

GCE

LAW: The legislative process in Wales and the UK

SUGGESTED IDEAS FOR TEACHING/LEARNING



Teacher /Lecturer:	
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Course:	AS Level Law
Topic:	The legislative process in Wales and the UK
Session:	

Unit:	Unit One: The Nature of law and the Welsh and English Legal Systems
Ref. to specification:	Law Making
Suggested time allocation:	3 – 8 hours

Aims & Objectives: At the end of these sessions the student will be able to:

- **Explain** the composition of the Welsh legislature;
- **Explain** the devolution settlement in Wales, including the role of the Supreme Court;
- **Describe** the process of creating legislation in Wales.

Main Teaching and Learning Activities

Teacher/Lecturer Activities:

- Introduce topic & objectives, link to previous lessons on the role of English parliament and how statutes are made.
- Ask students what they know about law making in Wales. Can they think of any Welsh laws?
- Ask students to vote on whether they would like more devolved powers to Wales and why/not.
- Explain the composition of the Welsh legislature.
- Ask students to make comparisons between the Westminster Parliament and the Welsh legislature.
- Explain the development of the devolution settlement in Wales including the role of the Supreme Court.
- Describe the process of creating legislation in Wales.

Student Activities:

- Study a given some examples of Welsh laws.
- Students vote on whether they would like more devolved powers for Wales.

Suggested links / resources:

- PowerPoint presentation & Handout
- Relevant laws, either hard copy or using internet / IWB
- A3 / Flip chart paper
- Voting cards
- IWB can be used to show students what Senedd looks like.
- <http://www.assembly.wales/en/Pages/Home.aspx>
- <http://gov.wales/?lang=en>

Assessment of Learning

During the lesson	Group exercises, these show how much the students have understood the composition and role of the Welsh legislature.
Subsequent to lesson	Homework question, stimulus response past paper question on topic

TOPIC: Welsh Legislature

Questions:		Expected answers:
1.	What Act originally devolved powers to Wales?	Government of Wales Act 1998
2.	What did this Act create?	In 1998 the <u>Government of Wales Act</u> created the National Assembly for Wales as a single corporate body. This in effect provided the Assembly with the right to create secondary legislation and have 60 Assembly Members (AMs) .
3.	What was the impact of the 2006 GOWA? Have there been any further developments?	in 2006 the <u>Government of Wales Act (GOWA)</u> was passed in the Westminster Parliament and transferred power to the Welsh Assembly to make its own law (primary legislation) within a number of specific areas, such as education and health. This meant that the laws passed in the Westminster Parliament still apply to Wales but certain subject areas are now transferred to the Welsh government that resides in the Senedd , also known as the National Assembly building, in Cardiff. Following a referendum on the National Assembly for Wales's legislative powers held on 03 March 2011 , the people of Wales voted in favour of granting the National Assembly for Wales further powers for making laws in Wales.
4.	What is the composition of the Welsh Assembly and Welsh Government?	The Welsh Assembly , which includes the 60 AMs, is the legislature for Wales , alongside the Welsh Government , which includes the First Minister, Deputy Ministers, Ministers (in the Cabinet) , and the Counsel General . It is important to note that the legislature is separate from the Welsh Government, which is known as the executive. This recognises the separation of powers between the legislatures, which includes all AMs from different political parties. Just like the UK government, the political party that holds the majority of seats in the Welsh Assembly forms the government. The function of the Welsh Government is to consider and implement policy decisions through the legislative process, whereas the Welsh Assembly legislature (all the AMs) scrutinise proposed legislation being put forward by the Welsh government: this reflects the same process that takes place

		in the Westminster Parliament when new legislation is being debated.
5.	Should Wales get more law making powers?	Student opinion.
6.	What is the role of the Supreme Court in devolution?	<p>The Supreme Court is the United Kingdom's final court of appeal for civil cases, which combined with the Court's devolution jurisdiction, secures the Court a significant role in shaping the development of the law on devolution.</p> <p>Since the establishment of the Court in 2009, there have been a number of significant judgments on devolution, in particular as a result of references made to the Court from the National Assembly for Wales.</p> <p>These judgments contain analysis, in the form of the interpretation of the devolution statutes, which informs the constitutional and legal meaning of the UK's devolution settlements.</p>
7.	Describe the process of creating legislation in Wales.	<p>Westminster Parliament but the terminology is different. Before a proposal (Bill) become law it must go through five stages:</p> <ol style="list-style-type: none"> 1. Members of the Welsh Assembly (referred to as AMs – Assembly Members) consider and agree in principle on the Bill. 2. A detailed consideration of the Bill. This involves amending the Bill by a selected committee of AMs. 3. A debate which takes place in the chamber of the Assembly. This provides an opportunity for AMs to debate the proposed legislation and involves all AMs from different political parties. 4. Passing the final draft of the Bill to the National Assembly for consideration. The final draft of the Bill is also passed to the monarch at the Privy Council. <p>The announcement when the Bill will come into force.</p>