

MINUTES OF MEETING

Date: 25th June 2002

Time: 9 a.m.

Venue: Room A3.13

Present: John Marek, Deputy Presiding Officer (Chair)
Carwyn Jones, Minister for Assembly Business
Jonathan Morgan, Conservative Business Manager
Kirsty Williams, Liberal Democrats Business Manager
Rhodri Glyn Thomas, Plaid Cymru

Paul Silk, Clerk to the Assembly
David Lambert, Presiding Office Legal Adviser
Marie Knox, Head of Committee Secretariat (agenda item 6)
Andrew George, Clerk to the Business Committee
Marion Stapleton, Assembly Business Unit
Alun Jenkins, Office of the Counsel General (agenda item 4)
Marc Wyn Jones, Chamber Secretariat/PS to Deputy Presiding Officer

1. Apologies & announcements

1.1 Apologies for absence were received from Jocelyn Davies. The Deputy Presiding Officer welcomed Rhodri Glyn Thomas who would be representing her until October under Standing Order 13.3.

2. Minutes of the previous meetings

(i) BC192-02 (Final) Tuesday 11th June 2002

2.1 The minutes were presented to the Committee in their final format. Since there were no comments they would be translated in readiness for publication.

Action: Chamber Secretariat

(ii) BC212-02 (Draft) Tuesday 18th June 2002

2.2 The minutes were presented to the Committee in draft. Since there were no comments they would be translated in readiness for publication.

Action: Chamber Secretariat

3. Matters Arising (BC212-02 Tuesday 18th June 2002)

3.1 **Paragraph 4.3** The Minister for Assembly Business circulated guidance on regulatory appraisals to the members of the Committee.

3.2 **Paragraph 4.6** The Minister for Assembly Business said that he had investigated the issue of Ministers notifying the Presiding Office about legislation so that it could be published under Standing Order 30.1. He understood that Standing Orders were being complied with and asked the

Deputy Presiding Officer to outline his concerns in a letter, giving examples wherever possible. The Deputy Presiding Officer asked David Lambert to prepare a draft.

Action: David Lambert to write to Minister for Assembly Business about publication of Subordinate Legislation.

3.3 Paragraph 11.1 The Minister for Assembly Business said that the First Minister had written to the Presiding Officer clarifying Ministers' revised portfolios following the Cabinet reshuffle. The Deputy Presiding Officer said he had yet to see the letter. He asked the Minister for Assembly Business to supply the Committee with details of Ministers' functions under section 56(3) of the Government of Wales Act and their other responsibilities. The issue needed to be clarified because Ministers' portfolios had implications for the remit of subject committees and Assembly Questions.

4. Subordinate Legislation

(a) Orders for consideration

National Health Service (General Ophthalmic Services) (Amendment) (Wales) Regulations 2002 (BC214-02) *Recommended Procedure: Standard*

The National Health Service (General Medical Services) (Amendment) (No 2) (Wales) Regulations 2002 (BC215-02) *Recommended Procedure: Standard*

The National Health Service (General Medical Services Supplementary List) Regulations 2002 (BC216-02) *Recommended Procedure: Standard*

The National Health Service (General Dental Services) (Amendment) (Wales) (No 2) Regulations 2002 (BC217-02) *Recommended Procedure: Standard*

The National Institute for Clinical Excellence (Amendment) Regulations 2002 (BC218-02) *Standing Order 23, Section 3*

The National Institute for Clinical Excellence (Establishment and Constitution) Amendment Order 2002 (BC219-02) *Standing Order 23, Section 3*

The Children Leaving Care (Amendment) (Wales) Regulations 2002 (BC220-02) *Recommended Procedure: Accelerated*

The Undersized Spider Crabs (Wales) Order 2002 (BC221-02) *Recommended Procedure: Accelerated*

The Shellfish (Specification of Crustaceans) (Wales) Regulations 2002 (BC222-02) *Recommended Procedure: Accelerated*

4.1 The Business Committee considered papers BC214-02 to BC222-02 which provided advice on the handling of these orders. The Deputy Presiding Officer noted that most had been posted late to the Intranet, although the period for which they had been posted included two weekends.

