

LEGISLATION COMMITTEE MEETING**MINUTES:**

Date: 11 February 2003
Time: 9:30 a.m.
Venue: Committee Room 1, National Assembly Building

Attendance:

Mick Bates	(Liberal Democrat)
Rosemary Butler.	(Labour)
Ron Davies	(Labour)
Huw Lewis	(Labour)
Dr Dai Lloyd	(Plaid Cymru)
Tom Middlehurst	(Labour)
Owen John Thomas	(Plaid Cymru)

Officials

John Turnbull	Legal Adviser
Huw Rowlands	Legal Adviser
Olga Lewis	Committee Clerk
Simon Thwaite	Deputy Committee Clerk

Apologies for absence: Pauline Jarman

Item 1: Minutes of the previous meeting and matters arising: LEG-03-2003(min)

1.1 The Committee agreed the minutes of the meeting held on 4 February 2003.

Item 2: Chair's Report

2.1 The Chair reminded Members that at the last meeting it was decided that he should write a letter to the Presiding Officer regarding the need to resolve one of the outstanding matters from the Assembly Review of procedure, i.e. the recommendation that the Legislation Committee should consider whether the Assembly's subordinate legislation procedures had been complied with in such matters as the provision of regulatory appraisals. The Chair further stated that, however, at its meeting on the 4th of February 2003 the Business Committee agreed to invite the Legislation Committee to prepare a paper for the Business Committee on the subject. The Chair informed the Committee that this issue had been put as Item 5 on the Agenda.

Item 3: Assembly Orders for Consideration**LC613 - The Town and Country Planning (Referrals and Appeals) (Written Representations Procedure) (Wales) Regulations 2003**

3.1 Mr Turnbull presented the report to the Committee. The Regulations will be made under the Accelerated Procedure.

3.2 Having considered the Legal Adviser's report Members concluded that there was a matter to raise under Standing Order 11.5. The Committee invites the Assembly to pay special attention to an apparent drafting defect concerning regulation 2. This would be capable of correction by means of a Memorandum of Corrections.

3.3 The Committee also made an observation which they felt should be recorded in the report.

3.4 The Committee's report to the Assembly on the Regulations is attached as LC613 (Report).

LC614 - The Town and Country Planning (Enforcement Notices and Appeals) (Wales) Regulations 2003

3.5 Mr Turnbull presented the report to the Committee. The Regulations will be made under the Accelerated Procedure.

3.6 Having considered the Legal Adviser's report Members concluded that there was a matter to raise under Standing Order 11.5. The Committee invites the Assembly to pay special attention to apparent drafting defects concerning discrepancies between the English and Welsh text regarding the coming into force date. This would be capable of correction by means of a Memorandum of Corrections.

3.7 The Committee also made an observation which they felt should be recorded in the report.

3.8 The Committee's report to the Assembly on the Regulations is attached as LC614 (Report).

LC615 - The Town and Country Planning (Enforcement) (Written Representations Procedure) (Wales) Regulations 2003

3.9 Mr Turnbull presented the report to the Committee. The Regulations will be made under the Accelerated Procedure.

3.10 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. However, the Committee did make three observations which they felt should be recorded in their report.

3.11 The Committee's report to the Assembly on the Regulations is attached as LC615 (Report).

LC619 - The Undersized Lobsters (Wales) Order 2003

3.12 Mr Turnbull presented the report to the Committee. The Order will be made under the Accelerated Procedure.

3.13 The Committee agreed that it did not need to invite the Assembly to pay special attention to the Order on any grounds specified in Standing Order 11.5 nor did they have any observations.

3.14 The Committee's report to the Assembly on the Order is attached as LC619 (Report).

LC620 - The Agricultural Subsidies (Appeals) (Wales) (Amendment) Regulations 2003

3.15 Mr Turnbull presented the report to the Committee. The Regulations will be made under the Accelerated Procedure.

3.16 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. The Legal Advisers had had the opportunity to see an early draft and identified two small drafting points which had been taken into account in the final draft.

3.17 The Committee also made an observation which they felt should be recorded in the report.

3.18 It was pointed out that there was a typographical error in the Welsh text of the Legal Adviser's report. It was decided to correct this matter prior the report being laid before the Assembly. **Action: Deputy Clerk**

3.19 The Committee's report to the Assembly on the Regulations is attached as LC620 (Report).

LC621 - The Prohibition of Keeping or Release of Live Fish (Specified Species) (Amendment) (Wales) Order 2003

3.20 Mr Turnbull presented the report to the Committee. The Regulations will be made under the Accelerated Procedure.

3.21 The Committee agreed that it did not need to invite the Assembly to pay special attention to the Order on any grounds specified in Standing Order 11.5. However, the Committee did make an observation which they felt should be recorded in their report.

