

SCHEDULES

SCHEDULE 3

CORRESPONDING CODE OF PRACTICE FOR WELSH DEVOLVED POWERS OF ENTRY

Alteration or replacement of code

- 3 (1) The Welsh Ministers—
- (a) must keep the devolved powers of entry code under review, and
 - (b) may prepare an alteration to the code or a replacement code.
- (2) Before preparing an alteration or a replacement code in relation to any powers, the Welsh Ministers must consult—
- (a) such persons appearing to the Welsh Ministers to be representative of the views of persons entitled to exercise the powers concerned as the Welsh Ministers consider appropriate, and
 - (b) such other persons as the Welsh Ministers consider appropriate.
- (3) The Welsh Ministers must lay before the National Assembly for Wales an alteration or a replacement code prepared under this paragraph.
- (4) If, within the 40-day period, the National Assembly for Wales resolves not to approve the alteration or the replacement code, the Welsh Ministers must not issue the alteration or code.
- (5) If no such resolution is made within that period, the Welsh Ministers must issue the alteration or replacement code.
- (6) The alteration or replacement code—
- (a) comes into force when issued, and
 - (b) may include transitional, transitory or saving provision.
- (7) Sub-paragraph (4) does not prevent the Welsh Ministers from laying a new alteration or replacement code before the National Assembly for Wales.
- (8) In this paragraph “the 40-day period” means the period of 40 days beginning with the day on which the alteration or replacement code is laid before the National Assembly for Wales.
- (9) In calculating the 40-day period, no account is to be taken of—
- (a) any period during which the National Assembly for Wales is dissolved, and
 - (b) any period of more than four days during which the National Assembly for Wales is in recess.
- (10) In this paragraph “the devolved powers of entry code” means any code of practice issued under paragraph 2(2) (as altered or replaced from time to time).