4.2 The Committee agreed that a request by a member of the Committee for a debate on an order which had been recommended for the accelerated procedure would imply the Minister for Assembly Business' agreement to the request unless stated otherwise. This would avoid any uncertainty and an unnecessary notice by 3 Assembly Members under Standing Order 22-25(ii) to consider a draft order separately.

4.3 The Deputy Presiding Officer said that some of the Explanatory Memorandums referred to additional costs to local authorities arising from the orders. However, there was no reference to potential additional costs for business or the general public. He specifically drew attention to BC214-02. The Minister for Assembly Business said he would investigate the situation and report back to the Committee.

Action: Minister for Assembly Business to report back.

The Presiding Officer subsequently determined that these Orders need not be referred to a subject committee.

(b) Orders made under the Executive Procedure; papers to note.

(c) Letters from Committees; papers to note.

5. Advice to Assembly on procedures

6. Committees

BC223-02

6.1 Marie Knox introduced the paper on the implications for committee timetables in the Autumn term of moving Plenary meetings from Thursday mornings to Wednesday afternoons. The election of Mick Bates to the Economic Development Committee had also created a timetable clash. Kirsty Williams said that this raised a point of principle. Mick Bates had been elected to the Economic Development Committee but could not take his seat because he was also a member of the Education and Lifelong Learning Committee. Although her party could send a substitute it was difficult for parties with only 6 Members. The Committee agreed the Deputy Presiding Officer's proposal to discuss this issue at the next Panel of Chairs meeting on 26th June.

7. Forthcoming Business

(i) This Week's Business

7.1 The Committee considered paper BC224-02 which detailed the Assembly's agreed business for the week.

7.2 The Minister for Assembly Business said that the statement by Jane Hutt on the Youth Offending Strategy, which had been scheduled for Tuesday 25th June, had been moved to Thursday 27th June. The motion to approve the

Youth Support Services Directions, which had been scheduled for Tuesday 25th June, would be moved to Tuesday 2nd July.

(ii) Draft Business Statement

7.4 The Committee noted the Minister for Assembly Business and Rural Affairs' proposed statement about the organisation of the Assembly's business for the weeks commencing Tuesday 2nd July, Tuesday 9th July and Tuesday 16th July.

7.5 The Minister for Assembly Business and Rural Affairs said that there was no change to the business outlined in the Draft Business Statement. He informed the Committee that a motion to elect Mike German as Chair of the European and External Affairs Committee would be tabled later that day for debate on Tuesday 2nd July.

8. Matters referred from plenary

8.1 Rhodri Glyn Thomas referred to an incident in Plenary on Thursday 20th June where he thought that Brian Gibbons had challenged the authority of the Chair. The Deputy Presiding Officer said that he would raise the issue with the Presiding Officer.

9. Revisions to Standing Orders

BC210-02

9.1 The Committee considered the paper on the second tranche of Standing Order changes arising from the Assembly Review of Procedure. Members of the Committee reiterated their view that the proposal to amend Standing Order 6.3 in order to protect the short debate should not affect the time available for Minority Party Debates. The Deputy Presiding Officer said that a number of options were available:

- Protect the time of the Minority Party Debate as well as the Short Debate.
- Provide the Chair with the discretion to extend business by up to 10 minutes so that the penultimate item of business could be brought to a close.
- Schedule the Minority Party Debate at the start of main plenary business.
- Schedule the Minority Party Debates for Tuesdays and Short Debates for Wednesdays.

The Committee agreed to consult their groups and to return to the subject at the next meeting. It was noted that decisions needed to be made at the next meeting if the Standing Order changes were to be implemented in October.

BC211-02

9.2 The Committee considered the paper on proposals for dealing with petitions addressed to the Assembly and agreed to return to the subject at the next Business Committee meeting.

10. Presiding Officer rulings

11.Any other business

BC226-02

11.1 The Committee noted the paper on the allocation of Minority Party Debates.

CHAMBER SECRETARIAT