

BUSINESS PAPERS

THURSDAY, 5TH APRIL 2001

PART 1 – SECTION A

AGENDA

The Session will commence at 9.05am

Local Government Questions to Edwina Hart, Minister for Finance, Local Government & Communities (15 minutes)

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

Questions to Sue Essex, Minister for the Environment (15 minutes)

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

Approval of the 3-monthly Business Statement

A procedural motion will be proposed by the Minister for Assembly Business under Standing Order 6.16 to bring forward the following No Named Day Motion which was tabled on the 3rd April 2001

To propose that the National Assembly:

Notes the proposed 3-month timetable of Assembly Business laid in the Table Office on 3 April 2001, under standing order 5.1.

Composite motion:

To propose that the National Assembly, acting under Standing Order 22.25:

- Approves:

The National Health Service (Optical Charges & Payments) and (General Ophthalmic

Services) (Amendment)(No2)(Wales) Regulations 2001 laid in the Table Office on 14 March 2001; and

Considers the report of the Legislation Committee which has not identified any matters for concern in the draft order The National Health Service (Optical Charges & Payments) and (General Ophthalmic Services) (Amendment)(No2)(Wales) Regulations 2001, laid in the Table Office on 20 March 2001.

- Approves:

The Valuation Tribunals (Amendment)(Wales) Regulations 2001 laid in the Table Office on 6 March 2001, and:

Considers the report of the Legislation Committee which has not identified any matters for concern in the draft order The Valuation Tribunals (Amendment)(Wales) Regulations 2001, laid in the Table Office on 20 March 2001.

- Approves:

The Coffee Extracts and Chicory Extracts (Wales) Regulations 2001, laid in the Table Office on 21 March 2001, and:

Considers the report of the Legislation Committee which has not identified any matters for concern in the draft order The Coffee Extracts and Chicory Extracts (Wales) Regulations 2001, laid in the Table Office on 27 March 2001 and the Memorandum of Corrections laid in Table Office on 28 March 2001.

- Approves:

The Ancient Monuments (Applications for Scheduled Monument Consent) (Welsh Forms and Particulars) Regulations 2001, laid in the Table Office on 14 March 2001, and:

Considers the report of the Legislation Committee which has not identified any matters for concern in the draft order The Ancient Monuments (Applications for Scheduled Monument Consent) (Welsh Forms and Particulars) Regulations 2001, laid in the Table Office on 20 March 2001.

Approval of the Countryside and Rights of Way Act 2000 (Commencement No 2)

To propose that the National Assembly:

Considers the principle of The Countryside and Right of Way Act 2000 (Commencement No.2) (Wales) Order 2001, laid in the Table Office on 7 March 2001

The following amendment has been tabled:

William Graham (South Wales East);

Add at the end of the motion:

Notes the additional financial and bureaucratic burdens placed upon landowners and local authorities as a result of this legislation and recognises that voluntary access agreements represent a more cost efficient and participatory way forward.

To propose that the National Assembly:

considers the report of the Legislation Committee which has not identified under Standing Order 11.5 any matters for concern in the draft order, The Countryside and Right of Way Act 2000 (Commencement No.2) (Wales) Order 2001, laid in the Table Office on 20 March 2001 ;

approves that the Order is made in accordance with the draft laid in the Table Office on 7 March 2001.

Approval of the General Teaching Councils for Wales (Disciplinary Functions) Regulations 2001

To propose that the National Assembly:

Considers the principle of The General Teaching Council For Wales (Disciplinary Functions) Regulations 2001, laid in the Table Office on 14 March 2001.

To propose that the National Assembly:

considers the report of the Legislation Committee which has not identified under Standing Order 11.5 any matters for concern in the draft order, The General Teaching Council For Wales (Disciplinary Functions) Regulations 2001, laid in the Table Office on 20 March 2001 ;

approves that the Order is made in accordance with the draft laid in the Table Office on 14 March 2001 and the Memorandum Of Corrections laid in the Table Office on 27 March 2001

Delegation to the First Minister all the functions of The National Assembly for Wales contained in or under Regulations made under Section 2(2) of the European Communities Act 1972

To propose that the National Assembly for Wales, acting under sections 62(1)(b) of the

Government of Wales Act 1998, resolves to delegate all the functions of the National Assembly contained in or under Regulations made by:

- a. the National Assembly (whether made by the National Assembly alone or together with a UK Minister, UK Government Department or the Scottish or Northern Irish Executives) under section 2(2) of the European Communities Act 1972 pursuant to the functions conferred on the Assembly by:
 - i. the European Communities (Designation)(No3) Order 1999, (SI 1999/2788) (available on the HMSO website at <http://www.hmso.gov.uk/si/si1999/19992788.htm>; and
 - ii. the European Communities (Designation)(No 3) Order 2000, (SI 2000/2812) (available on the HMSO website at <http://www.hmso.gov.uk/si/si2000/20002812.htm>; or
- b. a UK Minister under his concurrent powers, under the said section 2(2) for the same purposes.

to the Assembly First Minister, save those which by law cannot be so delegated.

