

Alun Ffred Jones AC/AM
Y Gweinidog dros Dreftadaeth
Minister for Heritage



Llywodraeth Cynulliad Cymru
Welsh Assembly Government

Eich cyf/Your ref
Ein cyf/Our ref LF/ AJ/0029/10

13 MAY 2010

Val Lloyd AC
Cadeirydd
Pwyllgor Deddfwriaeth Rhif 2
Cynulliad Cenedlaethol Cymru
Bae Caerdydd
CF99 1NA

11 Mai 2010

Amwyf Val,

Daeth llythyr i law yn ddiweddar a ddanfonwyd i'r Dirprwy Brif Weinidog gan reolwr gyfarwyddwr cwmni Cam Gas, Pat Ardis, oedd am wneud rhai sylwadau ynglŷn â Mesur arfaethedig y Gymraeg.

Gan mai fi sy'n gyfrifol am gyflwyno'r Mesur, atebais yn llythyr ar ran Ieuan Wyn Jones. Yn yr ateb hwnnw, soniais wrth Mr Ardis fod Pwyllgor Deddfwriaeth Rhif 2 ar hyn o bryd yn craffu ar y Mesur drafft, ac y byddwn yn sicrhau fod Cadeirydd y pwyllgor yn derbyn copi o'i lythyr.

Amgaeaf, felly, gopi o'r llythyr hwnnw a hyderaf y bydd o ddiddordeb i chi a'ch cyd-aelodau ar y pwyllgor.

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Eich cyf/Your ref
Ein cyf/Our ref LF/AJ/0029/10
Mr Pat Ardis
Managing Director
Cambrian Gas Ltd
Head Office
Deva Industrial Park
Factory Road
Sandycroft
Deeside CH5 2QJ

11 May 2010

Dear Pat Ardis,

Thank you for your letter of 15 April 2010 to Deputy First Minister, Ieuan Wyn Jones AM in relation to the proposed Welsh Language Measure. As Heritage Minister and Assembly Member responsible for introducing the proposed Measure, I would like to take this opportunity to reply on his behalf and address the points raised in your letter.

You correctly point out that suppliers of gas fall within the scope of the proposed legislation. Schedules seven and schedule eight of the Measure reflect this fact. The effect of these two schedules (along with schedules five and six) is to incorporate within the Measure those types of bodies that were listed in the Welsh Language Legislative Competence Order (LCO) as being ones upon which Welsh language duties may be imposed. The proposed Measure creates the legislative framework within which duties, known as Welsh Language Standards, may be imposed on bodies.

The LCO inserted Matters 20.1 and 20.2 into Schedule 5 of the Government of Wales Act, which confers power on the National Assembly for Wales to legislate in respect of the Welsh Language. The LCO was approved by both the National Assembly for Wales and the UK Parliament. Oil and coal suppliers were not brought within its remit recognising that oil suppliers, for example, are not subject to the same level of statutory control as gas and electricity, and do not rely on a network or grid controlled under statute in order to deliver or supply oil to their customers. The vast majority of domestic energy use is from gas and electricity, which constitute the former public utilities.

In developing and fulfilling its commitments on the Welsh language, the Welsh Assembly Government remains committed to encouraging economic growth and innovation. I would draw your attention to the fact that the proposed Measure provides for the Welsh Language Commissioner to consult with bodies and persons potentially subject to duties, enabling the Commissioner to listen and take their views into consideration before making recommendations to the Welsh Ministers. Welsh Ministers can then make regulations stating which standards apply to those persons and bodies. Additionally the Measure

introduces a mechanism whereby the imposition of Welsh language standards may be challenged on the grounds of reasonableness and proportionality.

Any Welsh Language Standards proposed by the Welsh Assembly Government would be subject to a rigorous impact assessment including consideration of any possible impact on the private sector

The Measure is currently being scrutinised by the National Assembly for Wales's Legislation Committee No.2 which has issued a call for evidence. Interested persons are encouraged to contact the Committee during the process of scrutiny and development to make their views known. I will pass a copy of your letter to the Committee, which is chaired by Val Lloyd AM.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Alun Ffred'.

Alun Ffred Jones AC/AM
Y Gweinidog dros Dreftadaeth/Minister for Heritage