



National Assembly for Wales  
Cynulliad Cenedlaethol Cymru

## 2006 Assembly Budget Process: Information for Assembly Members

### **Abstract**

This paper provides background briefing on the Welsh Assembly Government's Budget for 2007-08 to 2009-10.

It describes how the Assembly gets its money; explains how the Assembly's budget is set, and highlights the differences in the budget process arising as a result of the Government of Wales Act 2006.

Further briefing on the detail of the budget, and information to help scrutiny, will be provided for Committees and Members throughout the budget process.

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# 2006 Assembly Budget Process: Information for Assembly Members

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## **Contents**

<b>1.</b>	<b>Introduction .....</b>	<b>7</b>
<b>2.</b>	<b>How the Assembly gets its money .....</b>	<b>8</b>
<b>3.</b>	<b>The Assembly Budget Process prior to 2007-08.....</b>	<b>9</b>
<b>4.</b>	<b>The Assembly Budget Process for 2007-08.....</b>	<b>11</b>
<b>5.</b>	<b>The Annual Budget Motion.....</b>	<b>12</b>
<b>6.</b>	<b>Supplementary Budget Motions .....</b>	<b>14</b>
<b>7.</b>	<b>The Assembly Budget Process post 2007-08.....</b>	<b>15</b>



## 2006 Assembly Budget Process: Information for Assembly Members

### 1. Introduction

The formal procedures under which the Assembly's budget for the financial year beginning 1 April 2007 is determined are set out in amended Standing Order 21<sup>1</sup>. The 2006 Budget planning round represents a transitional period preparing for the transfer of functions exercised by the National Assembly for Wales as a corporate body, to the new, separate National Assembly and Welsh Ministers. Amended Standing Order 21 prescribes the required financial procedures which must be adhered to during this budgetary cycle.

Under amended Standing Order 21, the role played by Subject Committees in the 2006 budget planning round changes little from previous years. The agreement of new Standing Orders by the Assembly, for 2007 onwards, will decide the role played by Subject Committees and other Committees in budget scrutiny in future years. The biggest change in the budget setting process for 2007-08 (and beyond) is that the Assembly will now be asked to pass a budget motion **authorising** the use of resources, retention of income and drawing of cash from the Welsh Consolidated Fund. This is in contrast to previous years where the Assembly was simply asked to **adopt** a budget for the corporate body.

This paper describes how the Assembly gets its money; and explains the process of how the Assembly's budget is set during the 2006 budget planning round, highlighting the changes from previous years. Potential issues that could be considered at each stage of the budget setting process are also suggested.

A more detailed description of the changes arising from the arrangements proposed in Part 5 of the Government of Wales Act, together with the implications of budget changes for budget scrutiny can be found in the Members' Research Service paper *Part 5 of the Government of Wales Act: Finance*, available at: <http://assembly/presidingoffic/mrs/briefings/assembly-local-government-public-services-e.htm>

A [Glossary of Public Finance Terms](#) is also available

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<sup>1</sup> Amendments to Standing Order 21 were agreed by Business Committee on 19 September 2006 and subsequently approved by the Assembly in plenary on 27 September 2006.

## 2. How the Assembly gets its money

The National Assembly's budget is funded largely by grant voted at Westminster by the United Kingdom Parliament. Some further elements of the budget are covered by funding from locally financed expenditure (such as non-domestic rates), the European Commission, and through borrowing by local authorities and other public bodies to fund their capital spending.

The total budget comprises, in resource terms, of two separate categories of public expenditure:

**Departmental Expenditure Limit (DEL)** - set over three years, most spending within DEL is unhypothecated and allows the Welsh Assembly Government full discretion over its spending priorities (known as 'assigned budget' items). Changes in provision for these items are determined through the Barnett Formula (see below). Some spending in DEL, however, is ring-fenced and specific to that spending priority.

**Annually Managed Expenditure (AME)** - set yearly, covers items whose provision cannot be reasonably subject to firm multi-year limits, such as payments under the Common Agricultural Policy. AME is demand led and can only be allocated to the programme for which it is assigned. Further AME will be drawn down from the Treasury if it is needed, while any unspent portion will be returned to the Treasury.

Wales and the other devolved administrations are free to allocate the assigned budget (in Wales, commonly known as the 'Welsh Block Grant') as they see fit, though in reality scope for allocation is limited by existing demands and commitments.

