OFFERYNNAU STATUDOL CYMRU

WELSH STATUTORY INSTRUMENTS

2025 Rhif 1160 (Cy. 189) (C. 56)

2025 No. 1160 (W. 189) (C. 56)

Y GYFRAITH GYFANSODDIADOL

CONSTITUTIONAL LAW

Gorchymyn Deddf Deddfwriaeth (Gweithdrefn, Cyhoeddi a Diddymiadau) (Cymru) 2025 (Cychwyn a Darpariaethau Trosiannol a Darpariaethau Arbed) 2025

The Legislation (Procedure, Publication and Repeals) (Wales) Act 2025 (Commencement and Transitional and Saving Provisions) Order 2025

NODYN ESBONIADOL

(Nid yw'r nodyn hwn yn rhan o'r Gorchymyn)

Mae'r Gorchymyn hwn yn dwyn i rym weddill darpariaethau Deddf Deddfwriaeth (Gweithdrefn, Cyhoeddi a Diddymiadau) (Cymru) 2025 ("Deddf 2025") ac yn gwneud darpariaethau trosiannol a darpariaethau arbed mewn cysylltiad â dyfodiad darpariaethau penodol i rym.

Mae erthygl 2 yn dwyn i rym y darpariaethau a ganlyn o Ddeddf 2025 ar 1 Ionawr 2026—

(a) adran 1, sy'n diwygio Deddf Deddfwriaeth (Cymru) 2019 ("Deddf 2019") drwy fewnosod Rhan newydd 2A sy'n gwneud darpariaeth ynghylch offerynnau statudol Cymreig a gweithdrefnau'r Senedd ar gyfer is-ddeddfwriaeth Cymru;

(b) adran 3, sy'n diwygio Deddf 2019 drwy fewnosod Rhan newydd 2B sy'n gwneud darpariaeth ynghylch cyhoeddi, cadw, rhifo a dosbarthu Deddfau Senedd Cymru, offerynnau statudol Cymreig ac is-ddeddfwriaeth arall a wneir gan Weinidogion Cymru;

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force the remaining provisions of the Legislation (Procedure, Publication and Repeals) (Wales) Act 2025 ("the 2025 Act") and makes transitional and saving provision in connection with the coming into force of certain provisions.

Article 2 brings the following provisions of the 2025 Act into force on 1 January 2026—

(a) section 1, which amends the Legislation (Wales) Act 2019 ("the 2019 Act") by inserting a new Part 2A that makes provision about Welsh statutory instruments and the Senedd procedures for Welsh subordinate legislation;

(b) section 3, which amends the 2019 Act by inserting a new Part 2B that makes provision about the publication, preservation, numbering and classification of Acts of Senedd Cymru, Welsh statutory instruments and other subordinate legislation made by the Welsh Ministers;

(c) adran 5, sy'n diwygio Deddf 2019 drwy fewnosod adran newydd 42A sy'n ei gwneud yn ofynnol i'r Cwnsler Cyffredinol adolygu gweithrediad ac effaith Rhannau newydd 2A a 2B o Ddeddf 2019;

(d) adran 6, sy'n diwygio adran 2 o Ddeddf 2019 fel bod rhaid i raglenni i wella hygyrchedd cyfraith Cymru gynnwys cynigion ar gyfer cywiro unrhyw wallau neu ddatrys unrhyw amwysedd yng nghyfraith Cymru;

(e) adran 8 ac Atodlen 3, sy'n cynnwys diwygiadau i ddeddfiadau presennol sy'n angenrheidiol o ganlyniad i Rannau newydd 2A a 2B o Ddeddf 2019.

Mae erthygl 3 yn darparu nad yw darpariaethau penodol o Ran 2A o Ddeddf 2019 yn gymwys i is-ddeddfwriaeth a wnaed cyn 1 Ionawr 2026 neu a gynhwysir mewn offeryn statudol a osodwyd gerbron Senedd Cymru ar ffurf ddrafft cyn y dyddiad hwnnw, ac mae'n arbed darpariaethau cyfatebol o Ddeddf Offerynnau Statudol 1946 ("Deddf 1946") mewn perthynas â'r is-ddeddfwriaeth honno.

Mae erthygl 4 yn darparu nad yw darpariaethau penodol o Ran 2B o Ddeddf 2019 yn gymwys i ddeddfwriaeth Cymru a wnaed cyn 1 Ionawr 2026, yn arbed darpariaethau cyfatebol o Ddeddf 1946 a Rheoliadau Offerynnau Statudol 1947 mewn perthynas â'r ddeddfwriaeth honno, ac yn sicrhau bod yr amddiffyniad o beidio â chyhoeddi o dan adran 37S(2) o Ddeddf 2019 yn cynnwys achosion pan na fo cyhoeddi o dan adran 2(1) o Ddeddf 1946.

