



Bills for Royal Assent

21 October 2024

Request for Information.

Thank you for your request received on 24 September in which you asked:

Sec. 115 of the Government of Wales Act 2006 (cap. 32) provides that the Presiding Officer is responsible for submitting Bills for the Royal Assent.

Therefore, I am writing pursuant to the Freedom of Information Act 2000 to request the following, relating to all six of the Acts which have received the Assent this year (to date), viz.

- 1. any letters or submissions from Y Llywydd to His Majesty requesting the Assent;*
- 2. any letters or similar communications ancillary to the main submission, for example about the mechanics of the process;*
- 3. any letters or similar communications from His Majesty or the Royal Household informing Y Llywydd that the Assent has been signified;*
- 4. any letter or certificate from the Clerk to the Senedd certifying the date he received the sealed Letters Patent (per sec. 115(4));*
- 5. any letters or communications to the National Library of Wales, and the Queen's Printer, from the Clerk or any other person concerning the preservation of the Letters Patent and the Official Print of the Act (see, e.g. sec. 115(5E)).*

Please see our response below.

I can confirm that the information is held in relation to parts 1, 2 and 3 of your request. However, a disclosure will not be made because the information held is exempt from

Senedd Cymru
Bae Caerdydd
Caerdydd, CF99 1SN

Welsh Parliament
Cardiff Bay
Cardiff, CF99 1SN

Ffôn/Tel: 0300 200 6544

E-bost/Email: Ceisiadau-gwybodaeth@senedd.cymru
Information-request@senedd.wales

disclosure under section 37(1)(a) of the Freedom of Information Act 2000 (FOIA). Section 37(1)(a) covers communications with, or on behalf of, the Sovereign. It is an absolute exemption under FOIA which, for practical purposes, means that information which falls into the category of being a communication with, or on behalf of, the monarch is automatically exempt. There is no need to carry out a public interest test.

We do not hold the particular information requested by you in parts 4 and 5 of your request. However, we hold information which is similar in nature and details of that is set out below.

Section 16 of FOIA places a duty on public authorities, such as the Senedd, to provide advice and assistance to requesters when they make requests. In order to enable you to understand our response to parts 4 and 5 of your request, a brief explanation of the steps taken to enable legislation to receive Royal Assent follows.

The process of giving Royal Assent to an Act of the Senedd is a statutory procedure set out in sections 115 and 116 of the [Government of Wales Act 2006](#) and in the [Senedd Cymru \(Letters Patent and Proclamations\) Order 2021](#). It involves a number of stages, as follows:

- a. Preparation of Letters Patent by the Welsh Government;
- b. Submission of the Letters Patent by the Llywydd to the Sovereign;
- c. Signing of the Letters Patent by the Sovereign;
- d. Affixing the Welsh Seal by the Keeper of the Welsh Seal (ie the First Minister);
- e. Dating the Letters Patent; and
- f. Notification of the signed, sealed and dated Letters Patent to the Clerk of the Senedd.

In terms of part 4 of your request, the Clerk of the Senedd does not produce any letter or certificate (as mentioned in your request). However, once Royal Assent is given, the Clerk makes a statement to that effect. Those statements are published on our website: [Search \(senedd.wales\)](#): in the search bar, please use the term 'Royal Assent'.

As far as part 5 is concerned, a certified copy of the Act is uploaded to a legislation.gov.uk portal, which is managed by the National Archives. This electronic submission generates an electronic receipt. Copies of the receipts for the legislation covered by your request can be found on [pages 4-9](#) of this response.

We have redacted the name of Senedd Commission staff from the receipts as that constitutes personal data for the purposes of the UK GDPR. A disclosure of that information would, in our view, contravene the first data protection principle as set out in Article 5 of the UK GDPR. As such, it is exempt from disclosure under section 40(2) and section 40(3A)(a) of FOIA 2000. Details of the reasons for this conclusion are set out in the [annex](#).