### The Barnett Formula

The Barnett Formula determines changes to expenditure within the assigned budgets of the Devolved Administrations but does not determine the overall size of the assigned DEL. When the United Kingdom Government reviews its spending plans<sup>2</sup>, the Welsh block receives a population-based proportion of the changes in planned spending on comparable Government services in England. Three factors are therefore considered in calculating changes to the assigned DEL using the Barnett Formula:

1. The change in planned spending to UK Government department programmes;
2. The comparability percentage; and
3. The population proportion in each country.

Comparability percentages describe the extent to which services delivered by UK Government departments correspond to services within the budget of the Welsh block. For example, the comparability percentage for Health<sup>3</sup> is 99.5% as the vast majority of health related expenditure is devolved to the National Assembly for Wales. The comparability percentage for transport<sup>3</sup> is 63.8% as the Westminster Government retains responsibility for several aspects of expenditure on transport (including, for example,

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<sup>2</sup> In the main through the UK Government's Spending Reviews, though other spending announcements, such as those made by the Chancellor in his Spring Budget, also impact on allocations to the Assembly's DEL. The Spending Review (SR2004), unveiled by the Chancellor on 12 of July 2004, determined the Assembly's overall budget for 2005-06 to 2007-08. HM Treasury Spending Review 2004 can be found on the HM Treasury web-site at: [http://www.hm-treasury.gov.uk/spending\\_review/spend\\_sr04/spend\\_sr04\\_index.cfm](http://www.hm-treasury.gov.uk/spending_review/spend_sr04/spend_sr04_index.cfm)

<sup>3</sup> As detailed in Annex 3 (schedule of comparable sub-programmes) to HM Treasury publication, *Funding the Scottish Parliament, National Assembly for Wales and Northern Ireland Assembly. A Statement of Funding Policy*. Available on the Treasury Website at: [http://www.hm-treasury.gov.uk/media/CB2/3C/Funding\\_the\\_Scottish\\_Parliament\\_National\\_Assembly\\_for\\_Wales\(296kb\).pdf](http://www.hm-treasury.gov.uk/media/CB2/3C/Funding_the_Scottish_Parliament_National_Assembly_for_Wales(296kb).pdf)

Network Rail). The population proportion used reflects the latest available mid-year estimate published by the Office for National Statistics (ONS).

Factor 1 times factor 2 times factor 3, as shown above, will give the increased spending for each country funded by central government. Hence, for the 2004 Spending Review, the Welsh population as a proportion of England's was 5.89% (applied using 2003 mid-year population estimates). Since the comparability factor for transport was 63.8%, if £1 billion were to be added to transport expenditure in England, then £37.6 million (£1bn x 5.89% x 63.8%) would be added to the Welsh assigned budget.

[\*A Statement of Funding Policy \(2004\)\*](#), published by HM Treasury, provides further explanation of the Barnett Formula and a schedule of comparable sub-programmes between UK Government Departments and devolved administrations according to the 2004 Spending Review.

### **3. The Assembly Budget Process prior to 2007-08**

The current National Assembly is constituted as a corporate body with responsibility for both executive and scrutiny functions. The Budget process provided for by the 1998 Government of Wales Act<sup>4</sup> was designed to enable the Assembly to distribute the resources allocated (the grant paid by the Secretary of State) to its spending priorities. This was achieved by Plenary voting to adopt the budget proposed by the Finance Minister.

The key stages for determining the Assembly budget prior to 2007-08 were set out in the original Standing Order 21<sup>5</sup>. These were:

- ◆ Determination of the Budget for the Assembly Parliamentary Service (SO 21.1);
- ◆ Determination of the Assembly Budget (SO 21.2-5);
- ◆ In year-Adjustments of the Assembly Budget (SO 21.6-10).

Alongside these formal procedures, the Welsh Assembly Government conducted an annual exercise, known as the Budget Planning Round, to align its spending plans to its strategic objectives. The key phases of this round were:

- ◆ Consultation with partners such as the Assembly Sponsored Public Bodies (ASPBs);
- ◆ Processing of Ministerial bids;
- ◆ Expression of priorities by Subject Committees;
- ◆ Producing and publishing the Draft Budget (usually in October and not later than 15 November);
- ◆ Obtaining Committee comments on the Draft Budget;
- ◆ Publishing the Final Budget (by 10 December);
- ◆ Publishing a Supplementary Budget if necessary (by 31 March).

