



Legislation (Wales) Act 2019

2019 anaw 4

An Act of the National Assembly for Wales to promote the accessibility of Welsh law; to provide for the interpretation and operation of Welsh legislation; and for connected purposes. [10 September 2019]

Having been passed by the National Assembly for Wales and having received the assent of Her Majesty, it is enacted as follows:

PART 1

ACCESSIBILITY OF WELSH LAW

1 Duty to keep accessibility of Welsh law under review

- (1) The Counsel General must keep the accessibility of Welsh law under review.
- (2) In this Part, the “accessibility” of Welsh law means the extent to which it is—
 - (a) readily available to members of the public in Welsh and English;
 - (b) published in an up-to-date form in both languages (showing whether enactments are in force and incorporating any amendments made to them);
 - (c) clearly and logically organised (both within and between enactments);
 - (d) easy to understand and certain in its effect.
- (3) In this Part, “Welsh law” means—
 - (a) [^{F1}Acts of Senedd Cymru] and Assembly Measures;
 - (b) subordinate legislation made under [^{F1}Acts of Senedd Cymru] and Assembly Measures;
 - (c) any other subordinate legislation made by the Welsh Ministers or the National Assembly for Wales established by the Government of Wales Act 1998 (c. 38), so far as it applies in relation to Wales;
 - (d) any other enactment or rule of law, so far as it ^{F2}... could be provided for in an [^{F3}Act of Senedd Cymru].

Changes to legislation: There are currently no known outstanding effects for the Legislation (Wales) Act 2019. (See end of Document for details)

Textual Amendments

- F1** Words in Act substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 5\(9\)](#)
- F2** Words in s. 1(3)(d) omitted (23.1.2021) by virtue of [Fisheries Act 2020 \(c. 22\)](#), [ss. 46\(5\)\(a\)](#), 54(2) (with [Sch. 4 para. 31](#))
- F3** Words in Act substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 5\(8\)](#)

2 Programme to improve accessibility of Welsh law

- (1) The Welsh Ministers and the Counsel General must prepare a programme setting out what they intend to do to improve the accessibility of Welsh law.
- (2) A programme must be prepared for each term of [^{F4}Senedd Cymru] that begins after this section comes into force.
- (3) The programme must include proposed activities that are intended to—
 - (a) contribute to an ongoing process of consolidating and codifying Welsh law;
 - (b) maintain the form of Welsh law (once codified);
 - (c) promote awareness and understanding of Welsh law;
 - (d) facilitate use of the Welsh language.
- (4) The programme may also include proposed activities—
 - (a) that may be undertaken in collaboration with the Law Commission (in accordance with the Law Commissions Act 1965 (c. 22)), or
 - (b) of any other kind the Welsh Ministers and the Counsel General consider appropriate.
- (5) The Counsel General must lay a copy of the programme before [^{F5}Senedd Cymru] within 6 months of the appointment of a First Minister after a general election held under Part 1 of the Government of Wales Act 2006 (c. 32).
- (6) The Welsh Ministers and the Counsel General may at any time revise the programme, and if they do so the Counsel General must lay a copy of the revised programme before [^{F6}Senedd Cymru].
- (7) The Counsel General must report annually to [^{F7}Senedd Cymru] on progress made under the programme.
- (8) In subsection (3), codifying Welsh law includes—
 - (a) adopting a structure for Welsh law that improves its accessibility;
 - (b) organising and publishing consolidated Welsh law according to that structure.

Textual Amendments

- F4** Words in s. 2(2) substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 5\(2\)\(a\)](#)
- F5** Words in s. 2(5) substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 5\(2\)\(b\)](#)
- F6** Words in s. 2(6) substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 5\(2\)\(b\)](#)

Changes to legislation: There are currently no known outstanding effects for the Legislation (Wales) Act 2019. (See end of Document for details)

- F7** Words in s. 2(7) substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 5\(2\)\(b\)](#)

PART 2

INTERPRETATION AND OPERATION OF WELSH LEGISLATION

Application and effect of Part

3 Legislation to which this Part applies

- (1) This Part applies to—
- this Act;
 - [^{F1}Acts of Senedd Cymru] that receive Royal Assent on or after [^{F8}1 January 2020];
 - Welsh subordinate instruments that are made on or after [^{F9}1 January 2020].
- (2) “Welsh subordinate instrument” means an instrument (whether or not that instrument is a statutory instrument) containing only one or both of the following—
- subordinate legislation that is made under an [^{F3}Act of Senedd Cymru] or an Assembly Measure, whether by the Welsh Ministers or by any other person;
 - subordinate legislation that—
 - is made under an Act of the Parliament of the United Kingdom or retained direct EU legislation,
 - is made only by the Welsh Ministers or any other devolved Welsh authority (within the meaning given by section 157A of the Government of Wales Act 2006 (c. 32)), and
 - applies only in relation to Wales.
- (3) References in the rest of this Part to an [^{F3}Act of Senedd Cymru] or a Welsh subordinate instrument are (unless otherwise provided) references to an [^{F3}Act of Senedd Cymru] or Welsh subordinate instrument to which this Part applies by virtue of subsection (1).
- [^{F10}(4) In relation to subordinate legislation that relates to fishing, fisheries or fish health and is made after section 45 of the Fisheries Act 2020 (c. 22) comes into force, the reference in subsection (2)(b)(iii) to Wales includes the area of the Welsh zone beyond the seaward limits of the territorial sea.]