Yours sincerely

Buddug Saer
Freedom of Information Manager
Welsh Parliament

Electronic Receipts from the National Archives

(Staff Comisiwn y Senedd | Senedd Commission Staff)

From: no-reply@publishing.legislation.gov.uk
Sent: 20 September 2024 10:24
To: [REDACTED]@senedd.wales
Subject: Internet - PUBLICATION IN PROGRESS: ASC2 Local Government Finance (Wales) Act 2024

Dear Colleague

Thank you for submitting your Act of Senedd Cymru Bundle to the TSO Publishing Team. Local Government Finance (Wales) Act 2024 has been successfully submitted for publication.

Bundle Documents

- English Language CLML
- Dual Language PDF
- Welsh Language CLML
- English Language PDF
- Welsh Language PDF

This system enables you to [track the progress of your bundle](#) to see where it is in the process. Email notifications will be sent to you as your bundle progresses and if further action is required.

Contact the [TSO Publishing team](#) should you require further information. You may be asked to quote reference: 2024-09-20/1008

(Staff Comisiwn y Senedd | Senedd Commission Staff)

From: no-reply@publishing.legislation.gov.uk
Sent: 12 June 2024 11:14
To: [REDACTED]@senedd.wales
Subject: Internet - PUBLICATION IN PROGRESS: ASC2 Infrastructure (Wales) Act 2024

Dear Colleague

Thank you for submitting your Act of Senedd Cymru Bundle to the TSO Publishing Team. Infrastructure (Wales) Act 2024 has been successfully submitted for publication.

Bundle Documents

- English Language CLML
- Dual Language PDF
- Welsh Language CLML
- English Language PDF
- Welsh Language PDF

This system enables you to [track the progress of your bundle](#) to see where it is in the process. Email notifications will be sent to you as your bundle progresses and if further action is required.

Contact the [TSO Publishing team](#) should you require further information. You may be asked to quote reference: 2024-06-12/1001

(Staff Comisiwn y Senedd | Senedd Commission Staff)

From: no-reply@publishing.legislation.gov.uk
Sent: 22 February 2024 10:34
To: [REDACTED]@senedd.wales
Subject: Internet - PUBLICATION IN PROGRESS: ASC2 Health Service Procurement (Wales) Act 2024

Dear Colleague

Thank you for submitting your Act of Senedd Cymru Bundle to the TSO Publishing Team. Health Service Procurement (Wales) Act 2024 has been successfully submitted for publication.

Bundle Documents

- English Language CLML
- Dual Language PDF
- Welsh Language CLML
- English Language PDF
- Welsh Language PDF

This system enables you to [track the progress of your bundle](#) to see where it is in the process. Email notifications will be sent to you as your bundle progresses and if further action is required.

Contact the [TSO Publishing team](#) should you require further information. You may be asked to quote reference: 2024-02-22/1005

(Staff Comisiwn y Senedd | Senedd Commission Staff)

From: no-reply@[REDACTED].gov.uk
Sent: 07 March 2024 11:01
To: [REDACTED]@senedd.wales
Subject: Internet - PUBLICATION IN PROGRESS: ASC2 Environment (Air Quality and Soundscapes) (Wales) Act 2024

Dear Colleague

Thank you for submitting your Act of Senedd Cymru Bundle to the TSO Publishing Team. Environment (Air Quality and Soundscapes) (Wales) Act 2024 has been successfully submitted for publication.

Bundle Documents

- English Language CLML
- Dual Language PDF
- Welsh Language CLML
- English Language PDF
- Welsh Language PDF

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Contact the [TSO Publishing team](#) should you require further information. You may be asked to quote reference: 2024-03-07/1008

(Staff Comisiwn y Senedd | Senedd Commission Staff)

From: no-reply@publishing.legislation.gov.uk
Sent: 20 September 2024 10:14
To: [REDACTED]@senedd.wales
Subject: Internet - PUBLICATION IN PROGRESS: ASC2 Elections and Elected Bodies (Wales) Act 2024

Dear Colleague

Thank you for submitting your Act of Senedd Cymru Bundle to the TSO Publishing Team. Elections and Elected Bodies (Wales) Act 2024 has been successfully submitted for publication.

Bundle Documents

- English Language CLML
- Dual Language PDF
- Welsh Language CLML
- English Language PDF
- Welsh Language PDF

This system enables you to [track the progress of your bundle](#) to see where it is in the process. Email notifications will be sent to you as your bundle progresses and if further action is required.