The Welsh Assembly Government conducted its own spending review in 2004 in order to better align budget allocations with its strategic objectives and priorities. The exercise grouped budgets with common themes, purposes and target groups into Spending Programmes. These Spending Programmes were outlined in the Assembly Government's spending plans for 2005-06 to 2007-08 as set out in *A Budget for the Future of Wales*.

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<sup>4</sup> The Government of Wales Act (1998) is available at: <http://www.opsi.gov.uk/acts/acts1998/19980038.htm>  
[Part 4](#) of this Act relates to Assembly Finance.

<sup>5</sup> Standing Order 21 has since been subject to amendments, agreed by Business Committee at its meeting on 19 September 2006 and subsequently approved by the Assembly in plenary on 27 September 2006.

Under the old Standing Order 21, Subject Committees were required to undertake specific functions at pre-determined points in the Budget planning cycle for the National Assembly for Wales. The main roles played by Committees were the expressions of priorities in May / June and consideration of the draft budget in October / November.

The expression of Committee Priorities in May/June represented the first stage of the annual budget planning round. Old Standing Order 21.2 required the Finance Minister to invite Subject Committees to submit their views on priorities for the Assembly's expenditure in the coming financial years (usually for a three year period). This formed a strategic overview part of the process where general strategic priorities were considered. This stage of the process remained unchanged for the 2006 budget planning process (for the financial year beginning 1 April 2007).

Consideration of the draft budget by Committees in October/November represented the second stage of the annual budget planning round and the final stage of structured Committee involvement. Old Standing Order 21.3 required the Finance Minister to lay a draft budget before the Assembly by a date no later than 15 November. As soon as was practicable after plenary had taken note of the draft budget, Ministers sought the views of the relevant Subject Committees regarding the draft budget to pass on to the Finance Minister.

Following completion of the draft budget stage, Standing Orders required no further formal input from Subject Committees. Under Standing Order 9.7(ii) however, Subject Committees had a general responsibility to "*keep under review the expenditure and administration connected with*" the implementation and delivery of policies within their portfolio.

The third and final stage of the annual budget planning round pre 2007-08 was the publication of the final budget. Under old Standing Order 21.4, the Finance Minister was required to lay the final budget before the National Assembly for Wales, by a date no later than 10 December, and at the same time table a motion that the final budget be adopted by the Assembly. This motion was not subject to amendments.

The final budget was presented broken down into several levels of detail. At the highest level, Main Expenditure Groups (MEGs) corresponded broadly to the Ministerial Portfolios. Below the MEG level, expenditure was identified within Spending Programme Areas (SPAs) defining discrete areas of expenditure within each MEG. Below the SPA level, more detailed information on expenditure was available within Budget Expenditure Lines (BELs). Members' options at this stage in the process were limited to abstaining or voting to support or oppose the motion to adopt the budget as a whole.

It is this part of the budget process that changes fundamentally from 2007-08 onwards. Members will no longer be asked to **adopt** the final budget which was essentially the Assembly Government's view on how total resources should be best allocated to different areas. Instead, Members will be asked to **authorise** the use of resources on specified services and purposes (see section 5).

Before the end of the financial year, a supplementary budget could be tabled setting out changes to the final budget arising from changes in UK Government expenditure plans or other technical changes of a budgetary nature. The Welsh Assembly Government was required to keep the Assembly informed, in Plenary, of any changes in expenditure that involved transfer of resources between MEGs.

#### 4. The Assembly Budget Process for 2007-08

Under the provisions made in the Government of Wales Act 2006<sup>6</sup>, the National Assembly for Wales as a corporate body will be dissolved. As a result, the executive function will go to the government (the Welsh Ministers) and the scrutiny function to the reconstituted Assembly. The changes in the Budget process can be seen as a natural consequence of this separation of functions.

The 2006 Act creates the Welsh Consolidated Fund (WCF) which is simply a neutral bank account held by the Paymaster General<sup>7</sup>. The cash grant from the Secretary of State for Wales will be paid into the WCF and any other amounts received by the Welsh Ministers (or the Assembly Commission, Auditor General for Wales (AGW) and Public Services Ombudsman for Wales (PSOW)) must also be paid into the WCF. The AGW will grant approvals to draw cash from the WCF at the request of the Welsh Ministers. He must be satisfied that there is valid statutory authority to allow the amounts requested to be issued. With very few exceptions<sup>8</sup>, valid statutory authority comes by way of a budget motion authorised by the Assembly.

