

**Draft Business Statement for the next 3 weeks and the Deputy Presiding Officer's Determinations for Tuesday 7 November 2006**

**Determinations**

**Following the meeting of the Business Committee held on 7 November the Deputy Presiding Officer determined, in accordance with Standing Order 24.6 that the following items of legislation need not be referred to a subject committee for extended consideration:**

The Cereal Seed (Wales) and Fodder Plant Seed (Wales) (Amendment) Regulations 2006

The Diseases of Animals (Approved Disinfectants) (Amendment) (Wales) Order 2006

The Education (Assisted Places) (Amendment) (Wales) Regulations 2006

The Education (Assisted Places) (Incidental Expenses) (Amendment) (Wales) Regulations 2006

The Healthy Start Scheme (Description of Healthy Start Food) (Wales) Regulations 2006

The National Assembly for Wales (Returning Officers' Charges) Order 2006

**Draft Business Statement**

**Tuesday 14 November & Wednesday 15 November 2006**

**Tuesday 21 November & Wednesday 22 November 2006**

**Tuesday 28 November & Wednesday 29 November 2006**

## Tuesday 14 November 2006

- **Questions to the First Minister (45 mins)**
- **Business Statement (10 mins)**
- **Motion to approve under Standing Order 24.25 (1 min)**
  - Ø **The Introductory Tenancies (Review of Decisions to Extend a Trial Period) (Wales) Regulations 2006**

The Housing Act 2004 (Commencement No.2) (Wales) Order 2005 brought into force various provisions of the Housing Act 2004 on 25 November 2005. This included the provision under Section 179, which amended the Housing Act 1996 by inserting new sections 125A and 125B, which allow an introductory tenancy to be extended by up to six months.

The Regulations set out the procedures to be followed by social landlords where a tenant requests the landlord to review its decision to extend an introductory tenancy. Introductory Tenancies are offered by some local authority landlords to new tenants. If a landlord chooses to adopt an introductory tenancy scheme, it must be applied to all new tenants. After the introductory period of one year, if a tenancy is deemed to have been conducted satisfactorily, it will automatically become secure. If it has not, the tenant can be evicted without the landlord having to prove grounds.

### Ø **The Specified Animal Pathogens (Amendment) (Wales) Order 2006**

This Order will amend the Specified Animal Pathogens Order 1998 (SI 1998 No. 463) to add three further diseases, namely: Nipah disease virus; West Nile virus and St Louis encephalomyelitis virus to Part 1 of the Schedule to the Order.

### Ø **The Plastic Materials and Articles in Contact with Food (Wales) Regulations 2006**

These Regulations implement European Commission Directive 2005/79/EC

and amend Commission Directive 2002/72/EC. The amendment to the 2002

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Directive updates the lists of permitted monomers and additives and their conditions of use in the manufacture of food contact plastics. The legal status of the monomers and additives is revised periodically when the European Food Safety Authority (EFSA) has revised an existing opinion, or issued a new one, on the safe level of a substance that may be ingested daily by a person over a lifetime. The opinion must also have been accepted by the European Commission and the Member States.

These Regulations also provide for the enforcement of Commission Regulation (EC) No. 1895/2005, on the restrictions of use of certain epoxy derivatives (chemical composites) intended to come into contact with food. These Regulations will revoke The Plastic Materials and Articles in Contact with Food (Wales) Regulations 1998 and all subsequent amendments to those Regulations (Commission Directives 2002/16/EC and 2004/13/EC). The Regulations will constitute the main legislation in Wales controlling the substances that may be used in the manufacture of plastics that are intended to come into contact with food and will set limits on the degree to which those plastics are permitted to transfer their constituents to food.

**Proposal to debate the following 2 items together but with separate votes (15 mins)**

- **Motion to approve The Smoke Control Areas (Authorised Fuels) (Wales) Regulations 2006**

These Regulations specify all fuels, which are currently authorised for use in Wales, including seven new fuels authorised for use for the first time. The Regulations also consolidate and replace The Smoke Control Areas (Authorised Fuels) (Wales) Regulations 2001 (SI2001/3762); The Smoke Control Areas (Authorised Fuels) (Amendment) (Wales) Regulations 2001 (SI 2001/3996) and The Smoke Control Areas (Authorised Fuels) (Amendment) (Wales) Regulations 2002 (SI 2002/3160).