Contact the [TSO Publishing team](#) should you require further information. You may be asked to quote reference: 2024-09-20/1006

(Staff Comisiwn y Senedd | Senedd Commission Staff)

From: no-reply@publishing.legislation.gov.uk
Sent: 27 June 2024 12:43
To: [REDACTED]@senedd.wales
Subject: Internet - PUBLICATION IN PROGRESS: ASC2 Senedd Cymru (Members and Elections) Act 2024

Dear Colleague

Thank you for submitting your Act of Senedd Cymru Bundle to the TSO Publishing Team. Senedd Cymru (Members and Elections) Act 2024 has been successfully submitted for publication.

Bundle Documents

- English Language CLML
- Dual Language PDF
- Welsh Language CLML
- English Language PDF
- Welsh Language PDF

This system enables you to [track the progress of your bundle](#) to see where it is in the process. Email notifications will be sent to you as your bundle progresses and if further action is required.

Contact the [TSO Publishing team](#) should you require further information. You may be asked to quote reference: 2024-06-27/1003

Your request has been considered according to the principles set out in the **Code of Practice on Public Access to Information**. If you have any questions regarding this response please contact me. If you feel you have cause for complaint, please follow the guidance below.

Cause for concern or complaint with your FOI response?

If you are dissatisfied with the Welsh Parliament's handling of your request, you can request an internal review within 40 working days of the date of this response. Requests for an internal review should be addressed to the Freedom of Information Manager at:

Information-request@senedd.wales or in writing to

Welsh Parliament
Governance and Assurance
Cardiff Bay
Cardiff
CF99 1SN

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Annex

The information sought falls within the definition of personal data as set out in Article 4 of the UK GDPR, being:

“any information relating to an identified or identifiable natural person (‘data subject’); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, psychological, genetic, mental, economic, cultural or social identity of that natural person”.

Personal information is exempt from disclosure under section 40(2) and 40(3A)(a) of FOIA 2000 where disclosure would contravene one or more of the data protection principles within the UK GDPR. The principle relevant on this occasion is the first data protection principle.

The first data protection principle as set out in Article 5 of the UK GDPR states that:

“Personal data shall be processed lawfully, fairly and in a transparent manner in relation to the data subject (‘lawfulness, fairness and transparency’).”

In addressing whether a disclosure would be fair, we have considered the consequences of disclosure, the reasonable expectations of the person concerned and the balance between their rights and any legitimate interest in disclosure. Our conclusion is that disclosure would be unfair.

The individual working within the Policy and Legislation Committee Service has no reasonable expectation that their personal data would be disclosed by the Senedd Commission. Their role has no features which would justify the disclosure of their name in these circumstances. For example, the role is not senior, strategic or public-facing. For the above reasons, we consider that a disclosure of the information requested would be unfair and, thus, contrary to the first data protection principle.

Notwithstanding our view as to fairness, we went on to consider Article 6 of the UK GDPR. None of the legal bases in Article 6 are relevant other than Article 6(1)(f), which allows the processing of personal data if:

"Processing is necessary for the purposes of legitimate interests pursued by the controller or by the third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child."

This condition involves a three-part test:

- There must be a legitimate public interest in disclosing the information;
- The disclosure must be necessary to meet that public interest; and
- The disclosure must not override the interests, fundamental rights or freedoms of the data subject.

We have given careful consideration to the relevant interests which include: the Senedd's obligations under the UK GDPR and the Data Protection Act 2018; the right of access to information held by public authorities; the nature of the individual's role and the right to privacy; and the public interest in this information being disclosed.

There is, of course, a public interest in transparency and accountability in general in relation to the operation of public authorities. However, to disclose the names and email address of the individual concerned would, in our view, be unnecessary to meet our obligations to transparency.

Whilst there is a legitimate public interest in disclosure, the other aspects of the three-part test are not satisfied and disclosure by the Senedd Commission would be unlawful. Where personal information is concerned, we consider that there must be a clear and compelling

justification for disclosure which overrides individual rights and freedoms and, on this occasion, we have been unable to identify such a justification.