

LEGISLATION COMMITTEE

MINUTES

Date: 28 March 2000

Time: 10.30am

Venue: Committee Room 1 , National Assembly Building

Attendance:

Michael German, Chair (Liberal Democrat)

Nick Bourne (Conservative)

Jocelyn Davies (Plaid Cymru)

Dai Lloyd (Plaid Cymru)

Owen John Thomas (Plaid Cymru)

Officials

John Turnbull Legal Adviser

Adrian Green Committee Clerk

Gareth Brydon Deputy Clerk

Apologies: Carwyn Jones

Huw Lewis

John Marek

Lynne Neagle

-

Item 1: Minutes of previous meetings

LEG-8-2000 (min)

1. The Committee agreed the minutes of the meeting held on 21 March 2000.
2. Mr Turnbull reported on an action point at paragraph 3.2 regarding Article 5, 'Appeals' in The Council Tax (Reduction Scheme) and (Demand Notices Transitional Provisions) (Wales) Regulations 2000.

Concern had been expressed that those affected should be formally notified of their right of appeal. He reported that he had been advised that the Regulations required formal notification of the right of appeal. However, he advised the Committee that he was seeking clarification of this because he was not convinced that the regulations did in fact make this clear.

ACTION: Mr Turnbull

Item 2: Chairs Report

1. The Chair referred to the previous weeks visit by the Scottish Parliament Legislation Committee. He commented that the visit went very well and thanked those Members and others who gave their time to assist with the visit.
2. The Chair referred to the Town and Country Planning (Blight Provisions) (Wales)

Order discussed at the meeting on 21 March. It was noted at that meeting that the explanatory memorandum to the Business Committee wrongly assumed that a regulatory appraisal was only concerned with costs to the Assembly rather

than all those likely to be affected by the instrument. It was felt that the Chair should write to the Deputy Presiding Officer (DPO) in case there was a misunderstanding. The Chair reported that he had written to the DPO on 27 March and a copy of that letter was being circulated to Members.

Item 3 : Assembly Orders/Regulations for Consideration by the Legislation Committee

LC71 The Non- Domestic Rating (Alteration of Lists and Appeals)

(Amendment) (Wales) Regulations 2000

1. Mr Turnbull presented his report to the Committee.
2. The Committee agreed that it did not need to invite the Assembly to pay special attention to the regulations on any grounds specified in Standing Order 11.5, although it identified some general observations to which attention should be drawn, and these were recorded in the Report.
3. The Committee's report to the Assembly on the regulations is attached as

LC71(Report).

LC72 The Non - Domestic Rating (Demand Notices) (Amendment)

(Wales) Regulations 2000

4. Mr Turnbull presented his report to the Committee.
5. The Committee considered the Legal Adviser's report. They agreed to invoke

the procedure set out in Standing Order 11.4. This provides that before reporting to the Assembly that it should pay special attention to any proposed Regulations the Chair must notify the relevant Assembly Secretary of the Committee's intention to make such a report, and give the Assembly Secretary an opportunity of responding to the points raised either orally or in writing. The Committee would decide the way forward in the light of Peter Law's response.

Action : Clerk

3.6 The Committee's report to the Assembly on the regulations is attached as LC72 (Report).

LC73 The Local Authorities (Capital Finance) (Amendment) (Wales)

Regulations 2000

3.7 Mr Turnbull presented his report to the Committee.

3.8 The Committee agreed that it did not need to invite the Assembly to pay special attention

to the regulations on any grounds specified in Standing Order 11.5, although it identified some general observations to which attention should be drawn, and these were recorded in the Report.

3.9 The Committee's report to the Assembly on the regulations is attached as LC73 (Report).

Item 4 : Update on Proposed Changes to Standing Order 22

1. Mr Turnbull briefly updated Members on the proposed changes to Standing Order 22 (S.O.22). Members felt that the proposed revisions did not go wide enough in that they did not allow for correction of all the types of minor error which the Committee was identifying in the general observations in its reports eg gender specific terminology, unnecessary long paragraphs and matters which although clearly errors could not be said to be grammatical and typographical errors. It was agreed to table an amendment to the Motion that would be addressed in Plenary on Wednesday 5 April.

Action : Chair

Item 5: Any Other Business and date of next meeting

5.1 The Chair advised that the Deputy Clerk, Gareth Brydon, had been promoted to a new job. His successor would be Julie Owen who would take up the post on 2 May.

5.2 The next meeting would be held on 4 April 2000.

Associated Papers

LC71 (Report)

LC72 (Report)

LC73 (Report)

-