

Gwenda Thomas AC / AM
Y Dirprwy Weinidog Plant a Gwasanaethau Cymdeithasol
Deputy Minister for Children and Social Services



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref: CLA59
Ein cyf/Our ref : SF/GT/7122/11

David Melding AM
Chair,
Constitutional and Legislative Affairs Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

10th January 2012

Dear David,

Thank you for your letter and report dated 2 December, informing me of the outcome of the Constitutional and Legislative Affairs Committee meeting that considered the Carers Strategies (Wales) Regulations 2011. In the report the Committee issued ahead of the meeting you set out concerns regarding the parity of status between the English and Welsh languages, in relation to the production of the local strategies: Paragraph (7) of Regulation 9 that states that "...the strategy must be published in both English and Welsh *unless it is not reasonably practicable to do so*". The Committee felt that this line gave the suggestion that the two languages would not be given equal treatment.

As I outlined in the Government's response to your report, the strategies are not legislation and as such we do not believe that Section 156(1) of the Government of Wales Act 2006 applies. Your discussion at the Committee meeting felt that this explanation ran counter to the principle set out in Section 156(1) of the Government of Wales Act 2006, which states that texts of an Assembly Measure, Act or subordinate legislation are to be treated for all purposes as being of equal standing. Having considered this issue further, I accept the spirit of the point made by the Committee. It was never our intention to be seen to be treating the two languages differently and for this reason, as you will recall, when we debated these Regulations in plenary on 6 December I said that I would bring forward amending Regulations to revoke paragraph (7) of Regulation 9. Public authorities are already required under the Welsh Language Act 1993 to produce information which will be of interest to the public, bilingually.

*Yours sincerely,
Gwenda.*

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