Changes to legislation: Government of Wales Act 2006, Part 2 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

[F1SCHEDULE 7A U.K.

RESERVED MATTERS

Textual Amendments

Schs. 7A, 7B substituted for Sch. 7 (1.4.2018) by Wales Act 2017 (c. 4), s. 71(3), Sch. 1 (with Sch. 7 paras. 1, 2, 6); S.I. 2017/1179, reg. 2

PART 2 U.K.

SPECIFIC RESERVATIONS

Preliminary

- The matters to which any of the Sections in this Part apply are reserved matters.
- A Section applies to any matter described or referred to in it when read with any exceptions or interpretation provisions in that Section.
- Any exceptions or interpretation provisions in a Section relate only to that Section (so that an entry under the heading "Exceptions" does not affect any other Section).

RESERVATIONS

Head A—Financial and Economic Matters

Section A1

Al Fiscal, economic and monetary policy

Fiscal, economic and monetary policy, including the issue and circulation of money, taxes and excise duties, government borrowing and lending, control over United Kingdom public expenditure, the exchange rate and the Bank of England.

Exceptions

Devolved taxes, including their collection and management.

Local taxes to fund local authority expenditure (for example, council tax and non-domestic rates).

Changes to legislation: Government of Wales Act 2006, Part 2 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Section A2

A2 The currency

16 Coinage, legal tender and bank notes.

Section A3

A3 Financial services

Financial services, including investment business, banking and deposit-taking, collective investment schemes and insurance.

Section A4

A4 Financial markets

Financial markets, including listing and public offers of securities and investments, transfer of securities and insider dealing.

Section A5

A5 Dormant accounts

Distribution of money from dormant bank and building society accounts.

Head B—Home Affairs

Section B1

B1 Elections

- (A) Elections for membership of the House of Commons and the European Parliament
- Elections for membership of the House of Commons and the European Parliament, including the subject-matter of existing elections Acts so far as they apply, or may be applied, in respect of such membership.
- (B) Elections for membership of the Assembly and local government elections in Wales
- The subject-matter of sections 3(1A) and 13A of this Act (coincidence of Assembly elections and reserved elections).
- The subject-matter of section 37ZA(2) of the Representation of the People Act 1983 (coincidence of local government elections and Assembly elections).
- The combination of—
 - (a) polls at elections or referendums that are outside the legislative competence of the Assembly with polls at—
 - (i) elections of Assembly members,
 - (ii) local government elections in Wales, or
 - (iii) referendums held under Part 2 of the Local Government Act 2000 (arrangements in respect of executives etc), and
 - (b) polls at ordinary general elections of Assembly members with polls at ordinary local government elections in Wales.

Changes to legislation: Government of Wales Act 2006, Part 2 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- Any digital service provided by a Minister of the Crown for the registration of electors.
- The subject-matter of the following provisions of the Political Parties, Elections and Referendums Act 2000 in relation to elections of Assembly members and local government elections in Wales—

in Part 1 (Electoral Commission)—

- (a) section 1, except in relation to—
 - (i) financing the Commission,
 - (ii) preparation, laying and publication by it of reports about the performance of its functions, and
 - (iii) provision by it of copies of regulations made by it or notice of the alteration or revocation of such regulations;
- (b) sections 2 to 4 and 6(1)(e) and (f) (and (g) to the extent that it relates to the law mentioned in those paragraphs);
- (c) sections 12 and 21;

Parts 2 to 4A (registration of parties, accounting, donations, loans etc);

section 140A (gifts received by unincorporated associations);

in Part 10 (miscellaneous and general)—

- (a) section 149, except in relation to the register kept under section 89;
- (b) sections 155 and 156 except in relation to Parts 5 and 6;
- (c) sections 157 and 159 to 163.
- The subject-matter of Parts 5 and 6 of the Political Parties, Elections and Referendums Act 2000 (expenditure in connection with elections) where a limit applies to expenditure in relation to a period determined by reference to both—
 - (a) the date of the poll for an election of Assembly members or a local government election in Wales, and
 - (b) the date of the poll at an election for membership of the House of Commons or the European Parliament.
- The subject-matter of sections 145 to 148 and 150 to 154 of the Political Parties, Elections and Referendums Act 2000 (enforcement and offences) as they apply for the purposes of any provision, so far as the subject-matter of the provision is reserved by paragraph 25 or 26.

Interpretation

""Existing elections Acts"" means—

- (a) the Representation of the People Act 1983,
- (b) the Representation of the People Act 1985,
- (c) the Parliamentary Constituencies Act 1986,
- (d) the Representation of the People Act 2000,
- (e) the Political Parties, Elections and Referendums Act 2000,
- (f) the European Parliamentary Elections Act 2002,
- (g) the Electoral Administration Act 2006, and
- (h) the Electoral Registration and Administration Act 2013.

[&]quot;"Local government elections in Wales" includes mayoral elections in Wales.

Changes to legislation: Government of Wales Act 2006, Part 2 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Section B2

B2 Nationality and immigration

- Nationality.
- Immigration, including asylum and the status and capacity of persons in the United Kingdom who are not British citizens.
- Free movement of persons within the European Economic Area.
- Travel documents.

Section B3

B3 National security and official secrets

- 32 National security.
- 33 Special powers, and other special provisions, for dealing with terrorism.
- The subject-matter of the Official Secrets Acts 1911 to 1989.

Section B4

B4 Interception of communications, communications data and surveillance

- 35 Interception of communications.
- 36 Communications data.
- Covert surveillance by persons exercising public functions.
- 38 Use of surveillance systems.

