

Tuesday, 2nd November 2004

AGENDA

The meeting will commence at 2.00pm

Item 1

Motion to elect Janet Ryder to the Legislation Committee in place of Elin Jones

NDM2136 Karen Sinclair (Clwyd South)

To propose that the National Assembly for Wales in accordance with Standing Orders 8.3 and 11.1 elects Janet Ryder (Plaid Cymru) to its Legislation Committee in place of Elin Jones (Plaid Cymru).

Item 2

First Minister's Question Time

Click [here](#) for the questions

Urgent Question

Ieuan Wyn Jones (Ynys Mon): Will the Minister make a statement on the recent flooding problems in Ynys Mon and the rest of Wales.

Item 3

Business Statement

Click [here](#) for the Draft Business Statement

Item 4

This item is not subject to debate and will proceed to a vote immediately

Motion to approve under Standing Order 24.25

NDM2137 Karen Sinclair (Clwyd South)

To propose that the National Assembly for Wales, acting under Standing Order 24.25:

1. a) Considers the report of the Legislation Committee laid in the Table Office, on 19 October 2004 on the draft Regulations **The Oil and Fibre Plant Seed (Wales) Regulations 2004**; and

b) Approves The Oil and Fibre Plant Seed (Wales) Regulations 2004 is made in accordance with:

- i) the draft Regulations laid in the Table Office on 13 October 2004
- ii) Regulatory Appraisal laid in the Table Office on 20 October 2004
- iii) the Memorandum of Correction laid in the Table Office on 20 October 2004.

Click [here](#) for The Oil and Fibre Plant Seed (Wales) Regulations 2004

Click [here](#) for the report of the Legislation Committee

Click [here](#) for the Regulatory Appraisal

Click [here](#) for the Memorandum of Correction

2. a) Considers the report of the Legislation Committee laid in the Table Office, on 19 October 2004 on the draft Regulations **The Care Council for Wales (Specification of Social Care Workers) (Registration) Order 2004**; and

b) Approves The Care Council for Wales (Specification of Social Care Workers) (Registration) Order 2004 is made in accordance with:

- i) the draft Regulations laid in the Table Office on 6 October 2004
- ii) Regulatory Appraisal laid in the Table Office on 20 October 2004

Click [here](#) for The Care Council for Wales (Specification of Social Care Workers) (Registration) Order 2004

Click [here](#) for the report of the Legislation Committee

Click [here](#) for the Regulatory Appraisal

3. a) Considers the report of the Legislation Committee laid in the Table Office, on 19 October 2004 on the draft Regulations **The Local Authorities (Goods and Services) (Public Bodies) (Wales) Order 2004**; and

b) Approves The Local Authorities (Goods and Services) (Public Bodies) (Wales) Order 2004 is made in accordance with:

- i) the draft Regulations laid in the Table Office on 6 October 2004
- ii) Regulatory Appraisal laid in the Table Office on 6 October 2004

Click [here](#) for The Local Authorities (Goods and Services) (Public Bodies) (Wales) Order 2004

Click [here](#) for the report of the Legislation Committee

Click [here](#) for the Regulatory Appraisal

4. a) Considers the report of the Legislation Committee laid in the Table Office, on 19 October 2004 on the draft Regulations **The National Assistance (Assessment of Resources) (Amendment No. 2) (Wales) Regulations 2004**; and

b) Approves The National Assistance (Assessment of Resources) (Amendment No. 2) (Wales) Regulations 2004 is made in accordance with:

i) the draft Regulations laid in the Table Office on 6 October 2004

ii) Regulatory Appraisal laid in the Table Office on 6 October 2004.

Click [here](#) for The National Assistance (Assessment of Resources) (Amendment No. 2) (Wales) Regulations 2004

Click [here](#) for the report of the Legislation Committee

Click [here](#) for the Regulatory Appraisal

Item 5

Motion to delegate the functions of the Health Protection Agency Act 2004 to the First Minister

NDM2139 Karen Sinclair (Clwyd South)

1. To propose that the National Assembly, acting under section 62(1)(b) of the Government of Wales Act 1998, resolves to delegate all the functions of the National Assembly contained in or under the Health Protection Agency Act 2004 to the Assembly First Minister, save those which by law cannot be so delegated.

2. 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.

3. This delegation will be made in the knowledge that those functions will, as appropriate, be further delegated to the appropriate Assembly Minister and to staff.

