

**MINUTES OF MEETING**

**Date:** Tuesday 6<sup>th</sup> June 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  
Catherine Morris, 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)15-06 (Final minutes) - Tuesday 16<sup>th</sup> May 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)16-06 (draft minutes) - Tuesday 23<sup>rd</sup> May 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)16-06 (draft minutes)**

3.1 **Paragraph 4.4** Marion Stapleton referred to the backlog of agricultural

legislation. She said that the staffing issues which had caused the backlog had been rectified and there were currently only three outstanding pieces of legislation, which would be considered by the Committee over the coming weeks.

#### **4. Subordinate Legislation**

##### **(a) Orders for consideration**

The Bee Diseases and Pests Control (Wales) Order 2006 - **BC(2)17-06 (p1)**

Ceramic Articles in Contact with Food (Wales) Regulations 2006 - **BC(2)17-06 (p2)**

The Houses in Multiple Occupation (Specified Educational Establishments) (Wales) Regulations 2006 - **BC(2)17-06 (p3)**

The Housing (Approval Of Codes Of Management Practice) (Student Accommodation) (Wales) Order 2006 - **BC(2)17-06 (p4)**

The Local Safeguarding Children Boards (Wales) Regulations 2006 - **BC(2)17-06 (p5)**

*& Report by the Health and Social Services Committee – BC(2)17-06(p11)*

Private and Voluntary Health Care and Miscellaneous (Wales) (Amendment) Regulations 2006- **BC(2)17-06 (p6)**

The Sea Fishing (Northern Hake Stock) (Wales) Order 2006 - **BC(2)17-06 (p7)**

*& Report by the Environment, Planning and Countryside Committee - BC(2)17-06(p12)*

The Tir Gofal (Wales) (Amendment) Regulations 2006 - **BC(2)17-06 (p8)**  
*Recommended Procedure: Standard*

*& Report by the Environment, Planning and Countryside Committee - BC(2)17-06(p20)*

The Plant Health (Export Certification) (Wales) Regulations 2006 - **BC(2)17-06 (p9)** *Recommended Procedure: Accelerated*

The Higher Education Act 2004 (Commencement No.2 and Transitional Provision) (Wales) (Amendment) Order 2006 - **BC(2)17-06 (p10)** *Recommended Procedure: Accelerated*

**The Business Committee recommended the Standard procedure for BC(2)17-06(p1), BC(2)17-06(p3), BC(2)17-06(p4), BC(2)17-06(p5), BC(2)17-05(p7) and BC(2)17-05(p10). The Committee recommended the Accelerated procedure for BC(2)17-06(p2), BC(2)17-06(p6) and BC(2)17-**

**06(p9). (Following the meeting, the Deputy Presiding Officer determined that none of the draft Orders should be referred to a subject committee.)**

**BC(2)17-06(p1)**

4.1 The Chair referred to the Explanatory Memorandum accompanying this draft Order, which said that “as the amendments to the legislation were deregulatory no consultation was necessary.” However, the opening paragraphs of the Explanatory Memorandum said that “*the Order also introduces new measures.*” Alun Jenkins confirmed that the Order was partly deregulatory. Marion Stapleton said that officials had decided that no consultation was necessary. Business Managers said that this draft Order should follow the Standard procedure, so that Members could raise any concerns they might have in Plenary.

4.2 In response to a statement that, post 2007, Commencement Orders would be made by Ministers and published without being subject to Assembly procedures, the Deputy Presiding Officer said that he hoped that the Assembly would be given due notice of any such action. Jocelyn Davies said that debates were often held on Commencement Orders as it gave Assembly Members the opportunity to debate the wider issues. She said that it would be unfortunate if that opportunity was lost.

**Standing Order 29 Subordinate Legislation**

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

**(d) Papers for Information**

**5. Committees**

**BC(2)17-06(p13)**

5.1 The Committee referred to the letter from the Chair of the Standing Orders Committee seeking the Committee’s views on arrangements post 2007. Peter Black said that the retention of a Business Committee would be preferable. He said that the current arrangements were transparent and any future arrangements should continue to be so. Jocelyn Davies agreed that the Committee had worked well and that the standard of the drafting of Assembly legislation and supporting documents had much improved because of the consideration in Business Committee. Business Managers agreed that the process for the consideration of legislation should be transparent.

5.2 The Chair said that, in the Scottish Parliament, separate committees dealt with the organisation of business and procedural matters. She said that it might be difficult to replicate that arrangement in the Assembly, as there were fewer Members. The Deputy Presiding Officer said that he understood that the Scottish arrangements were less inclusive, and that it would be unwise to move away from the current arrangements.