Interpretation

Section B5

B5 Crime, public order and policing

- The prevention, detection and investigation of crime.
- The maintenance of public order.
- 41 Policing.
- 42 Police and crime commissioners.

Exception

Powers of entry, search and seizure relating to the detection or investigation of an offence of a kind provision for the creation of which is within the Assembly's legislative competence.

Section B6

B6 Anti-social behaviour

The subject-matter of Parts 1 to 4 and 6 of the Anti-social Behaviour, Crime and Policing Act 2014.

[&]quot;"Covert surveillance" includes the use of covert human intelligence sources.

Changes to legislation: Government of Wales Act 2006, Part 2 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

44 Dangerous dogs and dogs dangerously out of control. Section B7 B7 Modern Slavery 45 The subject-matter of the Modern Slavery Act 2015. Section B8 B8 Prostitution 46 Prostitution. Section B9 B9 Emergency powers 47 Emergency powers. Section B10 B10 Extradition 48 Extradition. Section B11 B11 Rehabilitation of offenders 49 The subject-matter of the Rehabilitation of Offenders Act 1974. Section B12 B12 Criminal records 50 Criminal records, including disclosure and barring. Section B13 B13 Dangerous items 51 The subject-matter of the Firearms Acts 1968 to 1997. 52 The subject-matter of the Poisons Act 1972. 53 Knives.

Interpretation

- ""Knives"" includes—
- (a) knife blades and razor blades;
- (b) axes;
- (c) swords.

Changes to legislation: Government of Wales Act 2006, Part 2 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Section B14

B14 Misuse of and dealing in drugs or psychoactive substances

Misuse of and dealing in drugs or psychoactive substances.

Interpretation

"Psychoactive substances" has the meaning given in section 2 of the Psychoactive Substances Act 2015.

Section B15

B15 Private security

55 Private security.

Section B16

B16 Entertainment and late night refreshment.

- 56 Classification of films and video recordings (including video games).
- 57 Licensing of—
 - (a) the provision of entertainment, and
 - (b) late night refreshment.

Section B17

B17 Alcohol

The sale and supply of alcohol.

Section B18

B18 Betting, gaming and lotteries

Betting, gaming and lotteries.

Exception

In the case of a betting premises licence under the Gambling Act 2005, other than one in respect of a track, the number of gaming machines authorised for which the maximum charge for use is more than £10 (or whether such machines are authorised).

Section B19

B19 Hunting

Hunting with dogs.

Section B20

B20 Scientific and educational procedures on live animals

Procedures on live animals for scientific or educational purposes.

Changes to legislation: Government of Wales Act 2006, Part 2 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Section B21

B21 Lieutenancies

62 Lieutenancies.

Section B22

B22 Charities and fund-raising

- 63 Charities.
- Raising funds for charitable, benevolent or philanthropic purposes.

Interpretation

""Funds"" includes property other than money.

Head C—Trade and Industry

Section C1

C1 Business associations and business names

- The creation, operation, regulation and dissolution of types of business association.
- The regulation of the name under which an individual or business association carries on business.

Exception

The creation, operation, regulation and dissolution of particular public bodies, or public bodies of a particular type, established by or under any enactment.

Interpretation

"Business association" means any entity, whether or not a legal person, that is not an individual (including a body corporate, partnership or other unincorporated association) and is established for the purpose of carrying on any kind of business, whether or not for profit.

""Business" includes the provision of benefits to the members of an association.

Section C2

C2 Insolvency and winding up

- 67 Insolvency.
- Winding up solvent business associations.

Interpretation

""Business association" has the same meaning as in Section C1.

Section C3

C3 Competition

Regulation of anti-competitive practices and agreements; abuse of dominant position; monopolies and mergers.

Changes to legislation: Government of Wales Act 2006, Part 2 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Section C4

C4 Intellectual property

70 Intellectual property.

Exception

Plant varieties and seeds.

Section C5

C5 Import and export control

71 Prohibition and regulation of imports and exports

Exceptions

Prohibition and regulation of movement into and out of Wales of food, plants, animals and related things for the purposes of—

- (a) protecting human, animal or plant health, animal welfare or the environment, or
- (b) observing or implementing obligations under the Common Agricultural Policy.

Prohibition and regulation of movement into and out of Wales of animal feeding stuffs, fertilisers or pesticides (or things treated by virtue of an enactment as pesticides) for the purposes of protecting human, animal or plant health or the environment.

But prohibition and regulation for the purposes of protecting endangered species of plants and animals is not excepted.

Interpretation

""Food" has the same meaning as it has in Regulation (EC) No. 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety.

""Plants"" includes plant parts and derivatives and goods appearing to contain plant parts or derivatives (and the reference to endangered species of plants includes a reference to parts and derivatives of such species, and to goods appearing to contain parts or derivatives of such species).

""Animals" includes animal parts and derivatives and goods appearing to contain animal parts or derivatives (and the reference to endangered species of animals includes a reference to parts and derivatives of such species, and to goods appearing to contain parts or derivatives of such species).

Section C6

C6 Consumer protection

72 Regulation of—

- (a) the sale and supply of goods and services to consumers,
- (b) guarantees in relation to such goods and services,
- (c) hire-purchase, including the subject-matter of Part 3 of the Hire-Purchase Act 1964 (title to motor vehicles on hire-purchase or conditional sale),
- (d) trade descriptions,
- (e) advertising and price indications,
- (f) auctions and mock auctions of goods and services, and
- (g) hallmarking and gun barrel proofing.

Changes to legislation: Government of Wales Act 2006, Part 2 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- Safety of, and liability for, services supplied to consumers.
- 74 The regulation of—
 - (a) estate agents,
 - (b) timeshares, and
 - (c) [F2linked travel arrangements within the meaning of the Package Travel and Linked Travel Arrangements Regulations 2018 (S.I. 2018/634)] and package holidays.