The Health Protection Agency Act 2004 can be located on the Internet using the attached hyperlink: <http://www.legislation.hmso.gov.uk/acts/acts2004/20040017.htm> - Please note this document will not be available on the Chamberweb

Item 6

Motion to delegate the functions of Part 8 of the Anti Social Behaviour Act 2003 to the First Minister

NDM2140 Karen Sinclair (Clwyd South)

1. To propose that the National Assembly for Wales acting under section 62(1)(b) of the Government of Wales Act 1998, resolves to delegate all the functions of the National Assembly contained in Part 8 (sections 68, 71, 72, 73, 74, 81, 82, 83, 93 and 94) of the Anti-Social Behaviour Act 2003 to the Assembly First Minister, save those which by law cannot be so delegated.

2. 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.

3. This delegation will be made in the knowledge that those functions will, as appropriate, be further delegated to the appropriate Assembly Minister and to staff.

The Anti-Social Behaviour Act 2003 can be located on the Internet using the attached hyperlink: <http://www.legislation.hmso.gov.uk/acts/acts2003/20030038.htm> - Please note this document will not be available on the Chamberweb

Item 7

Motion to delegate the functions of the Higher Education Act 2004 to the First Minister

NDM2138 Karen Sinclair (Clwyd South)

1. To propose that the National Assembly, acting under section 62(1)(b) of the Government of Wales Act 1998, resolves to delegate the functions of the National Assembly contained in and under the Higher Education Act 2004 to the Assembly First Minister, save those which by law cannot be so delegated.

2. 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.

3. This delegation will be made in the knowledge that those functions will, as appropriate, be further delegated to the appropriate Assembly Minister and to staff.

The Higher Education Act 2004 can be located on the Internet using the attached hyperlink <http://www.legislation.hmso.gov.uk/acts/acts2004/20040008.htm> - Please note this document will not be available on the Chamberweb.

The following amendments have been tabled:

In accordance with the revised guidance on the Grouping, Selection and Refusal of Amendments, the Presiding Officer has determined the order in which they will be taken for the purposes of debate. Votes will be taken separately:

(1) + (2)
(3), (4), (5) + (6)

Amendment 1 - Kirsty Williams (Brecon and Radnorshire)

Insert the words:

"believes that variable tuition fees are, in principle, wrong and"

between the words "To propose that the National Assembly" and "acting under Section 62".

Amendment 2 - Kirsty Williams (Brecon and Radnorshire)

Insert the words

"or which concern tuition fee structure"

after the words "save those which by law cannot be so delegated"

Amendment 3 - Jocelyn Davies (South Wales East)

Add as new bullet point 2 and renumber accordingly:

Calls on the First Minister to show leadership in creating a sustainable funding system for higher education.

Amendment 4 - Jocelyn Davies (South Wales East)

Add as new point at end of motion:

Demands a commitment from the Minister to fully fund the 2006 student cohort.

Amendment 5 - Jocelyn Davies (South Wales East)

Add as new point at end of motion:

Demands that the Minister increases funding for Higher Education to ensure that the costs of bringing in the new pay framework are met.

Amendment 6 - Jocelyn Davies (South Wales East)

Add as new point at end of motion:

Instructs the Minister to bring forward to Plenary, within six months, a strategy and timetable for the implementation and development of a Welsh Federal College.

Item 8

Plaid Cymru Party nominated debate

NDM2135 Jocelyn Davies (South Wales East)

To propose that the the National Assembly for Wales:

Deplores the widening prosperity gap under New Labour.

The following amendments have been tabled:

In accordance with the revised guidance on the Grouping, Selection and Refusal of Amendments, the Presiding Officer has determined the order in which they will be taken for the purposes of debate. Votes will be taken separately:

(1)

(2)

(3)

Amendment 1 - Jocelyn Davies (South Wales East)

Delete all after 'Wales' and replace with

'Recognises that New Labour has failed to close the gap between the rich and the poor.'

Amendment 2- Kirsty Williams (Brecon and Radnnorshire)

Add as new point at end of motion:

Notes that after 7 years of a Labour government, the poorest 10% still pay over 4 times more of their income in council tax than the richest 10% and believes that to narrow the prosperity gap council tax should be scrapped and replaced with a local income tax linked to ability to pay

Amendment 3 - David Melding (South Wales Central)

Add at end of motion:

'and calls for a review of 'A Winning Wales' and its target to achieve 90% of UK GDP per capita by 2010.'

'A Winning Wales' can be found using the following hyperlink:

<http://www.wales.gov.uk/themesbudgetandstrategic/content/neds/index.html> - Please note this document will not be available on the Chamberweb

It is expected that the meeting will conclude by 5.30pm

**The Assembly will sit again in Plenary at
2.00pm on Wednesday, 3rd November 2004**

E P Silk

Clerk to the Assembly