

Business Committee BC(2)16-05 (Final minutes)

MINUTES OF MEETING

Date: 24th May 2005

Time: 9 a.m.

Venue: Conference Room E

Present: Jenny Randerson (Chair)
Jane Hutt, Business Minister

Jocelyn Davies, Plaid Cymru Business
Manager

Kirsty Williams, Welsh Liberal
Democrats Business Manager

David Melding, Welsh Conservatives
Business Manager

John Marek, Deputy Presiding Officer

Paul Silk, Clerk to the Assembly

Andrew George, Clerk to the Business
Committee

Marion Stapleton, Assembly Business
Unit

Karin Phillips, Members' Research and
Committee Services Peter Jones,

Counsel to the Assembly Parliamentary
Service

Alun Jenkins, DLS (Agenda Item 4)

Marc Wyn Jones, Business Committee
Secretariat

Catherine Morris, PS to the Deputy
Presiding Officer

Apologies & announcements

2. Minutes of the previous meetings

(i) BC(2)14-05 (Final minutes) - Tuesday 10th May 2005

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

Action: Chamber Secretariat

(ii) BC(2)15-05 (draft minutes) - Tuesday 17th May 2005

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

3.1 **17th May: Paragraph 4.3** Marion Stapleton referred to the National Health Service (Optical Charges and Payments) and (General Ophthalmic Services) (Amendment) (Wales) Regulations 2005 and said that the delay in bringing forward the Regulations in Wales had been caused because the final draft had not been received until 25th February. She said that information about costs arising from backdating payments arising from the legislation to the beginning of the financial year, was not held centrally. Peter Jones asked if information about backdating payments could be made clearer in the supporting documents.

4. Subordinate Legislation

Orders for consideration

The Colours in Food (Amendment) (Wales) Regulations 2005 - **BC(2)16-05 (p1)**

& Report from the Health and Social Services Committee - **BC(2)16-05(p13)**

The Contaminants in Food (Amendment) (Wales) Regulations 2005 - **BC(2)16-05 (p2)**

The Plastics Materials and Articles in Contact with Food (Amendment) (No.2) (Wales) Regulations 2005 - **BC(2)16-05 (p3)**

The Materials and Articles in Contact With Food (Wales) Regulations 2005 - **BC(2)16-05 (p4)**

The Business Committee recommended the Accelerated procedure for BC(2)16-05 (p1) to BC(2)16-05(p4). The Deputy Presiding Officer subsequently determined that none of the Orders need be referred to Subject Committee.

4.1 Members of the Committee suggested a number of amendments to clarify the papers accompanying these items of legislation. It was agreed that the papers would be amended accordingly.

BC(2)16-05(p1)

4.2 The Chair referred to paragraph 10 of the Explanatory Memorandum, which said that the Regulations came into force in England on 7 March, in Scotland on 28 February and in Northern Ireland on 9 March, and asked why there had been a delay in introducing the Regulations in Wales. Alun Jenkins said that the delay had been caused by resourcing issues within the Food Standards Agency Wales. In response to a query, Marion Stapleton confirmed that it was normal practice for UK Food Standards Agency consultations to take 12 weeks. The Chair referred to paragraph 14 of the Explanatory Memorandum, which considered the financial implications of infraction proceedings. Members of the Committee said that infraction proceedings were unlikely and that this information was misleading. Marion Stapleton said that the paragraph would be removed.

(b) Standing Order 29 Subordinate Legislation

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

BC(2)15-05 (p7)

4.3 The Business Committee noted the e-mail of notification about the use of the Executive procedure for The Feed (Corn Gluten Feed and Brewers Grains) (Emergency Control) (Wales) Regulations 2005.

(d) Papers for Information

5. Committees

6. Forthcoming Business

BC(2)16-05(p8)

6.1 The Business Minister responded to various requests from Business Managers and said that:

There was currently no intention of scheduling a statement on NHS Dentistry in Wales. The Minister for Health and Social Services had given a commitment to having a debate in October and would issue a written statement before the summer recess.

There was no intention of scheduling a statement on Trolley Waits at the A&E

department of the University of Wales Hospital as the Health Minister had already updated Assembly Members on actions underway to deliver effective emergency care services in the Short debate on 23 February.

There was no intention to schedule a statement on the Capital Programme. The Government does not intend scheduling time for a statement on this. The Government has already made available to the Assembly details of the NHS budget including Capital and details of the efficiency savings expected from each part of the Welsh Public sector.

There was currently no intention of making a statement on Caerphilly County Borough Council's reported refusal to accept Assembly Guidance on the appointment of scrutiny committee chairs.

This Week's Business

BC(2)15-05(p9)

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

6.3 Jocelyn Davies asked if the Business Minister could remind her Ministerial colleagues that important announcements should be made in Plenary in the first instance.

Business Managers' Requests

6.3 Jocelyn Davies asked if a statement could be made on the Government's Health capital programme following reports in the media. Kirsty Williams supported this request.

6.4 David Melding requested a debate on "Designed for Life", the Government's strategy for Health and Social Care. Kirsty Williams supported this request. He also asked if a statement could be scheduled on "Welsh in the World".

6.5 Kirsty Williams asked if a debate could be scheduled on the Government's Health capital programme. She also reiterated her request for a debate on NHS dentistry.

Draft Business Statement

6.5 The Committee noted the Business Minister's proposed statement about the organisation of the Assembly's business for the weeks commencing 7 June, 14 June and 21 June.

6.6 In response to a query from the Chair, the Business Minister said that a date for the

Secretary of State to attend and participate in the Assembly's consideration of the UK Government's legislative programme would be set shortly and that she would notify Business Managers as soon as possible.

6.7 The Business Minister said that it was anticipated that a debate on the Rees report ("An Independent Study into the Devolution of the Student Support System and Tuition Fee Regime in Wales") would be scheduled for 20 or 21 June.

6.8 David Melding said that it was essential that the timing of the debate on the Older People's draft Bill, currently scheduled for 21 June, would enable the Assembly to inform the Westminster legislative process effectively. Business Managers agreed. Jocelyn Davies suggested that, if there were time constraints, an additional Plenary meeting could be scheduled.

7. Advice to Assembly on procedures

8. Matters referred from plenary

9. Revisions to Standing Orders

BC(2)16-05 (p11)

9.1 The Business Committee considered a paper from the Legislation Committee containing proposals to amend Standing Orders to enable the Legislation Committee to invite the Assembly to pay special attention to proposed legislation on two additional grounds –

that the draft legislation contained gender specific language; and

that it was proposed that the legislation is not made bilingually.

The Committee agreed to return to this issue in its meeting on 14 June following consultation with groups.

BC(2)16-05(p12)

9.2 Paul Silk introduced a draft Business Committee report on proposals to amend Standing Orders to remove an anomaly between Standing Orders and the Government of Wales Act. The Business Minister asked for consideration of the paper to be deferred until 7th June. The Deputy Presiding Officer expressed concern about the delay. The Chair said that, in the meantime, the Act took precedence.

10. Presiding Officer rulings

11. Any other business.

11.1 The Business Minister said that she intended to undertake a review of the Subject Committee meeting cycle. She said that she would notify Business Managers of the terms of the review as soon as possible. Business Managers welcomed the review.

CHAMBER SECRETARIAT