

MINUTES OF MEETING

Date: Tuesday 28st March 2006

Time: 9.00 a.m.

Venue: Conference Room C

Present: Jenny Randerson (Chair)
Jane Hutt, Business Minister
Jocelyn Davies, Plaid Cymru Business Manager
Lisa Francis, Welsh Conservatives Business Manager
Peter Black, Welsh Liberal Democrats
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 Service
Peter Jones, Counsel to the Assembly Parliamentary Service
Alun Jenkins, DLS (Agenda Item 4)
Marc Wyn Jones, Business Committee Secretariat
Louise Hull, Assistant PS to the Deputy Presiding Officer

1. Apologies & announcements

1.1 Apologies for absence were received from Kirsty Williams. The Chair welcomed Peter Black who would be representing her in accordance with Standing Order 13.3.

2. Minutes of the previous meetings

(i) BC(2)09-06 (Final minutes) - Tuesday 14th March 2006

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)10-06 (draft minutes) - Tuesday 21st March 2006

2.2 The minutes were presented to the Committee in draft. As there were no comments, they would be translated before being submitted to the Committee in final draft.

Action: Chamber Secretariat

3. Matters Arising

BC(2)10-06 (draft minutes)

3.1 **Paragraph 4.2** Marion Stapleton reported back on issues relating to The Tuberculosis (Wales) Order 2006 (BC(2)10-06(p7)). She said that there had

been a delay in implementing this Order in Wales due to administrative problems. She said that DEFRA anticipated that the Order would be implemented in England on the 28th March and, if approved by the Assembly, the Order would be implemented in Wales on the 2nd May. Business Managers said that any delay was not desirable because it would have implications for the movement of animals. Jocelyn Davies asked if the delay meant that an untested animal could be transported across borders during this period. Marion Stapleton said she would report back on this issue.

3.2 Paragraph 6.7 The Business Minister reported back on arrangements for Gwenda Thomas' Standing Order 31 proposal for legislation. She said that the first part of the proposal had already been introduced and that the second part referred to guidance. Peter Jones said that there was a strong argument that the guidance was not legislation. Jocelyn Davies suggested that Standing Order 31 could be broadened to include proposals for guidance. Peter Black said that, if an initial motion referred to guidance, and was not covered by the provisions of Standing Order 31, the proposing Member should be advised of this when tabling the initial motion. Business Managers acknowledged that the first part of Gwenda Thomas' proposal had already been effected by legislation, but said that the remaining provisions of Standing Order 31 should still apply.

BC(2)09-06(Final Minutes)

3.3 Paragraph 9.1 Marion Stapleton said that proposals to amend Standing Orders arising from the Public Services Ombudsman (Wales) Act 2005 would be submitted to the Committee in its next meeting. The Chair noted that the amendments needed to be in place by the 1st April.

4. Subordinate Legislation

(a) Orders for consideration

The Animal By-Products (Wales) Regulations 2006 - **BC(2)10-06 (p1)**

The Fish Labelling (Amendment) (Wales) Regulations 2006 - **BC(2)11-06 (p2)**

The Education (National Curriculum for Wales) (Disapplication of Science at Key Stage 4) Regulations 2006 - **BC(2)11-06 (p3)**

The Business Committee recommended the Standard procedure for BC(2)11-06(p1) and BC(2)11-06(p3). The Committee recommended the Accelerated procedure for BC(2)10-06(p2). (Following the meeting, the Presiding Officer determined that none of these draft Orders need be referred to a Subject Committee.)

BC(2)11-06 (p1)

4.1 The Chair referred to the Explanatory Memorandum accompanying this draft Order and said that "*similar legislation came into force on 28 September 2005*". Marion Stapleton said that the delay had been caused by a lack of resources in DLS, which had meant that that the Welsh version could not be

prepared.

(b) Standing Order 29 Subordinate Legislation

BC(2)11-06(p4)

4.2 The Committee noted the e-mail of notification about the Minister for Education and Lifelong Learning's intention to approve a list of external qualifications.

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

BC(2)11-06 (p5)

4.3 The Committee noted a letter about the use of the Executive procedure for The General Dental Services and Personal Dental Services Transitional and Consequential Provisions (Wales) (No.2) Order 2006; The Functions of Local Health Boards and the NHS Business Services Authority (Awdurdod Gwasanaethau y GIG) (Primary Dental Services) (Wales) Regulations 2006.

