

# Plenary

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Meeting date:  
Tuesday, 2 July 2013

Meeting time:  
13:30

Cynulliad  
Cenedlaethol  
Cymru

National  
Assembly for  
Wales



## Votes and Proceedings

(143)

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### 1 Questions to the First Minister

The item started at 13.30

All 14 questions were asked. The Presiding Officer invited party leaders to ask questions to the First Minister after Question 2.

#### Point of Order

The item started at 14.15

Jenny Rathbone raised a Point of Order regarding the Urgent Question. The Presiding Officer ruled that the decision on whether or not to agree to an Urgent Questions was a matter for her.

#### Urgent Question

The item started at 14.16

**Darren Millar (Clwyd West):** Will the Minister make a statement on the resignation of the Chairman and Chief Executive of Betsi Cadwaladr University Health Board?

### 2 Questions to the Minister for Culture and Sport

The item started at 14.23

Questions 1 – 5, 7 – 11 and 13 were asked. Questions 6 and 12 were withdrawn.

### 3 Business Statement and Announcement

The item started at 15.11

### 4 Statement by the Minister for Education and Skills: Introduction of the Education (Wales) Bill

The item started at 15.23

### 5 Statement by the Minister for Education and Skills: Qualifications in Wales – postponed

### 6 Motion under Standing Order 26.95 that a Bill to be known as the Agricultural Sector (Wales) Bill be treated as a Government Emergency Bill

The item started at 16.20

It was agreed under Standing Order 12.24 to debate the following two items together but with separate votes.

Voting on the motion and amendments under this item was deferred until Voting Time.

#### NDM5279 Alun Davies (Blaenau Gwent)

To propose that the National Assembly for Wales, in accordance with Standing Order 26.95:

Agrees that a government Bill to be known as the Agricultural Sector (Wales) Bill, to be introduced in the Assembly, be treated as a government Emergency Bill.

The following amendments were tabled:

#### Amendment 1 – William Graham (South Wales East)

Add as new point at end of motion:

Regrets that the National Assembly for Wales will not be able to subject the proposed Bill to sufficient scrutiny.

A vote was taken on Amendment 1:

For	Abstain	Against	Total
27	0	28	55

As required by Standing Order 6.20 the Presiding Officer exercised her casting vote by voting against the amendment. Therefore, the amendment was not agreed.

#### Amendment 2 – William Graham (South Wales East)

Add as new point at end of motion:

Regrets the failure of the Welsh Government to subject the Bill to the full Public Bill procedure given the opportunity it had to do so.

A vote was taken on Amendment 2:

For	Abstain	Against	Total
27	0	28	55

As required by Standing Order 6.20 the Presiding Officer exercised her casting vote by voting against the amendment. Therefore, the amendment was not agreed.

### **Amendment 3 – William Graham (South Wales East)**

Add as new point at end of motion:

Notes that;

- a) the key purposes of proposed Bill include wage-setting functions, and;
- b) employment law is not listed under Schedule 7 of the Government of Wales Act 2006.

A vote was taken on Amendment 3:

For	Abstain	Against	Total
18	0	36	54

**Amendment 3 was not agreed.**

A vote was taken on the motion as amended:

### **NDM5279 Alun Davies (Blaenau Gwent)**

To propose that the National Assembly for Wales, in accordance with Standing Order 26.95:

Agrees that a government Bill to be known as the Agricultural Sector (Wales) Bill, to be introduced in the Assembly, be treated as a government Emergency Bill.

For	Abstain	Against	Total
27	9	18	54

**The motion without amendment was agreed.**

**7 Motion under Standing Order 26.98(ii) to agree a timetable for the Bill to be known as the Agricultural Sector (Wales) Bill**

The item started at 16.20

**Voting on the motion under this item was deferred until Voting Time.**

**NDM5280 Alun Davies (Blaenau Gwent)**

To propose that the National Assembly for Wales, in accordance with Standing Order 26.98(ii):

Agrees that the timetable for the government Emergency Bill to be known as the Agricultural Sector (Wales) Bill will be as set out in the 'Timetable for consideration of the Agricultural Sector (Wales) Bill' laid before the Assembly on 25 June 2013.

The result was as follows:

For	Abstain	Against	Total
27	9	18	54

The motion was agreed.

