

# Committee on the Government of Wales Bill

## GWB(2)-03-06 (p1)

Date: 30 January 2006

Time: 16.00 – 19.00

Venue: National Assembly for Wales, Cardiff Bay

### Title: Amendments for consideration

The amendments have been numbered in the order in which they were received. They have then been placed in the order in which the Committee has agreed to consider the Clauses.

Amendment No.	Clause / Schedule		In the name of
<b>Part 4</b>			
67	102	Clause 102, page 56, line 25 at end insert:  "(3A) If a resolution passed by the Assembly under section103 includes the text of the question which the Assembly proposes should be included on the ballot paper at the referendum, that text shall be included in any recommendation made to Her Majesty in Council to make an Order in Council under subsection (1)."	Ieuan Wyn Jones  Jocelyn Davies
52	102	Clause 102(5) Page 56 Line 32 – Leave out from ‘Assembly’ and insert ‘Senedd Members voting.’	Welsh Liberal Democrats
69	102	Clause 102 page 56 line 32 delete the words "is not less....Assembly seats" and replace with the words "represents a majority of Assembly Members present and voting in favour"	Ieuan Wyn Jones  Jocelyn Davies

68	102	Clause 102, page 56, lines 35 and 36 delete the words "Secretary of State" and replace with the words, "the Assembly"	Ieuan Wyn Jones Jocelyn Davies
66	102/103	Delete clauses 102 and 103  (to be read in conjunction with the amendment to clause 64)	Ieuan Wyn Jones Jocelyn Davies
11	103	In para (1a) delete "moved by the First Minister or a Welsh Minister appointed under section 48."  Delete para 1b.	Welsh Conservative Group
70	103	Clause 103, page 57, line 7:  Leave out from "the number" to "Assembly seats", and insert:  "a majority of Assembly Members present and voting vote in favour".	Ieuan Wyn Jones Jocelyn Davies
71	104	Clause 104, line 25, delete the word "referendum" and replace with "poll" and in line 26 delete the words "section 102 (1)" and replace with "section 64(1)"  (to be read in conjunction with amendment to clause 64)	Ieuan Wyn Jones Jocelyn Davies
12	107 /  Schedule 7	Part 1(15)  Remove: "The Children's Commissioner (established under the Children Act 2004 (c.31))" from the list of exemptions.	Welsh Conservative Group
72	Schedule 7	Schedule 7, page 115, leave out line 17.	Ieuan Wyn Jones Jocelyn Davies
73	Schedule 7	Schedule 7, page 116, line 19:  Leave out from "Regulation of" to "dominant position and".	Ieuan Wyn Jones Jocelyn Davies

74	Schedule 7	Schedule 7, page 116:  Leave out lines 44 to 47.	Ieuan Wyn Jones  Jocelyn Davies
75	Schedule 7	Schedule 7, page 117.  Leave out lines 1 to 7.	Ieuan Wyn Jones  Jocelyn Davies
76	Schedule 7	Schedule 7, page 119:  Leave out line 2.	Ieuan Wyn Jones  Jocelyn Davies
77	Schedule 7	Schedule 7, page 119:  Leave out lines 38 and 39.	Ieuan Wyn Jones  Jocelyn Davies
78	Schedule 7	Schedule 7, page 119:  Leave out line 42.	Ieuan Wyn Jones  Jocelyn Davies
79	Schedule 7	Schedule 7, page 121, line 41 at end insert:  "Field 21. police, probation, and prison service."	Ieuan Wyn Jones  Jocelyn Davies
80	Schedule 7	Schedule 7, page 121, line 41 at end insert:  "Field 22. energy."	Ieuan Wyn Jones  Jocelyn Davies

## Part 1

19	1	Clause 1(1) Page 1 Line 5 - Leave out from 'an' and insert ' there is to be a Parliament for Wales to be known as the 'Senedd'	Welsh Liberal Democrats
20	1	Clause 1 Page 1 Line 7 – Leave out subsection (2)	Welsh Liberal Democrats
81	1	Clause 1, page 1, leave out lines 8 and 9.	Ieuan Wyn Jones  Jocelyn Davies
22	1	Clause 1(3) Page 1 Line 12 – Leave out 'Assembly' and insert 'Senedd'	Welsh Liberal Democrats