Textual Amendments

- Words in Sch. 7A para. 74(c) substituted (1.7.2018) by The Package Travel and Linked Travel Arrangements Regulations 2018 (S.I. 2018/634), regs. 1(3), 38(4) (with regs. 3, 38(15))
- 75 The regulation of—
 - (a) unsolicited goods and services, and
 - (b) trading schemes.
- The subject-matter of Part 8 of the Enterprise Act 2002 (enforcement of certain consumer legislation).

Exceptions

Food, food products and food contact materials.

Agricultural and horticultural produce, animals and animal products, seeds, animal feeding stuffs, fertilisers and pesticides (including anything treated as if it were a pesticide by virtue of an enactment).

Interpretation

""Food"" has the same meaning as in Section C5.

""Food contact materials"" means materials and articles to which Regulation (EC) No. 1935/2004 of the European Parliament and of the Council of 27 October 2004 on materials and articles intended to come into contact with food and repealing Directives 80/590/EEC and 89/109/EEC applies.

"Food products" means residues, contaminants and anything used in the process of producing food which does not remain in the food.

Section C7

C7 Product standards, safety and liability

- Technical standards and requirements in relation to products in pursuance of an obligation under EU law.
- The national accreditation body and the accreditation of bodies that certify or assess conformity to technical standards in relation to products or environmental management systems.
- 79 Product safety and liability.
- 80 Product labelling.

Exceptions

Food, food products and food contact materials.

Changes to legislation: Government of Wales Act 2006, Part 2 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Agricultural and horticultural produce, animals and animal products, seeds, animal feeding stuffs, fertilisers and pesticides (including anything treated as if it were a pesticide by virtue of an enactment).

Interpretation

""Food"" has the same meaning as in Section C5.

""Food contact materials"" and ""food products"" have the same meaning as in Section C6.

""National accreditation body"" means the body appointed for the purposes of Article 4(1) of Regulation (EC) No. 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No. 339/93.

Section C8

C8 Weights and measures

- Units and standards of weight and measurement.
- Regulation of trade so far as involving weighing, measuring and quantities.

Section C9

C9 Telecommunications and wireless telegraphy

- Telecommunications and wireless telegraphy (including electromagnetic disturbance).
- 84 Internet services.
- 85 Electronic encryption.

Section C10

C10 Post

Postal services, post offices, the original holding company and any Post Office company.

Exception

Financial assistance for the provision of services (other than postal services and services relating to money or postal orders) to be provided from public post offices.

Interpretation

""The original holding company" and ""Post Office company" have the same meaning as in Part 1 of the Postal Services Act 2011.

Changes to legislation: Government of Wales Act 2006, Part 2 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Section C11

C11 [F3United Kingdom Research and Innovation and] Research Councils

Textual Amendments

- **F3** Words in Sch. 7A Section C11 heading inserted (1.4.2018) by Higher Education and Research Act 2017 (c. 29), s. 124(5), **Sch. 12 para. 24(2)**; S.I. 2018/241, reg. 2(t)
- [F4United Kingdom Research and Innovation ("UKRI"), and Research Councils within the meaning of the Science and Technology Act 1965, and the subject-matter of section 5 of that Act (funding of scientific research) so far as relating to [F5UKRI and] those Councils.

Textual Amendments

- **F4** Words in Sch. 7A Section C11 para. 87 inserted (1.4.2018) by Higher Education and Research Act 2017 (c. 29), s. 124(5), **Sch. 12 para. 24(3)(a)**; S.I. 2018/241, reg. 2(t)
- **F5** Words in Sch. 7A Section C11 para. 87 inserted (1.4.2018) by Higher Education and Research Act 2017 (c. 29), s. 124(5), Sch. 12 para. 24(3)(b); S.I. 2018/241, reg. 2(t)
- The ^{F6}... subject-matter of section 10 of [F7 the Higher Education Act 2004] (research in arts and humanities) so far as relating to [F8 UKRI].

Textual Amendments

- **F6** Words in Sch. 7A Section C11 para. 88 omitted (31.10.2018) by virtue of Higher Education and Research Act 2017 (c. 29), s. 124(5), **Sch. 12 para. 24(4)(a)**; S.I. 2018/1054, reg. 2(d)(ix)
- F7 Words in Sch. 7A Section C11 para. 88 substituted (1.4.2018) by Higher Education and Research Act 2017 (c. 29), s. 124(5), Sch. 12 para. 24(4)(b); S.I. 2018/241, reg. 2(t)
- **F8** Word in Sch. 7A Section C11 para. 88 substituted (1.4.2018) by Higher Education and Research Act 2017 (c. 29), s. 124(5), **Sch. 12 para. 24(4)(c)**; S.I. 2018/241, reg. 2(t)

Section C12

C12 Industrial development

- 89 The subject-matter of—
 - (a) section 1 of the Industrial Development Act 1982 (assisted areas),
 - (b) section 8(5) and (7) of that Act (limits on financial assistance to industry), and
 - (c) section 13A of that Act (grants for improvement of electronic communications networks and services etc),

and the Industrial Development Advisory Board.

Section C13

C13 Protection of trading and economic interests

90 The subject-matter of—

Changes to legislation: Government of Wales Act 2006, Part 2 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (a) Part 2 of the Industry Act 1975 (powers in relation to transfer of control of important manufacturing undertakings), and
- (b) the Protection of Trading Interests Act 1980.

