

## **LEGISLATION COMMITTEE MEETING**

### **MINUTES:**

**Date:** 11 June 2002  
**Time:** 9:30 a.m.  
**Venue:** Committee Room 1, National Assembly Building

### **Attendance:**

Ron Davies	(Labour)
Janice Gregory	(Labour)
Dr Dai Lloyd	(Plaid Cymru)
Val Lloyd	(Labour)
Gwenda Thomas	(Labour)

### **Officials**

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

**Apologies for absence:** Mick Bates, Glyn Davies, Owen John Thomas

### **Item 1: Election of Temporary Chair**

1.1 Dr Dai Lloyd was elected to be chair in the absence of Mick Bates.

### **Item 2: Minutes of the previous meeting and matters arising: LEG-14-2002(min)**

2.1 The Committee agreed the minutes of the meeting held on 28 May 2002.

### **Item 3: Chair's Report**

3.1 The Chair welcomed new Members Val Lloyd, Janice Gregory and Gwenda Thomas to the Committee.

### **Item 4: Assembly Orders for Consideration**

#### **LC483 - Further Education Teachers' Qualifications (Wales) Regulations 2002**

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

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

4.3 The Committee's report to the Assembly on the Regulations is attached as LC483 (Report).

#### **LC484 - The Education (Listed Bodies) (Wales) Order 2002**

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

4.5 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 general observations.

4.6 The Committee's report to the Assembly on the Order is attached as LC484 (Report).

**LC485 - The Education (Recognised Bodies) (Wales) Order 2002**

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

4.8 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 general observations.

4.9 The Committee's report to the Assembly on the Order is attached as LC485 (Report).

**LC494 - The Local Authorities (Executive Arrangements) (Decisions, Documents and Meetings) (Wales) (Amendment) Regulations 2002**

4.10 Mr Turnbull presented the report to the Committee. The Regulations had been made under the Executive Procedure.

4.11 Concern was raised by Members regarding the use of the executive procedure for these Regulations.

4.12 The Legal Adviser stated that it was his understanding that the executive procedure was used as Local Authorities wished the Regulations to come into force without delay. The Legal Adviser further advised that he was quite satisfied that the Regulations were within the enabling powers.

4.13 Members were concerned, however, that the amendments which had been made might be thought to be an unusual or unexpected use of the enabling powers. The Regulations had been changed significantly by the introduction of the right for the chairperson of a meeting of the executive or a committee of the executive to permit an urgent item of business to be considered without details having been open to public inspection. This was raised in the context of the fact that regulation 5 as originally worded had clearly been thought to be the appropriate form of provision to be made in implementation of the enabling powers and the amending regulations had not received consideration either in the subject committee or in plenary. The Legal Adviser agreed to place the Members views into the Committee's draft report so that they could be referred to the appropriate Minister under Standing Order 11.4. **Action: Legal Adviser/Clerk.**

**LC495 - The Products of Animal Origin (Third Country Imports) (Wales) Regulations 2002**

4.15 Mr Turnbull presented the report to the Committee. The Regulations had been made under the Executive Procedure.

4.16 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. However, the Committee did make a number of general observations which they felt should be recorded in their report.

4.17 The Committee's report to the Assembly on the Regulations is attached as LC495 (Report).

## **LC496 - The TSE (Wales) Regulations 2002**

4.18 Mr Turnbull presented the report to the Committee. The Regulations had been made under the Executive Procedure.

4.19 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 and identified a number of points which had been taken into account in the final draft.

4.20 The Committee's report to the Assembly on the Regulations is attached as LC496 (Report).

## **Item 5: Any Other Business and Date of Next Meeting**

5.1 The next meeting would be held on 25 June 2002.