

MINUTES OF MEETING

Date: Tuesday 20th March 2001

Time: 9.00am

Venue: Room A3.13

Present: John Marek, Deputy Presiding Officer (Chair)
Edwina Hart, Minister for Finance, Local Government & Communities
Jocelyn Davies, Plaid Cymru Party Business Manager
William Graham, Conservative Party Business Manager
Kirsty Williams, Liberal Democrat Party Business Manager

Paul Silk, Clerk to the Assembly
John Lloyd, former Clerk to the Assembly
David Lambert, OPO Legal Adviser
Marie Knox, Head of Committee Secretariat
Marion Stapleton, PS/Minister for Assembly Business
Craig Stephenson, Chamber Secretariat
Alun Gruffudd, PS/Deputy Presiding Officer
Nerys Arch, Office of the Counsel General (Agenda item 4)

1. Apologies & announcements

1.1 Andrew Davies, Minister for Assembly Business, was unable to attend due to ill health. He was represented by Edwina Hart in accordance with Standing Order 13.3. Andrew George, Clerk to the Committee had also sent his apologies.

2. Minutes of the previous meeting**BC72-01 (final)**

2.1 The minutes were presented to the Committee in their final format. Since there were no further comments, they would be translated in readiness for their publication. **Action: Chamber Secretariat**

BC90-01 (draft)

2.2 The minutes were presented to the Committee in draft. Some minor amendments were suggested which would be incorporated into the final version and presented to the Committee at its next meeting. **Action: Chamber Secretariat**

3. Matters arising (BC90-01)

3.1 **Paragraph 3.1** - Marie Knox said that she was experiencing some difficulty in rearranging committees on 9th or 23rd May in order to avoid sitting

on the forthcoming General Election polling day. It was agreed that she would continue to consider the options and report back at the next meeting. **Action: Marie Knox**

3.2 **Paragraph 3.3** - David Lambert said he understood that Winston Roddick was still drafting a paper for discussion at the Business Committee. Edwina Hart agreed to discuss this matter further within the Executive. **Action: Edwina Hart**

3.3 **Paragraph 3.4** - It was noted that Marion Stapleton had circulated a paper on the functions being transferred to the First Minister prior to last week's debate. She agreed to circulate the details for the transfer of functions order being considered later that afternoon as soon as possible after the Business Committee to all Members so that Business Managers could discuss within their groups. Whilst the information was helpful, the Deputy Presiding Officer felt that it could have been more user-friendly. David Lambert suggested that a table could be provided detailing the specific power of the Act or Bill; the subordinate legislative powers exercisable; the functions being transferred together with an explanation of their powers. Edwina Hart agreed and said that she would ask officials to prepare information on transfer of functions orders at an early drafting stage rather than as an addition at the end of the process. **Action: Edwina Hart**

3.4 **Paragraph 4.4** - Business Managers had not received additional advice on the South Wales Fisheries District (Variation) Order 2001. However, Members had received representations from the Chair of the Sea Fisheries Committee. It was noted that the Deputy Presiding Officer had already made a determination that the order need not be referred to a subject committee for extended consideration. However, the Committee felt that the principle of the draft order should be debated in Plenary given the concerns that had been expressed. The Minister for Assembly Business would be asked to consider scheduling a more wide-ranging debate on Sea Fisheries in the near future and the Agriculture and Rural Development Committee would have the opportunity to consider the concerns at its meeting on 28th March.

3.5 Jocelyn Davies said that consideration of this order had highlighted the need for more time to be available for Business Managers to consider draft orders prior to providing handling advice in the Business Committee. The Deputy Presiding Officer reminded her that Members should be able to scrutinise draft orders on the Intranet site and advise the relevant Assembly Minister (as well as their Business Managers) as to whether they should be referred to subject committees. Edwina Hart said that the orders were posted to the Intranet to meet the Administration's obligations under Standing Order 22.1 but accepted that their presentation on the Intranet and the alerting of Members to their existence needed to be addressed. She suggested that the notification might appear on the draft business statement and asked Business Managers to consider trialing the suggestion and advise in due course. **Action: Deputy Presiding Officer to write to the Agriculture Committee; Minister for Assembly Business to timetable debate and to consider providing details of draft legislation on his draft business statement.**

3.6 **Paragraph 11.1** - Following concerns expressed by the Committee, Edwina Hart agreed to let her Cabinet colleagues know that if they intended to undertake a Ministerial visit to a constituency, they should notify all five Assembly Members for that constituency. **Action: Edwina Hart**

4. Subordinate legislation

The Processed Cereal-based Foods and Baby Foods for Infants and Young Children (Amendment) (Wales) Regulations 2001

4.1 The Business Committee noted paper BC92-01 that provided advice from Jane Hutt, Assembly Minister for Health and Social Services on the handling of the above Order. Members of the Business Committee advised the Deputy Presiding Officer that they were content with the proposal not to send the draft Order to subject committee and agreed that it should follow the Accelerated procedure.

The Deputy Presiding Officer subsequently determined that the Order need not be referred to a subject committee.

