

MINUTES OF MEETING

Date: 10th February 2004
Time: 9 a.m.
Venue: Conference Room E

Present: Jenny Randerson (Chair)
Karen Sinclair, Business Minister
Jonathan Morgan, Conservative Business Manager
Kirsty Williams, Liberal Democrat Business Manager
Jocelyn Davies, Plaid Cymru Business Manager
John Marek, Deputy Presiding Officer

Paul Silk, Clerk to the Assembly
Peter Jones, Presiding Office Legal Unit
Karin Phillips, Members' Research and Committee Services
Andrew George, Clerk to the Business Committee
Marion Stapleton, Assembly Business Unit
Alun Jenkins, OCG (agenda item 4)
Marc Wyn Jones, Business Committee Secretariat
Catherine Morris, PS to Deputy Presiding Officer

1. Apologies & announcements

2. Minutes of the previous meetings

(i) BC58-04 (Final) Tuesday 27th January 2004

2.1 The minutes were presented to the Committee in their final format. Since there were no comments, they would be translated in readiness for publication.

Action: Chamber Secretariat

(ii) BC76-04 (Draft) Tuesday 3rd February 2004

2.2 The minutes were presented to the Committee in draft. An amendment was suggested which would be incorporated before the minutes were translated in readiness for publication.

Action: Chamber Secretariat

3. Matters Arising (BC76-04 - 13th January 2004)

3.1 **Paragraph 3.2** Marion Stapleton said that a paper on Ministerial Responses to Written Questions would be submitted to the Committee in its first meeting following the half-term recess.

Action: Marion Stapleton

3.2 **Paragraph 4.5** Alun Jenkins said that the dates contained in The Leasehold Valuation Tribunals (Service Charges, Insurance or Appointment of

Managers Applications) (Revocation and Saving) (Wales) Order 2004 (BC68-04) and The Leasehold Valuation Tribunals (Fees) (Revocation and Saving) (Wales) Order 2004 (BC69-04) had been amended and revised versions had been laid.

4. Subordinate Legislation

(a) Orders for consideration

The Common Agriculture Policy Non-IACS Support Schemes (Appeals) (Wales) Regulations 2004 (BC78-04) *Recommended Procedure: Accelerated*

The Water Industry (Prescribed Conditions) (Undertakers Wholly or Mainly in Wales) Regulations 2004 (BC79-04) (*formerly The Water Industry (Prescribed Conditions) (Wales) Regulations 2004*) *Recommended Procedure: Standard*

The Education (School Inspection) (Amendment) (Wales) Regulations 2004 (BC80-04) *Recommended Procedure: Accelerated*

The Inspection of Education and Training (Amendment) (Wales) Regulations 2004 (BC81-04) *Recommended Procedure: Accelerated*

The Inspection of Youth Support Services in Wales Regulations 2004 (BC82-04) *Recommended Procedure: Accelerated*

The Care Standards Act 2000 (Extension of Meaning of "Social Care Worker") (Wales) Regulations 2004 (BC83-04) *Recommended Procedure: Accelerated*

The Care Council for Wales (Specification of Student Social Workers) (Registration) Order 2004 (BC84-04) *Recommended Procedure: Accelerated*

BC80-04

4.1 The Chair said that the Cover Sheet accompanying BC80-04 said that the Regulations changed "*the period within which an inspection report must be completed to 35 working days in every case.*" However, this was not clear in the Explanatory Memorandum accompanying the draft Order.

4.2 The Chair said that the Explanatory Memorandum said that the draft Order had been notified to the Subject Committee in the "*reports presented by the Minister*". Members of the Committee asked if it could be suggested to the Panel of Chairs that the list of forthcoming legislation could be included on the agenda as a separate item in future.

BC83-04 & BC84-04

4.3 The Chair said that a Welsh version of this draft Order had not been submitted to the Committee. The Deputy Presiding Officer said that the draft Order was due to be considered by the Legislation Committee on 24th February. He said that the Welsh version would not be provided to the Legislation Committee's legal adviser in sufficient time and asked if the draft Order could be submitted to the Legislation Committee on 2nd March.