Mae erthygl 5 yn ei gwneud yn glir nad yw adran 2(3)(e) o Ddeddf 2019 (fel y'i mewnosodir gan adran 6 o Ddeddf 2025) yn gymwys ond i raglenni i wella hygyrchedd cyfraith Cymru a lunnir ar gyfer tymhorau Senedd Cymru sy'n dechrau ar ôl 1 Ionawr 2026.

(c) section 5, which amends the 2019 Act by inserting a new section 42A that requires the Counsel General to review the operation and effect of new Parts 2A and 2B of the 2019 Act;

(d) section 6, which amends section 2 of the 2019 Act so that programmes to improve the accessibility of Welsh law must include proposals for correcting any errors or resolving any ambiguities in Welsh law;

(e) section 8 and Schedule 3, which contain amendments to existing enactments that are necessary in consequence of new Parts 2A and 2B of the 2019 Act.

Article 3 provides that certain provisions of Part 2A of the 2019 Act do not apply to subordinate legislation made before 1 January 2026 or contained in a statutory instrument laid before Senedd Cymru in draft before that date, and saves corresponding provisions of the Statutory Instruments Act 1946 ("the 1946 Act") in relation to that subordinate legislation.

Article 4 provides that certain provisions of Part 2B of the 2019 Act do not apply to Welsh legislation made before 1 January 2026, saves corresponding provisions of the 1946 Act and the Statutory Instruments Regulations 1947 in relation to that legislation, and ensures that the defence of non-publication under section 37S(2) of the 2019 Act includes cases where there has not been publication under section 2(1) of the 1946 Act.

Article 5 makes clear that section 2(3)(e) of the 2019 Act (as inserted by section 6 of the 2025 Act) applies only to programmes to improve accessibility of Welsh law that are prepared for terms of Senedd Cymru that begin after 1 January 2026.

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Y GYFRAITH GYFANSODDIADOL

Gorchymyn Deddf Deddfwriaeth (Gweithdrefn, Cyhoeddi a Diddymiadau) (Cymru) 2025 (Cychwyn a Darpariaethau Trosiannol a Darpariaethau Arbed) 2025

Gwnaed *4 Tachwedd 2025*

Mae Gweinidogion Cymru yn gwneud y Gorchymyn a ganlyn drwy arfer y pwerau a roddir iddynt gan adran 9(4) a (5) o Ddeddf Deddfwriaeth (Gweithdrefn, Cyhoeddi a Diddymiadau) (Cymru) 2025(**1**):

Enwi a dehongli

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Deddf Deddfwriaeth (Gweithdrefn, Cyhoeddi a Diddymiadau) (Cymru) 2025 (Cychwyn a Darpariaethau Trosiannol a Darpariaethau Arbed) 2025.

(2) Yn y Gorchymyn hwn—

ystyr "Deddf 1946" ("*the 1946 Act*") yw Deddf Offerynnau Statudol 1946(**2**);

ystyr "Deddf 2019" ("*the 2019 Act*") yw Deddf Deddfwriaeth (Cymru) 2019(**3**);

ystyr "Deddf 2025" ("*the 2025 Act*") yw Deddf Deddfwriaeth (Gweithdrefn, Cyhoeddi a Diddymiadau) (Cymru) 2025.

(**1**) 2025 dsc 3.
(**2**) 1946 p. 36.
(**3**) 2019 dccc 4.

2025 No. 1160 (W. 189) (C. 56)

CONSTITUTIONAL LAW

The Legislation (Procedure, Publication and Repeals) (Wales) Act 2025 (Commencement and Transitional and Saving Provisions) Order 2025

Made *4 November 2025*

The Welsh Ministers make the following Order in exercise of the powers conferred on them by section 9(4) and (5) of the Legislation (Procedure, Publication and Repeals) (Wales) Act 2025(**1**):

Title and interpretation

1.—(1) The title of this Order is the Legislation (Procedure, Publication and Repeals) (Wales) Act 2025 (Commencement and Transitional and Saving Provisions) Order 2025.

(2) In this Order—

"the 1946 Act" ("*Deddf 1946*") means the Statutory Instruments Act 1946(**2**);

"the 2019 Act" ("*Deddf 2019*") means the Legislation (Wales) Act 2019(**3**);

"the 2025 Act" ("*Deddf 2025*") means the Legislation (Procedure, Publication and Repeals) (Wales) Act 2025.

(**1**) 2025 asc 3.
(**2**) 1946 c. 36.
(**3**) 2019 anaw 4.