**8 The Anti-Social Behaviour Act 2003 (Amendments to the Education Act 1996) (Wales) Order 2013**

The item started at 16.56

**Voting on the motion under this item was deferred until Voting Time.**

**NDM5277 Lesley Griffiths (Wrexham)**

To propose that the National Assembly for Wales, in accordance with Standing Order 27.5:

Approves that the draft Anti-Social Behaviour Act 2003 (Amendment to the Education Act 1996) (Wales) Order 2013 is made in accordance with the draft laid in the Table Office on 11 June 2013.

The result was as follows:

For	Abstain	Against	Total
29	0	25	54

The motion was agreed.

**9 Stage 3 Standing Order 26.44 debate on the Human Transplantation (Wales) Bill**

The item started at 16.59

In accordance with Standing Order 26.36, amendments will be disposed of in the order which the sections and schedules to which they relate, arise in the Bill.

**The Amendments have been grouped for the purposes of debate and the groupings will be debated as follows:**

**1. Promotion of transplantation**

1, 66

**2. Resources for Local Health Boards**

40

**3. Review of system of consent**

67

**4. Consent to donation: excluded material**

2, 7, 8, 17, 29I, 29B, 29C, 29D, 29A, 29E, 29F, 29G, 29H, 29, 33, 34, 35, 36, 38

**5. Consent to donation: deemed consent**

41, 47, 48, 49, 50, 69, 63, 64

**6. Appointed representatives**

3A, 3, 42, 4, 43, 44, 45, 46, 52, 11A, 11, 12, 56, 57, 58, 59, 60, 61, 62

**7. Technical and consequential**

5, 6, 9, 10, 13, 14, 15, 16, 18, 19, 32, 37

**8. Consent to donation: express consent**

51

**9. Consent: excepted adults**

53, 54, 55, 68

**10. Appointed representatives: children**

20A, 20, 21A, 21, 22A, 22, 23, 24, 25, 26, 27, 28A, 28B, 28, 30, 31, 39

**11. Living donation involving adults who lack capacity to consent**

70, 71, 72

**12. Preservation for transplantation**

**13. Guidance**

65, 74

Voting was taken in the order set out in the Marshalled List of Amendments:

Amendment 1 was agreed in accordance with Standing Order 12.36.

Amendment 40 was agreed in accordance with Standing Order 12.36.

A vote was taken on Amendment 66:

For	Abstain	Against	Total
20	0	35	55

Amendment 66 was not agreed.

A vote was taken on Amendment 67:

For	Abstain	Against	Total
18	0	37	55

Amendment 67 was not agreed.

Amendment 2 was agreed in accordance with Standing Order 12.36.

A vote was taken on Amendment 41:

For	Abstain	Against	Total
6	1	45	52

Amendment 41 was not agreed.

In accordance with Standing Order 12.18, the Presiding Officer adjourned the meeting at 19.46 and reconvened at 19.56.

A vote was taken on Amendment 3A:

For	Abstain	Against	Total
8	0	45	53

Amendment 3A was not agreed.

As amendment 3A was not agreed, amendments 42, 43, 44, 45, 46, 52, 11A, 56, 57, 58, 59, 60, 20A, 21A, 22A, 28B, 29B to 29H, 61 and 62 fell.

Amendment 3 was agreed in accordance with Standing Order 12.36.

Amendment 4 was agreed in accordance with Standing Order 12.36.

Amendment 5 was agreed in accordance with Standing Order 12.36.

Amendment 6 was agreed in accordance with Standing Order 12.36.

A vote was taken on Amendment 47:

For	Abstain	Against	Total
10	1	43	54

Amendment 47 was not agreed.

As amendment 47 was not agreed, amendment 49 fell.

A vote was taken on Amendment 48:

For	Abstain	Against	Total
10	0	43	54

Amendment 48 was not agreed.

As amendment 48 was not agreed, amendment 50 fell.

A vote was taken on Amendment 51:

For	Abstain	Against	Total
14	0	39	53

Amendment 51 was not agreed.

Amendment 7 was agreed in accordance with Standing Order 12.36.

Amendment 8 was agreed in accordance with Standing Order 12.36.

A vote was taken on Amendment 53:

For	Abstain	Against	Total
16	0	38	54

Amendment 53 was not agreed.

A vote was taken on Amendment 54:

For	Abstain	Against	Total
24	0	30	54

Amendment 54 was not agreed.

A vote was taken on Amendment 55:

For	Abstain	Against	Total
16	0	38	54

Amendment 55 was not agreed.

A vote was taken on Amendment 68:

For	Abstain	Against	Total
10	0	44	54

Amendment 68 was not agreed.

Amendment 9 was agreed in accordance with Standing Order 12.36.

Amendment 10 was agreed in accordance with Standing Order 12.36.