BC(2)11-06(p6) and BC(2)11-06(p7)

4.4 The Committee noted a letter and e-mail about the use of the Executive procedure for the Planning and Compulsory Purchase Act 2004 (Commencement No.4 and Consequential, Transitional and Savings Provisions) (Wales) (Amendment) Order 2006.

(d) Papers for Information

4.5 The Committee considered a timetable in relation to proposals for legislation under Standing Order 31. It was noted that many of the deadlines had been missed. The Business Minister said that the deadlines would be monitored more closely by officials in future. The Committee agreed that the timetable could be submitted to the Committee for consideration on a regular basis. The Committee also asked APS Officials to prepare a paper on Standing Order 31 in the light of experience, and to address timetabling issues.

5. Committees

6. Forthcoming Business

BC(2)11-06(p8)

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

- A written statement on the 'Child Trust Fund' and the latest position regarding Christine Chapman's Standing Order 31 proposal would be issued shortly.

- There was no intention of scheduling a debate on a Welsh Honours System.
- There was no intention of scheduling a debate on the funding of political parties, as this was a non-devolved matter.
- The Minister would consider timetabling a debate on the Power Commission following the Easter recess.
- An appropriate response to the issue of sprinkler systems in Schools was currently being considered.
- There was no intention of scheduling a statement on the deficit in NHS funding in Wales as the Minister for Health and Social Services had made a statement on NHS Finances on 15 February and an action point of the 8 March Health and Social Services Committee was that the Health Minister would provide a note for the Committee detailing Local Health Board's actual and accumulative debts in due course.
- The Minister was content to issue a written statement on the progress towards setting up the e-coli public inquiry, but this would need to be the Chair's progress report, delivered via the Minister for Health and Social Services, and which would need to be agreed with Professor Pennington in the first instance.
- A written statement would be issued on job losses at Panasonic, Bridgend.
- A written statement would be issued on proposals to establish a Pan Forces Military Academy at St. Athan.
- A debate on the manufacturing industry would be scheduled during the course of the next session.
- There was no intention of scheduling a statement on agricultural and land based education/training.

This Week's Business

BC(2)11-06(p9)

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

6.3 The Business Minister said that the Minister for Culture, Welsh Language and Sport would be making a statement on the Arts Council later that day. Jocelyn Davies asked if this was in response to an urgent question which had been tabled.

6.4 The Chair said that there was not sufficient time for all of the scheduled

business on Tuesday and asked if the Business Minister would move a motion to extend the meeting. The Business Minister said she would do this, subject to agreement by her group.

Business Managers' Requests

6.5 Jocelyn Davies asked if the following items of business could be scheduled:

- A statement on reports of potential NHS job losses.
- A statement on the public sector strike.
- A debate on CO2 emission targets.
- A statement on the change of registration of Welsh Labour.

6.4 Lisa Francis supported the request for a statement on the public sector strike and asked if the following item of business could be scheduled:

- A statement on the Budget.
- A statement on the report on hospitals in Mid-Wales.
- A debate on the Furlong report on initial teacher training.

6.5 Peter Black supported the request for a statement on the public sector strike and asked if the following item of business could be scheduled:

- A statement on the £17 million Barnett consequential.
- A statement on funding of child mental health care.
- A written statement on the progress of a smoking ban.
- A statement on Supporting People.

6.6 The Business Minister said that a written statement on the Budget would be issued later that day. Members of the Committee said that the Minister for Finance, Local Government and Public Services should make a statement in Plenary.

Draft Business Statement - **BC(2)11-06(p10)**

6.6 The Committee noted the Business Minister's proposed statement about the organisation of the Assembly's business for the weeks commencing 4th April, 2 May and 9 May.

6.7 It was noted that two Minority Party debates had been scheduled for 4th April and each had been allocated 30 minutes. Business Managers said that this was not satisfactory because they had not received prior notice and the motions would need to be tabled later that day. Members of the Committee said that 30 minute debates were difficult to manage and that it had been agreed that the annual allocation of time for minority party debates could be arranged in the context of the four years of an Assembly, thereby removing the need for such short debates. The Business Minister said she would remove the debates from the draft Business Statement.

7. Advice to Assembly on procedures

8. Matters referred from plenary

BC(2)11-06(p11)

8.1 The Committee noted the extract from the voting summary for 22 March. The Committee agreed that the Standing Orders Committee could consider issues relating to voting procedures.

9. Revisions to Standing Orders

10. Presiding Officer rulings

11. Any other business.

CHAMBER SECRETARIAT