

## **Paper 1 - The Referendum and the Assembly's Powers: Background**

### **1. Administrative Devolution**

From the beginning of the 20<sup>th</sup> century Wales was treated increasingly differently for the purpose of governance.

- **1906-1918**  
Welsh departments set up within the ministries of Education, Agriculture, Insurance and Health
- **1944-51**  
Establishment of the Advisory Council for Wales and Monmouth.
- **1951-1964**  
Minister for Welsh Affairs created and status and powers gradually increased
- **1964**  
Creation of post of Secretary of State for Wales and the Welsh Office, with the responsibility of administering a number of policy fields
- **1968-1993**  
Transfer of responsibility for more policy fields and establishment of bodies such as the Welsh Development Agency and Further and Higher Education Funding Councils for Wales.

### **2. Executive Devolution**

The National Assembly was established under the Government of Wales Act 1998 following the referendum in 1998 and was officially opened in June 1999.

- 60 Assembly Members: 40 constituency members and 20 'additional members' representing regions and elected through proportional voting
- No primary legislative powers, but the power to adapt Westminster laws through subordinate legislation.
- The Assembly as a 'corporate body' to take decisions collectively, but , provision for powers to be transferred to the First Secretary together with the power to form a Cabinet of Secretaries responsible for different areas of policy
- In February 2000, Rhodri Morgan replaces the term 'Secretary' with 'Minister' and the position of 'First Minister of Wales' is created.

### **3. Richard Commission**

- Established by the Labour-Liberal Democrat coalition in 2000 to consider the Powers and Electoral Arrangements of the National Assembly
- Report published in 2004 recommending
  - Giving the Assembly primary law-making powers in the fields of its responsibility
  - Increasing the number of members to 80, with a likely reduction in the number of Welsh MPs
  - Introducing the single transferrable vote in multi-member constituencies

### **4. Legislative Devolution**

The Government of Wales Act 2006 is the UK Government's response to the report of the Richard Commission. That Act:

- retains the number of AMs at 60;
- establishes a statutory separation of the powers of the Assembly and those of Assembly Government;
- under Part 3, enables the Assembly to pass primary laws (Assembly Measures) if the power to do so is conferred by the Westminster Parliament (see page 4 in this pack);
- under Part 4 it provides for the Assembly to have primary law-making powers in 20 policy fields of policy and;
- provides for the holding of a referendum to enable these powers to be brought into force.

### **PS: Defining the Assembly's Fields of Responsibility**

The way in which the Assembly's fields of responsibility are defined is different to the Scottish Parliament:

- The National Assembly for Wales has responsibility for those policy fields that have been specifically transferred to it over time – the 'transferred functions model'
- The Scottish Parliament has responsibility for all policy fields except those specifically reserved for Westminster – the 'reserved powers model'

**The Government of Wales Act 2006 does not change this.**