Section C14

C14 Assistance in connection with exports of goods and services etc

91 The Export Credits Guarantee Department.

Section C15

C15 Water and sewerage

- Appointment and regulation of a water or sewerage undertaker whose area is not wholly or mainly in Wales.
- Licensing and regulation of a water supply or sewerage licensee.

Exceptions

Regulation of a water supply licensee in relation to licensed activities that use the supply system of a water undertaker whose area is wholly or mainly in Wales.

Regulation of a sewerage licensee in relation to licensed activities that use the sewerage system of a sewerage undertaker whose area is wholly or mainly in Wales.

Interpretation

""Sewerage licensee" and "water supply licensee" have the same meaning as in the Water Industry Act 1991.

""Supply system of a water undertaker" has the meaning given in section 17B of that Act.

""Sewerage system of a sewerage undertaker" has the meaning given in section 17BA of that Act.

Section C16

C16 Pubs Code Adjudicator and the Pubs Code

The subject-matter of Part 4 of the Small Business, Enterprise and Employment Act 2015.

Section C17

C17 Sunday trading

95 Sunday trading.

Head D—Energy

Section D1

D1 Electricity

Generation, transmission, distribution and supply of electricity.

Changes to legislation: Government of Wales Act 2006, Part 2 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Section D2

D2 Oil and gas

97 Oil and gas, including—

- (a) the ownership of, exploration for and exploitation of deposits of oil and natural gas,
- (b) pipelines and offshore installations,
- (c) marine licensing and the regulation of works that may obstruct or endanger navigation, so far as relating to oil and gas exploration and exploitation,
- (d) restrictions on navigation, fishing and other activities to ensure safe operation of offshore activities,
- (e) liquefaction and regasification of gas,
- (f) the manufacture or production of gas, and
- (g) the conveyance, shipping and supply of gas.

Exceptions

The granting and regulation of licences to search and bore for and get petroleum that, at the time of the grant of the licence, is within the Welsh onshore area, except for any consideration payable for such licences.

Access to land for the purpose of searching or boring for or getting petroleum under such a licence.

Marine licensing and the regulation of works that may obstruct or endanger navigation, so far as relating to searching or boring for or getting petroleum under such a licence.

Interpretation

"Petroleum" means petroleum within the meaning given by section 1 of the Petroleum Act 1998 in its natural state in strata.

""Welsh onshore area" means the area of Wales that is within the baselines established by any Order in Council under section 1(1)(b) of the Territorial Sea Act 1987 (extension of territorial sea).

Section D3

D3 Coal

98 Coal, including—

- (a) the ownership and exploitation of coal,
- (b) deep and opencast coal mining,
- (c) subsidence relating to coal mining, and
- (d) water discharge from coal mines.

Exception

Land restoration.

Section D4

D4 Nuclear energy

- 99 Nuclear energy and nuclear installations, including—
 - (a) nuclear safety, security and safeguards, and
 - (b) liability for nuclear occurrences.

Changes to legislation: Government of Wales Act 2006, Part 2 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

The Office for Nuclear Regulation.

Section D5

D5 Heat and cooling

Production, distribution and supply of heat and cooling.

Exceptions

Heat and cooling networks, but not the regulation of them.

Schemes providing incentives to generate or produce, or to facilitate the generation or production of, heat or cooling from sources of energy other than fossil fuel or nuclear fuel.

Interpretation

""Heat and cooling network" means a system or network by which steam, hot water or chilled liquid is distributed from a central source for supplying heat or cooling to various consumers or premises.

Section D6

D6 Energy conservation

Energy conservation.

Exception

112

113

The encouragement of energy efficiency otherwise than by prohibition or regulation.

Head E—Transport

Section E1

E1 Road transport	
103	Road freight transport services in the United Kingdom (including goods vehicles operator licensing).
104	Regulation of the construction and equipment of motor vehicles and trailers, and regulation of the use of motor vehicles and trailers on roads.
105	Road traffic offences.
106	Driver licensing (including training, testing and certification).
107	Driving instruction.
108	Drivers' hours.
109	Traffic regulation on special roads, other than regulation relating to speed limits or traffic signs.
110	Exemptions from speed limits.
111	The application of traffic signs or pedestrian crossings to vehicles being used for a purpose that gives rise to an exemption from speed limits in Wales.

International road transport services for passengers or goods.

Public service vehicle operator licensing.

Changes to legislation: Government of Wales Act 2006, Part 2 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- Documents relating to vehicles and drivers for the purposes of travel abroad and vehicles brought temporarily into Wales by persons resident outside the United Kingdom.
- 115 Vehicle insurance and vehicle registration.
- The subject-matter of Parts 2 and 3 of the Severn Bridges Act 1992 so far as relating to the second Severn crossing.

Exceptions

The subject-matter of Part 6 of the Traffic Management Act 2004 (civil enforcement of traffic contraventions).

Regulation relating to trunk road charging schemes.

Regulation relating to the descriptions of motor vehicles and trailers that may be used under arrangements for persons to travel to and from the places where they receive education or training, unless the regulation is the setting of technical standards for construction or equipment of motor vehicles or trailers which differ from the standards that would or might otherwise apply to them.

Regulation of the carriage of animals in motor vehicles or trailers for the purposes of protecting human, animal or plant health, animal welfare or the environment.

Licensing of taxis, taxi drivers, private hire vehicles, private hire vehicle drivers and private hire vehicle operators (but not enforcement by means of penalty points).

Interpretation

""Second Severn crossing"" means the bridge referred to as the new bridge in the Severn Bridges Act 1992.

""Trunk road charging schemes"" means schemes for imposing charges in respect of the use or keeping of vehicles on trunk roads in Wales (other than schemes in relation to the second Severn crossing).

