

LEGISLATION COMMITTEE MEETING**MINUTES:**

Date: 30th January 2001
Time: 9:30 a.m.
Venue: Committee Room 1, National Assembly Building

Attendance:

Mick Bates (Chair)	(Liberal Democrat)
Rosemary Butler	(Labour)
Ron Davies	(Labour)
Val Feld	(Labour)
John Griffiths	(Labour)
Pauline Jarman	(Plaid Cymru)
Dr Dai Lloyd	(Plaid Cymru)
Owen John Thomas	(Plaid Cymru)

Officials

John Turnbull	Legal Adviser
Huw Davies	Assistant Legal Adviser
Adrian Green	Committee Clerk
Julie Owen	Deputy Committee Clerk

Apologies for absence: None.

Item 1: Minutes of the previous meeting and matters arising: LEG-01-2001(min)

1.1 The Committee agreed the minutes of the meeting held on 16th January 2001.

Item 2: Chair's Report

2.1 The Chair reminded members that at the last meeting it was agreed that he should write to Jane Hutt, Minister for Health and Social Services regarding **The Fresh Meat (Beef Controls) (No.2) (Amendment) (Wales) Regulations 2000 (LC149)**. The Committee required further clarification on a number of matters and the reason for not providing a Welsh text. A response is awaited.

2.2 It had also been agreed that the Chair should write to Carwyn Jones, Minister for Rural

Affairs, regarding **The Cattle (Identification of Older Animals)(Wales) Regulations 2000 (LC151)**. The Committee sought clarification on the powers available to Inspectors to check records should a holding be in Wales but the registered keeper resident in England (or vice versa). A response is awaited.

2.3 The Chair reminded the Committee that at the last meeting they considered a response from the First Minister to their letter dated 1st November regarding the use of the term "Assembly Minister" when the term "Assembly Secretary" is set out in the Government of Wales Act. The change of title had been announced in Plenary on 17th October 2000. The Committee felt that the Minister's response indicated a misunderstanding of the point the Committee were seeking to make in its original letter and that the response also showed an inconsistency in what the First Minister had said in Plenary. The Chair reported that he had written further seeking clarification. A response is awaited.

Item 3: Assembly Orders for Consideration

LC152: The National Health Service (General Medical Services) Amendment (Wales) Regulations 2001

3.1 Mr Turnbull presented his report to the Committee.

3.2 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. However, the Committee did make some general observations which they felt should be recorded in their Report.

3.3 The Committee's report to the Assembly on the draft regulations is attached as LC152 (Report).

LC153: The Education (Education Standards Grants) (Wales) Regulations 2001

3.4 Mr Turnbull presented his report to the Committee.

3.5 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 the opportunity to see an early draft of the Regulations and identified a number of points which had been taken into account in the final draft.

3.6 The Committee's report to the Assembly on the draft regulations is attached as LC153 (Report).

3.7 A question was raised as to why these regulations needed to be made annually. Mr Turnbull stated that he believed that there was no requirement for the regulations to be remade each year but agreed to report back to the Committee. **Action: Mr Turnbull**

LC154: The Education (Individual Pupils' Achievements) (Information) (Wales) (Amendment) Regulations 2001

3.8 Mr Turnbull presented his report to the Committee.

3.9 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 the opportunity to see an early draft of the Regulations and identified a number of small drafting points which had been taken into account in the final draft

3.10 The Committee's report to the Assembly on the draft regulations is attached as LC154 (Report).

LC155: The Education (National Curriculum) (Key Stage 3 Assessment Arrangements) (Wales) (Amendment) Order 2001

3.11 Mr Turnbull presented his report to the Committee.

3.12 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. The Legal Advisers had the opportunity to see an early draft of the Order and identified a number of points which have been taken into account in the final draft

3.13 The Committee's report to the Assembly on this draft order is attached as LC155(Report).

Item 4: Draft Paper for Submission to the Assembly Review

4.1 A draft paper had been prepared on behalf of the Committee for submission to the Assembly Review of Procedure group. The paper sought to address the following key concerns of the Committee:

- The need for a regular published forward work programme which should be submitted to the Committee
- The need for further policy scrutiny
- To put beyond doubt that the Committee has a remit to report on failure to comply with S. O.s
- That reasons for use of the Executive procedure be submitted to the Committee.
- That the Committee is able to require attendance by Ministers or their representatives for the purposes of giving oral evidence.
- The need for a requirement in Standing Orders for the publication of an Annual Report for consideration by the Assembly.

4.2 Following discussion a number of minor amendments were requested. It was agreed that the paper be revised and presented to the Committee for final consideration at its meeting next week, before the Chair formally submits the paper to the Assembly Review group. **Action:**

Clerk.

Item 5: Any Other Business and Date of next meeting

5.1 The Chair informed members that the Committee had received an invitation to attend an international conference on "Regulation Reform Management and Scrutiny of Legislation" being hosted by the Parliament of New South Wales in Sydney in July of this year. A proposal was put to the Committee that following an assessment of the costs and benefits of attending such a conference and the necessary approval of the Presiding Officer, that a representative should attend the Conference. The Committee agreed that the Chair should attend if a suitable case is approved. **ACTION: Clerk**

5.2 The next meeting would be held on 6th February 2001.

Reports Attached

- LC152 (Report)
- LC153 (Report)
- LC154 (Report)
- LC155 (Report)