- **Motion to approve The Smoke Control Areas (Exempted Fireplaces) (Wales) Order 2006**

Section 18 of the Clean Air Act 1993 enables local authorities to declare the whole or part of its area as a smoke control area by making a "Smoke Control Order". Section 20 of the Act, places a general prohibition on the emission of smoke in smoke control areas. In Wales there are currently four partial smoke

control areas in Flintshire, Newport, Swansea and Wrexham. Contravention of the prohibition can be avoided by either burning only authorised fuels or by using an 'exempted fireplace'. This is a stove or other appliance, which is capable of burning unauthorised fuels without producing any or substantial quantities of smoke and which has been exempted by Order made by the Assembly pursuant to section 21 of the Act. Over time manufacturers develop new appliances and this Order adds ten further classes to those already exempted.

- **Motion to approve The Children (Secure Accommodation) (Amendment) (Wales) Regulations 2006 (15 mins)**

These Regulations will revoke regulation 3 of The Children (Secure Accommodation) Regulations 1991. This will remove the legal anomaly of the requirement to have two separate certification regimes to approve the secure accommodation of Hillside Secure Unit – currently the only secure care home for young people in Wales. Future regulation, inspection and registration of children's secure care establishments will then be undertaken by the Care Standards Inspectorate for Wales (CSIW). These changes do not affect any separate inspection or other arrangements operated by the Youth Justice Board.

- **Motion to delegate functions under The Natural Environment and Rural Communities Act 2006 to the First Minister (15 mins)**

- **Plaid Cymru Party nominated debate (45 mins)**

- **Debate on Standing Order 31 motion tabled by Tamsin Dunwoody AM (45 mins)**

To propose that the National Assembly for Wales, acting under Standing Order 31.2 supports in principle legislation to:

Provide for the inspection of Private Dental Practices in Wales and the introduction of mechanisms for reporting any findings.

### Wednesday 15 November 2006

- **Finance Questions to Sue Essex, Minister for Finance, Local Government and Public Services (30 mins)**

- **Questions to Carwyn Jones, Minister for Environment, Planning and Countryside (30 mins)**

- **Motion to approve under Standing Order 24.25 (1 min)**

- **Ø The Contaminated Land (Wales) Regulations 2006**

These Regulations, which replace the Contaminated Land (Wales) Regulations 2001, set out further provisions relating to the identification and remediation of contaminated land under Part 2A of the Environmental Protection Act 1990. The Regulations make provision for radioactively contaminated land as an additional description of contaminated land that is required to be designated as a special site and remove provisions relating to appeals against remediation notices to a Magistrates' court, as a result of amendments to section 78L of the 1990 Act made by section 104 of the Clean Neighbourhoods and Environment Act 2005.

### **Ø The Radioactive Contaminated Land (Modification of Enactments) (Wales) Regulations 2006**

These Regulations introduce a number of key proposed changes in respect of radioactive contaminated land. Part 2A of the Environmental Protection Act 1990, sets out a regime for the identification and remediation of contaminated land. These Regulations make provision for Part 2A to have effect for the purposes of the identification and remediation of radioactive contaminated land in Wales and they modify the wording of Part 2A in respect of harm, which arises from radioactivity arising from non nuclear licensed sites.

### **• Motion to approve The Regional Transport Planning (Wales) Order 2006 (15 mins)**

Local authorities are under a duty to produce a Local Transport Plan for their area setting out their transport policies. This Order will enable authorities to produce these Plans on a regional rather than an individual authority basis. The Transport Act 2000 section 108 requires each local transport authority to develop policies for the promotion and encouragement of safe, integrated, efficient and economic transport facilities and services to, from and within their area and to carry out their functions so as to implement those policies. The Order will also require the replacement of the first round of Local Transport Plans, which were produced in 2000, by no later than 30 June 2008.

