

Agenda – Legislation, Justice and Constitution Committee

Meeting Venue:	For further information contact:
Video Conference via Zoom	Gareth Williams
Meeting date: 22 March 2021	Committee Clerk
Meeting time: 09.30	0300 200 6565
	SeneddLJC@senedd.wales

In accordance with Standing Order 34.19, the Chair has determined that the public are excluded from the Committee's meeting in order to protect public health. This meeting will be broadcast live on www.Senedd.TV

Informal pre-meeting (09.00–09.30)

- 1 Introduction, apologies, substitutions and declarations of interest
09.30
- 2 Proposed negative instruments that raise no reporting issues
under Standing Order 21.3B
09.30–09.35 (Page 1)
CLA(5)–10–21 – Paper 1 – Proposed negative statutory instruments with clear reports
 - 2.1 pNeg(5)41 – The Food, Animal Feed and Seeds (Miscellaneous Amendments and Transitional Provisions) (Wales) (EU Exit) Regulations 2021
- 3 Instruments that raise no reporting issues under Standing Order
21.2 or 21.3
09.35–09.40 (Pages 2 – 4)
CLA(5)–10–21 – Paper 2 – Statutory instruments with clear reports
Negative Resolution Instruments

- 3.1 SL(5)776 – The Education (Pupil Referral Units) (Management Committees etc.) (Wales) (Amendment) Regulations 2021
- 3.2 SL(5)781 – The Velindre National Health Service Trust Shared Services Committee (Wales) (Amendment) Regulations 2021
- 3.3 SL(5)784 – The Adoption and Fostering (Wales) (Miscellaneous Amendments) (Coronavirus) (Amendment) Regulations 2021
- 3.4 SL(5)785 – The Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2021

4 Instruments that raise issues to be reported to the Senedd under Standing Order 21.2 or 21.3

09.40–09.55

Negative Resolution Instruments

- 4.1 SL(5)777 – The Independent Schools (Provision of Information) (Wales) (Amendment) Regulations 2021

(Pages 5 – 56)

CLA(5)–10–21 – Paper 3 – Report

CLA(5)–10–21 – Paper 4 – Regulations

CLA(5)–10–21 – Paper 5 – Explanatory Memorandum

- 4.2 SL(5)780 – The National Health Service (Charges to Overseas Visitors) (Amendment) (Wales) (EU Exit) Regulations 2021

(Pages 57 – 69)

CLA(5)–10–21 – Paper 6 – Report

CLA(5)–10–21 – Paper 7 – Regulations

CLA(5)–10–21 – Paper 8 – Explanatory Memorandum

- 4.3 SL(5)782 – The Digital Health and Care Wales (Transfer of Staff, Property, Rights and Liabilities) Order 2021

(Pages 70 – 93)

CLA(5)–10–21 – Paper 9 – Report

CLA(5)–10–21 – Paper 10 – Order

CLA(5)–10–21 – Paper 11 – Explanatory Memorandum

4.4 SL(5)786 – The Care and Support (Charging) (Wales) (Amendment) Regulations 2021

(Pages 94 – 105)

CLA(5)–10–21 – Paper 12 – Report

CLA(5)–10–21 – Paper 13 – Regulations

CLA(5)–10–21 – Paper 14 – Explanatory Memorandum

4.5 SL(5)787 – The Business Tenancies (Extension of Protection from Forfeiture etc.) (Wales) (Coronavirus) Regulations 2021

(Pages 106 – 121)

CLA(5)–10–21 – Paper 15 – Report

CLA(5)–10–21 – Paper 16 – Regulations

CLA(5)–10–21 – Paper 17 – Explanatory Memorandum

4.6 SL(5)791 – The Health Protection (Coronavirus, International Travel and Operator Liability) (Miscellaneous Amendments) (Wales) Regulations 2021

(Pages 122 – 141)

CLA(5)–10–21 – Paper 18 – Report

CLA(5)–10–21 – Paper 19 – Regulations

CLA(5)–10–21 – Paper 20 – Explanatory Memorandum

CLA(5)–10–21 – Paper 21 – Letter from the Minister for Health and Social Services, 12 March 2021

CLA(5)–10–21 – Paper 22 – Written statement, 12 March 2021

4.7 SL(5)793 – The Official Controls (Plant Health and Genetically Modified Organisms) (Wales) (Amendment) Regulations 2021

(Pages 142 – 153)