Nothing in this motion will have the effect of reducing the pre-eminence of the authority of the full Assembly or of reducing the role of the Assembly Committees in the exercise of the above functions.

Approval of changes to Standing Order 23, Section 3 and Standing Order 34

This item will require a 2/3 majority

To propose that the National Assembly acting under section 46(6) of the Government of Wales Act and Standing Order 34:

- (i) consider the report of the Business Committee laid in the Table Office on 28th March 2001; and
- (ii) approve the following revisions of standing orders;

Standing Order 34

1. After paragraph 34.3 insert,

"34.3A. The Assembly may provide that any standing order or any revision thereto shall be temporary and where a standing order or a revision thereto is temporary, its precise duration shall be expressed in a distinct paragraph of the standing order or the revision."

Standing Order 23, section 3

1. After the heading insert:

"Section 3 of Standing Order 23 applies to Assembly subordinate legislation, not being Assembly General subordinate legislation, which is made by the Assembly, whether jointly or not, together with a UK Minister or UK Government Department, the Scottish Executive or Northern Ireland Executive."

2. At the start of paragraph 23.9 insert,

"Subject to paragraphs 23.11A to 23.11E,";

3. After paragraph 23.11 insert,

"23.11A. Subject to paragraph 23.11E, the Assembly Cabinet may determine that, in the particular circumstances, it is not reasonably practicable for a draft to be laid before the Assembly under paragraph 23.9 and in that case paragraphs 23.11B to 23.11D shall apply.

23.11B. The draft shall be signed on behalf of the Assembly in accordance with paragraph 22.26(iii).

23.11C. The relevant Assembly Secretary shall as soon as reasonably practicable after the draft has been signed under paragraph 23.11B lay before the Assembly a memorandum notifying the Assembly that the subordinate legislation has been signed on behalf of the Assembly and explaining its intended effect and likely financial implications.

23.11D. Whenever a memorandum is laid before the Assembly under paragraph 23.11C, a Member may, within the period of 40 working days beginning with the date on which the memorandum is laid, table a motion instructing the relevant Assembly Secretary –

(a) to consider the possibility of the subordinate legislation being revoked in relation to Wales; and

(b) to lay before the Assembly as soon as possible a report stating what action the Assembly Secretary has taken or proposes to take in that respect.

23.11E. Paragraphs 23.11A to 23.11E and, in paragraph 23.9, the words "Subject to paragraphs 23.11A to 23.11E," shall cease to have effect on the 9th May 2001".

4. For paragraph 23.12 substitute:

"23.12. Where subordinate legislation to which this section applies would, if the legislation were made by the Assembly alone, fall within section 1 or section 2 of this standing order, the provisions of that section or those sections shall also apply to it except that:

(a) the reference in paragraphs 23.1 and 23.5 to the provisions of paragraphs 22.2 to 22.30 shall be replaced by references to paragraphs 23.9 to 23.11E; and

(b) in a case to which paragraphs 23.11A to 23.11E apply, paragraph 23.2 shall have effect as if for "after the Assembly has been notified" there were substituted "after that Assembly Secretary has been notified".

Provided that, on and after the 9th May 2001, for sub-paragraphs(a) and (b) of paragraph 23.12, substitute:

"the reference in paragraphs 23.1 and 23.5 to the provisions of paragraphs 22.2 to 22.30 shall be replaced by reference to paragraphs 23.9 to 23.11."

5. After paragraph 23.13 insert:

"23.14. Nothing in this standing order shall, in relation to the subordinate legislation which is Assembly General subordinate legislation, be construed as overriding the application of standing order 22 to such legislation".

Approval of Special Grant Report (no 7) (Wales) 2001

A procedural motion will be proposed by the Minister for Assembly Business under Standing Order 6.16 to bring forward the following Motion which differs from the agreed business shown in the Forward Look of 27th March

To propose that the National Assembly:

Under Section 88B of the Local Government Finance Act, 1988, and in accordance with Standing Order 19.8, approves the Local Government Finance (Wales) Special Grant Report (No.7) (Wales) 2001 which was laid in the Table Office on 29 March 2001 and emailed to Members on 29 March 2001.

Minority Party Debate: Plaid Cymru

The National Assembly expresses its grave concern at the failure of the Labour / Liberal Democrat Administration to secure additional funding from the UK Treasury over and above

the Barnett Block to deal with the aftermath of:

- flooding in many parts of Wales during the Autumn of 2000
- the potential job losses in the steel industry; and
- Foot and Mouth disease and its impact on the rural economy

The following amendment has been tabled:

William Graham (South Wales East);

After the final bullet point, add new paragraph:

In order to prevent further decline in these localities and the wider Welsh economy calls upon the Administration to abandon any plans to introduce a local business rate tax.

Short Debate: (30 minutes)

Pauline Jarman (South Wales Central); Stress – The effects on the child

The session is expected to conclude by 12.35pm

The Assembly will be in Recess from 9 - 29 April

The Assembly will sit again in Plenary at

2.00 pm on Tuesday, 1st May 2001

E P Silk

Clerk to the Assembly

