

# Concise Minutes – Legislation, Justice and Constitution Committee

Meeting Venue:

Committee Room 4, Tŷ Hywel

Meeting date: Monday, 13 February 2023

Meeting time: 12.00 – 14.58

This meeting can be viewed

on [Senedd TV](#) at:

<http://senedd.tv/en/13211>

## On-site

### Attendance

Category	Names
Members of the Senedd:	Huw Irranca-Davies MS (Chair) Alun Davies MS James Evans MS Peredur Owen Griffiths MS
Witnesses:	Mick Antoniw MS, Counsel General and Minister for the Constitution Dr James George, Welsh Government
Committee Staff:	P Gareth Williams (Clerk) Gerallt Roberts (Second Clerk) Sarah Sargent (Second Clerk) Kate Rabaiotti (Legal Adviser)

## 1 Introductions, apologies, substitutions and declarations of interest

There were no apologies or substitutions.



**Senedd Cymru**  
**Welsh Parliament**

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

### **Made Negative Resolution Instruments**

#### **2.1 SL(6)316 – The Judicial Offices (Sitting in Retirement – Prescribed Offices and Descriptions) (Wales) Regulations 2023**

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

#### **2.2 SL(6)317 – The Care and Support (Charging) and (Financial Assessment) (Wales) (Miscellaneous Amendments) Regulations 2023**

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

#### **2.3 SL(6)320 – The National Health Service (Charges to Overseas Visitors) (Amendment) (Wales) Regulations 2023**

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

### **Made Affirmative Resolution Instruments**

#### **2.4 SL(6)319 – The Non-Domestic Rating (Multiplier) (Wales) Regulations 2023**

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

## **3 Instrument that raises no reporting issues under Standing Order 21.7**

#### **3.1 SL(6)318 – Code of practice on the exercise of social services functions in relation to Part 4 (direct payments and choice of accommodation) and Part 5 (charging and financial assessment) of the Social Services and Well-being (Wales) Act 2014**

The Committee considered the instrument and was content.

## **4 Inter–Institutional Relations Agreement**

### **4.1 Correspondence from the Minister for Rural Affairs and North Wales, and Trefnydd: Inter–Ministerial Group for Environment, Food and Rural Affairs**

The Committee noted the letter from the Minister.

### **4.2 Correspondence from the Counsel General and Minister for the Constitution: Inter–Ministerial Standing Committee**

The Committee noted the Written Statement and the letter from the Counsel General and Minister for the Constitution.

### **4.3 Correspondence from the Minister for Health and Social Services: UK Health Ministers Inter–Ministerial Group**

The Committee noted the letter from the Minister.

### **4.4 Written Statement and correspondence from the Deputy Minister for Mental Health and Wellbeing: The Food Supplements and Food for Specific Groups (Miscellaneous Amendments) (No. 2) Regulations 2023**

The Committee noted the Written Statement and the letter from the Minister.

## **5 Papers to note**

### **5.1 Correspondence from the Minister for Climate Change: Legislative Consent Memoranda on the UK Government's Social Housing (Regulation) Bill**

The Committee noted the letter from the Minister.

### **5.2 Correspondence from the Minister for Finance and Local Government: Supplementary Legislative Consent Memoranda on the Procurement Bill**

The Committee noted the correspondence with the Minister.

### **5.3 Correspondence from the Economy, Trade and Rural Affairs Committee to the Minister for Rural Affairs and North Wales, and Trefnydd, and the Minister for Economy: Retained EU Law (Revocation and Reform) Bill**

The Committee noted the letter from the Economy, Trade and Rural Affairs Committee to the Minister.

### **5.4 Equality and Human Rights Commission briefing for House of Lords Second Reading on the Retained EU Law (Revocation and Reform) Bill**

The Committee noted the briefing by the Equality and Human Rights Commission.

