

**BUSINESS PAPERS**

**WEDNESDAY, 5<sup>TH</sup> APRIL 2000**

**PART 1 – SECTION A**

**AGENDA**

**The session will commence at 2pm**

**The Business Secretary will move a Procedural Motion under Standing Order 6.16 to allow the following elections to take place**

**Election to Standing Committees**

**To propose that the Assembly, in accordance with standing order 59(2) and (4) of the Government of Wales Act 1998, elects the following members to its Legislation Committee:**

Huw Lewis (Labour)

John Marek (Labour)

Lynne Neagle (Labour)

Karen Sinclair (Labour)

Jocelyn Davies (Plaid Cymru)

Dai Lloyd (Plaid Cymru)

Owen John Thomas (Plaid Cymru)

Nick Bourne (Conservative)

Mike German (Liberal Democrat)

elects Mike German (Liberal Democrat) to be the chair of the Committee.

**To propose that the Assembly, in accordance with standing order 60(3) and (5) of the Government of Wales Act 1998, elects the following members to its Audit Committee:**

Lorraine Barrett (Labour)

Brian Gibbons (Labour)

Alison Halford (Labour)

Jane Davidson (Labour)

Janet Davies (Plaid Cymru)

Geraint Davies (Plaid Cymru)

Dafydd Wigley (Plaid Cymru)

Alun Cairns (Conservative)

Peter Black (Liberal Democrat)

elects Janet Davies (Plaid Cymru) to be the chair of the Committee.

**To propose that the Assembly, in accordance with standing order 16.2 elects the following members to its Committee on Standards of Conduct:**

Richard Edwards (Labour)

Val Feld (Labour)

Gwenda Thomas (Labour)

Janice Gregory (Labour)

Janet Davies (Plaid Cymru)

Brian Hancock (Plaid Cymru)

Gareth Jones (Plaid Cymru)

David Melding (Conservative)

Christine Humphreys (Liberal Democrat)

elects David Melding (Conservative) to be the chair of the Committee.

**To propose that the Assembly, elects the following Members to its Committee on Equality of Opportunity:**

Edwina Hart (Labour)

Christine Chapman (Labour)

Richard Edwards (Labour)

Alison Halford (Labour)

Lorraine Barrett (Labour)

Gareth Jones (Plaid Cymru)

Helen Mary Jones (Plaid Cymru)

Janet Ryder (Plaid Cymru)

Glyn Davies (Conservative)

David Melding (Conservative)

Kirsty Williams (Liberal Democrat)

elects Edwina Hart (Labour) to be the chair of the Committee.

**To propose that the Assembly, in accordance with standing order 15.4 elects the following members to its Committee on European Affairs:**

Rhodri Morgan (Labour)

Val Feld (Labour)

Christine Gwyther (Labour)

Alun Michael (Labour)

Alun Pugh (Labour)

Jocelyn Davies (Plaid Cymru)

Rhodri Glyn Thomas (Plaid Cymru)

Phil Williams (Plaid Cymru)

Nick Bourne (Conservative)

Jonathan Morgan (Conservative)

Mick Bates (Liberal Democrat)

elects Rhodri Morgan (Labour) to be the chair of the Committee.

**Questions to Rosemary Butler, Secretary for Pre 16 Education** (15 minutes)

A list of the Oral questions are on the Internet (and Chamberweb)

**Questions to Christine Gwyther, Secretary for Agriculture and Rural Affairs** (15 minutes)

A list of the Oral questions are on the Internet (and Chamberweb)

**Approval of the National Assistance (Sums for Personal Requirements)(Wales) Regulations 2000**

Considers the principle of the National Assistance (Sums for Personal Requirements) (Wales) Regulations 2000 laid in the Table Office on 29 March 2000

***To propose that the Assembly:***

(a) considers the report of the Legislation Committee relating to the draft Order The National Health Assistance (Sums for Personal Requirements) (Wales) Regulations 2000 laid in the Table Office on 4 April 2000.

