

# Concise Minutes – Legislation, Justice and Constitution Committee

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Meeting Venue:

Video Conference via Zoom

Meeting date: Monday, 10 January 2022

Meeting time: 13.31 – 14.45

This meeting can be viewed

on [Senedd TV](#) at:

<http://senedd.tv/en/12581>

## Remote

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### Attendance

Category	Names
Members of the Senedd:	Huw Irranca-Davies MS (Chair) Alun Davies MS Peter Fox MS
Committee Staff:	P Gareth Williams (Clerk) Sarah Sargent (Second Clerk) Gareth Howells (Legal Adviser) Jennifer Cottle (Legal Adviser) Samiwel Davies (Legal Adviser)

## 1 Introductions, apologies and substitutions

Apologies were received from Rhys ab Owen MS.



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

### **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**

The Committee considered the instrument and was content.

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

The Committee considered the instrument and was content.

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

The Committee considered the instrument and was content.

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

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

The Committee considered the instrument and agreed to report to the Senedd in line with the reporting points identified.

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

The Committee considered the instrument and agreed to report to the Senedd in line with the reporting point identified.

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

The Committee considered the instrument and agreed to report to the Senedd in line with the reporting points identified.

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

The Committee considered the instrument and agreed to report to the Senedd in line with the reporting points identified.

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

The Committee considered the instrument and agreed to report to the Senedd in line with the reporting points identified.

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

The Committee considered the instrument and agreed to report to the Senedd in line with the reporting points identified.

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

The Committee considered the instrument and agreed to report to the Senedd in line with the reporting points identified.

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

The Committee considered the instrument and agreed to report to the Senedd in line with the reporting point identified.

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

The Committee considered the instrument and the Welsh Government response and agreed to report to the Senedd in line with the reporting points identified.

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

The Committee considered the instrument and the Welsh Government response and agreed to report to the Senedd in line with the reporting points identified.

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

The Committee considered the instrument and agreed to report to the Senedd in line with the reporting points identified.

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

The Committee considered the instrument and agreed to report to the Senedd in line with the reporting points identified.

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

The Committee considered the instrument and agreed to report to the Senedd in line with the reporting point identified.

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

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

The Committee considered the instrument and agreed to report to the Senedd in line with the reporting point identified.

## **5 Common Frameworks**

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

The Committee noted the provisional Common Framework, and that the Health and Social Care Committee had written to the Minister for Health and Social Services to seek further information in relation to a number of issues related to both this Framework and the provisional Blood Safety and Quality Common Framework, considered at Item 5.2.

### **5.2 Provisional blood safety and quality common framework**

The Committee noted the provisional Common Framework.

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

The Committee noted the correspondence with the House of Lords Common Frameworks Scrutiny Committee in relation to the Common Frameworks Programme.

## **6 Inter-Institutional Relations Agreement**

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

The Committee noted the letter from the Minister for Climate Change, and that it had been sent in accordance with the Inter-Institutional Relations Agreement.

## **7 Papers to note**

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

The Committee noted the written statement in relation to the Public Service Pensions and Judicial Offices Bill.

**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**

The Committee noted the letter from the Minister for Climate Change.

**7.3 Correspondence from the Minister for Finance and Local Government: Legislative Consent Memorandum on the Rating (Coronavirus) and Directors Disqualification (Dissolved Companies) Bill**

The Committee noted the letter from the Minister for Finance and Local Government.

**7.4 Correspondence from the Local Government and Housing Committee: Legislative Consent Memorandum on the Building Safety Bill**

The Committee noted the letter from the Chair of the Local Government and Housing Committee.

**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**

The Committee noted the response from the Minister for Climate Change to its report on the Legislative Consent Memorandum on the Building Safety Bill.

**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**

The Committee noted the response from the Minister for Finance and Local Government to its report on the Legislative Consent Memorandum on the Subsidy Control Bill.

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

The Committee noted the letter from the Minister for Rural Affairs and North Wales, and Trefnydd.

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

The Committee noted the correspondence from the Law Commission in Wales.

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

The Committee noted the letter from the Minister for Education and Welsh Language.

## **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**

The Committee noted the letter from the Minister for Rural Affairs and North Wales, and Trefnydd. The Committee also noted that the letter, and those considered at Items 7.11 and 7.12, had been sent in accordance with the terms of the recently renewed Inter-Institutional Relations Agreement between the Senedd and Welsh Government.

## **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**

The Committee noted the letter from the Minister for Rural Affairs and North Wales, and Trefnydd.

**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**

The Committee noted the letter from the Minister for Rural Affairs and North Wales, and Trefnydd.

**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**

The Committee noted the letter from the Chair of the Public Accounts and Public Administration Committee to the Chief Executive and Clerk of the Senedd Commission.

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

The Committee noted the letter from the First Minister and, in private, agreed to discuss its approach to the consideration of regulations made by the UK Government in devolved areas with the consent of Welsh Ministers, including those regulations previously covered by the Protocol, at its next meeting.

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

The Committee agreed the motion.

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

The Committee considered the Welsh Government's Supplementary Legislative Consent Memorandum (Memorandum No. 3) on the Skills and Post-16 Education Bill. The Committee considered and agreed its draft report on the Memorandum, and noted the report would be laid before 5pm.



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

The Committee considered the Welsh Government's Supplementary Legislative Consent Memoranda on the Police, Crime, Sentencing and Courts Bill. The Committee considered its draft report on the Memoranda, noting that a further supplementary memorandum had been laid the previous Friday (considered under Item 12), and agreed to consider a revised version at the next meeting.

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

The Committee considered and agreed its report on the international agreements considered at its meeting on 13 December 2021. The Committee noted that its report would be shared with the House of Lords International Agreements Committee.

## **12 Supplementary Legislative Consent Memorandum (Memorandum No. 4) on the Police, Crime, Sentencing and Courts Bill**

The Committee considered the Welsh Government's Supplementary Legislative Consent Memorandum (Memorandum No. 4) as part of its discussion under Item 10.