

Agenda – Legislation, Justice and Constitution Committee

Meeting Venue:	For further information contact:
Video Conference via Zoom	P Gareth Williams
Meeting date: 10 January 2022	Committee Clerk
Meeting time: 13.30	0300 200 6565
	SeneddLJC@senedd.wales

Informal pre-meeting (13.00–13.30)

1 Introductions, apologies and substitutions

13.30

2 Instruments that raise no reporting issues under Standing Order 21.2 or 21.3

13.30–13.35

(Pages 1 – 2)

Attached Documents:

LJC(6)–01–22 – Paper 1 – Statutory instruments with clear reports

Made Negative Resolution Instruments

2.1 SL(6)109 – The M48 Motorway (Eastbound and Westbound Exit Slip Roads at Junction 2 (Newhouse Roundabout), Chepstow) (40 mph Speed Limit) Regulations 2021

2.2 SL(6)111 – The Equality Act 2010 (Disabled School Pupils) (Wales) Regulations 2021

2.3 SL(6)113 – The Federation of Maintained Schools (Wales) (Amendment) Regulations 2021



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

13.35–13.45

Made Negative Resolution Instruments

3.1 SL(6)102 – The Education (Student Fees, Awards and Support) (Amendment) (Wales) Regulations 2021

(Pages 3 – 4)

[Regulations](#)

[Explanatory Memorandum](#)

Attached Documents:

LJC(6)–01–22 – Paper 2 – Draft report

3.2 SL(6)110 – The Eligible Community Councils (General Power of Competence) (Qualifications of Clerks) (Wales) Regulations 2021

(Pages 5 – 6)

[Regulations](#)

[Explanatory Memorandum](#)

Attached Documents:

LJC(6)–01–22 – Paper 3 – Draft report

3.3 SL(6)104 – The Health Protection (Coronavirus, International Travel and Public Health Information to Travellers) (Wales) (Miscellaneous Amendments) (No. 4) Regulations 2021

(Pages 7 – 11)

[Regulations](#)

[Explanatory Memorandum](#)

Attached Documents:

LJC(6)–01–22 – Paper 4 – Draft report

LJC(6)–01–22 – Paper 5 – Letter from the Minister for Health and Social Services to the Llywydd, 6 December 2021

3.4 SL(6)112 – The Health Protection (Coronavirus, International Travel and Public Health Information to Travellers) (Wales) (Miscellaneous Amendments) (No. 5) Regulations 2021

(Pages 12 – 16)

Attached Documents:

LJC(6)-01-22 – Paper 6 – Draft report

LJC(6)-01-22 – Paper 7 – Letter from the Minister for Health and Social Services to the Llywydd, 14 December 2021

3.5 SL(6)117 – The Coronavirus Act 2020 (Residential Tenancies: Extension of Period of Protection from Eviction) (No. 4) (Wales) Regulations 2021

(Pages 17 – 21)

[Regulations](#)

[Explanatory Memorandum](#)

Attached Documents:

LJC(6)-01-22 – Paper 8 – Draft report

LJC(6)-01-22 – Paper 9 – Letter from the Minister for Climate Change to the Llywydd, 17 December 2021

3.6 SL(6)120 – The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 24) Regulations 2021

(Pages 22 – 26)

[Regulations](#)

[Explanatory Memorandum](#)

Attached Documents:

LJC(6)-01-22 – Paper 10 – Draft report

LJC(6)-01-22 – Paper 11 – Letter from the First Minister to the Llywydd, 21 December 2021

3.7 SL(6)125 – The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 26) Regulations 2021

(Pages 27 – 31)

[Regulations](#)

[Explanatory Memorandum](#)

Attached Documents:

LJC(6)-01-22 – Paper 12 – Draft report

LJC(6)-01-22 – Paper 13 – Letter from the First Minister to the Llywydd, 30 December 2021

Composite Negative Resolution Instrument

3.8 SL(6)106 – The Education (Student Loans) (Repayment) (Amendment) (No. 4) Regulations 2021

(Pages 32 – 33)

[Regulations](#)

[Explanatory Memorandum](#)

Attached Documents:

LJC(6)-01-22 – Paper 14 – Draft report

Affirmative Resolution Instruments

3.9 SL(6)105 – The Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2022

(Pages 34 – 36)

[Regulations](#)

[Explanatory Memorandum](#)

Attached Documents:

LJC(6)-01-22 – Paper 15 – Draft report

Made Affirmative Resolution Instruments

3.10 SL(6)108 – The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 22) Regulations 2021

(Pages 37 – 40)

[Regulations](#)

[Explanatory Memorandum](#)

Attached Documents:

LJC(6)-01-22 – Paper 16 – Draft report

LJC(6)-01-22 – Paper 17 – Letter from the First Minister to the Llywydd, 10 December 2021