Textual Amendments

- F1** Words in Act substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 5\(9\)](#)
- F3** Words in Act substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 5\(8\)](#)
- F8** Words in s. 3(1)(b) substituted (11.10.2019) by [The Legislation \(Wales\) Act 2019 \(Commencement Order 2019 \(S.I. 2019/1333\)](#), arts. 1(2), [3\(a\)](#)
- F9** Words in s. 3(1)(c) substituted (11.10.2019) by [The Legislation \(Wales\) Act 2019 \(Commencement Order 2019 \(S.I. 2019/1333\)](#), arts. 1(2), [3\(b\)](#)
- F10** S. 3(4) inserted (23.1.2021) by [Fisheries Act 2020 \(c. 22\)](#), [ss. 46\(6\)\(a\)](#), 54(2) (with [Sch. 4 para. 31](#))

Changes to legislation: There are currently no known outstanding effects for the Legislation (Wales) Act 2019. (See end of Document for details)

Commencement Information

- I1** S. 3 in force for specified purposes at 11.9.2019, see s. 44(1)(c)
I2 S. 3 in force at 1.1.2020 in so far as not already in force by [S.I. 2019/1333](#), [art. 2](#)

4 Effect of provisions in this Part

- (1) Where this Part applies to an [^{F3}Act of Senedd Cymru] or a Welsh subordinate instrument, the provisions in this Part have effect in relation to the Act or instrument except so far as—
- (a) express provision is made to the contrary, or
 - (b) the context requires otherwise.
- (2) The exception in subsection (1) does not apply to section 5 (equal status of texts of bilingual legislation).
- (3) Paragraph (b) of that exception does not apply to—
- (a) section 10 (references to time of day);
 - (b) section 28 (application of Welsh legislation to the Crown);
 - (c) section 33 (repeals and revocations do not revive law previously repealed, revoked or abolished).

Textual Amendments

- F3** Words in Act substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 5\(8\)](#)

Commencement Information

- I3** S. 4 in force for specified purposes at 11.9.2019, see s. 44(1)(c)
I4 S. 4 in force at 1.1.2020 in so far as not already in force by [S.I. 2019/1333](#), [art. 2](#)

Bilingual Welsh legislation

5 Equal status of Welsh and English language texts

- (1) This section applies where an [^{F3}Act of Senedd Cymru] is enacted, or a Welsh subordinate instrument is made, in Welsh and English.
- (2) The Welsh language text and the English language text have equal status for all purposes.

Textual Amendments

- F3** Words in Act substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 5\(8\)](#)

Commencement Information

- I5** S. 5 in force for specified purposes at 11.9.2019, see s. 44(1)(c)
I6 S. 5 in force at 1.1.2020 in so far as not already in force by [S.I. 2019/1333](#), [art. 2](#)

Changes to legislation: There are currently no known outstanding effects for the Legislation (Wales) Act 2019. (See end of Document for details)

Meaning of words and expressions used in Welsh legislation

6 Definitions of words and expressions

- (1) Words and expressions listed in the Table in Schedule 1 are to be interpreted according to that Table where they appear in an [^{F3}Act of Senedd Cymru] or a Welsh subordinate instrument.
- (2) The Welsh Ministers may by regulations amend Schedule 1 to—
 - (a) insert new definitions of words or expressions;
 - (b) remove definitions of words or expressions;
 - (c) amend definitions of words or expressions.
- (3) Regulations under subsection (2) may make supplementary, incidental, consequential, transitory, transitional or saving provision, which may include provision which amends, repeals, revokes or otherwise modifies any enactment (whenever enacted or made).

Textual Amendments

- F3** Words in Act substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 5\(8\)](#)

Commencement Information

- I7** S. 6(1) in force for specified purposes and s. 6(2)(3) in force at 11.9.2019, see s. 44(1)(b)(c)
I8 S. 6(1) in force at 1.1.2020 in so far as not already in force by [S.I. 2019/1333](#), [art. 2](#)

7 Words in the singular include the plural and vice versa

- In an [^{F3}Act of Senedd Cymru] or a Welsh subordinate instrument—
- (a) words in the singular include the plural;
 - (b) words in the plural include the singular.

Textual Amendments

- F3** Words in Act substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 5\(8\)](#)

Commencement Information

- I9** S. 7 in force for specified purposes at 11.9.2019, see s. 44(1)(c)
I10 S. 7 in force at 1.1.2020 in so far as not already in force by [S.I. 2019/1333](#), [art. 2](#)

8 Words denoting a gender are not limited to that gender

- In an [^{F3}Act of Senedd Cymru] or a Welsh subordinate instrument, words denoting persons of a particular gender are not to be read as limited to persons of that gender.