(b) approves that the Order is made in accordance with the draft laid in the Table Office on 29<sup>th</sup> March

**Debate on Better Wales**

That the Assembly:

- endorses the vision, priorities and values set out in the introduction to the corporate plan, Betterwales.com, laid in the Table Office on 29<sup>th</sup> March;
- notes the detailed programme for Government set out in the document and the proposals for reporting and reviewing progress; and

- agrees that the detailed actions should be developed and tested with partners and in discussion in committee

**The following amendments have been tabled:**

In accordance with the revised guidance on the Grouping, Selection and Refusal of Amendments, the Presiding Officer has decided to group the amendments as follows for the purposes of debate - but votes will be taken separately:

(1+8+9)

(2+5+6+7)

(3+4)

**Amendment 1 - Michael German (South Wales East);**

In the first bullet point delete "endorses" and replace with "notes"

**Amendment 2 - Cynog Dafis Mid and West Wales;**

After the word progress in bullet point 2, insert: "accepting the need for this programme to be based on sound data;"

**Amendment 3 - Nick Bourne Mid and West Wales;**

In second bullet point delete the final word "and",

After bullet point two insert:

"urges that specific grants for diversification for farmers should be made over and above the Rural Aid Package announced by the UK Government on 30 March 2000;

expresses its concern about the implementation of Objective 1 funding with particular reference to facilitating access by the private sector to funding opportunities, and;"

**Amendment 4 - David Melding South Wales Central;**

In bullet point two delete the final word "and"

Add third bullet;

"acknowledges the central role of the NHS in the health and well-being of the people of Wales and emphasises the need for guaranteed waiting times for patient treatment and the importance of increasing the NHS capital programme, and;"

**Amendment 5 - Cynog Dafis Mid and West Wales;**

Add the following bullet point:

"re-emphasises that adequate funding should be provided by the UK government, ensuring in particular that European Structural Fund moneys and adequate match funding are additional to the Welsh block."

#### **Amendment 6 - Cynog Dafis Mid and West Wales;**

Add the following bullet point:

"notes the need to carry out an early examination of the extent to which the Assembly is able effectively to link policy development, legislation and implementation in order to bring forward proposals for improvement."

#### **Amendment 7 - Cynog Dafis Mid and West Wales;**

Add the following bullet point:

"agrees that, in any review of the programme, the conclusions of the Lisbon Summit, especially regarding employment, should be taken into account."

#### **Amendment 8 - Michael German (South Wales East);**

At end of motion add an additional bullet point:

"notes that the Better Wales programme can be effectively implemented by a minority administration in the Assembly only if that administration recognises (1) the central role of the Assembly Committees in discussing and directing policy (2) the vital importance of public openness and freedom of information (3) the need to democratise Assembly Sponsored Public Bodies"

#### **Amendment 9 - Michael German (South Wales East);**

At end of motion add an additional bullet point:

"notes that the attainment of many of the aims set out in Better Wales depends upon securing full match funding from the UK Treasury for the Objective One areas of Wales"

### **Debate on the Revision of Standing Orders**

**Motion:** that the Assembly, acting under section 46(6) of the Government of Wales Act 1998, and Standing Order 26:

- i) approves the following revisions to the Standing Orders;
- ii) resolves that the duty of the cabinet to propose a motion under paragraph 23.10 of Revision 8 shall take effect for the year 2001 and onwards;
- iii) resolves that all other revisions shall take effect immediately:

#### **Revision 1**

Add to the end of paragraph 1.10:

"In the absence or at the request of the Deputy Presiding Officer the Presiding Officer may perform any function allocated to the Deputy Presiding Officer by the Standing Orders. Where the Standing Orders require the Presiding Officer or the Deputy Standing Order to exercise a function in relation to any matter in which the Presiding Officer or Deputy Presiding Officer has any direct or indirect personal or financial interest he or she shall request that the function be exercised instead by the Deputy Presiding Officer or the Presiding Officer as the case may be."

