

**MINUTES OF MEETING**

**Date:** 8<sup>th</sup> June 2004  
**Time:** 9 a.m.  
**Venue:** Conference Room E

**Present:** Jenny Randerson (Chair)  
Karen Sinclair, Business Minister  
Jonathan Morgan, Conservative Business Manager  
Rhodri Glyn Thomas, Plaid Cymru  
Peter Black, Welsh Liberal Democrat  
John Marek, Deputy Presiding Officer

Peter Jones, Counsel to the Assembly Parliamentary Service  
Andrew George, Clerk to the Business Committee  
Marion Stapleton, Assembly Business Unit  
John Grimes, Members' Research and Committee Services Alun  
Jenkins, OCG (Agenda Item 4)  
Marc Wyn Jones, Business Committee Secretariat  
Catherine Morris, PS to the 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 in accordance with Standing Order 13.3. Apologies for absence were received from Paul Silk and Karin Phillips. The Chair welcomed John Grimes, who was deputising for Karin Phillips.

**2. Minutes of the previous meetings**

**(i) BC272-04 (Final) Tuesday 18<sup>th</sup> May 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) BC288-04 (Draft) Tuesday 25<sup>th</sup> May 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 (BC288-04 - 25<sup>th</sup> May 2004)**

**4. Subordinate Legislation**

**(a) Orders for consideration**

The Designation of Schools Having a Religious Character and Amendments (Wales) Order 2004 (BC291-04) *Recommended Procedure: Standard*

The Education (School Information) (Wales) (Amendment) Regulations 2004 (BC292-04) *Recommended Procedure: Accelerated*

School Governors' Annual Reports (Wales) (Amendment) Regulations 2004 (BC293-04) *Recommended Procedure: Accelerated*

The Animal Gatherings (Wales) Order 2004 (BC294-04) *Recommended Procedure: Accelerated*

The Adult Placement Schemes (Wales) Regulations 2004 (BC295-04) *Recommended Procedure: Standard*

The Care Standards Act 2000 (Commencement No. 14) (Wales) Order 2004 (BC296-04) *Recommended Procedure: Accelerated*

The Children (Leaving Care)(Amendment)(Wales) Regulations 2004 (BC297-04) *Recommended Procedure: Accelerated*

The Wales Centre for Health (Constitution, Membership and Procedures) Regulations 2004 (BC298-04) *Recommended Procedure: Accelerated*

**The Business Committee recommended the Standard procedure for BC291-04 - BC293-04 and BC295-04. The Committee recommended the Accelerated procedure for BC296-04 - BC298-04. The Deputy Presiding Officer subsequently determined that none of these draft Orders need be referred to subject committee.**

#### **BC292-04**

4.1 The Deputy Presiding Officer referred to the paragraph on costs in the Regulatory Appraisal which said that "the new Regulations have no direct financial implications for the Assembly, schools or Local Education Authorities" and asked whether indirect financial implications had been considered. Alun Jenkins said that the Explanatory Memorandum accompanying the draft Order said that there were "no financial implications" and that the Regulatory Appraisal would be amended to reflect this. Jonathan Morgan said his group wished to debate the Regulations. The Business Minister said that she would schedule one debate on the Regulations and on the linked School Governors' Annual Reports (Wales) (Amendment) Regulations 2004 (BC293-04) but with separate votes.

#### **BC294-04**

4.2 It was noted that this draft Order was a joint Order but that no Westminster procedures applied. The Chair said that this draft Order dealt with various issues affecting animal gatherings. However, the Explanatory Memorandum concentrated only on the provision for the 48-hour period for sale of animals on paved premises. It was agreed that the draft Order would be resubmitted to the Committee at its next meeting with a revised Explanatory Memorandum.

#### **BC295-04**

4.3 Peter Jones said that there was a discrepancy between the enabling powers as outlined in the Explanatory Memorandum and in the draft Order itself. The Deputy Presiding Officer referred to the Explanatory Memorandum accompanying this draft Order which said that "*13 consultation responses had been received*". However, the Regulatory Appraisal said that "*fourteen consultation responses were received*". Marion Stapleton confirmed that the Regulatory Appraisal was correct and said she would ensure that the Explanatory Memorandum was corrected. The Business Committee noted a report from the Health and Social Services Committee on this draft Order, which said that some amendments had been agreed in Committee.