**3.11 SL(6)118 – The Health Protection (Coronavirus Restrictions) (No. 5) (Wales)
(Amendment) (No. 23) Regulations 2021**

(Pages 41 – 45)

[Regulations](#)

[Explanatory Memorandum](#)

Attached Documents:

LJC(6)-01-22 – Paper 18 – Draft report

LJC(6)-01-22 – Paper 19 – Letter from the First Minister to the Llywydd – 17
December 2021

**3.12 SL(6)124 – The Health Protection (Coronavirus Restrictions) (No. 5) (Wales)
(Amendment) (No.25) Regulations 2021**

(Pages 46 – 51)

[Regulations](#)

[Explanatory Memorandum](#)

Attached Documents:

LJC(6)-01-22 – Paper 20 – Draft report

LJC(6)-01-22 – Paper 21 – Letter from the First Minister to the Llywydd, 22
December 2021

**3.13 SL(6)122 – The Landfill Disposals Tax (Tax Rates) (Wales) (Amendment)
Regulations 2021**

(Pages 52 – 54)

[Regulations](#)

[Explanatory Memorandum](#)

Attached Documents:

LJC(6)-01-22 – Paper 22 – Draft report

LJC(6)-01-22 – Paper 23 – Letter from the Minister for Finance and Local
Government to the Llywydd, 20 December 2021

**4 Instruments previously considered for sifting and now subject to
scrutiny under Standing Orders 21.2 and 21.3**

13.45–13.50

4.1 SL(6)107 – The Food Information (Wales) (Amendment) Regulations 2021

(Pages 55 – 56)

[Regulations](#)

[Explanatory Memorandum](#)

Attached Documents:

LJC(6)-01-22 – Paper 24 – Draft report

5 Common Frameworks

13.50–13.55

5.1 Provisional organs, tissues and cells (apart from embryos and gametes) common framework

(Pages 57 – 97)

Attached Documents:

LJC(6)-01-22 – Paper 25 – Letter from the Minister for Health and Social Services, 3 December 2021

LJC(6)-01-22 – Paper 26 – The Organs, Tissues and Cells (apart from embryos and gametes) Provisional Common Framework

LJC(6)-01-22 – Paper 27 – Letter from the Health and Social Care Committee to the Minister for Health and Social Services, 17 December 2021

5.2 Provisional blood safety and quality common framework

(Pages 98 – 143)

Attached Documents:

LJC(6)-01-22 – Paper 28 – Letter from the Minister for Health and Social Services, 3 December 2021

LJC(6)-01-22 – Paper 29 – The Blood Safety and Quality Provisional Common Framework

LJC(6)-01-22 – Paper 30 – Letter from the Health and Social Care Committee to the Minister for Health and Social Services, 17 December 2021

5.3 Correspondence with the House of Lords Common Frameworks Scrutiny Committee: Scrutiny of the Common Frameworks Programme

(Pages 144 – 151)

Attached Documents:

LJC(6)–01–22 – Paper 31 – Letter from Baroness Andrews, Chair of the Common Frameworks Scrutiny Committee, 14 December 2021

LJC(6)–01–22 – Paper 32 – Letter to Baroness Andrews, Chair of the Common Frameworks Scrutiny Committee, 1 December 2021

6 Inter–Institutional Relations Agreement

13.55–14.00

6.1 Correspondence from the Minister for Climate Change: Inter–Ministerial Group on Environment, Food and Rural Affairs

(Pages 152 – 153)

Attached Documents:

LJC(6)–01–22 – Paper 33 – Letter from the Minister for Climate Change, 31 December 2021

7 Papers to note

14.00–14.10

7.1 Written statement by the Welsh Government: Public Service Pensions and Judicial Offices Bill

(Pages 154 – 155)

Attached Documents:

LJC(6)–01–22 – Paper 34 – Written statement by the Welsh Government, 6 December 2021

7.2 Correspondence from the Minister for Climate Change: Response to the Committee's reports on the Legislative Consent Memoranda on the Leasehold Reform (Ground Rent) Bill

(Pages 156 – 158)

Attached Documents:

LJC(6)-01-22 – Paper 35 – Letter from the Minister for Climate Change, 13 December 2021

7.3 Correspondence from the Minister for Finance and Local Government:

Legislative Consent Memorandum on the Rating (Coronavirus) and Directors Disqualification (Dissolved Companies) Bill

(Pages 159 – 160)

Attached Documents:

LJC(6)-01-22 – Paper 36 – Letter from the Minister for Finance and Local Government to the Llywydd, 16 December 2021

7.4 Correspondence from the Local Government and Housing Committee:

Legislative Consent Memorandum on the Building Safety Bill

(Pages 161 – 162)

Attached Documents:

LJC(6)-01-22 – Paper 37 – Letter from the Chair of the Local Government and Housing Committee, 17 December 2021