### **• Motion to approve The Natural Environment and Rural Communities Act 2006 (Commencement) (Wales) Order 2006 (15 mins)**

This Order brings into force certain provisions of Part 6 of the Natural Environment and Rural Communities Act 2006 in relation to Wales. The provisions prevents the creation of a new right of way for mechanically propelled vehicles based on

continuous use over a period of 20 years, it also extinguishes any public rights of way for mechanically propelled vehicle if it is not recorded on the definitive map and statement. The provisions also empower the National Park Authorities to make Traffic Regulation Orders.

**Proposal to debate the following 2 items together but with separate votes (15 mins)**

- **Motion to approve The NHS (Pharmaceutical Services) (Amendment) (Wales) Regulations 2006 under Standing Order 24.27(iv)**

- **Motion to approve The Directions to Local Health Boards as to the Statement of Financial Entitlements (Amendment) (No.2) Directions 2006 under Standing Order 29**

These amendment Directions will implement a new Dispensary Services Quality Scheme, which was agreed as part of the negotiations on the General Medical Services Contract for 2006/07.

- **Motion to approve the appointment of the Chief Executive of the Assembly Commission and Clerk to the Assembly (1 min)**

- **Debate on the progress made in relation to the 3 NHS Regional Reconfiguration Plans: *Designed to Deliver in Mid and West Wales ;Design for North Wales and Reshaping Your Local Health Services for South East Wales* (60 mins)**

- **Short debate (30 mins)**

**Tuesday 21 November 2006**

- **Questions to the First Minister (45 mins)**

- **Business Statement (10 mins)**

- **Motion to approve under Standing Order 24.25 (1 min)**

Ø **The Inspection of Careers and Related Services (Wales) Regulations 2006**

These Regulations prescribe the arrangements for the inspection of careers and related services in Wales under the new powers given to the Chief Inspector for Education and Training in Wales in the Education Act 2005 (the Act). The Act and associated Regulations will bring the inspection of careers services and related services in line with all other Education and Training in Wales that comes within

the Chief Inspector's remit.

### **Ø The Education (Assisted Places) (Amendment) (Wales) Regulations 2006**

The Education (Schools) Act 1997 provides for the progressive phasing out of the Assisted Places Scheme (APS) and imposes a duty on the National Assembly for Wales to continue to remit the whole or part of the tuition fees and other incidental expenses, which parents are required to meet in connection with their child's participation in the APS.

These Regulations uplift by 2.4%, in line with inflation (October 2005 Retail; Price Index), the tables used to calculate the amount that parents of children continuing to hold assisted places at former participating independent schools have to contribute to tuition fees during the academic year 2005/2006, having regard to their relevant income. The Regulations also uprate by 2.4% the dependants allowance used to calculate relevant income from £1,575 to £1,625.

### **Ø The Education (Assisted Places) (Incidental Expenses) (Amendment) (Wales) Regulations 2006**

The Education (Schools) Act 1997 provides for the progressive phasing out of the Assisted Places Scheme (APS) and imposes a duty on the National Assembly for Wales to continue to remit the whole or part of the tuition fees and other incidental expenses, which parents are required to meet in connection with their child's participation in the APS.

These Regulations uplift by 2.4%, in line with inflation (October 2005 Retail Price Index), the tables used to calculate parents' eligibility to receive uniform grant and travel grant available under the scheme during the academic year 2006/07.

### **• Motion to approve The Town and Country Planning (Environmental Impact Assessment) (Amendment) (Wales) Regulations 2006 (15 mins)**

These Regulations implement the requirements of Article 3 of the 'Public Participation' Directive 2003/35/EC. They amend the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 and update some Environmental Impact Assessment (EIA)-related definitions in the Town and Country Planning (General Development Procedure) Order 1995.