5.3 The Business Minister suggested that the Committee’s views should be

fed in to discussions in the Standing Orders Committee. It was agreed that the Chair would relay the Committee's views to the Standing Orders Committee.

#### **BC(2)17-06(p14)**

5.4 The Committee noted the report from the Enterprise, Innovation and Networks Committee on the Legislative and Regulatory Reform Committee. It was noted that the report said that Members had raised concerns *"that the Bill had been drafted on the basis of the current constitutional position in Wales and took no account of the provisions of the Government of Wales Bill"*. The Committee asked if background information could be provided on this issue. Karin Phillips said that it was intended to submit a fuller report to the Committee in its next meeting.

#### **BC(2)17-06(p15)**

5.5 The Committee noted the paper from the Health and Social Services Committee about an additional meeting on 13 July.

### **6. Forthcoming Business**

#### **BC(2)17-06(p16)**

6.1 The Committee noted the Business Minister's responses to requests for items of business:

- There was no intention of scheduling a statement on the outcome of discussions on the funding of the police mergers following comments made by Peter Hain, as the Minister for Social Justice and Regeneration had not discussed the issue with him.
- There was no intention of scheduling a statement on the effect on those who had been mistakenly classified as having a criminal record as this was a non-devolved issue.
- There was no intention of scheduling a statement from the First Minister on how the Welsh Assembly Government organises its business, as there was an opportunity for Members to raise this issue during the Business Statement.
- A written statement on carbon emissions in Wales had been issued.
- A statement on Nutritional Standards in schools would be scheduled after the Food in Schools Working Group had launched its report "Appetite for Life" on the 29 June.
- A statement on the position of students in Wales as a result of the HE industrial action would be scheduled when the Minister had concluded discussions with relevant parties.

- An urgent question on the new dental surgeries in North Wales had been answered on 23 June.
- There was currently no intention of making a statement on the availability of the new breast cancer drug
- There was no intention of scheduling a statement on the Llanelli lady who failed to receive a lung transplant as this was a matter for the Ambulance Trust.
- A written statement had been issued on the job losses at Printpac in Cwmbran.
- A written statement had been issued on the safety of the LNG plant in Pembroke.
- There was no intention of scheduling a statement on the Euro Stat figures.
- There was no intention of scheduling a debate on the No Named Day Motion, tabled on 2 May, about the Music Development Fund.

### This Week's Business

#### **BC(2)17-06(p17)**

6.2 The Chair said that the Presiding Officer had asked if the motion to amend Standing Orders in relation to the Shadow Commission (*Item 9 - BC(2)17-06(p19)*) could be brought forward from 14 June to 7 June. The Business Minister said that, if Business Managers were content, she would move a procedural motion to bring forward the motion.

6.3 The Business Minister said that the Minister for Social Justice and Regeneration would be making a statement on the police merger on Tuesday.

6.4 The Chair referred to the second debate on Huw Lewis' Standing Order 31 proposal. She noted that the feasibility report accompanying the motion did not say whether or not any relevant committee had been consulted in accordance with Standing Order 31.

#### Business Managers' Requests

6.5 Peter Black asked if the following items of business could be scheduled:

- A statement on NHS Deficits.
- A statement on CJD.
- A statement on Ambulance Services.

6.6 Jocelyn Davies supported the above requests and asked if the following items of business could be scheduled:

- A statement on WAG's intentions for staffing the Orthopaedic Unit at Llandough Hospital
- A debate on the use of Welsh language by children outside of school
- A statement on the powers to deliver free home care for the disabled
- A statement on job security at Airbus

6.7 Lisa Francis supported the above requests and asked if the following items of business could be scheduled:

- A statement and debate on Ambulance Services.
- A statement on the HE dispute
- A statement on appointments to Government Advisory Panels following the WDA/WTB mergers
- A statement on proposals for the Pwllheli Marina
- A statement on the consequences for people who have come into contact with a Gwynedd health worker with Hepatitis C.

#### Draft Business Statement - BC(2)17-06(p18)

6.8 The Committee noted the Business Minister's proposed statement about the organisation of the Assembly's business for the weeks commencing 13 June, 20 June and 27 June.

#### 7. Advice to Assembly on procedures

#### 8. Matters referred from plenary

#### 9. Revisions to Standing Orders

#### BC(2)17-06(p19)

9.1 The Committee considered and agreed proposals for a temporary Standing Order in relation to the Shadow Commission.

#### 10. Presiding Officer rulings

#### 11. Any other business.

#### **CHAMBER SECRETARIAT**