Welsh Ministers must request the use of resources, retention of income and drawing of cash from the WCF under the provisions made in the 2006 Act. The role of Members is to consider the amounts requested by the Ministers and, should they consider these appropriate, to authorise the amounts. This is done by way of an annual budget motion.<sup>9</sup>

The giving of financial authority for the use of resources is therefore a matter for Members. Conversely, only Ministers can ask for the use of resources and Members cannot authorise amounts that Ministers have not asked for. This is in exact parallel with the Whitehall Westminster System (and with the other devolved administrations) where only the Crown, in the form of the Treasury, may request the use of resources and only the House of Commons may authorise the use of resources.

The role played by Subject Committees in the 2007-08 Budget process has essentially changed little from previous years and they are still required to complete an important scrutiny function. Amended Standing Order 21.3 required the Finance Minister to invite Subject Committees to express their views on priorities<sup>10</sup> for the Welsh Assembly Government's expenditure in the coming financial years. This stage of the process took place in June and July of this year (2006).

Amended Standing Order 21.4 requires the Finance Minister to lay before the Assembly by not later than 15 November<sup>11</sup> a draft budget for the Welsh Assembly Government setting out the amounts of resources which may be used and retained and the amounts of cash which may be issued out of the WCF for specified services and purposes. At the same time, the Finance Minister must table a motion that the Assembly takes note of the draft budget. As soon as is practicable thereafter, each Minister who is a member of a Subject Committee must seek the Committee's views on the draft budget and convey them to the Finance Minister.

<sup>6</sup> The Government of Wales Act 2006 is available at: <http://www.opsi.gov.uk/ACTS/acts2006/20060032.htm>  
[Part 5](#) of the Act deals with finance.

<sup>7</sup> The Paymaster General is a Government Minister who has statutory responsibility for the Government accounts held in his/her name at the Bank of England.

<sup>8</sup> Primary legislation provides for a small number of transactions to be a "direct charge" on the WCF. These include, for example, the salaries of the Presiding Officer, Deputy Presiding Officer, AGW and PSOW.

<sup>9</sup> Budget motions will also authorise amounts for the Assembly Commission, AGW and PSOW, all of whom are independent from Ministers and will not be funded from the Welsh Assembly Government's budget.

<sup>10</sup> The Members' Research Service has produced a Quick Guide on the Committee Priorities stage of the Budget process, available at:  
<http://assembly/presidingoffic/mrs/briefings/2006/MRS060739%20QG%20Priorities.doc>

<sup>11</sup> At the time of writing the Draft Budget for 2007-08 is expected to be published on 17 October

Committees' scrutiny sessions of the draft budget have been timetabled for late October and November of this year. Issues that Committees may potentially wish to explore at this stage in the proceedings are similar to those that have been considered at this stage in previous budget planning rounds and include:

- ◆ The way in which Committee priorities expressed in the previous stage of the planning round have been addressed;
- ◆ Whether the detail contained within the budget is sufficient to allow Committees to entirely fulfil their scrutiny role;
- ◆ The evidence base used by the Assembly Government to inform its decisions on funding in any given area;
- ◆ The financial implications of any new or proposed legislation;
- ◆ How changes in any given portfolio might impact upon the strategic objectives of another, particularly where cross cutting themes exist;
- ◆ How cross cutting issues such as equality of opportunity and sustainable development are being addressed;
- ◆ Any major spending or specific funding commitments announced and whether these commitments refer to new funding, or include funding from previous budgets; and to which period of time any funding commitments refer.

The Members' Research Service has produced a QuickGuide on the transitional draft budget which provides some general scrutiny tips which Members and Committees may find useful in forming a view on the draft budget. The paper is available at:  
<http://assembly/presidingoffic/mrs/briefings/budgets-public-finance.htm>

Following consideration of the draft budget, under amended Standing Order 21.5, the Finance Minister is required to table the annual budget motion (for the 2007-08 budget not later than 10 December 2006) as required by section 125 of the Government of Wales Act 2006. The motion shall not be subject to amendment.