## **Revision 2**

In paragraphs 4.3 and 4.4 delete "in person"

Add:

"4.4A A Member may deliver the form referred to in paragraph 4.3 or 4.4 by taking it to the table office or arranging for another person to do so or by post but the form shall not be regarded as having been delivered until it is received by the table office.

4.4B Members shall be under a continuing duty to ensure, by inspecting the register of interests from time to time that it correctly contains the particulars notified by them under paragraphs 4.3 or 4.4."

## **Revision 3**

In paragraph 6.3(ii) delete all up to "to answer..." and insert "The Finance Secretary and any Assembly Secretary (including if appropriate the First Secretary) to whom a field of accountability has been allocated under S.56(3) of the Act..".

Add:

"6.3A Where it is not reasonably practicable for an Assembly Secretary, including the First Secretary, to answer oral questions on a day when the Assembly Secretary would normally do so, another Assembly Secretary may, with the prior consent of the Presiding Officer, answer questions on behalf of that Assembly Secretary."

In paragraph 6.28 delete "First Secretary" and insert "questions to the First Secretary under paragraph 6.3(i)".

## **Revision 4**

Add new paragraph 8.25A

8.25A The Chair of any Committee to which this paragraph relates may, after consulting the Presiding officer, call a meeting of the Committee in a week in which the Assembly is not holding a plenary session in order to consider a matter of urgent public importance. The Committees to which this paragraph relates are the Subject Committees and the Committee on Standards of Conduct.

## **Revision 5**

Add new paragraphs to Standing Order 19 as follows:

## **Notification of certain Transactions**

19.15 An Assembly Secretary who proposes to authorise a Notifiable Transaction, namely:

- i) the making of a gift to which paragraph 19.17 applies;
- ii) the incurring of a liability to which paragraph 19.18 applies or;
- iii) the remission of a loan to which paragraph 19.19 applies;

shall before doing so lay before the Assembly a statement containing the information specified in paragraph 19.20. When such a statement has been laid, the Assembly Secretary shall not authorise a Notifiable Transaction until a period of 10 working days have elapsed after the statement was laid.

19.16 If within the period of 10 working days referred to in paragraph 19.15, at least 10 Members table a Notice requiring the Assembly Secretary to seek the approval of the Assembly for the Notifiable Transaction then the Assembly Secretary shall table a motion seeking the approval of the Assembly for the Transaction and the Assembly Secretary shall not authorise the Transaction until such approval has been given.

19.17 i) A gift to which this paragraph applies is one which:

- a) exceeds £100,000 in value or;
- b) has characteristics (whether by way of its description or generally) or is made under circumstances (whether by reference to the intended identity of the recipient or generally) which differ materially from those of gifts customarily made by public bodies in the United Kingdom.

ii) For the purposes of this paragraph a gift includes an indefinite loan or a loan for a period equal to or exceeding the expected useful life of an asset and any transaction whereby there is a disposal of an asset for less than full value. Where there is a disposal of an asset for less than full value the value of the gift shall be taken to be the difference between its full value and the amount of any price to be paid for it.

19.18 A liability to which this paragraph applies is a contingent or actual liability which could exceed £100,000 under a guarantee, indemnity, letter or statement of comfort or other arrangement having the same or similar effect but does not include a contractual commitment to make future payments under a contract entered into in the normal course of the discharge of the Assembly's functions nor a commitment to make payments of grant under a statutory grant scheme.

19.19 A remission of a loan to which this paragraph applies is the remission in whole or in part of an obligation to repay or return money or other property loaned by the Assembly provided the effect of the remission is to reduce the liability to the Assembly by more than £20 million.

19.20 a) The statement laid before the Assembly under paragraph 19.15 shall include the following information:

- i) where it relates to a gift, the nature and value of the gift, the circumstances in which it is proposed to be given, the recipient and if it requires a replacement, the cost and nature of the replacement and when the replacement is expected to be acquired;



ii) where it relates to incurring a liability, the estimated amount and duration of the liability, the reason for incurring the liability, the body or bodies involved;

iii) where it relates to the remission of a loan, the person or body who will benefit from the remission, the circumstances under which the loan was made, the reason for remitting the loan and the amount intended to be remitted.

b) The statement shall, in addition to the information specified above, contain any other relevant information necessary to enable the circumstances of the Notifiable Transaction to be understood.