Housing (Right to Buy) (Priority of Charges) (Wales) Order 2001

4.2 The Business Committee noted paper BC93-01 that provided advice from Edwina Hart, Assembly Minister for Finance, Local Government and Communities on the handling of the above Order. Members of the Business Committee advised the Deputy Presiding Officer that they were content with the proposal not to send the draft Order to subject committee and agreed that it should follow the Accelerated procedure.

The Deputy Presiding Officer subsequently determined that the Order need not be referred to a subject committee.

The Infant Formula and Follow-on Formula (Amendment) (Wales) Regulations 2001

4.3 The Business Committee noted paper BC94-01 that provided advice from Jane Hutt, Assembly Minister for Health and Social Services on the handling of the above Order. Members of the Business Committee advised the Deputy Presiding Officer that they were content with the proposal not to send the draft Order to subject committee and agreed that it should follow the Accelerated procedure.

The Deputy Presiding Officer subsequently determined that the Order need not be referred to a subject committee.

The Miscellaneous Food Additives (Amendment) (Wales) Regulations 2001

4.4 The Business Committee noted paper BC98-01 that provided advice from Jane Hutt, Assembly Minister for Health and Social Services on the handling of the above Order. Nerys Arch agreed to explore why there was no regulatory appraisal or any reason for its absence. Consideration of the

handling arrangements for this order would take place at the next meeting.

Action: Nerys Arch

The Coffee Extracts and Chicory Extracts (Wales) Regulations 2001

4.5 The Business Committee noted paper BC99-01 that provided advice from Jane Hutt, Assembly Minister for Health and Social Services on the handling of the above Order. Members of the Business Committee advised the Deputy Presiding Officer that they were content with the proposal not to send the draft Order to subject committee and agreed that it should follow the Accelerated procedure.

The Deputy Presiding Officer subsequently determined that the Order need not be referred to a subject committee.

Suckler Cow Premium Scheme Regulations 2001

4.6 The Business Committee noted paper BC100-01 that provided advice from Carwyn Jones, Assembly Minister for Rural Affairs on the handling of the above Order which was being made jointly with England under Standing Order 23. It was noted that the order could follow either the Standard or Accelerated procedure but it could not be amended. The Committee agreed that it should follow the Standard procedure and noted that the Deputy Presiding Officer was not required to make a determination on whether it should be referred to a subject committee or not.

5. Advice to Assembly on procedures

5.1 In the absence of the Minister for Assembly Business, the Committee agreed to defer consideration of papers BC83-01 and BC97-01 on oral questions to him. Paul Silk had some amendments on the wording for the Standing Order revisions suggested in paper BC97-01. These would be incorporated into a revised paper. **Action: Chamber Secretariat**

5.2 The Committee considered and agreed paper BC95-01 on specified tabling days during the Easter recess. The Table Office would issue the advice to Members as soon as possible. **Action: Table Office**

5.3 Business Managers were asked to provide their views on Christmas recess. Edwina Hart and William Graham said their groups would prefer a four week recess and Jocelyn Davies and Kirsty Williams said that their groups would prefer three weeks. Business Managers unanimously agreed that half weeks should not be an option. It was agreed that the Committee would need to come to a decision at the next meeting.

6. Committees

6.1 None.

7. Forthcoming business

This week's business

7.1 The Committee considered paper BC96-01 which detailed the Assembly's agreed business for the week. The Committee was advised that the motions on delegating functions to the First Minister on the Tir Mynydd regulations, the composite motion for consideration of two orders and Janice Gregory's short debate were all being moved from that afternoon's Plenary agenda in order to accommodate the urgent debate on the Foot and Mouth disease. The Committee was also advised that a Cabinet statement on progress with the Partnership Government would take place that afternoon. A composite motion containing five orders had also been tabled for consideration on 22nd March.

7.2 The Deputy Presiding Officer said that procedural motions would be required to move the items of business since they had not been agreed by the Assembly. He added that requests to the Presiding Officer for procedural motions should be an exception since it was unhelpful to Members to have business moved around at short notice. The Committee noted that procedural motions were at the discretion of the Presiding Officer.

7.3 The Committee considered the draft business statement (BC102-01). Some amendments were noted.

Proposed business for the weeks commencing 26th March, 2nd and 30th April 2001

7.4 The Committee's advice to the Minister for Finance, Local Government and Communities on the proposed statement about the organisation of the Assembly's business for the weeks commencing 26th March, 2nd and 30th April was that it should proceed as outlined in the revised draft business statement.

8. Matters referred from plenary

8.1 None.

9. Revisions to Standing Orders

9.1 Marion Stapleton circulated an updated version of paper BC101-01 on revisions to Standing Orders 34 and 23 to the Committee. Jocelyn Davies said that she wanted to consider the proposed revisions with her group. She added that she was opposed to revising the Standing Orders each time the Assembly was presented with a particular problem. It was agreed that the Committee would consider the revised paper at its next meeting. **Action: Business Managers**

10. Presiding Officer rulings

10.1 None.

11. Any other business

11.1 None.

CHAMBER SECRETARIAT