## **5. The Annual Budget Motion**

The Finance Minister must table and move a budget motion for each financial year from 2007-08 onwards. Amended Standing Order 21.6 requires that the budget motion tabled under amended Standing Order 21.5 must include:

- ◆ The budget for the Assembly Parliamentary Commission;<sup>12</sup>
- ◆ The final budget for the Welsh Assembly Government;
- ◆ The budget estimate in respect of the Auditor General for Wales;<sup>13</sup>
- ◆ The budget estimate in respect of the Public Services Ombudsman for Wales.<sup>14</sup>

The budget motion will request authorisation for the resources that can be used, income that can be retained and cash that can be drawn from the WCF by the Welsh Ministers, the Assembly Commission, the AGW and the PSOW. The resources that can be used will be split into *specified services and purposes* or *ambits*. It is the amount of resources

<sup>12</sup> As determined under amended Standing Order 21.1

<sup>13</sup> As laid before the Assembly by the Audit Committee under section 93(6) of the 1998 Act

<sup>14</sup> As laid before the Assembly by the Assembly Cabinet under paragraph 15(3) of schedule 1 to the Public Services Ombudsman (Wales) Act 2005

allocated to these ambits that Members must consider when deciding whether or not to authorise the budget motion.

This is different to the situation in previous years where Members were asked to adopt the allocations made to MEGs, SPAs, and BELs in the form of budget tables. These tables are still likely to be produced as supporting information to the annual budget motion and Members may wish to consider them when forming a view on the final budget. They do not however, serve any formal purpose in the annual budget motion and it is not a statutory requirement on the Welsh Assembly Government to produce them.

Once the budget motion has been authorised, for expenditure by any of these bodies to be considered regular, it must remain within the authorised ambit. Any resources used that exceed the authorised amounts for each ambit, or are used on areas outside of the scope of the ambit will be deemed irregular by the Auditor General. This will result in a qualified audit opinion for which the Accounting Officer will be answerable to the Audit Committee.

Under amended Standing Order 21.8, a minimum amount of information must be produced in support of the budget motion:

- ◆ The written statement required under section 125(3) of the 2006 Act;<sup>15</sup>
- ◆ The resources agreed by the Treasury for the Welsh block budget for the financial year covered by the motion;
- ◆ A reconciliation explaining the difference between the resources allocated to the Welsh block budget by the Treasury and the resources to be authorised for use in the budget motion;
- ◆ A reconciliation between the estimated amounts to be paid into the WCF by the Secretary of State and the amounts to be authorised for payments out of the Fund in the budget motion;
- ◆ A reconciliation between the resources to be authorised under section 125(1)(a) and (b) of the 2006 Act and the amounts to be authorised for payment out of the WCF under section 125(1)(c)<sup>16</sup>.

The amounts authorised in the budget motions will not, in total, equate to the resources paid by the Secretary of State into the WCF in the form of the Welsh block. Reconciling items might include, for example, the resource consumption of ASPBs and NHS bodies, local authority supported borrowing, resources to be used by the Wales Office, direct charges on the WCF and the amounts held in reserve by the Welsh Assembly Government Finance Department.

A reconciliation between the resources requested in the budget motion and the cash to be issued from the WCF will take account of non-cash items within the budget, including depreciation, cost of capital and impairments.

Under the provisions made in section 125 of the Government of Wales Act 2006, it should be possible to make a direct comparison between the amounts authorised in the budget motions and the audited outturn as shown in the audited resource accounts.

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<sup>15</sup> This covers the total payments estimated to be made to the Welsh Ministers, First Minister or Counsel General by the Secretary of State, Ministers of the Crown and government departments and any payments made otherwise than by these sources for the financial year.

<sup>16</sup> Section 125(1)(a) refers to resources which may be used for specified services and purposes and (b) to the amount of accruing resources which may be retained for use on specified services and purposes. Section 125(1)(c) refers to the amount which may be paid out of the WCF for use on specified services and purposes.

At this stage in the annual budget process, the budget priorities and allocations have been finalised following consultation at the expression of priorities and draft budget stages. Members' options are limited to abstaining, or voting to support or oppose the motion to authorise the budget as a whole. However, the debate on the Finance Ministers annual budget motion presents individual members with the opportunity to introduce into the debate, points on any unmet priorities or issues of specific concern.