19.21 An Assembly Secretary who becomes aware at any time:

i) that the information given in a statement laid before the Assembly under paragraph 19.15 or a supplementary statement laid under this paragraph is to a significant degree no longer accurate or:

ii) that a liability which was contingent when a statement was laid has become an actual liability:

shall lay before the Assembly a supplementary statement explaining and correcting the inaccuracy or describing the circumstances under which the liability has become actual, as the case may be. If within 10 working days after the laying of a supplementary statement, at least 10 Members table a motion requiring the Assembly Secretary to make an oral statement to the Assembly explaining the circumstances requiring the supplementary statement to be laid, the Assembly Secretary shall as soon as possible make such oral statement and shall answer questions from Members on such statement.

19.22 An Assembly Secretary may, where there is an urgent need, authorise a Notifiable Transaction falling within paragraph 19.18 without first complying with paragraphs 19.15 and 19.16 but shall, as soon as possible after doing so make an oral statement to the Assembly explaining the circumstances and shall answer questions from Members on such statement.

19.23 The fact that a Notifiable Transaction falling within paragraph 19.18 has been entered into without first complying with paragraphs 19.15 and 19.16 above shall not in itself affect the rights of the person to whom the potential liability is owed.

## **Revision 6**

Insert after the first sentence of paragraph 22.59:

"Time shall be made available for the motion to be debated within 20 working days of the date when it is tabled (not counting working days in a week when there is no plenary session of the Assembly)."

## **Revision 7**

Insert after paragraph 23.8:

## **Procedures for proposing public Bills and amendments thereto**

23.9 An Assembly Secretary, or at least three Members, may table a motion calling on the UK Government to bring forward a public Bill on a matter specified in the motion, or amendments to an identified Bill currently before either House of Parliament. Such a motion shall describe the purpose and effect of the proposal in sufficient detail for the Bill or amendments called for to be drafted.

23.10 No later than 31 March each year, the Assembly will consider a motion under standing order 23.9 proposed by an Assembly Secretary. Such a motion will set out the Assembly Cabinet's proposals for primary legislation in the following session of the UK Parliament or, if the Cabinet has no such proposals, will invite the Assembly to note that fact. Further motions under paragraph 23.9 may nonetheless be tabled at any time.

23.11 An assessment of the costs, benefits and any other implication of the proposed Bill or amendments shall be tabled at least five working days before a motion under paragraph 23.9 is to be considered.

23.12 If the Assembly approves the motion, the First Secretary shall as soon as possible communicate its terms to the Secretary of State for Wales. The First Secretary or an Assembly Secretary shall report to the Assembly from time to time on the response of the UK Government to the Assembly's proposals and on the progress of any Bill or amendments proposed by the Assembly which the UK Government agrees to bring forward.

23.13 In tabling, considering and acting on any motion tabled under paragraph 23.9, the Assembly and its Members shall have regard to any guidance or protocol which the Assembly may from time to time adopt on proposals for public Bills.

23.14 Paragraphs 23.9 to 23.13 are without prejudice to the right of any Assembly Secretary or any Member to make representations to the UK Government or to any Member of Parliament at any time on matters related to primary legislation.

### **Revision 8**

In paragraph 23.2 delete "two working days" and substitute "five working days".

### **Revision 9**

In paragraph 23.4 delete "two working days" and substitute "five working days".

### **Revision 10**

In paragraph 23.6 delete "two working days" and substitute "five working days".

***(This motion will require a two third majority of those voting in order to be carried)***

**Short Debate:** (to commence by 5pm)

**Richard Edwards (Preseli Pembrokeshire); No New Nuclear Sites in Wales**

**The session will conclude at 5.30pm**

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**The Assembly will sit again in Plenary at**

**2.00 pm on Tuesday, 11<sup>th</sup> April 2000**

**J W Lloyd**

**Clerk to the Assembly**