Section E2

E2 Rail transport

- 117 Railway services.
- The subject-matter of the Channel Tunnel Act 1987.

Exception

Financial assistance so far as relating to railway services; but this exception does not apply in relation to—

- (a) financial assistance relating to the carriage of goods,
- (b) financial assistance made in connection with a railway administration order, or
- (c) financial assistance made in connection with Regulation (EC) No. 1370/2007 of the European Parliament and of the Council on public passenger transport services by rail and by road.

Interpretation

""Railway services" has the meaning given by section 82 of the Railways Act 1993 (excluding the wider meaning of "railway" given by section 81(2) of that Act).

Changes to legislation: Government of Wales Act 2006, Part 2 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Section E3

E3 Marine and waterway transport etc

- Navigational rights and freedoms.
- Shipping and technical and safety standards of vessels that are not ships (whether or not capable of navigation), including the subject-matter of—
 - (a) section 2 of the Protection of Wrecks Act 1973 (prohibition on approaching dangerous wrecks),
 - (b) the Dangerous Vessels Act 1985, and
 - (c) the Merchant Shipping Act 1995.
- Reserved trust ports and harbours not wholly in Wales.
- Pilotage other than devolved pilotage.
- 123 Coastguard services and maritime search and rescue.
- Hovercraft.

Exceptions

The reference to navigational rights and freedoms does not reserve the regulation of works that may obstruct or endanger navigation apart from works in relation to, or for constructing, reserved trust ports or harbours not wholly in Wales.

The reference to maritime search and rescue does not reserve participation by Welsh fire and rescue authorities in maritime search and rescue responses.

Financial assistance for shipping services to, from or within Wales.

Regulation of the carriage of animals on vessels for the purposes of protecting human, animal or plant health, animal welfare or the environment.

Interpretation

- ""Devolved pilotage"" means pilotage that —
- (a) relates to a harbour wholly in Wales that is not a reserved trust port, and
- (b) is provided in a pilotage jurisdiction that does not extend beyond Wales.

""Pilotage jurisdiction"" means an area in relation to which the duty of a competent harbour authority under section 2(1) of the Pilotage Act 1987 is exercisable.

""Reserved trust port" has the meaning given by section 32 of the Wales Act 2017.

Section E4

E4 Air transport

Aviation, air transport, airports and aerodromes.

Exceptions

Financial assistance to providers or proposed providers of air transport services or airport facilities or services.

Strategies by the Welsh Ministers or local or other public authorities about provision of air services.

Regulation of the carriage of animals on aircraft for the purposes of protecting human, animal or plant health, animal welfare or the environment.

Changes to legislation: Government of Wales Act 2006, Part 2 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Section E5

E5 Transport security

126 Transport security.

Exception

Regulation of transport security relating to the carriage of adults who supervise persons travelling to and from the places where they receive education or training.

Section E6

E6 Other matters

- Technical specifications for public passenger transport for disabled persons, including the subject-matter of—
 - (a) section 125(7) and (8) of the Transport Act 1985 (Secretary of State's guidance and consultation with the Disabled Persons Transport Advisory Committee), and
 - (b) Part 12 of the Equality Act 2010 (disabled persons: transport).
- Technical specifications for fuel or other energy sources or processes for use in road, rail, marine, waterway or air transport.
- 129 Carriage of dangerous goods (including transport of radioactive material).

Interpretation

- ""Radioactive material"" means any material having a specific activity in excess of—
- (a) 0.1 kilobecquerels per kilogram, or
- (b) such other specific activity (not exceeding 70 kilobecquerels per kilogram) as may be specified in regulations made by the Secretary of State.

Head F—Social Security, Child Support, Pensions and Compensation

Section F1

F1 Social security schemes

- Social security schemes supported from public funds.
- Requiring persons—
 - (a) to establish and administer, or make payments to or in respect of, social security schemes, and
 - (b) to keep records and supply information in connection with social security schemes.

Exceptions

The provision by a local authority of financial assistance to or in respect of an individual in respect of costs of meeting his or her needs for care or support that the authority would otherwise meet in some other way (for example, by providing accommodation, facilities or services).

The deferral of payment due to a local authority from an individual in respect of costs of, or financial assistance for, meeting that or another individual's needs for care or support.

Changes to legislation: Government of Wales Act 2006, Part 2 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Interpretation

""Social security schemes"" means schemes providing financial assistance for social security purposes to or in respect of individuals, including, in particular, providing such assistance to or in respect of individuals—

- (a) who qualify by reason of old age, survivorship, disability, sickness, incapacity, injury, unemployment, maternity or the care of children or others needing care,
- (b) who qualify by reason of low income, or
- (c) in relation to their housing costs.
- ""Payments to or in respect of social security schemes" includes national insurance contributions.

Section F2

F2 Child Support

- 132 Child support maintenance.
- 133 Collection and enforcement of—
 - (a) periodical payments, other than child support maintenance, that are payable for the benefit of a child (""other maintenance""), and
 - (b) periodical payments, other than child support maintenance or other maintenance, that are—
 - (i) payable to or for the benefit of any person, and
 - (ii) collected or enforced where child support maintenance or other maintenance is also collected.

Section F3

F3 Occupational and Personal Pensions

Occupational and personal pensions.

Exception

Occupational and personal pension schemes for or in respect of—

- (a) Assembly members, the First Minister, Welsh Ministers appointed under section 48, the Counsel General and Deputy Welsh Ministers, and
- (b) members of local authorities,

but pensions regulation in relation to such schemes is not excepted.

Interpretation

""Local authority" includes a fire and rescue authority, a National Park authority and a conservation board for an area of outstanding natural beauty.

