

MINUTES OF MEETING

Date: 20th January 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
Rhodri Glyn Thomas, Plaid Cymru
John Marek, Deputy Presiding Officer

Dianne Bevan, Deputy 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
Peter McAllen, OCG (agenda item 4)
Marc Wyn Jones, Business Committee Secretariat
Catherine Morris, PS to Deputy Presiding Officer

1. Apologies & announcements

1.1 Apologies for absence were received from Jocelyn Davies. The Chair welcomed Rhodri Glyn Thomas who was representing her under Standing Order 13.3. Apologies for absence were received from Paul Silk and Alun Jenkins. The Chair welcomed Dianne Bevan and Peter McAllen who were deputising for them.

2. Minutes of the previous meetings

(i) BC504-03 (Final) Tuesday 9th December 2003

2.1 The minutes were presented to the Committee in their final format. An amendment was suggested which would be incorporated before the minutes were translated in readiness for publication.

Action: Chamber Secretariat

(ii) BC26-04 (Draft) Tuesday 13th January 2004

2.2 The minutes were presented to the Committee in draft Since there were no comments, they would be translated in readiness for publication.

Action: Chamber Secretariat

3. Matters Arising (BC26-04 - 13th January 2004)

3.1 **Paragraph 4.5** The Chair said that Members of the Committee had queried why there had been a delay in making The Food (Emergency Control) (Miscellaneous Amendments) (Wales) Regulations 2004 (BC13-04). Marion

Stapleton said that the Regulations had been received from the Department of Health on 25th November. Taking into account the timescale for translating the Regulations and publishing them on the Intranet and Internet, they had been brought before the Committee as soon as possible after the Christmas Recess. She said that the Cabinet had sought to avoid using the Executive procedure. The Deputy Presiding Officer said that it was unsatisfactory that the Department of Health had not provided the Government with the Regulations at an earlier date.

4. Subordinate Legislation

(a) Orders for consideration

The Health Professions Wales (Establishment, Membership, Constitution and Functions) Order 2004 (BC28-04) *Recommended Procedure: Accelerated*

The Health Professions Wales (Transfer of Staff, Property, Rights and Liabilities) Order 2004 (BC29-04) *Recommended Procedure: Accelerated*

BC28-04

4.1 The Chair referred to a letter from the Chair of the Health and Social Services Committee and an excerpt from the minutes of that Committee's meeting of 26th November about Committee consideration of the draft Order. She said that the Committee was content with the draft Order. The Deputy Presiding Officer noted that a Welsh version of the Order had not been prepared, even though this was a general requirement under Standing Order 22.1, and it was proposed that the Order would be considered by the Legislation Committee on 26th January. He said that the legal adviser to the Committee would need sufficient time to consider both the English and Welsh versions of the Regulations. Peter Jones said it would be helpful if the legal adviser could be provided with draft legislation as early as possible. Peter McAllen said that he would pursue the matter and report back.

Action: OCG

The Business Committee agreed the recommended procedures for BC28-04 and BC29-04. The Deputy Presiding Officer subsequently determined that neither of these draft Orders need be referred to subject committee.

(b) Standing Order 27 Subordinate Legislation

BC34-04

4.2 The Business Committee considered the draft Regulations and National Minimum Standards for Domiciliary Care Agencies in Wales, which would be debated in Plenary on 3rd December. Members of the Committee agreed that it was helpful to receive information about draft legislation under Standing Order 27. The Deputy Presiding Officer referred to Standing Order 27.2, which required the Minister to consider whether the legislation should be submitted to Committee for consideration; submitted to Legislation Committee; debated in Plenary; or none of these. He asked if a standard form of words could be used in all communications to Members, informing them of the decision the

Minister had taken.

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

5. Committees

BC30-04

5.1 The Business Committee considered and agreed the request from the Health and Social Services Committee to hold an additional meeting.

BC31-04

5.2 The Business Committee noted the paper from Cabinet Secretariat on a protocol for Government Responses to Committee Reports. Jonathan Morgan reiterated his preference for a debate on the Government's response to the Committee's report.