CLA(5)–10–21 – Paper 23 – Report

CLA(5)–10–21 – Paper 24 – Regulations

CLA(5)–10–21 – Paper 25 – Explanatory Memorandum

Affirmative Resolution Instruments

4.8 SL(5)789 – The Additional Learning Needs (Wales) Regulations 2021
(Pages 154 – 238)

CLA(5)–10–21 – Paper 26 – Report

CLA(5)–10–21 – Paper 27 – Regulations

CLA(5)–10–21 – Paper 28 – Explanatory Memorandum

4.9 SL(5)775 – The Education Tribunal for Wales Regulations 2021
(Pages 239 – 348)

CLA(5)–10–21 – Paper 29 – Report

CLA(5)–10–21 – Paper 30 – Regulations

CLA(5)–10–21 – Paper 31 – Explanatory Memorandum

4.10 SL(5)798 – The Equality Act 2010 (Capacity of parents and persons over compulsory school age) (Wales) Regulations 2021
(Pages 349 – 401)

CLA(5)–10–21 – Paper 32 – Report

CLA(5)–10–21 – Paper 33 – Regulations

CLA(5)–10–21 – Paper 34 – Explanatory Memorandum

4.11 SL(5)778 – The Animal Welfare (Licensing of Activities Involving Animals) (Wales) Regulations 2021
(Pages 402 – 461)

CLA(5)–10–21 – Paper 35 – Report

CLA(5)–10–21 – Paper 36 – Regulations

CLA(5)–10–21 – Paper 37 – Explanatory Memorandum

CLA(5)–10–21 – Paper 38 – Letter from the Kennel Club, 9 March 2021

CLA(5)–10–21 – Paper 39 – Letter to the Minister for Environment, Energy and Rural Affairs, 15 March 2021

4.12 SL(5)790 – The Agricultural Support (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2021
(Pages 462 – 511)

CLA(5)–10–21 – Paper 40 – Report

CLA(5)–10–21 – Paper 41 – Regulations

CLA(5)–10–21 – Paper 42 – Explanatory Memorandum

Made Affirmative Resolution Instruments

**4.13 SL(5)792 – The Health Protection (Coronavirus Restrictions) (No. 5) (Wales)
(Amendment) (No. 5) Regulations 2021**

(Pages 512 – 543)

CLA(5)–10–21 – Paper 43 – Report

CLA(5)–10–21 – Paper 44 – Regulations

CLA(5)–10–21 – Paper 45 – Explanatory Memorandum

CLA(5)–10–21 – Paper 46 – Letter from the First Minister, 12 March 2021

CLA(5)–10–21 – Paper 47 – Written statement, 12 March 2021

**4.14 SL(5)795 – The Public Health (Protection from Eviction) (No. 2) (Wales)
(Coronavirus) Regulations 2021**

(Pages 544 – 565)

CLA(5)–10–21 – Paper 48 – Report

CLA(5)–10–21 – Paper 49 – Regulations

CLA(5)–10–21 – Paper 50 – Explanatory Memorandum

CLA(5)–10–21 – Paper 51 – Letter from the Minister for Housing and Local
Government, 16 March 2021

CLA(5)–10–21 – Paper 52 – Written statement, 17 March 2021

**4.15 SL(5)796 – The Senedd Cymru (Representation of the People) (Amendment)
Order 2021**

(Pages 566 – 579)

CLA(5)–10–21 – Paper 53 – Report

CLA(5)–10–21 – Paper 54 – Order

CLA(5)–10–21 – Paper 55 – Explanatory Memorandum

CLA(5)–10–21 – Paper 56 – Letter from the First Minister, 17 March 2021

**5 Instruments that raise issues to be reported to the Senedd under
Standing Order 21.2 or 21.3 – previously considered**

09.55–10.00

**5.1 SL(5)758 – The Education Workforce Council (Interim Suspension Orders)
(Additional Functions) (Wales) Order 2021**

(Pages 580 – 584)

CLA(5)–10–21 – Paper 57 – Report

CLA(5)–10–21 – Paper 58 – Welsh Government response

5.2 SL(5)767 – The Corporate Joint Committees (Transport Functions) (Wales) Regulations 2021

(Pages 585 – 587)

CLA(5)–10–21 – Paper 59 – Report

CLA(5)–10–21 – Paper 60 – Welsh Government response

6 Subordinate legislation that raises no reporting issues under Standing Order 21.7

10.00–10.05

(Pages 588 – 590)

CLA(5)–10–21 – Paper 61 – Subordinate legislation with clear reports

6.1 SL(5)799 – The Additional Learning Needs Code for Wales 2021

6.2 SL(5)788 – The Candidate Election Expenses (Senedd Elections) Code of Practice 2021 (Appointed Day) Order 2021

6.3 SL(5)794 – The Senedd Cymru (Returning Officers' Charges) Order 2021

7 Written Statements under Standing Order 30C

10.05–10.10

7.1 WS–30C(5)218 – The Official Controls, Plant Health, Seeds and Seed Potatoes (Amendment etc.) Regulations 2021

(Pages 591 – 595)

