

European & External Affairs Committee

EUR(2) 08-06 (p1)

Date: 25 October 2006

Time: 09:00 - 12:25

Venue: National Assembly for Wales, Cardiff Bay

Title: Functions of the European and External Affairs Committee in the Third Assembly

Purpose of the paper

1. Members are invited to agree their contribution to the Standing Orders Committee on the functions of a European and External Affairs Committee in the Third Assembly.

Background

2. The Standing Orders Committee has agreed that specific provision should be made in standing orders for a European and External Affairs Committee (EEAC) in the Third Assembly. The Chair of the Committee, Jenny Randerson AM, wrote to the Chair of this Committee with a request for an outline of what Members consider to be the functions of a European and External Affairs Committee, post May 2007 (letter dated 22 September 2006). EEAC's views will then be reflected in draft Standing Orders for the Standing Orders committee to discuss.

3. The new Standing Orders are being drafted in a permissive way which will allow committees to develop their roles in the 3rd Assembly. There is likely to be a generic Standing Order which sets out rules for committees with a separate Standing Order setting out the functions of each committee. While EEAC will need to consider what its successor's specific functions should be, it is likely that the Standing Order will be drafted in the broadest possible sense. This will allow the Committee on Standing Orders to maintain consistency in the Standing Orders and allow EEAC members from May 2007 to determine the specific work of the Committee.

The Current Standing Orders

3. The EEAC's main function in the second Assembly is set out in Standing Order 15 – see Annex A.

4. It is suggested that the Committee's functions will remain broadly similar in the Third Assembly. However, its working practices and relations with other Committees will necessarily have to change, given the new powers the Assembly will have and the accompanying changes in the Committee structure and their functions.

5. It is not thought that the Standing Order for EEAC will need to spell out the relationship between

EEAC and other committees as in the current Standing Orders. The Standing Orders are likely to provide for the Business Committee (or similar) to determine the number, titles and areas of responsibility of Scrutiny Committees at the start of the Third Assembly. They will need to take account of the role of an EEAC Committee.

6. A generic Standing Order is being drafted which will cover membership for all Committees. Currently MEPs and the Assembly's representatives on the CoR, the Commission's Representative in Wales and the Ecosoc members may participate in EEAC meetings. The Committee might wish, in its response, to ask that any such Standing Order does not prevent Standing Invitees and other Members taking part in the Committee's proceedings.

Suggested Functions of the European and External Affairs Committee

7. Members are invited to discuss the following proposals for functions of the Committee. It is suggested that once agreement is reached this should be included in the response to the Committee on Standing Orders. The Committee will then consider a Standing Order which will enable EEAC to carry out the functions recommended but without restricting their ability to develop their role. These functions could also be included in more detail in the Committee's legacy paper to be produced in Spring 2007.

Considering and reporting on:

- a. EU legislation and policy proposals and any other EU issue.
- b. the Welsh Assembly Government's relations with the EU's institutions and the UK government on European and International issues;
- c. the Welsh Assembly Government's external affairs policy; its relations with other nations and regions; its membership of other European or International organisations;
- e. the National Assembly for Wales methods and procedures for considering EU policy and legislation and its external relations.
- f. the National Assembly's relations with the EU's Institutions and consultative bodies, and other bodies dealing with EU and international issues.

8. Does the Committee wish to add any other functions? For example:

- a. consider and report on the Welsh Assembly Government's implementation, transposition and enforcement of EU legislation and policy. While the Legislation Committee deals with the technical scrutiny, the EEAC could take the lead on overseeing the WAG's policy and procedures on the implementation of EU legislation in light of the general principle of better regulation.
- b. Consideration of the budget related to European and External Affairs.

Action

18. Members are invited to suggest what functions an EEAC might have in the 3rd Assembly, to inform the deliberations of the Standing Orders Committee.

Sandy Mewies

Cadeirydd y Pwyllgor Materion Ewropeaidd ac Allanol

Cyswilt: Anna Daniel +32 (0)222 666 92

Annex A

Extract from the Standing Orders of the National Assembly for Wales

Standing Order 15 - Committee on European and External Affairs

Title and Terms of Reference

15.1 There shall be a Committee on European and External Affairs, which shall keep under review:

- (i) the Assembly's relations with the regions, other nations and institutions of the European Union, and its methods for informing and advising those institutions of the needs of Wales;
- (ii) the Assembly's liaison arrangements with UKREP, and with United Kingdom government departments on European issues;
- (iii) the Assembly's methods and procedures for the consideration of documents, issues and questions emanating from European institutions, having particular regard to the need for liaison with Members of Parliament responsible for scrutiny of European matters of particular relevance to Wales; and
- (iv) the Assembly's relations with regions and nations external to the European Union and the Assembly's involvement in European and international organisations.

15.2. The Committee shall monitor the general impact and consequences for Wales of policies pursued by institutions of the European Union, and ensure that there is adequate liaison with the Members of the European Parliament representing Wales and Welsh representatives on the Committee of the Regions.

15.3. The Committee shall avoid duplicating the work of Subject Committees, but may draw particular issues to the attention of relevant Subject Committees and, with the agreement of the relevant Subject Committee, may consider any matter falling within Standing Orders 15.1 or 15.2 which is otherwise wholly within the remit of that Subject Committee. The Committee may assess and where necessary report on the significance of proposed European legislation affecting Wales which falls within the remit of more than one Subject Committee.

15.4 The Committee shall consider, or arrange for the consideration of, the subsidiarity implications of proposed European legislation and shall liaise with the UK Parliament and other devolved legislatures in the consideration of these implications.

Membership

15.5 The members of the Committee shall be elected by the Assembly having regard to the desirability of each Subject Committee being represented on the Committee and so as to ensure that, so far as practicable, the balance of political groups in the Assembly is reflected in its membership. The Assembly shall elect one of the members of the Committee to chair the Committee, but it may

not be chaired by a Minister.

15.6 A Committee member who has given advance notice to the chair may be represented at a meeting, or a part of a meeting, of the Committee by another Member from the same political group who has been identified in advance. In giving such notice, the Member shall indicate the reason for the need for substitution. The nominated representative may participate in the meeting of the Committee in all respects as if he or she were a member of it. No Member may represent more than one Committee member at a meeting.

15.7 Members of the European Parliament representing Wales, and the Assembly's representatives on the Committee of the Regions, may attend and, with the permission of the chair, speak at the Committee's meetings when these are in public, but they may not vote.

15.8 Assembly Members who have specific constituency or regional interests to pursue in relation to the work of the Committee may in advance of any meeting seek the chair's permission to make representations to the Committee at that meeting, but they may not vote. Members may also write to the chair requesting that their observations on any aspect of the Committee's work be tabled for consideration by the Committee at its next meeting, and the chair shall arrange for such tabling to take place.

Reports

15.9 The Committee shall report to the Assembly from time to time.