6. Forthcoming Business

(i) Requests from Business Managers

6.1 The Business Minister reported back on requests from the previous meeting for various statements and debates -

(i) The Business Minister said that the Minister for Health and Social Services did not intend on making a statement on NHS Waiting Times and Targets. The Business Minister said that the issue was regularly discussed in the Health and Social Services Committee and that Members would have the opportunity to question the Minister on this issue during question time.

(ii) The Business Minister said that there was no intention to make a statement on an allegation against a Minister which had appeared in the Western Mail.

(ii) This Week's Business

6.2 The Committee considered paper BC32-04, which detailed the Assembly's agreed business for the week.

6.3 The Business Minister said that a statement by the Minister for Education and Lifelong Learning on the Welsh Assembly Government's response to the Audit Committee's report on the National Council for Education and Innovation Development Projects and Assembly Government's Sponsorship of Assembly Sponsored Public Bodies would be made later that day.

6.4 Jonathan Morgan asked if a debate could be scheduled on the Assembly's plans to purchase a strip of land adjacent to the new Chamber. The Deputy Presiding Officer said that this was a matter for the House Committee. He said that if the Committee decided that a debate was necessary, he would ask the Business Minister to find a slot for a debate in Plenary.

6.5 Jonathan Morgan asked if a debate could be scheduled on financial and operational difficulties relating to Objective 1 funding. The Business Minister said she would relay this request to the Minister for Economic Development and Transport.

6.6 Rhodri Glyn Thomas asked if a debate could be scheduled on the National Botanic Gardens of Wales. Jonathan Morgan said he supported this request. He also referred to a debate on School Organisation Proposals by the National Council for Education and Training for Wales Regulations 2004, which had appeared in a previous Business Statement and asked when the debate would be re-scheduled. He also asked if a statement could be made on Alistair Darling's announcement on the possible devolution of powers over railways.

(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 27th January, 3rd February and 10th February.

6.8 The Business Minister said that a debate on Wales' Programme for Improvement would take place on Tuesday 27th January. She said that a statement by the Minister for Social Justice and Regeneration on the Police Settlement would take place on Wednesday 28th January.

6.9 Kirsty Williams referred to the business on Wednesday 11th February in which debates on the Higher Education Bill and Health Gain Targets for Wales had each been allocated one hour. Members of the Committee agreed that these were debates on substantial subjects and asked if more time could be allocated for the debate on the Higher Education Bill. Members of the Committee said that a longer debate would allow more contributions from backbenchers, non-Education Committee members and Members with constituency interests. The Business Minister said she would seek to allocate more time to the debate.

7. Advice to Assembly on procedures

BC35-04

7.1 The Chair said that this paper would be followed by a second on the 3rd February. The Chair suggested that the Business Committee consider both papers together on 3rd February.

7.2 The Committee noted the paper from the Business Minister on statistics that she had used during a debate on the Periodic Timetable Statement on 9th December. The Committee also noted a set of revised statistics provided by Committee Secretariat. Karin Phillips said that the statistics used by the Business Minister had originally been submitted to the House Committee and that they contained inaccuracies. The Business Minister undertook to raise a Point of Order in Plenary to correct the record. The Chair said that the

Business Minister had referred to other statistics during her speech which had not been included in the paper provided to the Committee. The Business Minister said she would bring forward a paper containing those statistics.

Action: Business Minister

8. Matters referred from plenary

9. Revisions to Standing Orders

10. Presiding Officer rulings

11. Any other business.

11.1 The Deputy Presiding Officer said that he had received an e-mail from Cabinet Secretariat about draft Orders which had been published to the Intranet in accordance with Standing Orders 22.1 and 23. He asked if a standard form of words could be used and if the titles of the draft Orders could be made clear in the text of the e-mail. He asked if such e-mails could also be sent to the Clerk of the Business Committee.

11.2 Rhodri Glyn Thomas said that there seemed to be some confusion about the date for the South East Wales Regional Committee meeting in March. Karin Phillips said she would be consulting with Business Managers on the issue and would report back on this issue in the next meeting.

Action: Karin Phillips

CHAMBER SECRETARIAT