The Members' Research Service has produced a QuickGuide on the Annual Budget Motion which may assist Members in preparing areas of questioning for budget and financial scrutiny and in forming a view on the annual budget motion. The paper is available at:

<http://assembly/presidingoffic/mrs/briefings/budgets-public-finance.htm>

## **6. Supplementary Budget Motions**

Section 126 of the Government of Wales Act 2006 provides for supplementary budget motions. Supplementary budget motions may be moved at any time during the financial year by the Welsh Ministers.

A supplementary Budget motion may approve a variation in any one or more of the following:

- ◆ The amount of resources authorised to be used in the financial year by a relevant person, or pursuant to a relevant enactment for any service or purpose;
- ◆ The amount of resources accruing to a relevant person in the financial year and authorised to be retained by that person to be used for any service or purpose; and
- ◆ The amount authorised to be paid out of the WCF in the financial year to a relevant person or for use pursuant to a relevant enactment for any service or purpose.

A supplementary budget motion may authorise any one or more of the following:

- ◆ The amount of resources which may be used in the financial year by a relevant person, or pursuant to a relevant enactment, for a service or purpose specified in the motion;
- ◆ The amount of resources accruing to a relevant person in the financial year which may be retained by that person to be used for a service or purpose so specified; and
- ◆ The amount which may be paid out of the WCF in the financial year to a relevant person, or for use pursuant to a relevant enactment for a service or purpose so specified.

Essentially, the Welsh Ministers must lay a supplementary budget if they wish to move amounts from one ambit to another, extend the scope of an existing ambit or create an entirely new ambit, or increase the amounts of any resources accruing that they are authorised to be retained under an ambit. The authorisation of a supplementary budget motion, by the Assembly, in respect of any one or more of these changes is required to prevent irregular expenditure from occurring. Irregular expenditure is likely to result in a qualified audit opinion on the accounts by the AGW and an appearance of the Accounting Officer before the Audit Committee.

## **7. The Indicative Assembly Budget Process post 2007-08**

The role to be played by Subject Committees in future budget planning rounds (beyond 2007-08) has yet to be decided but is likely to change considerably. Provisions made in The Government of Wales Act require the production of an annual budget motion (as described above), but do not necessitate the formation of any committees beyond an audit committee. The Committee on Standing Orders<sup>17</sup> has considered an indicative process for the budget and that the Standing Orders should provide for a Finance Committee. This proposal was endorsed by the Shadow Commission at its meeting on 18 August<sup>18</sup> but has not yet been agreed by the Assembly.

Under the proposed process<sup>19</sup>, the determining of the Welsh Assembly Government budget would proceed as follows:

- ◆ A Welsh Minister will lay before the Assembly a draft budget for the Welsh Assembly Government setting out the proposed allocation of resources (no debate at this stage);
- ◆ Committees other than the Finance Committee (i.e. scrutiny committees) will make recommendations to the Finance Committee on the draft budget on matters within their remit;
- ◆ The Finance Committee will report their views on the draft budget to the Assembly. Their report should include the views of other committees;
- ◆ A Welsh Minister will lay before the Assembly a draft budget and table a motion that the Assembly takes note of it.

A timetable for the proposed process above has yet to be agreed and it will be important to build sufficient time into the process to allow for detailed scrutiny, both in committees and in Plenary.

Following completion of the indicative process above, a Welsh Minister would table the Annual Budget Motion for approval by the Assembly, as required under clause 125 of the Government of Wales Act 2006, to include the Welsh Assembly Government (First Minister, Welsh Ministers and Counsel General), Assembly Commission, Auditor General and Public Services Ombudsman. No amendment may be tabled to this motion. This stage would then be similar to the Budget Bill stage in Scotland and the Appropriation Bill in Westminster.

Any proposals for new standing orders must secure a two-thirds approval by Plenary. Ultimately, therefore, the makeup of Committees and their future role in budget scrutiny will be determined by the drafting of new standing orders which are a matter for agreement by the Assembly.

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<sup>17</sup> Schedule 11 of the Government of Wales Act 2006, provides for the National Assembly to produce proposals for Standing Orders in relation to the proceedings of the Assembly following the 2007 election. These proposals, once agreed by the Assembly, will be sent to the Secretary of State for Wales, who will formally make the new Standing Orders, by no later than 31 March 2007.

<sup>18</sup> Minutes of the meeting are available at:

<http://www.wales.gov.uk/keypubassemshadowcomm/0506-minutes-e.htm>

<sup>19</sup> This process is subject to agreement by the Assembly via a two thirds approval in Plenary