		
26C.53	If a motion under Standing Order 26C.52 is agreed to, any member of the government may table amendments to the Consolidation Bill to be moved at the further Detailed Senedd Consideration proceedings.	Retain Standing Order Standing Order included for information.
26C.54	Amendments under Standing Order 26C.53 are only admissible if, in addition to the criteria in Standing Order 26C.85 <u>26C.82</u> , they are for the purpose of clarifying a provision of a Consolidation Bill (including ensuring consistency between the English and Welsh texts) or giving effect to commitments given at the earlier Detailed Senedd Consideration proceedings.	Amend Standing Order Replace incorrect cross-reference to Standing Order 26C.85 (which relates to arrangements for the grouping of amendments for the purpose of debate) with Standing Order 26C.82 (which contains relevant admissibility criteria for amendments) as originally intended.
26C.58	A motion that the Consolidation Bill be passed may be tabled by any Member, but may not be considered until either: <ul style="list-style-type: none"> (i) at least 2<u>two</u> sitting weeks after either: <ul style="list-style-type: none"> (a) the responsible committee has reported on Detailed Committee Consideration of the Consolidation Bill and has recommended that the Consolidation Bill should proceed to Final Stage; or (b) the deadline for the responsible committee to report has passed; (and no motion under Standing Order 26C.40 that the Senedd should consider amendments at Detailed 	Amend Standing Order Replace numerals under the value of 10 with words, for consistency across Standing Orders. [relevant to the English Standing Order only]

STANDING ORDER 26C – Consolidation Acts of the Senedd		
	<p>Senedd Consideration is agreed by the Senedd in the meantime); or</p> <p>(ii) at least 5five working days after either;</p> <p>(a) a motion that the Consolidation Bill should proceed directly to Final Stage is agreed by the Senedd under Standing Order 26C.39; or</p> <p>(b) the completion of Detailed Senedd Consideration proceedings, where undertaken.</p>	
26C.82	<p>An amendment is not admissible if:</p> <p>(i) it is not in its proper form in accordance with Standing Order 26C;</p> <p>(ii) it is not relevant to the Consolidation Bill or the provisions of the Consolidation Bill which it would amend;</p> <p>(iii) it would cause the Bill to cease to be a Consolidation Bill as defined by Standing Orders 26C.1 and 26C.2; or</p> <p>(iv) it is inconsistent with a decision already taken at the Stage at which the amendment is proposed.</p>	<p>Retain Standing Order Standing Order included for information.</p>
26C.85	<p>The chair of a committee considering Detailed Committee Consideration proceedings or the Presiding Officer, as the case may be, may group amendments for the purposes of debate as he or she sees fit. An amendment debated as part of a group may not be debated again when it comes to be disposed of.</p>	<p>Retain Standing Order Standing Order included for information.</p>

Annex B: Standing Order 26C as amended

STANDING ORDER 26C – Consolidation Acts of the Senedd

Initial Consideration

- 26C.15. Once a Consolidation Bill has been introduced, the Business Committee must refer the Consolidation Bill to the responsible committee for initial consideration.
- 26C.16. Once the Business Committee refers the Consolidation Bill to the responsible committee under Standing Order 26C.15, that responsible committee must consider and report on whether the Bill should proceed as a Consolidation Bill.
- 26C.17. In considering whether a Bill should proceed as a Consolidation Bill or not, the responsible committee may consider:
- (i) whether the Committee is satisfied that the scope of the consolidation is appropriate;
 - (ii) whether the Committee is satisfied that the relevant enactments have been included within the consolidation;
 - (iii) whether the Bill correctly consolidates the enactments or changes their substantive legal effect only to the extent allowed by Standing Order 26C.2;
 - (iv) whether the Bill consolidates the law clearly and consistently;
 - (v) any other matters it considers relevant to Standing Order 26C.
- 26C.18. Not earlier than five working days after either:
- (i) the responsible committee has reported on whether the Bill should proceed as a Consolidation Bill; or
 - (ii) the deadline by which the responsible committee is required to report has passed,
- the Member in charge of the Bill may propose that the Senedd agree that the Bill should proceed as a Consolidation Bill.
- 26C.19. If the Senedd agrees that the Bill should proceed as a Consolidation Bill, the Bill proceeds to Detailed Committee Consideration.