- ""Occupational and personal pensions" includes pension protection.
- ""Pension" includes gratuities and allowances.
- "Pensions regulation" means the regulation of occupational and personal pensions, including regulation in respect of members, employers, trustees or managers.

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Section F4

F4 Public sector compensation

- 135 Compensation for or in respect of public sector workers in respect of—
 - (a) incapacity or death as a result of injury or illness,
 - (b) loss of office or employment, or
 - (c) loss or diminution of emoluments.
- Regulation of amounts payable, or paid, to or in respect of public sector workers in consequence of leaving office or employment (including requirements that such amounts be repaid).

Exception

Schemes for the payment of compensation, and regulation of amounts as mentioned in paragraph 136, for or in respect of—

- (a) Assembly members, the First Minister, Welsh Ministers appointed under section 48, the Counsel General and Deputy Welsh Ministers, and
- (b) members of local authorities.

Interpretation

""Compensation" includes pensions, grants, allowances, supplements and gratuities.

""Local authority"" includes a fire and rescue authority, a National Park authority and a conservation board for an area of outstanding natural beauty.

""Public sector worker" means a person holding office or employed in the public sector.

Section F5

F5 Armed forces compensation etc

- 137 Compensation for or in respect of members of the naval, military or air forces of the Crown (including reserve forces) in respect of—
 - (a) injury, illness or death in consequence of or whilst in service,
 - (b) ceasing to be a member of the forces, or
 - (c) loss or diminution of emoluments.
- Regulation of amounts payable, or paid, to or in respect of members of the naval, military or air forces of the Crown (including reserve forces) in consequence of ceasing to be a member of the forces (including requirements that such amounts be repaid).
- The subject-matter of any scheme under the Personal Injuries (Emergency Provisions) Act 1939, sections 3 to 5 and 7 of the Pensions (Navy, Army, Air Force and Mercantile Marine) Act 1939 or section 1 of the Polish Resettlement Act 1947.

Interpretation

""Compensation" includes pensions, grants, allowances, supplements and gratuities.

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Head G—Professions

Section G1

G1 Architects, auditors, health professionals and veterinary surgeons

- 140 Regulation of—
 - (a) the profession of architect,
 - (b) the profession of auditor,
 - (c) health professions, and
 - (d) the profession of veterinary surgeon.

Exceptions

Regulation of the social care profession.

Regulation of the social work profession.

Interpretation

""Health professions"" means—

(a) the professions regulated by the following—

the Medical Act 1983;

the Dentists Act 1984;

the Opticians Act 1989;

the Osteopaths Act 1993;

the Chiropractors Act 1994;

the Nursing and Midwifery Order 2001 (S.I. 2002/253);

the Health and Social Work Professions Order 2001 (S.I. 2002/254);

the Pharmacy Order 2010 (S.I. 2010/231);

(b) any other profession concerned with the physical or mental health of individuals.

Head H—Employment

Section H1

H1 Employment and industrial relations

- Employment rights and duties and industrial relations, including the subject-matter of—
 - (a) the Employers' Liability (Compulsory Insurance) Act 1969,
 - (b) the Employment Agencies Act 1973,
 - (c) the Pneumoconiosis etc (Workers' Compensation) Act 1979,
 - (d) the Trade Union and Labour Relations (Consolidation) Act 1992,
 - (e) the Employment Tribunals Act 1996,
 - (f) the Employment Rights Act 1996,
 - (g) the National Minimum Wage Act 1998,
 - (h) the Working Time Regulations 1998 (S.I. 1998/1833),
 - (i) the Employment Relations Act 1999,
 - (j) the Transnational Information and Consultation of Employees Regulations 1999 (S.I. 1999/3323),
 - (k) the Employment Act 2002,

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- (1) the Gangmasters (Licensing) Act 2004,
- (m) the Employment Relations Act 2004,
- (n) the Work and Families Act 2006,
- (o) the Transfer of Undertakings (Protection of Employment) Regulations 2006 (S.I. 2006/246),
- (p) the Agency Workers Regulations 2010 (S.I. 2010/93), and
- (q) Part 2 of the Enterprise and Regulatory Reform Act 2013.

Exception

The subject-matter of the Agricultural Sector (Wales) Act 2014.

Section H2

H2 Industrial training boards

- 142 The following boards—
 - (a) the Construction Industry Training Board;
 - (b) the Engineering Construction Industry Training Board;
 - (c) the Film Industry Training Board for England and Wales.

Section H3

H3 Job search and support

Arrangements for assisting persons to select, train for, obtain and retain employment, and to obtain suitable employees.

Exceptions

Education.

Vocational, social and physical training.

Careers services.

Interpretation

""Employment"" includes—

- (a) work on a person's own account, and
- (b) employment of a disabled person (including work on the disabled person's own account) under special conditions;

and ""disabled person" here has the same meaning as it has in the Equality Act 2010 as at the principal appointed day.

""Employees"" includes partners and other business associates.

Head J—Health, Safety and Medicines

Section J1

J1 Abortion

144 Abortion.

Changes to legislation: Government of Wales Act 2006, Part 2 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Section J2

J2 Xenotransplantation

145 Xenotransplantation.

Section J3

J3 Embryology, surrogacy and genetics

Human genetics, human fertilisation, human embryology and surrogacy arrangements.