### **• Motion to approve The Independent Review of Determinations (Adoption) (Wales) Regulations 2006 (15 mins)**

These Regulations establish independent review arrangements to review adoption agency decisions where it is minded:

- not to approve prospective adopters as suitable to become adoptive parents;
  - to revoke approval to prospective adopters who are no longer considered suitable as adoptive parents;
  - not to proceed with an application for disclosure of information;
  - to disclose information about a person where consent to disclosure has been withheld; and
  - not to disclose information about a person where consent has been given consent to disclosure.
- **Motion to approve The Common Agricultural Policy Single Payment Scheme (Set-Aside) (Wales) (Amendment) Regulations 2006 (15 mins)**

These Regulations amend the Common Agricultural Policy Single Payment Scheme (Set-aside) (Wales) Regulations 2005 by:

- adding further exemptions from the requirement to establish green cover (e.g. grass) by the commencement of the green cover season;
  - adding a provision allowing farmers at any time on or after 1 May each year to cultivate organic land set aside from production for the purpose of controlling weeds;
  - removing the restriction on grazing after the set-aside period where the green cover has been replaced;
  - setting new management conditions for the application of pesticides and herbicides on set-aside land;
  - updating references to European Commission Regulations 795/2004 and 1973/2004 and European Council Regulation 1782/2003 to reflect the amendments that have been made to these Regulations, since the coming into force of The Common Agricultural Policy Single Payment Scheme (Set-aside) (Wales) Regulations 2005 on 15 January 2005; and
  - substituting “ 9 February” for “31 January” as the last date each year for collectors or processors of raw materials produced on set-aside land for non-food purposes to notify the Welsh Assembly Government of quantities received.
- **Motion to delegate functions under section 13(6) of the Social Security**



## **Act 1988 to the First Minister (15 mins)**

- **Welsh Conservative Party nominated debate (45 mins)**
- **Debate on the Annual Report of the Care Standards Inspectorate for Wales (30 mins)**

## **Wednesday 22 November 2006**

- **Questions to Brian Gibbons, Minister for Health and Social Services (30 mins)**
- **Questions to Alun Pugh, Minister for Culture, Welsh Language and Sport (30 mins)**
- **Questions to House Committee (5 mins)**
- **Motion to approve The Healthy Start Scheme (Description of Healthy Start Food) (Wales) Regulations 2006 (15 mins)**

These Regulations will enable Wales to specify the range of Healthy Start foods that will be available under the Healthy Start Scheme in Wales. The foods that will be available under the Healthy Start Scheme will be milk, infant formula, fresh fruit and vegetables and vitamins.

- **Slot reserved for subordinate legislation (15 mins)**
- **Motion to delegate functions under The National Lotteries Act 2006 to the First Minister (15 mins)**
- **Debate on the Disability Equality Scheme (60 mins)**
- **Short debate (30 mins)**

## **Tuesday 28 November 2006**

- **Questions to the First Minister (45 mins)**
- **Business Statement (10 mins)**
- **Statement by the Minister for Environment, Planning & Countryside: The Welsh Assembly Government`s Response to the Environment, Planning & Countryside Committee`s Report on the Marine Bill (30 mins)**

- **Motion to approve The Diseases of Animals (Approved Disinfectants) (Amendment) (Wales) Order 2006 (15 mins)**

This Order amends the Diseases of Animals (Approved Disinfectants) Order 1978 and provides an updated list of disinfectants approved for use for animal disease control purposes under the Animal Health Act 1981. It also revokes, with appropriate transitional arrangements, the complete list of disinfectants set out in The Diseases of Animals (Approved Disinfectants) (Amendment) (Wales) Order 2005.

- **Slot reserved for subordinate legislation (45 mins)**
- **Debate on the Assembly's arrangements for co-operation with business under Standing Order 6.6 (60 mins)**

### Wednesday 29 November 2006

- **Local Government Questions to Sue Essex, Minister for Finance, Local Government and Public Services (30 mins)**
  - **Questions to Jane Davidson, Minister for Education, Lifelong Learning & Skills (30 mins)**
  - **Statement by the Minister for Environment, Planning & Countryside: The Welsh Assembly Government's Response to the Environment, Planning & Countryside Committee's Report on the Planning Aspects of Mobile Telecommunications Apparatus (30 mins)**
  - **Slot reserved for subordinate legislation (30 mins)**
  - **Debate on the Welsh Assembly's 7<sup>th</sup> Equality Annual Report (60 mins)**
  - **Short debate (30 mins)**
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Small molecules that become covalently bonded to other monomers to form a polymer

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Materials used to extend the shelf life or improve the condition of packaged foods