Y darpariaethau sy'n dod i rym ar 1 Ionawr 2026

2. Daw'r darpariaethau a ganlyn o Ddeddf 2025 i rym ar 1 Ionawr 2026—

(a) adran 1 (Rhan newydd 2A o Ddeddf 2019);

(b) adran 3 (Rhan newydd 2B o Ddeddf 2019);

(c) adran 5 (craffu ar ôl deddfu);

(d) Adran 6 (gweithgareddau i wella hygyrchedd cyfraith Cymru);

(e) adran 8 ac Atodlen 3 (diwygiadau canlyniadol).

Y weithdrefn ar gyfer gwneud is-ddeddfwriaeth Cymru

3.—(1) Yn yr erthygl hon ystyr "is-ddeddfwriaeth cyn-gychwyn" yw is-ddeddfwriaeth—

(a) a wnaed cyn 1 Ionawr 2026, neu

(b) a gynhwysir mewn offeryn statudol drafft a osodwyd gerbron Senedd Cymru cyn y dyddiad hwnnw.

(2) Nid yw adrannau 37C i 37H o Ddeddf 2019 nac Atodlenni 1A i 1C iddi yn gymwys i is-ddeddfwriaeth cyn-gychwyn.

(3) Mae adrannau 4(1), 5 i 7 ac 11A(4) o Ddeddf 1946(**1**) yn parhau i gael effaith mewn perthynas ag is-ddeddfwriaeth cyn-gychwyn fel yr oeddent yn cael effaith yn union cyn 1 Ionawr 2026, er gwaethaf paragraff 1 o Atodlen 3 i Ddeddf 2025.

(4) Mae adran 40 o Ddeddf 2019 yn parhau i gael effaith mewn perthynas ag is-ddeddfwriaeth cyn-gychwyn fel yr oedd yn cael effaith yn union cyn 1 Ionawr 2026, er gwaethaf paragraff 14 o Atodlen 3 i Ddeddf 2025.

Cyhoeddi etc. ddeddfwriaeth Cymru

4.—(1) Nid yw adrannau 37N i 37R o Ddeddf 2019 yn gymwys i offeryn statudol Cymreig a wnaed cyn 1 Ionawr 2026.

(2) Yn adran 37S(2) o Ddeddf 2019, mae'r cyfeiriad at gyhoeddi yn unol ag adran 37Q i'w ddarllen, mewn perthynas ag offeryn statudol Cymreig a wnaed cyn 1 Ionawr 2026, fel cyfeiriad at gyhoeddi o dan adran 2(1) o Ddeddf 1946.

(**1**) Diwygiwyd adran 4(1) gan adran 18 o Ddeddf Diwygio Cyfansoddiadol 2005 (p. 4), a pharagraff 4(2) o Atodlen 6 iddi, a mewnosodwyd adran 11A gan adran 160 o Ddeddf Llywodraeth Cymru 2006 (p. 32) a pharagraff 3 o Atodlen 10 iddi.

Provisions coming into force on 1 January 2026

2. The following provisions of the 2025 Act come into force on 1 January 2026—

(a) section 1 (new Part 2A of the 2019 Act);

(b) section 3 (new Part 2B of the 2019 Act);

(c) section 5 (post-legislative scrutiny);

(d) section 6 (activities to improve accessibility of Welsh law);

(e) section 8 and Schedule 3 (consequential amendments).

Procedure for making Welsh subordinate legislation

3.—(1) In this article "pre-commencement subordinate legislation" means subordinate legislation—

(a) made before 1 January 2026, or

(b) contained in a draft statutory instrument laid before Senedd Cymru before that date.

(2) Sections 37C to 37H of and Schedules 1A to 1C to the 2019 Act do not apply to pre-commencement subordinate legislation.

(3) Sections 4(1), 5 to 7 and 11A(4) of the 1946 Act(**1**) continue to have effect in relation to pre-commencement subordinate legislation as they had effect immediately before 1 January 2026, despite paragraph 1 of Schedule 3 to the 2025 Act.

(4) Section 40 of the 2019 Act continues to have effect in relation to pre-commencement subordinate legislation as it had effect immediately before 1 January 2026, despite paragraph 14 of Schedule 3 to the 2025 Act.

Publication etc. of Welsh legislation

4.—(1) Sections 37N to 37R of the 2019 Act do not apply to a Welsh statutory instrument made before 1 January 2026.

(2) In section 37S(2) of the 2019 Act, the reference to publication in accordance with section 37Q is to be read, in relation to a Welsh statutory instrument made before 1 January 2026, as a reference to publication under section 2(1) of the 1946 Act.