- 26C.20. If the Senedd does not agree that the Bill should proceed as a Consolidation Bill, the Bill falls.
- 26C.21. Initial Consideration is completed when the Senedd agrees that the Bill should proceed as a Consolidation Bill or the Consolidation Bill falls at Initial Consideration.

Detailed Committee Consideration

- 26C.22. Detailed Committee Consideration must be undertaken by the responsible committee.
- 26C.23. Detailed Committee Consideration starts on the first working day after Initial Consideration is completed.
- 26C.24. At least 15 working days must elapse between the start of Detailed Committee Consideration and the date of the first meeting at which the responsible committee considers amendments to the Consolidation Bill.
- 26C.25. A Consolidation Bill may be amended in Detailed Committee Consideration proceedings.
- 26C.26. Amendments to be considered at Detailed Committee Consideration proceedings may be tabled by any Member, from the first day on which Detailed Committee Consideration starts.
- 26C.27. Amendments are to be disposed of in the order in which the sections and schedules to which they relate arise in the Consolidation Bill, unless the committee considering Detailed Committee Consideration proceedings has decided otherwise.
- 26C.28. Only a Member who is a member of the committee considering Detailed Committee Consideration proceedings may participate in those proceedings for the purpose of:
- (i) moving or seeking agreement to withdraw an amendment; or
 - (ii) voting.
- 26C.29. An amendment tabled by a Member who is not a member of the committee considering Detailed Committee Consideration proceedings, may be moved by a member of the committee.
- 26C.30. When all amendments at Detailed Committee Consideration proceedings have been disposed of, any member of the committee may without notice move that the committee consider further amendments at further Detailed Committee Consideration proceedings. Such a motion may not be debated or amended.

- 26C.31. If a motion under Standing Order 26C.30 is agreed to, any member of the government may table amendments to the Consolidation Bill to be moved at the further Detailed Committee Consideration proceedings.
- 26C.32. Amendments under Standing Order 26C.31 are only admissible if, in addition to the criteria in Standing Order 26C.82, they are for the purpose of clarifying a provision of a Consolidation Bill (including ensuring consistency between the English and Welsh texts) or giving effect to commitments given at the earlier Detailed Committee Consideration proceedings.
- 26C.33. Where any amendment is tabled to a section of or schedule to the Consolidation Bill, once the final amendment to that section or schedule has been disposed of, that section or schedule as amended, or otherwise, is deemed to be agreed by the committee for the purpose of Detailed Committee Consideration proceedings.
- 26C.34. If no amendment is tabled to a section of or schedule to the Consolidation Bill, then that section or schedule is deemed agreed by the committee for the purpose of Detailed Committee Consideration proceedings.
- 26C.35. Detailed Committee Consideration proceedings are completed when the last amendment has been disposed of or the last section or schedule has been deemed agreed, whichever is the later.
- 26C.36. After the completion of Detailed Committee Consideration proceedings, the responsible committee must report on the outcomes of its detailed consideration, and whether in its view the Consolidation Bill should proceed to Detailed Senedd Consideration or to Final Stage.
- 26C.36A. Detailed Committee Consideration is completed when:
- (i) Detailed Committee Consideration proceedings are completed; and
 - (ii) either the responsible committee has reported on the outcomes of its detailed consideration or the deadline by which the responsible committee is required to report in accordance with Standing Order 26.C13 has passed.
- 26C.37. If a Consolidation Bill is amended at Detailed Committee Consideration proceedings, the Member in charge must prepare a revised Explanatory Memorandum, unless the committee considering Detailed Committee Consideration proceedings resolves that no revised Explanatory Memorandum is required.
- 26C.38. Any revised Explanatory Memorandum prepared under Standing Order 26C.37 must be laid at least five working days before the date of Final

Stage proceedings or, where relevant, the first Detailed Senedd Consideration proceedings.