23	1	Clause 1(4) Page 1 Line 16 – Leave out ‘Assembly’ and insert ‘Senedd’	Welsh Liberal Democrats
82	1	<p>Clause 1, page 1, line 17 at end insert:</p> <p>"(3A) The system of election shall be a single transferable vote system under which –</p> <p>a vote is capable of being given so as to indicate the voter’s order of preference for the candidates, and</p> <p>a vote is capable of being transferred to the next choice -</p> <p>(i) when the vote is not required to give a prior choice the necessary quota of votes, or</p> <p>(ii) when, owing to the deficiency in the number of votes given for a prior choice, that choice is eliminated from the list of candidates."</p>	<p>Ieuan Wyn Jones</p> <p>Jocelyn Davies</p>
24	1	Clause 1(5) Page 1 Line 18 – Leave out ‘Assembly’ and insert ‘Senedd’	Welsh Liberal Democrats
21	1	Clause 1 – insert new subsection ‘The Senedd is to consist of eighty members elected through the Single Transferable Vote from Multi- Member constituencies.’	Welsh Liberal Democrats
25	2	<p>Clause 2 Page 2 Line 2 – Leave out lines 1-12 and insert –</p> <p>2. Senedd Constituencies</p> <p>(1) The Senedd constituencies shall each be formed from more than one parliamentary constituency</p>	Welsh Liberal Democrats

		<p>in Wales.</p> <p>(2) Each Senedd constituency shall be comprised of, no more than one tenth and no less than one twenty-fifth of the eligible electorate of Wales.</p> <p>(3) The parliamentary boundary committee for Wales shall periodically recommend Senedd constituencies.</p>	
84	2	<p>Clause 2, page 2, line 7:</p> <p>Leave out "four" and insert "twelve".</p>	<p>Ieuan Wyn Jones</p> <p>Jocelyn Davies</p>
83	2	<p>Clause 2, page 2, leave out line 2.</p>	<p>Ieuan Wyn Jones</p> <p>Jocelyn Davies</p>
112	2	<p>Delete 2(1) replace with "the secretary of state shall, by Order, determine the Assembly constituencies"</p>	<p>Ieuan Wyn Joes</p> <p>Jocelyn Davies</p>
26	4	<p>Clause 4(5) Page 3 Line 14 – Leave out from ‘Secretary of State’ and insert ‘Senedd has passed a resolution in favour with at least two thirds of the Senedd Members voting to support it.’</p>	<p>Welsh Liberal Democrats</p>

85	4	Clause 4, page 2, line 40:  Leave out "seven", insert "twenty-one".	Ieuan Wyn Jones  Jocelyn Davies
86	5	Clause 5, page 3, line 22 delete sub-clauses (a) and (b) and replace with the following words "if the Welsh Assembly Government loses a vote of confidence"	Ieuan Wyn Jones  Jocelyn Davies
27	5	Clause 5(2)(b) Page 3 Line 23 – Leave out ‘seats’ and insert ‘Members voting’	Welsh Liberal Democrats
87	5	Clause 5, page 3, line 34:  Leave out "seven", insert "twenty-one".	Ieuan Wyn Jones  Jocelyn Davies
28	6	Clause 6(1) Page 4 Line 5 – Leave out from ‘two’ and insert ‘one vote which will be cast preferentially’	Welsh Liberal Democrats
29	6	Clause 6 Page 4 Line 7 – Leave out lines 7-23	Welsh Liberal Democrats
88	6	Leave out clause 6.	Ieuan Wyn Jones  Jocelyn Davies
13	7	In para (5) delete subsection (c) and in para (6) delete subsection (c)	Welsh Conservative Group
30	7	Clause 7 Page 4 Line 37 – Leave out (5)(c)	Welsh Liberal Democrats
31	7	Clause 7 Page 5 Line 3 - Leave out (6)(c)	Welsh Liberal Democrats
89	7	Clause 7, page 4, line 36:  Leave out sub-clause (c)	Ieuan Wyn Jones  Jocelyn Davies
32	8	Clause 8 Page 5 Line 8 – Leave out.	Welsh Liberal Democrats
90	8	Leave out Clause 8.	Ieuan Wyn Jones  Jocelyn Davies