Amendment 11 was agreed in accordance with Standing Order 12.36.

Amendment 12 was agreed in accordance with Standing Order 12.36.

Amendment 13 was agreed in accordance with Standing Order 12.36.

Amendment 14 was agreed in accordance with Standing Order 12.36.

Amendment 15 was agreed in accordance with Standing Order 12.36.

Amendment 16 was agreed in accordance with Standing Order 12.36.

Amendment 17 was agreed in accordance with Standing Order 12.36.

Amendment 18 was agreed in accordance with Standing Order 12.36.

Amendment 19 was agreed in accordance with Standing Order 12.36.

A vote was taken on Amendment 20:

For	Abstain	Against	Total
41	1	12	54

Amendment 20 was agreed.

Amendment 21 was agreed in accordance with Standing Order 12.36.

Amendment 22 was agreed in accordance with Standing Order 12.36.

Amendment 23 was agreed in accordance with Standing Order 12.36.

Amendment 24 was agreed in accordance with Standing Order 12.36.

Amendment 25 was agreed in accordance with Standing Order 12.36.

Amendment 26 was agreed in accordance with Standing Order 12.36.



**Amendment 27 was agreed in accordance with Standing Order 12.36.**

A vote was taken on Amendment 28A:

For	Abstain	Against	Total
11	0	42	53

**Amendment 28A was not agreed.**

**Amendment 28 was agreed in accordance with Standing Order 12.36.**

A vote was taken on Amendment 69:

For	Abstain	Against	Total
11	1	42	54

**Amendment 69 was not agreed.**

A vote was taken on Amendment 29I:

For	Abstain	Against	Total
10	1	42	53

**Amendment 29I was not agreed.**

A vote was taken on Amendment 29A:

For	Abstain	Against	Total
12	0	42	54

**Amendment 29A was not agreed.**

A vote was taken on Amendment 29:

For	Abstain	Against	Total
43	0	11	54

**Amendment 29 was agreed.**

A vote was taken on Amendment 30:

For	Abstain	Against	Total
42	0	12	54

**Amendment 30 was agreed.**

A vote was taken on Amendment 31:

For	Abstain	Against	Total
42	0	11	53

**Amendment 31 was agreed.**

**Amendment 32 was agreed in accordance with Standing Order 12.36.**

**Amendment 33 was agreed in accordance with Standing Order 12.36.**

A vote was taken on Amendment 70:

For	Abstain	Against	Total
13	1	40	54

**Amendment 70 was not agreed.**

A vote was taken on Amendment 71:

For	Abstain	Against	Total
12	1	41	54

**Amendment 71 was not agreed.**

A vote was taken on Amendment 72:

For	Abstain	Against	Total
12	1	41	54

**Amendment 72 was not agreed.**

**Amendment 73 was withdrawn in accordance with Standing Order 12.27.**

A vote was taken on Amendment 65:

For	Abstain	Against	Total
8	1	45	54

**Amendment 65 was not agreed.**

A vote was taken on Amendment 74:

For	Abstain	Against	Total
12	0	42	54

**Amendment 74 was not agreed.**

**Amendment 34 was agreed in accordance with Standing Order 12.36.**

A vote was taken on Amendment 63:

For	Abstain	Against	Total
14	0	40	54

**Amendment 63 was not agreed.**

Amendment 35 was agreed in accordance with Standing Order 12.36.

Amendment 36 was agreed in accordance with Standing Order 12.36.

Amendment 37 was agreed in accordance with Standing Order 12.36.

Amendment 38 was agreed in accordance with Standing Order 12.36.

A vote was taken on Amendment 39:

For	Abstain	Against	Total
46	0	8	54

Amendment 39 was agreed.

A vote was taken on Amendment 64:

For	Abstain	Against	Total
13	0	41	54

Amendment 64 was not agreed.

All sections and schedules of the Bill were deemed agreed, concluding Stage 3 proceedings.

**10 Stage 4 Standing Order 26.47 motion to approve the Human Transplantation (Wales) Bill**

The item started at 21.33

At the conclusion of Stage 3 the Minister may propose that the Bill be passed in accordance with Standing Order 26.47. If the proposition is agreed:

Stage 4 Standing Order 26.47 motion to approve the Human Transplantation (Wales) Bill.

The result was as follows:

For	Abstain	Against	Total
43	2	8	53

The motion was agreed.

**Voting Time**

The item started at 21.46

The meeting concluded at 21:50

**The Assembly will sit again in Plenary at 13:30, Wednesday, 3 July 2013**