7.5 Correspondence from the Minister for Climate Change: Response to the Committee's report on the Legislative Consent Memorandum on the Building Safety Bill

(Pages 163 – 166)

Attached Documents:

LJC(6)-01-22 – Paper 38 – Letter from the Minister for Climate Change, 4 January 2022

7.6 Correspondence from the Minister for Finance and Local Government:

Response to the Committee's report on the Legislative Consent Memorandum on the Subsidy Control Bill

(Pages 167 – 168)

Attached Documents:

LJC(6)-01-22 – Paper 39 – Letter from the Minister for Finance and Local Government, 6 January 2022

7.7 Correspondence from the Minister for Rural Affairs and North Wales, and Trefnydd: Whelk Fishing Permit (Wales) Order 2021

(Pages 169 – 171)

Attached Documents:

LJC(6)-01-22 – Paper 41 – Letter from the Minister for Rural Affairs and North Wales, and Trefnydd, 9 December 2021

LJC(6)-01-22 – Paper 42 – Written statement by the Welsh Government, 9 December 2021

7.8 Correspondence from the Law Commission: The Law Commission's Report on Devolved Tribunals in Wales

(Page 172)

Attached Documents:

LJC(6)-01-22 – Paper 43 – Correspondence from the Law Commission, 13 December 2021

7.9 Correspondence from the Minister for Education and Welsh Language: Relationships and Sexuality Education (RSE) Draft Code

(Pages 173 – 176)

Attached Documents:

LJC(6)-01-22 – Paper 44 – Letter from the Minister for Education and Welsh Language to Members of the Senedd, 14 December 2021

7.10 Correspondence from the Minister for Rural Affairs and North Wales, and Trefnydd: The Approved Country Lists (Animals and Animal Products) (Amendment) (No. 2) Regulations 2021

(Pages 177 – 178)

Attached Documents:

LJC(6)-01-22 – Paper 45 – Letter from the Minister for Rural Affairs and North Wales, and Trefnydd, 17 December 2021

7.11 Correspondence from the Minister for Rural Affairs and North Wales, and Trefnydd: The Official Controls (Extension of Transitional Periods) (Amendment) (No. 2) Regulations 2021

(Pages 179 – 180)

Attached Documents:

LJC(6)-01-22 – Paper 46 – Letter from the Minister for Rural Affairs and North Wales, and Trefnydd, 20 December 2021

7.12 Correspondence from the Minister for Rural Affairs and North Wales, and Trefnydd: The Official Controls (Temporary Measures) (Coronavirus) (Amendment) (No.3) Regulations 2021

(Pages 181 – 184)

Attached Documents:

LJC(6)-01-22 – Paper 47 – Letter from the Minister for Rural Affairs and North Wales, and Trefnydd, 6 January 2022

LJC(6)-01-22 – Paper 48 – Written statement by the Welsh Government, 5 January 2022

7.13 Correspondence from the Chair of the Public Accounts and Public Administration Committee to the Chief Executive and Clerk, Senedd Commission: Use of the term BAME

(Pages 185 – 186)

Attached Documents:

LJC(6)-01-22 – Paper 49 – Letter from Correspondence from the Chair of the Public Accounts and Public Administration Committee, 10 December 2021

7.14 Correspondence from the First Minister: Protocol on scrutiny of regulations arising from the UK's exit from the European Union

(Pages 187 – 188)

Attached Documents:

LJC(6)-01-22 – Paper 50 – Letter from the First Minister, 29 December 2021

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

14.10

9 Supplementary Legislative Consent Memorandum (Memorandum No. 3) on the Skills and Post-16 Education Bill

14.10-14.30

(Pages 189 – 217)

[Supplementary Legislative Consent Memorandum \(Memorandum No. 3\) – Skills and Post-16 Education Bill](#)

Attached Documents:

LJC(6)-01-22 – Paper 51 – Legal advice note

LJC(6)-01-22 – Paper 52 – Letter from the Minister for Education and Welsh Language to the Secretary of State for Education, 13 December 2021

LJC(6)-01-22 – Paper 53 – Draft report

10 Supplementary Legislative Consent Memorandum (Memorandum No. 3) on the Police, Crime, Sentencing and Courts Bill

14.30-14.50

(Pages 218 – 261)

[Supplementary Legislative Consent Memorandum \(Memorandum No. 3\) – Police, Crime, Sentencing and Courts Bill](#)

Attached Documents:

LJC(6)-01-22 – Paper 54 – Legal advice note

LJC(6)-01-22 – Paper 55 – Draft report

11 International agreements considered on 13 December 2021 – Consideration of draft report

14.50-14.55

(Pages 262 – 265)

Attached Documents:

LJC(6)-01-22 – Paper 56 – Draft report