33	9	<p>Clause 9 Page 5 Line 33 – Leave out. Insert new clause</p> <p>8. Elections and Franchise</p> <p>(1) This section applies to elections of members of the Assembly, including by-elections.</p> <p>(2) Each vote in the poll at an election shall be a single transferable vote.</p> <p>(3) A single transferable vote is a vote-</p> <p>(a) capable of being given so as to indicate the voter's order of preference for the candidates for election as members for the constituency; and</p> <p>(b) capable of being transferred to the next choice when the vote is not needed to give a prior choice the necessary quota of votes or when a prior choice is eliminated from the list of candidates because of a deficiency in the number of votes given for him.</p>	Welsh Liberal Democrats
91	9	Leave out Clause 9.	<p>Ieuan Wyn Jones</p> <p>Jocelyn Davies</p>
34	10	Clause 10 Page 6 Line 26 – Leave out.	Welsh Liberal Democrats
14	11	In para (8) delete subsection (b)	Welsh Conservative Group

35	11	<p>Clause 11 Page 7 Line 9 – Leave out. Insert new clause.</p> <p>10. Vacancies</p> <p>(1) The Secretary of State may by order make provision for the filling of vacancies occurring in the Assembly's membership.</p> <p>(2) Such provision may be made by reference to by-elections or substitutes or recounted votes or such other method of filling vacancies as the Secretary of State thinks fit.</p> <p>(3) The validity of any proceedings of the Assembly is not affected by any vacancy in its membership</p>	Welsh Liberal Democrats
92	11	<p>Clause 11, page 7, line 34 delete sub clause (a)</p>	<p>Ieuan Wyn Jones</p> <p>Jocelyn Davies</p>
36	12	<p>Clause 12 Page 8 Line 6 – Insert new subsection:</p> <p>(1)(c) Will be sixteen years or over.</p>	Welsh Liberal Democrats
37	12	<p>Clause 12(1)(a) Page 8 Line 10-12 – Insert ‘subject to subsection (1)(c)’</p>	Welsh Liberal Democrats
38	12	<p>Clause 12(1)(b) Page 8 Line 13-14 – Insert ‘subject to subsection (1)(c)’</p>	Welsh Liberal Democrats
39	12	<p>Clause 12(2)(a) Page 8 Line 16-17 – Leave out.</p>	Welsh Liberal Democrats
93	13	<p>Clause 13, page 8, line 26, at end insert:</p> <p>"(d) the number of Assembly constituencies."</p>	<p>Ieuan Wyn Jones</p> <p>Jocelyn Davies</p>
15	16	<p>In para (1) add a new subsection (f) "holds the office of Children’s Commissioner for Wales".</p>	Welsh Conservative Group



40	16	Clause 16(1)(e) Page 10 Line 1 – At end insert ‘Parliamentary Service or Assembly Government’	Welsh Liberal Democrats
94	20	Clause 20, page 12, line 25:  Leave out "may", insert "must".	Ieuan Wyn Jones  Jocelyn Davies
95	22	Clause 22, page 13 line 23 at the end add the words "save that different provision may not be made as between constituency Assembly Members and regional Assembly Members"	Ieuan Wyn Jones  Jocelyn Davies
16	23	Add new subsection (2) and renumber subsequent subsections accordingly:  "(2) The oath is to be taken (or the affirmation made) in public in the Assembly chamber".	Welsh Conservative Group
96	25	Clause 25, page 15, line 29 delete the word "must" and replace with the word "may" and after the word election insert the words "and must within 21 days of the date of a general election"	Ieuan Wyn Jones  Jocelyn Davies
41	25	Clause 25(1)(a) Page 15 Line 30 – After ‘a’ insert ‘Acting’	Welsh Liberal Democrats
42	25	Clause 25(1)(a) Page 15 Line 30 – Leave out from ‘referred’.	Welsh Liberal Democrats
43	25	Clause 25(1)(b) Page 15 Line 32 – Leave out.	Welsh Liberal Democrats
44	25	Clause 25 Page 15 - Insert new subsection (2) (1)The Assembly must, within 28 days following a general election, elect from among the Assembly members—  (a) a presiding officer (referred to in this Act as the "Presiding Officer"), and  (b) a deputy presiding officer (referred to in this Act as the Deputy Presiding Officer").	Welsh Liberal Democrats