Section J4

J4 Medicines, medical supplies, biological substances etc

- Medicinal products, including manufacture, authorisations for use and regulation of prices.
- Regulation of prices of other medical supplies.
- Standards for, and testing of, biological substances (that is, substances the purity or potency of which cannot be adequately tested by chemical means).
- Veterinary medicinal products, including manufacture, authorisations for use and regulation of prices.
- 151 Specified feed additives.
- 152 Animal feeding stuffs, in relation to—
 - (a) the incorporation in them of veterinary medicinal products or specified feed additives:
 - (b) matters arising in consequence of such incorporation.
- 153 Vaccine damage payments.

Interpretation

""Medical supplies" has the same meaning as in section 260 of the National Health Service Act 2006.

""Medicinal products"" has the same meaning as in the Human Medicines Regulations 2012 (S.I. 2012/1916).

""Specified feed additives" has the same meaning as in Schedule 5 to the Veterinary Medicines Regulations 2013 (S.I. 2013/2033).

""Veterinary medicinal products" has the same meaning as in those Regulations.

Section J5

J5 Welfare foods

Schemes established by regulations under section 13 of the Social Security Act 1988 (benefits under schemes for improving nutrition: pregnant women, mothers and children).

Changes to legislation: Government of Wales Act 2006, Part 2 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Section J6

J6 Health and safety

- The subject-matter of Part 1 of the Health and Safety at Work etc. Act 1974.
- The Health and Safety Executive and the Employment Medical Advisory Service.
- 157 Protection of the public from radiation.

Interpretation

For the purposes of the reservation of the subject-matter of Part I of the Health and Safety at Work etc. Act 1974—

- (a) ""work" and "at work" in that Part are to be taken to have the meaning they have on the principal appointed day;
- (b) that subject-matter includes—
 - (i) process fire precautions,
 - (ii) fire precautions in relation to petroleum and petroleum spirit, and
 - (iii) fire safety on ships and hovercraft, in mines and on offshore installations,

but does not include any other aspect of fire safety.

Head K-Media, Culture and Sport

Section K1

K1 Media

- 158 Broadcasting and other media.
- The British Broadcasting Corporation.

Section K2

K2 Public lending right

160 Public lending right.

Section K3

K3 Government Indemnity Scheme

161 Government indemnities for objects on loan.

Section K4

K4 Property accepted in satisfaction of tax

Payments to Her Majesty's Revenue and Customs in respect of property accepted in satisfaction of tax and the disposal of such property.

Section K5

K5 Sports grounds

Safety of sports grounds.

Changes to legislation: Government of Wales Act 2006, Part 2 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

	Head L—Justice
	Section L1
	L1 The legal profession, legal services and claims management services
164	The legal profession and legal services.
165	Claims management services.
	Section L2
	L2 Legal aid
166	Legal aid.
	Section L3
	L3 Coroners
167	The subject-matter of Part 1 of the Coroners and Justice Act 2009.
	Section L4
	L4 Arbitration
168	Arbitration.
	Section L5
	L5 Mental capacity
169	The subject-matter of the Mental Capacity Act 2005.

Section L6

L6 Personal data

170 Protection of personal data.

Section L7

L7 Information rights

171 Public access to information held by a public authority.

Exception

Public access to information held by-

- (a) the Assembly,
- (b) the Assembly Commission,
- (c) the Welsh Government, or
- (d) any Welsh public authority,

unless supplied by a Minister of the Crown or government department and held in confidence.

Interpretation

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- ""Public authority"" and ""held by a public authority""—
 - (a) in relation to environmental information, have the same meaning as in the Environmental Information Regulations 2004 (S.I. 2004/3391);
 - (b) otherwise, have the meaning given by section 3 of the Freedom of Information Act 2000.

""Welsh public authority" has the meaning given by section 83 of that Act, but does not include a reserved authority within the meaning given by paragraph 8 of Schedule 7B to this Act.

Section L8

L8 Public sector information

- 172 The subject-matter of—
 - (a) the INSPIRE Regulations 2009 (S.I. 2009/3157);
 - (b) the Re-use of Public Sector Information Regulations 2015 (S.I. 2015/1415).

Section L9

L9 Public records

173 The subject-matter of the Public Records Act 1958.

Section L10

L10 Compensation for persons affected by crime and miscarriages of justice

- 174 Compensation for—
 - (a) persons affected by crime;
 - (b) miscarriages of justice.

Section L11

Section L11 Prisons and offender management

- 175 (1) Prisons and other institutions for the detention of persons charged with or convicted of offences (""relevant institutions"").
 - (2) The management of—
 - (a) persons charged with or convicted of offences (whether or not detained in a relevant institution);
 - (b) other persons required to be detained in a relevant institution.
 - (3) This reservation includes probation, escort functions, transfers of persons between relevant institutions and the subject-matter of—
 - (a) sections 47 to 49 of the Mental Health Act 1983 (transfer to hospital of prisoners) and the provisions of that Act relating to persons who are restricted patients within the meaning given by section 79 of that Act;
 - (b) sections 37 to 42 of the Crime and Disorder Act 1998 (youth justice).

Exceptions

Accommodation provided by or on behalf of a local authority for the purpose of restricting the liberty of children or young persons.

The provision of health care, social care, education, training or libraries.

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Interpretation

The reference to conviction in sub-paragraph (2) includes a finding in criminal proceedings that a person has committed an offence or done the act or made the omission charged.

""Escort functions" includes functions of the kind mentioned in section 80(1) of the Criminal Justice Act 1991.

""Probation" includes matters of the kind mentioned in section 1(1)(a) to (f) of the Offender Management Act 2007.

Section L12

L12 Family relationships and children

- Marriage, civil partnership and cohabitation.
- Parenthood, parental responsibility, child arrangements and adoption.
- Proceedings and orders under Part 4 or 5 of the Children Act 1989 or otherwise relating to the care or supervision of children.
- 179 Civil remedies in respect of domestic violence, domestic abuse and female genital mutilation.