CLA(5)–10–21 – Paper 62 – Written statement

CLA(5)–10–21 – Paper 63 – Commentary

7.2 WS–30C(5)219 – The Agricultural Products, Food and Drink (Amendment) (EU Exit) Regulations 2020

(Pages 596 – 601)

CLA(5)–10–21 – Paper 64 – Written statement

CLA(5)–10–21 – Paper 65 – Commentary

8 Papers to note

10.10–10.15

8.1 Letters from the Minister for Environment, Energy and Rural Affairs: The Exemptions from Official Controls at Border Control Posts (Amendment) Regulations 2021

(Pages 602 – 605)

CLA(5)–10–21 – Paper 66 – Letter from the Minister for Environment, Energy and Rural Affairs, 15 March 2021

CLA(5)–10–21 – Paper 67 – Letter from the Minister for Environment, Energy and Rural Affairs to the Chair of the Climate Change, Environment and Rural Affairs Committee, 15 March 2021

8.2 Correspondence with the Minister for Housing and Local Government: The Local Land Charges (Fees) (Wales) Rules 2021

(Pages 606 – 608)

CLA(5)–10–21 – Paper 68 – Letter from the Minister for Housing and Local Government, 15 March 2021

CLA(5)–10–21 – Paper 69 – Letter to the Minister for Housing and Local Government, 9 March 2021

8.3 Letter from the Llywydd: Welsh Elections (Coronavirus) Bill 2021 – impact on Senedd Committees

(Pages 609 – 610)

CLA(5)–10–21 – Paper 70 – Letter from the Llywydd, 15 March 2021

8.4 Letter from the Minister for Environment, Energy and Rural Affairs to the Parliamentary Under Secretary of State for the Department for Environment, Food and Rural Affairs: The Reservoirs Act (Panels of Civil Engineers) (Applications and Fees) Regulations 2021

(Pages 611 – 612)

CLA(5)–10–21 – Paper 71 – Letter from the Minister for Environment, Energy and Rural Affairs to the Parliamentary Under Secretary of State for the Department for Environment, Food and Rural Affairs, 15 March 2021

8.5 Written statement by the Counsel General: Improving the accessibility of Welsh law

(Pages 613 – 614)

CLA(5)–10–21 – Paper 72 – Written statement, 16 March 2021

8.6 Letter from the Minister for Housing and Local Government: British–Irish Council Digital Inclusion Work Sector Ministerial Meeting

(Page 615)

CLA(5)–10–21 – Paper 73 – Letter from the Minister for Housing and Local Government, 17 March 2021

8.7 Letter from the Minister for Housing and Local Government: British–Irish Council Joint Housing and Spatial Planning Work Sectors Ministerial meeting

(Page 616)

CLA(5)–10–21 – Paper 74 – Letter from the Minister for Housing and Local Government, 18 March 2021

8.8 Correspondence with the Minister for Finance and Trefnydd: Standing Order 30C Written Statement – The Greenhouse Gas Emissions (Kyoto Protocol Registry) (Amendments) (EU Exit) Regulations 2021

(Pages 617 – 620)

CLA(5)–10–21 – Paper 75 – Letter from the Minister for Finance and Trefnydd, 19 March 2021

CLA(5)–10–21 – Paper 76 – Letter to the Minister for Finance and Trefnydd, 15 March 2021

9 Motion under Standing Order 17.42 to resolve to exclude the public from the remainder of the meeting

10.15

10 Legislative Consent Memorandum on the Armed Forces Bill – consideration of draft report

10.15–10.25

(Pages 621 – 627)

CLA(5)–10–21 – Paper 77 – Draft report

- 11 Legislative Consent Memorandum on the Animal Welfare (Sentencing) Bill – consideration of draft letter to the Minister**
10.25–10.30 (Pages 628 – 629)
CLA(5)–10–21 – Paper 78 – Draft letter to the Minister for Environment, Energy and Rural Affairs
- 12 Statutory Instruments laid but not formally scrutinised by the Committee**
10.30–10.40 (Pages 630 – 632)
CLA(5)–10–21 – Paper 79 – Statutory instruments laid but not formally scrutinised by the Committee
- 13 Legacy work – consideration of draft report**
10.40–11.30 (Pages 633 – 695)
CLA(5)–10–21 – Paper 80 – Draft report
CLA(5)–10–21 – Paper 81 – Draft letter to Procedures Committee
- 14 Scrutiny of regulations made under the EU (Withdrawal) Act 2018 – update**
(Pages 696 – 697)
CLA(5)–10–21 – Paper 82 – Letter from the Minister for Finance and Trefnydd, 19 March 2021