45	25	Clause 25(7) Page 16 Line 11 – Insert new subsection: (c) different political groups both of which are political groups without and executive role.	Welsh Liberal Democrats
46	27	Clause 27(2)(b) Page 17 Line 15 – At end insert ‘ not belonging to the same political group.’	Welsh Liberal Democrats
103	27	In para (2) subsection (b) delete all and replace with  "One Assembly Member from each political group".	Welsh Conservative Group
55	29	Clause 29 Page 18 Line 11 – Insert new section (2):  The members of any committee established by the Assembly under subsection (28)(1)  (a) shall be elected by the Assembly from among the Assembly members, and  (b) shall, unless the committee exists solely to provide advice, be elected so as to secure that, as far as is practicable, the balance of the parties in the Assembly is reflected in the membership of the committee.	Welsh Liberal Democrats
56	29	Clause 29 Page 18 Line 11 - Page 19 Line 14 (ss(2) – (9) – Leave out.	Welsh Liberal Democrats
57	29	Clause 29 Page 18 Insert new section:  (3) The Committees established by the Assembly in 28(1) shall be as far as is practicable chaired by member of political parties in proportion to their member of the Assembly.	Welsh Liberal Democrats

17	29	<p>Delete the clause and replace with:</p> <p>"The composition of committees shall be determined by the procedures set out in Standing Orders and such procedures must generally have the effect of reflecting the overall representation of political groups in the Assembly in the composition of committees".</p>	Welsh Conservative Group
97	29	Leave out clause 29	<p>Ieuan Wyn Jones</p> <p>Jocelyn Davies</p>
18	33	Remove the sentence "The Secretary of State can participate by actually attending the plenary session, or by video link" from explanatory notes, page 34.	Welsh Conservative Group
98	33	Clause 33, page 21 line 22 at the end "The Secretary of State must publish his reasons for deciding that consultation is inappropriate under this sub-section within 21 days of making his decision"	<p>Ieuan Wyn Jones</p> <p>Jocelyn Davies</p>
99	33	<p>New Clause:</p> <p>"33A. Consultation about representation in European Union institutions.</p> <p>Within three months of the first Assembly election provided for under this Act, the Secretary of State for Wales must publish a document making proposals for increasing the representation of Wales in the UK Government's representation within European Union institutions, and consult the Assembly about that document.</p> <p>Within six months of the first Assembly election provided for under this Act, Her Majesty's Government shall consider and make decisions concerning increasing the representation of Wales in the UK Government's representation within European Union institutions."</p>	<p>Ieuan Wyn Jones</p> <p>Jocelyn Davies</p>

63	34	Clause 34(1) Page 21 Line 24 – Leave out ‘If not an Assembly Member’	Welsh Liberal Democrats
64	34	Clause 34(1) Page 21 Line 25 – Insert after ‘orders’ ‘but only to provide his legal opinion to Senedd Members’	Welsh Liberal Democrats
65	34	Clause 34(2) Page 21 Line 27 – Leave out ‘if not an Assembly Member’	Welsh Liberal Democrats
100	35	<p>Clause 35, page 21, line 35:</p> <p>Leave out from "so far" to "reasonably practicable" in line 36, and insert -</p> <p>"save in exceptional cases where it is not reasonably possible to do so".</p>	<p>Ieuan Wyn Jones</p> <p>Jocelyn Davies</p>
101	36	Clause 36, page 22, line 23, delete sub-clause (6)	<p>Ieuan Wyn Jones</p> <p>Jocelyn Davies</p>
102	37	Clause 37, page 23, line 14 delete sub-clause (3)	<p>Ieuan Wyn Jones</p> <p>Jocelyn Davies</p>