#### **BC298-04**

4.4 The Chair said that the Explanatory Memorandum said that the powers enabling these Regulations to be made were "*transferred to the National Assembly for Wales*". However, the powers had been conferred on the Assembly.

#### **(b) Standing Order 29 Subordinate Legislation**

#### **BC306-04**

4.5 The Business Committee considered the National Minimum Standards under Section 23 of the Care Standards Act 2000, which were linked to The Care Standards Act 2000 (Commencement No. 14) (Wales) Order 2004 (BC296-04). Marion Stapleton confirmed that Standing Order 29 (i) and (ii) had been disapplied and that the legislation had been submitted to the Business Committee because it would be debated in Plenary. She said that in these circumstances, she would ensure that the Committee was supplied with background information and said that that a standard form of words was being prepared which could be used in all communications to Members on this issue, informing them of the decision the Minister had taken. The Deputy Presiding Officer asked if, in future, all Standing Order 29 legislation could come before the Business Committee. The Business Minister said she would consider this request.

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

#### **(d) Papers for Information**

### **5. Committees**

### **6. Forthcoming Business**

#### **BC299-04**

6.1 The Business Minister responded to various requests from Business

Managers and said that

- A debate on anti-social behaviour, including under age drinking and arson would be scheduled before the summer recess.
- There was no intention to schedule a statement on the privatisation of the NHS.
- There was no intention to schedule a statement on the way the Assembly Government calculated NHS waiting lists in Wales.

#### (ii) This Week's Business

6.2 The Committee considered paper BC300-04, which detailed the Assembly's agreed business for the week.

6.3 Jonathan Morgan said that an application for an urgent question on Wales' representation at the 60th Anniversary celebrations of the D-Day landings had been submitted to the Presiding Officer. He asked if a statement could be made on this issue if the application was not allowed.

6.4 Rhodri Glyn Thomas asked if statements could be made on school children being prescribed anti-depressants to help them cope with exam pressures and on reports that NHS patients were being advised to consider seeking private treatment for abortions.

6.5 Peter Black reiterated his request for a debate on funding in further education in Wales. Business Managers supported this request.

#### (ii) Draft Business Statement

6.6 The Committee noted the Business Minister's proposed statement about the organisation of the Assembly's business for the weeks commencing 15<sup>th</sup> June, 22<sup>nd</sup> June and 29<sup>th</sup> June.

6.7 The Chair referred to the debate on 22<sup>nd</sup> June on the School Organisation Proposals by the National Council for Education and Training for Wales Regulations 2004, which had been allocated 30 minutes. Business Managers said that they anticipated that a significant number of Members would wish to speak in the debate.

### **7. Advice to Assembly on procedures**

#### **BC302-04**

7.1 The Business Committee considered the paper on issues arising from the Report of the Richard Commission. The Chair said that numerous important issues were raised in the paper and suggested that a special meeting of the Business Committee could be convened to discuss the issues. Members of the Committee agreed that the meeting should take place in three weeks, to allow Business Managers sufficient time to consult groups. The Business Minister said that a paper on this issue would soon be submitted to Cabinet and that she would ensure that the paper was included on the agenda for the

special meeting.

**Action: Secretariat**

**BC303-04, BC304-04 and BC305-04**

7.2 The Business Committee noted the papers on proposed arrangements for joint working with Westminster, including a draft Report of the Business Committee on proposals to change Standing Orders. The Deputy Presiding Officer said that the arrangements could have implications for the Assembly Parliamentary Service's resources and suggested that both the Business Committee and House Committee may wish to consider this issue in future. The Business Committee agreed the draft Report of the Business Committee, subject to an amendment to the proposed Standing Order. It was noted that a debate on the motion to change Standing Orders would be scheduled for 15<sup>th</sup> June.

**8. Matters referred from plenary**

**9. Revisions to Standing Orders**

**10. Presiding Officer rulings**

**11. Any other business.**

**CHAMBER SECRETARIAT**