Exceptions

Services and facilities relating to adoption, adoption agencies and their functions, other than functions of the Central Authority under the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption.

Parental discipline.

Interpretation

""Child arrangements" includes the subject-matter of Part 2 of the Children Act 1989.

Section L13

L13 Gender recognition

180 Gender recognition.

Section L14

L14 Registration of births, deaths and places of worship

181 Registration of births and deaths and of places of worship.

Head M—Land and Agricultural Assets

Section M1

M1 Registration of land

- 182 Registration of—
 - (a) estates, interests and charges in or over land, and
 - (b) associated actions, proceedings, writs and orders.

Exception

Changes to legislation: Government of Wales Act 2006, Part 2 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Fees for the registration of local land charges.

Section M2

M2 Registration of agricultural charges and debentures

The subject-matter of sections 9 and 14 of, and the Schedule to, the Agricultural Credits Act 1928.

Section M3

M3 Development and buildings

- Planning (including the subject-matter of Parts 2 to 8 of the Planning Act 2008) but only in relation to—
 - (a) relevant nationally significant infrastructure projects,
 - (b) overhead electric lines other than devolved associated lines, and
 - (c) railways other than railways that start, end and remain in Wales,

except this does not affect the reservation of the subject-matter of sections 14 and 16 of the Harbours Act 1964 by paragraph 121.

- 185 Compensation in respect of—
 - (a) the interference with rights in land by exercise of a statutory power;
 - (b) depreciation in the value of land as a result of works or land provided or used in the exercise of a statutory power.
- The regulation of—
 - (a) the design and construction of buildings,
 - (b) the demolition of buildings, and
 - (c) services, fittings and equipment provided in or in connection with buildings,

but only in relation to specified Crown land and specified undertaker land.

Interpretation

""Devolved associated line"" means an overhead line that—

- (a) is associated with a generating station that is or (when constructed or extended) is expected to be—
 - (i) in Wales or the Welsh zone, but
 - (ii) not within section 15(3A) or (3B) of the Planning Act 2008, and
- (b) has or will (when installed) have a nominal voltage no greater than 132 kilovolts.
- ""Railway"" has the meaning given by section 67(1) of the Transport and Works Act 1992.

""Relevant nationally significant infrastructure project" means a project falling within paragraph (a), (c), (g) or (j) of section 14(1) of the Planning Act 2008.

- ""Specified Crown land"" means land-
- (a) belonging to Her Majesty in right of the Crown;
- (b) belonging to Her Majesty in right of the Duchy of Lancaster;
- (c) belonging to the Duchy of Cornwall;
- (d) held or used by a Minister of the Crown or a government department.

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""Specified undertaker land" means land held or used by a statutory undertaker in the exercise of a statutory power that relates to a matter in paragraph 96, 97(f) and (g), 99, 117, 121 or 125.

Head N—Miscellaneous

Section N1

N1 Equal opportunities

187 Equal opportunities.

Exceptions

The encouragement (other than by prohibition or regulation) of equal opportunities, and in particular of the observance of the equal opportunity requirements.

Imposing duties on any devolved Welsh authority to make arrangements with a view to securing that its functions are carried out with due regard to the need to meet the equal opportunity requirements.

Equal opportunities so far as relating to the inclusion of persons with particular protected characteristics in non-executive posts on boards of devolved Welsh authorities.

Equal opportunities in relation to the functions of any devolved Welsh authority, other than a function that relates to the inclusion of persons in non-executive posts on boards of devolved Welsh authorities. The provision falling within this exception does not include any modification of the Equality Act 2010, or of any subordinate legislation made under that Act, but does include—

- (a) provision that supplements or is otherwise additional to provision made by that Act;
- (b) in particular, provision imposing a requirement to take action which that Act does not prohibit;
- (c) provision that reproduces or applies an enactment contained in that Act, with or without modification, without affecting the enactment as it applies for the purposes of that Act.

Interpretation

"Board" includes any other equivalent management body.

""Equal opportunities"" means the prevention, elimination or regulation of discrimination between persons on grounds of sex or marital status, on racial grounds, or on grounds of disability, age, sexual orientation or social origin, or of other personal attributes, including beliefs or opinions, such as religious beliefs or political opinions, but not including language.

"Equal opportunity requirements" means the requirements of the law for the time being relating to equal opportunities.

"Non-executive post", in relation to an authority, means any position the holder of which is not an employee of the authority.

""Protected characteristic" has the same meaning as in the Equality Act 2010.

The references to the Equality Act 2010 and any subordinate legislation made under that Act are to be read as references to those enactments, as at the principal appointed day, but treating any provision of them that is not yet in force on that day as if it were in force.

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Section N2

N2 Control of weapons

188 Control of nuclear, biological and chemical weapons and other weapons of mass destruction.

Section N3

N3 Ordnance Survey

189 Ordnance Survey.

Section N4

N4 Time

Timescales, time zones, the subject-matter of the Summer Time Act 1972, units of time, the calendar, bank holidays and the date of Easter.

Exception

The computation of periods of time.

Section N5

N5 Outer space

191 Activities connected with outer space.

Section N6

N6 Antarctica

192 Activities connected with Antarctica.

Interpretation

""Antarctica"" has the meaning given in section 1 of the Antarctic Act 1994.

Section N7

N7 Deep sea bed mining

Activities for the purposes of deep sea bed mining operations.

Interpretation

""Deep sea bed mining operations" has the meaning given in section 17 of the Deep Sea Mining Act 1981.

Status:

Point in time view as at 18/12/2019.

Changes to legislation:

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