(**1**) Section 4(1) was amended by section 18 of and paragraph 4(2) of Schedule 6 to the Constitutional Reform Act 2005 (c. 4) and section 11A was inserted by section 160 of and paragraph 3 of Schedule 10 to the Government of Wales Act 2006 (c. 32).

(3) Nid yw adrannau 37U na 37W o Ddeddf 2019 yn gymwys i offeryn statudol Cymreig a wnaed cyn 1 Ionawr 2026 na Deddf gan Senedd Cymru sy'n cael y Cydsyniad Brenhinol cyn 1 Ionawr 2026.

(4) Nid yw adrannau 37X na 37Y(1) o Ddeddf 2019 yn gymwys i offeryn statudol Cymreig a wnaed cyn 1 Ionawr 2026.

(5) Nid yw adran 37Z o Ddeddf 2019 yn gymwys i is-offeryn Cymreig (o fewn yr ystyr a roddir gan adran 3(2) o Ddeddf 2019) a wnaed cyn 1 Ionawr 2026.

(6) Nid yw adran 37Z1 o Ddeddf 2019 yn gymwys i offeryn statudol Cymreig a wnaed cyn 1 Ionawr 2026.

(7) Er gwaethaf paragraff 1 o Atodlen 3 i Ddeddf 2025, mae'r darpariaethau a ganlyn yn parhau i gael effaith mewn perthynas ag offeryn statudol Cymreig a wnaed cyn 1 Ionawr 2026 fel yr oeddent yn cael effaith yn union cyn 1 Ionawr 2026—

(a) adran 2 o Ddeddf 1946(**1**) a rheoliadau 3 a 4 o Reoliadau Offerynnau Statudol 1947(**2**);

(b) adran 3(1) o Ddeddf 1946(**3**) a rheoliadau 9 a 10(2) o'r Rheoliadau hynny.

Gweithgareddau i wella hygyrchedd cyfraith Cymru

5. Nid yw'r diwygiad a wneir gan adran 6 o Ddeddf 2025 yn gymwys i'r rhaglen a lunnir o dan adran 2(1) o Ddeddf 2019 ar gyfer tymor Senedd Cymru y daw adran 6 i rym ynddo.

(3) Sections 37U and 37W of the 2019 Act do not apply to a Welsh statutory instrument made before 1 January 2026 or an Act of Senedd Cymru that receives Royal Assent before 1 January 2026.

(4) Sections 37X and 37Y(1) of the 2019 Act do not apply to a Welsh statutory instrument made before 1 January 2026.

(5) Section 37Z of the 2019 Act does not apply to a Welsh subordinate instrument (within the meaning given by section 3(2) of the 2019 Act) made before 1 January 2026.

(6) Section 37Z1 of the 2019 Act does not apply to a Welsh statutory instrument made before 1 January 2026.

(7) Despite paragraph 1 of Schedule 3 to the 2025 Act, the following provisions continue to have effect in relation to a Welsh statutory instrument made before 1 January 2026 as they had effect immediately before 1 January 2026—

(a) section 2 of the 1946 Act(**1**) and regulations 3 and 4 of the Statutory Instruments Regulations 1947(**2**);

(b) section 3(1) of the 1946 Act(**3**) and regulations 9 and 10(2) of those Regulations.

Activities to improve accessibility of Welsh law

5. The amendment made by section 6 of the 2025 Act does not apply to the programme prepared under section 2(1) of the 2019 Act for the term of Senedd Cymru in which section 6 comes into force.

Huw Irranca Davies

Y Dirprwy Brif Weinidog ac Ysgrifennydd y Cabinet dros Newid Hinsawdd a Materion Gwledig, un o Weinidogion Cymru
4 Tachwedd 2025

Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs, one of the Welsh Ministers
4 November 2025

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Argraffwyd a chyhoeddwyd yn y DU gan Y Llyfrfa Cyf dan awdurdod a goruchwyliaeth Saul Nassé, Rheolwr Llyfrfa Ei Fawrhydi ac Argraffydd Deddfau Senedd y Brenin.

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(**1**) Diwygiwyd gan adran 1(1)(a) o Ddeddf Offerynnau Statudol (Llunio a Gwerthu) 1996 (p. 54).
(**2**) O.S. 1948/1.
(**3**) Diwygiwyd gan adran 1(1)(a) a (b) o Ddeddf Offerynnau Statudol (Llunio a Gwerthu) 1996.

(**1**) Amended by section 1(1)(a) of the Statutory Instruments (Production and Sale) Act 1996 (c. 54).
(**2**) S.I. 1948/1.
(**3**) Amended by section 1(1)(a) and (b) of the Statutory Instruments (Production and Sale) Act 1996.

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