Detailed Senedd Consideration

- 26C.39. If the responsible Committee at Detailed Committee Consideration reports that the Senedd should consider amendments at Detailed Senedd Consideration, the Consolidation Bill proceeds to Detailed Senedd Consideration, unless a motion that the Consolidation Bill should proceed directly to Final Stage is agreed by the Senedd.
- 26C.40. If the responsible committee has reported on the Detailed Committee Consideration of the Consolidation Bill and has recommended that the Consolidation Bill proceed to Final Stage, or if the deadline for the committee to report has passed, the Consolidation Bill proceeds to Final Stage, unless a motion that the Senedd consider amendments at Detailed Senedd Consideration is agreed by the Senedd.
- 26C.41. The Senedd must consider a motion tabled under Standing Order 26C.39 or 26C.40. Such a motion may be tabled by any Member, and may be debated but not amended.
- 26C.42. Detailed Senedd Consideration starts either:
- (i) two sitting weeks after the responsible Committee at Detailed Committee Consideration reports that the Senedd should consider amendments at Detailed Senedd Consideration (and no motion under Standing Order 26C.39 that the Consolidation Bill should proceed directly to Final Stage is agreed by the Senedd in the meantime); or
 - (ii) the day after a motion under Standing Order 26C.40 that the Senedd consider amendments at Detailed Senedd Consideration is agreed by the Senedd.
- 26C.43. At least 15 working days must elapse between the start of Detailed Senedd Consideration and the date of the first meeting of the Senedd that considers Detailed Senedd Consideration proceedings.
- 26C.44. Detailed Senedd Consideration proceedings of a Consolidation Bill must be considered by the Senedd in plenary.
- 26C.45. A Consolidation Bill may be amended in Detailed Senedd Consideration proceedings.
- 26C.46. Amendments to be considered at Detailed Senedd Consideration proceedings may be tabled by any Member from the first day on which Detailed Senedd Consideration starts.

- 26C.47. The Presiding Officer may select those amendments which are to be taken at Detailed Senedd Consideration proceedings.
- 26C.48. The Presiding Officer may in exceptional circumstances accept an amendment at Detailed Senedd Consideration proceedings of which less notice has been given than is required under Standing Order 26C.83. Such an amendment is referred to as a “late amendment”.
- 26C.49. Amendments are to be disposed of in the order in which the sections and schedules to which they relate arise in the Consolidation Bill, unless the Senedd has decided otherwise on a motion of the Minister with responsibility for government business.
- 26C.50. The Senedd may, on a motion without notice of the Minister with responsibility for government business, agree to one or more time-limits that are to apply to debates on amendments (as they have been grouped by the Presiding Officer).
- 26C.51. If a motion under Standing Order 26C.50 is agreed to, debates on those groups of amendments must be concluded by the time-limits specified in the motion, except to the extent considered necessary by the Presiding Officer:
- (i) as a consequence of the non-moving of an amendment leading to a change in the order in which groups are debated; or
 - (ii) to prevent any debate on a group of amendments that has already begun when a time-limit is reached from being unreasonably curtailed.
- 26C.52. When all amendments selected at Detailed Senedd Consideration proceedings have been disposed of, any member of the government may without notice move that the Senedd consider further amendments at further Detailed Senedd Consideration proceedings. Such a motion may not be debated or amended.
- 26C.53. If a motion under Standing Order 26C.52 is agreed to, any member of the government may table amendments to the Consolidation Bill to be moved at the further Detailed Senedd Consideration proceedings.
- 26C.54. Amendments under Standing Order 26C.53 are only admissible if, in addition to the criteria in Standing Order 26C.82, they are for the purpose of clarifying a provision of a Consolidation Bill (including ensuring consistency between the English and Welsh texts) or giving effect to commitments given at the earlier Detailed Senedd Consideration proceedings.
- 26C.55. Where any amendment is tabled to a section of or schedule to the Consolidation Bill, once the final amendment to that section or

schedule has been disposed of, that section or schedule as amended, or otherwise, is deemed agreed by the Senedd for the purpose of Detailed Senedd Consideration proceedings.

26C.56. If no amendment is tabled to a section of or schedule to the Consolidation Bill, then that section or schedule is deemed agreed by the Senedd for the purpose of Detailed Senedd Consideration proceedings.

26C.57. Detailed Senedd Consideration is completed when the last amendment has been disposed of or the last section or schedule has been deemed agreed, whichever is the later.

