

The Rt Hon. the Lord Hunt of Wirral MBE  
Chair, Secondary Legislation Scrutiny Committee  
House of Lords

13 December 2023

Dear Lord Hunt

### Scrutiny of statutory instruments which contain text in languages other than English

I am writing regarding a long-standing issue which my Committee has recently decided to consider in detail, and would be grateful if you could help inform our consideration.

You will be aware that some types of statutory instruments – including joint statutory instruments and Orders in Council – are required to be laid for scrutiny in more than one legislature.

My Committee, and its predecessors, have been told by the Welsh Government that a Welsh and English language version of such a statutory instrument cannot be laid in both the Senedd and the UK Parliament. The Welsh Government's reasoning is that no routine parliamentary processes exist by which to lay bilingual instruments before the UK Parliament, and that the UK Parliament will not scrutinise general statutory instruments in languages other than English.

I have written to the chairs of both the Procedure and Privileges Committee and the House of Commons Procedure Committee to seek their assessment of whether the UK Parliament's procedures prevent such instruments to be laid.

However, it would also be helpful for my Committee to understand your Committee's approach to scrutiny of statutory instruments which contain text drafted in languages other than English. A recent example of such an instrument was the draft version of the Windsor Framework (Enforcement etc.) Regulations 2023; consideration of which was included in your [51<sup>st</sup> Report of Session 2022-23](#). As you



will be aware the instrument, which has now been made, includes substantial amendments to the Welsh language text of regulations made in both Welsh and English by the Welsh Ministers.

I would be grateful if you could summarise your Committee's approach to the scrutiny of legislation containing Welsh language text; including whether, assisted by its staff, it assesses and validates the accuracy of Welsh language text contained within statutory instruments, and the degree to which corresponding English and Welsh texts match. Please could you also confirm whether your Committee is provided with any other information, such as specific assurances from the relevant Government department on the accuracy of the drafting of Welsh language text contained within an instrument.

I have written in similar terms to the Chair of the Joint Committee on Statutory Instruments.

Yours sincerely,

*Huw Irranca-Davies*

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Chair

