

## LEGISLATION (PROCEDURE, PUBLICATION AND REPEALS) (WALES) BILL – STAGE 2 GOVERNMENT AMENDMENTS

The information below is designed to explain the purpose and effect of the amendments tabled in the name of Julie James MS on 20 March 2025 – please see [“Notice of amendments – 20 March 2025”](#) on the Senedd’s webpage for the Bill.

Adt.	Explanation
2	A technical amendment to ensure drafting consistency with para 4(1) of new Schedule 1B.
3	Amendments 3 and 4 are to ensure drafting consistency with para 4(1) of new Schedule 1A and better reflect new section 37D.
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5	Amendments 5 and 6 achieve similar provision to new sections 37D(6) and 37E(9), and ensure drafting consistency with paragraph 11(9) of new Schedule 1C.
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7	A technical amendment to ensure drafting consistency across new Part 2A (see for example, paragraph 2 in both new Schedules 1A and 1B, or paragraph 6 of new Schedule 1C).
8	A technical amendment to ensure drafting consistency across new Part 2A (see for example, paragraph 3(2) of new Schedule 1C or paragraphs 3(2), 4(2) and 5(2) of new Schedule 1B).
9	A technical amendment to ensure drafting consistency within new Schedule 1C.
10	Amendments 10, 11, 12 and 13 are to ensure drafting consistency within new Schedule 1C and follow the approach taken in elsewhere in new Part 2A.
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14	A technical amendment to ensure the correct operation of the Interpretation Act 1978 on the Highways Act 1980.
15	A technical amendment to ensure the correct operation of the Interpretation Act 1978 on the Road Traffic Regulation Act 1984.
16	Amendments 16 to 21 have the effect of replacing the reference to “Clerk of Senedd Cymru” in section 3 of the Bill (i.e. new Part 2B), with the formulation for the Clerk’s title as set out in the Government of Wales Act 2006. This meets the Counsel General’s commitment given at Stage 1.
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Adt.	Explanation
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22	<p>This would insert new Part 15 into Schedule 3 to the Bill (Repeals and connected amendments).</p> <p>Sections 53, 54, 55 and 56 of the Countryside and Rights of Way Act 2000 prescribe a cut-off date (1 January 2026) for the recording on definitive maps of footpaths and bridleways created before 1949 (with certain exceptions). The provisions provide that public rights of way over such footpaths and bridleways that have not been recorded by the cut-off date would be extinguished. Section 56 of the 2000 Act provides that the cut-off date can be extended in relation to Wales by regulations made by the Welsh Ministers. No such regulations have been made by the Welsh Ministers as sections 53 to 56 have never been brought into force.</p> <p>Paragraph 54 of new Part 15 therefore amends sections 53, 54, 55 and 56 of the Countryside and Rights of Way Act 2000, so those provisions apply to land in England only.</p> <p>The Wildlife and Countryside Act 1981 ('the 1981 Act') requires, among other things, that definitive maps and statements be kept under review. The surveying authority for an area may make, by order, such modifications to a definitive map and statement as it considers are required. If paragraph 4 of Schedule 5 to the 2000 Act were in force it would insert a new section 54A into the 1981 Act, and that section would prevent a surveying authority making an order after the cut-off date (1 January 2026) that modified a definitive map and statement for the purpose of recording a byway open to all traffic (known as a "BOAT"), except where the BOAT is recorded in the place of any other way already recorded in the map and statement.</p> <p>Paragraph 55 of new Part 15 amends paragraph 4 of Schedule 5 to the 2000 Act, so that new section 54A of the 1981 Act (if brought into force) would apply to land in England only.</p> <p>This meets the Counsel General's commitment given at Stage 1.</p>