Final Stage

26C.58. A motion that the Consolidation Bill be passed may be tabled by any Member, but may not be considered until either:

(i) at least two sitting weeks after either:

(a) the responsible committee has reported on Detailed Committee Consideration of the Consolidation Bill and has recommended that the Consolidation Bill should proceed to Final Stage; or

(b) the deadline for the responsible committee to report has passed;

(and no motion under Standing Order 26C.40 that the Senedd should consider amendments at Detailed Senedd Consideration is agreed by the Senedd in the meantime); or

(ii) at least five working days after either;

(a) a motion that the Consolidation Bill should proceed directly to Final Stage is agreed by the Senedd under Standing Order 26C.39; or

(b) the completion of Detailed Senedd Consideration proceedings, where undertaken.

26C.59. A motion under Standing Order 26C.58 must be tabled at least one working day before it is debated.

26C.60. A motion that a Consolidation Bill be passed may not be amended.

26C.61. No motion that a Consolidation Bill be passed may be moved unless the text of the Consolidation Bill is available in both English and Welsh.

26C.62. No motion that a Consolidation Bill be passed may be moved until the Presiding Officer has stated, in accordance with section 111A(3) of the

Act, whether or not in the Presiding Officer's view any provision of the Consolidation Bill relates to a protected subject matter.

- 26C.63. Where the Presiding Officer has made a statement that in the Presiding Officer's view any provision of the Consolidation Bill relates to a protected subject matter, the Bill is only passed if the number voting in favour of it is at least two-thirds of the total number of Senedd seats.
- 26C.64. A recorded vote must be taken on a motion that a Consolidation Bill be passed.
- 26C.65. No motion under Standing Order 12.31(ii) may be moved in any Final Stage proceedings.

General Provisions in Relation to Amendments to Consolidation Bills

- 26C.78. Standing Orders 26C.79 to 26C.87 apply to amendments in Detailed Committee Consideration, Detailed Senedd Consideration proceedings or on Reconsideration, except that Standing Order 26C.82(iii) does not apply to amendments on Reconsideration.
- 26C.79. The Presiding Officer must determine the proper form of amendments to a Consolidation Bill.
- 26C.80. No amendment, other than a late amendment, may be considered unless it has been tabled at least five working days before it is considered.
- 26C.81. Any Member may add his or her name to an amendment (other than a late amendment) by notifying the Clerk at any time until the end of the working day before the amendment is due to be considered.
- 26C.82. An amendment is not admissible if:
- (i) it is not in its proper form in accordance with Standing Order 26C;
 - (ii) it is not relevant to the Consolidation Bill or the provisions of the Consolidation Bill which it would amend;
 - (iii) it would cause the Bill to cease to be a Consolidation Bill as defined by Standing Orders 26C.1 and 26C.2; or
 - (iv) it is inconsistent with a decision already taken at the Stage at which the amendment is proposed.
- 26C.83. An amendment may be tabled to an amendment and, if selected, must be disposed of before the amendment which it would amend and Standing Orders 26C.78 to 26C.87 must apply accordingly.

- 26C.84. Subject to Standing Order 26C.28, an amendment (other than a late amendment) may be withdrawn by the Member who tabled it at any time before the day on which it is considered but only with the unanimous agreement of any Members who have added their names to the amendment. If such agreement is not obtained, the amendment becomes an amendment in the name of the Member who first added his or her name to the amendment and who does not agree to the amendment being withdrawn.
- 26C.85. The chair of a committee considering Detailed Committee Consideration proceedings or the Presiding Officer, as the case may be, may group amendments for the purposes of debate as he or she sees fit. An amendment debated as part of a group may not be debated again when it comes to be disposed of.
- 26C.86. If a Member who tabled an amendment does not move the amendment when that amendment comes to be debated, the amendment may be moved:
- (i) in Detailed Committee Consideration proceedings, by a member of that committee; or
 - (ii) in Detailed Senedd Consideration proceedings or on Reconsideration, by any other Member.
- 26C.87. An amendment which has been moved may be withdrawn by the Member who moved it, but only:
- (i) in a committee considering Detailed Committee Consideration proceedings, if no member of that committee objects; or
 - (ii) in Detailed Senedd Consideration proceedings or on Reconsideration, if no Member objects.