

# National Assembly for Wales

## Equality, Local Government and Communities Committee

### Report on the Legislative Consent Memorandum for the Census (Return Particulars and Removal of Penalties) Bill

#### **Background**

On 15 May 2019, the Minister for Finance and Trefnydd laid a Legislative Consent Memorandum ('the LCM') for Census (Return Particulars and Removal of Penalties) Bill currently before the UK Parliament.

On 21 May 2019, the Business Committee referred the LCM to the Equality, Local Government and Communities Committee ('the Committee'). In referring the LCM, the Business Committee set a reporting deadline of 27 June 2019.

A Legislative Consent Motion, seeking the Assembly's consent to the relevant provisions in the Bill (as outlined in the LCM) has been scheduled for debate in Plenary on 2 July 2019.

#### **The LCM**

Paragraphs 3 to 6 of the LCM outlines the policy objective of the Bill and summarises the Bill. Paragraphs 7 and 8 set out that provisions for which consent is sought. Paragraph 19 sets out the Welsh Government's views on the provisions being made in a UK Bill, rather than via Assembly legislation.

#### **Provisions in the Bill for which consent is sought**

The consent of the Assembly is sought for provisions which were included at introduction. The provisions are as follows:

##### Section 1

Section 1 of the Bill amends the Census Act 1920 and incorporates sexual orientation and gender identity, as matters which particulars may be requested in the census. The information is requested on a voluntary basis.

##### Section 3

Section 3 of the Bill relates to the extent, commencement and short title of the Bill and is incidental to Section 1.

The Welsh Government's Legislative Consent Memorandum is correct in its description of the effects of the clauses.



## **Reasons for making these provisions**

Paragraphs 10-17 sets out the Welsh Government's reasons for making these provisions for Wales in the this Bill rather than via Assembly legislation. It states that "it is appropriate to deal with these provisions in this UK Bill for reasons of timing, coherence and consistency with the rest of the UK". It concludes that, "it is appropriate to deal with these provisions in this UK Bill as it represents the most practical and proportionate legislative vehicle to enable the provision to apply in Wales".

## **Committee consideration and conclusion**

We considered the LCM at our meeting on 5 June 2019. We note the provisions for which consent is being sought. We also note the Welsh Government's reasons for making provision for Wales in the Bill, rather than via Assembly legislation and, based on these, we have no objection to the agreement of the Motion.