3.22 The Committee's report to the Assembly on the Order is attached as LC621 (Report).

LC622 - The Non-Domestic Rating (Demand Notices) (Amendment) (Wales) Regulations 2003

3.23 Mr Turnbull presented the report to the Committee. The Regulations will be made under the Standard Procedure.

3.24 Having considered the Legal Adviser's report Members concluded that there was a matter to raise under Standing Order 11.5. The Committee invites the Assembly to pay special attention to apparent drafting defects arising in relation to the inserted text in Regulation 3(4) and (5). This would be capable of correction by means of a Memorandum of Corrections.

3.25 The Committee also made some observations which they felt should be recorded in their report.

3.26 The Committee's report to the Assembly on the Regulations is attached as LC622 (Report).

LC623 - The Police Reform Act 2002 (Commencement) (Wales) Order 2003

3.27 Mr Rowlands presented the report to the Committee. The Order will be made under the Standard Procedure.

3.28 The Committee agreed that it did not need to invite the Assembly to pay special attention to the Order on any grounds specified in Standing Order 11.5 nor did they have any observations.

3.29 The Committee's report to the Assembly on the Order is attached as LC623 (Report).

LC624 - The General Teaching Council for Wales (Constitution) (Amendment) Regulations 2003

3.30 Mr Rowlands presented the report to the Committee. The Regulations will be made under the Accelerated Procedure.

3.31 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 nor did they have any observations.

3.32 The Committee's report to the Assembly on the Regulations is attached as LC624 (Report).

LC616 - The Local Authorities (Executive Arrangements) (Discharge of Functions) (Amendment) (Wales) Regulations 2003

3.33 Mr Rowlands presented the report to the Committee. The Regulations had been made under the Executive Procedure.

3.34 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 nor did they have any observations.

3.35 The Committee's report to the Assembly on the Regulations is attached as LC616 (Report).

LC617 - The Sheep Annual Premium (Amendment) (Wales) Regulations 2003

3.36 Mr Rowlands presented the report to the Committee. The Regulations had been made under the Executive Procedure.

3.37 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 nor did they have any observations.

3.38 The Committee's report to the Assembly on the Regulations is attached as LC617 (Report).

LC618 - The Allocation of Housing (Wales) Regulations 2003

3.39 Mr Rowlands presented the report to the Committee. The Regulations had been made under the Executive Procedure.

3.40 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 nor did they have any observations.

3.41 The Committee's report to the Assembly on the Regulations is attached as LC618 (Report).

LC625 - The Animal Gatherings (Interim Measures) (Wales) (Amendment) Order 2003

3.42 Mr Rowlands presented the report to the Committee. The Order had been made under the Executive Procedure.

3.43 The Committee agreed that it did not need to invite the Assembly to pay special attention to the Order on any grounds specified in Standing Order 11.5 nor did they have any observations.

3.44 The Committee's report to the Assembly on the Order is attached as LC619 (Report).

LC626 - The Pigs (Records, Identification and Movement) (Interim Measures) (Wales) (No. 2) (Amendment) Order 2003

3.45 Mr Rowlands presented the report to the Committee. The Order had been made under the Executive Procedure.

3.46 The Committee agreed that it did not need to invite the Assembly to pay special attention to the Order on any grounds specified in Standing Order 11.5. However, the Committee did make an observation which they felt should be recorded in their report.

3.47 The Committee's report to the Assembly on the Order is attached as LC626 (Report).

Item 4: To consider a proposal for a memorandum of corrections in respect of LC612 - The Local Authorities (Referendums) (Petitions and Directions) (Amendment) (Wales) Regulations 2003

4.1 References in the inserted text to "the date on which these regulations come into force" should be references to the actual date of 4 April. The references to the coming into force date had been inserted in error as this overlooked the point that by virtue of this being in inserted text, this would have referred to the coming into force of the original regulations rather than (as intended) the coming into force of the amending regulations.

4.2 The Committee agreed that these corrections were appropriate for a Memorandum of Corrections.

Item 5: Paper for Business Committee about Assembly Review of Procedure's Recommendation (Paragraph 8.10 of Final Report)

5.1 The Chair invited Members to consider a draft reply to Business Committee's invitation to prepare a paper regarding the implementation of the outstanding recommendation of the Assembly Review of Procedure that the Legislation Committee should consider whether the Assembly's subordinate legislation procedures had been complied with in such matters as the provision of regulatory appraisals.

5.2 Members were satisfied subject to an abbreviation of the second quote in the reply. It was decided that the Chair should send the reply to the Deputy Presiding Officer and copy it to the Presiding Officer. **Action: Clerk**

Item 6: Any Other Business and Date of Next Meeting

6.1 The next meeting would be held on 25 February 2003.