The Business Committee agreed the recommended procedure for BC78-

04 - BC84-04. The Deputy Presiding Officer subsequently determined that none of these draft Orders need be referred to subject committee.

(b) Standing Order 27 Subordinate Legislation

(c) Orders made under the Executive Procedure; Papers to note.

BC85-04

4.4 The Committee noted the e-mail from Cabinet Secretariat on the use of the Executive procedure for The Vehicular Access Across Common and Other Land (Wales) Regulations 2004. The Deputy Presiding Officer asked if such e-mails could include a standard form of words and could refer to the 40-day period during which Members could table a revocation motion.

(d) Papers for Information

BC89-04

4.5 The Business Committee considered the paper on the translation of subordinate legislation. Members of the Committee noted that there had been a significant increase in the demands for translation services. The Deputy Presiding Officer said that he would ask the House Committee and the Government to bring forward proposals for taking forward this issue.

5. Committees

5.1 The Business Committee noted the letter from the Chair of the Environment, Planning and Countryside Committee identifying draft subordinate legislation for future scrutiny.

6. Forthcoming Business

BC93-04

6.1 The Committee considered a paper containing the following responses from the Business Minister to requests for various statements and debates.

- The Business Minister said that there was no intention to schedule a debate on financial and operational difficulties relating to Objective 1 funding. She said that there would be an opportunity to debate the issue in Plaid Cymru's minority party debate later that day.
- The Business Minister said that there was no intention to schedule a debate on the National Botanic Garden of Wales whilst negotiations with outside parties relating to the Garden were ongoing. Once the outcome was known, the Minister would consider whether a debate was appropriate. If a debate was not appropriate, the Minister would make a statement in Plenary.
- The Business Minister said that the Minister for Health and Social Services had given a commitment to the Health and Social Services Committee that she would make a statement on child protection issues at the same time

as the Minister for Children in England made her announcement in the House of Commons. The Business Minister said that the statement would have to deal with legal as well as policy matters and both sets of issues would have to be resolved before a statement could be made.

(ii) This Week's Business

6.2 The Committee considered paper BC87-04, which detailed the Assembly's agreed business for the week.

6.3 The Business Minister said that the Minister for Environment, Planning and Countryside would be making a statement on CAP reforms on Wednesday. She said that the motion to approve The Health Professions Wales (Transfer of Staff, Property, Rights and Liabilities) Order 2004 and The Health Professions Wales (Establishment, Membership, Constitution and Functions) Order 2004, which had been scheduled for Wednesday, would now take place on Tuesday 24th February.

6.4 Jonathan Morgan asked if a statement could be made on fire safety in care homes. Jocelyn Davies supported this request. Jonathan Morgan requested a debate on the independence of the BBC.

6.5 Jocelyn Davies asked if statements could be made on NHS waiting lists and on the financing of patients from Wales being treated in England.

6.6 Kirsty Williams asked if debates could be scheduled on the National Botanic Garden of Wales and EU Funding.

(ii) Draft Business Statement

6.7 The Committee noted the Business Minister's proposed statement about the organisation of the Assembly's business for the weeks commencing 24th February, 2nd March and 9th March.

7. Advice to Assembly on procedures

8. Matters referred from plenary

BC90-04

8.1 The Business Committee noted the excerpt from the Record of Proceedings which contained a point of order from Jonathan Morgan on the timescale for Ministers' answers to Written Questions. The Committee agreed they would consider this alongside the paper on Ministerial Responses to Written Questions on 24th February.

9. Revisions to Standing Orders

BC91-04

9.1 The Business Committee considered the revised paper on proposed

revisions to Standing Order 29. The Chair said that similar proposals had been agreed as part of the Assembly's Review of Procedures. Business Managers agreed to consult party groups and return to the issue on 2nd March.

BC92-04

9.2 The Business Committee noted the paper on a proposed Standing Orders MOT. The Committee agreed to return to the issue in its meeting on 24th February.

10. Presiding Officer rulings

11. Any other business.

CHAMBER SECRETARIAT