### **5.5 Correspondence from the Local Government and Housing Committee: The Welsh Government's capacity to legislate**

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

### **5.6 Correspondence from the Counsel General and Minister for the Constitution: Retained EU Law (Revocation and Reform) Bill**

The Committee noted the Correspondence with the Counsel General and Minister for the Constitution.

## **6 Historic Environment (Wales) Bill: Detailed Committee Consideration**

In accordance with Standing Order 26C.27, the Committee disposed of the following amendments to the Bill:

Amendment 49 (James Evans MS)

<b>In Favour</b>	<b>Against</b>	<b>Abstain</b>
James Evans	Alun Davies	
Peredur Owen Griffiths	Huw Irranca Davies	
<b>As the vote was tied, the Chair used his casting vote in the negative (in accordance with SO 6.20(ii)). Therefore amendment 49 was not agreed.</b>		

Amendment 1 (Mick Antoniw MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 2 (Mick Antoniw MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 3 (Mick Antoniw MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 4 (Mick Antoniw MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 5 (Mick Antoniw MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 32 (Mick Antoniw MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 33 (Mick Antoniw MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 34 (Mick Antoniw MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 6 (Mick Antoniw MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 7 (Mick Antoniw MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 8 (Mick Antoniw MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 9 (Mick Antoniw MS) was agreed in accordance with Standing Order 17.34(i).

Amendments 10,11 and12 (Mick Antoniw MS) were agreed in accordance with Standing Order 17.34(i).

Amendment 13 (Mick Antoniw MS) was agreed in accordance with Standing Order 17.34(i).

Amendments 14,15 and16 (Mick Antoniw MS) were agreed in accordance with Standing Order 17.34(i).

Amendment 17 (Mick Antoniw MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 18 (Mick Antoniw MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 19 (Mick Antoniw MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 20 (Mick Antoniw MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 21 (Mick Antoniw MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 22 (Mick Antoniw MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 23 (Mick Antoniw MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 35 (Mick Antoniw MS) was agreed in accordance with Standing Order 17.34(i).

Amendments 36,37 and 38 (Mick Antoniw MS) were agreed in accordance with Standing Order 17.34(i).

Amendment 39 (Mick Antoniw MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 24 (Mick Antoniw MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 40 (Mick Antoniw MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 25 (Mick Antoniw MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 26 (Mick Antoniw MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 27 (Mick Antoniw MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 28 (Mick Antoniw MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 29 (Mick Antoniw MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 30 (Mick Antoniw MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 31 (Mick Antoniw MS) was agreed in accordance with Standing Order 17.34(i).

As amendment 49 was not agreed, amendment 50 fell

As amendment 49 was not agreed, amendment 51 fell

As amendment 49 was not agreed, amendment 52 fell

Amendment 41 (Mick Antoniw MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 42 (Mick Antoniw MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 43 (Mick Antoniw MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 44 (Mick Antoniw MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 45 (Mick Antoniw MS) was agreed in accordance with Standing Order 17.34(i).

As amendment 49 was not agreed, amendment 46 fell

As amendment 49 was not agreed, amendment 47 fell

As amendment 49 was not agreed, amendment 48 fell

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

The motion was agreed.

## **8 Historic Environment (Wales) Bill: Detailed Committee Consideration next steps**

The Committee agreed to consider a draft report on the detailed committee consideration of the Bill at its next meeting. The Committee also agreed to write to the Counsel General and Minister for the Constitution to seek further clarification.

## **9 Legislative Consent Memorandum on the Retained EU Law (Revocation and Reform) Bill: Draft report**

The Committee considered and agreed its draft report.

## **10 Legislative Consent Memoranda on the Levelling-up and Regeneration Bill: Draft report**

The Committee considered its draft report.

## **11 International agreements**

The Committee considered the international agreement on the UK/Italy Mutual Recognition of Driving Licences for the Purposes of Exchange. The Committee agreed to consider its draft report on the agreement outside of Committee to allow the report to be published ahead of the relevant scrutiny deadline.