

Constitutional and Legislative Affairs Committee

Meeting Venue:
Committee Room 2 – Senedd

Meeting date:
30 November 2015

Meeting time:
15.00

Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales



For further information please contact:

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Agenda

1 Introduction, apologies, substitutions and declarations of interest

2 Instruments that raise no reporting issues under Standing Order 21.2 or 21.3 (Page 1)

CLA(4)-30-15 – Paper 1 – Statutory Instruments with clear reports

Negative Resolution Instruments

CLA620 –The Care and Support (Provision of Health Services) (Wales) Regulations 2015

Negative procedure; Date made: 18 November 2015; Date laid: 20 November 2015;
Coming into force date: 6 April 2016

CLA621 –The Care and Support (Business Failure) (Wales) Regulations 2015

Negative procedure; Date made: 18 November 2015; Date laid: 20 November 2015;
Coming into force date: 6 April 2016

3 Paper to note (Pages 2 – 3)

CLA(4)-30-15 – Paper 2 – Letter from the Chair of the Public Administration and Constitutional Affairs Select Committee of the Scottish Parliament: Parliamentary co-operation on scrutiny of intergovernmental relations

4 Motion under Standing Order 17.42 to resolve to exclude the public from the meeting for the following business:

(vi) the committee is deliberating on the content, conclusions or recommendations of a report it proposes to publish, or is preparing itself to take evidence from any person;

Draft Wales Bill (Pages 4 – 67)

CLA(4)-30-15 – Paper 3 – Draft Report

CLA(4)-30-15 – Paper 4 – Summary of Consultation Responses

CLA(4)-30-15 – Paper 5 – Research Service note on Income Tax

CLA(4)-30-15 – Paper 6 – Supplementary evidence in relation to the Draft Wales Bill:
Welsh Government

Statutory Instruments with Clear Reports

30 November 2015

CLA620 - The Care and Support (Provision of Health Services) (Wales) Regulations 2015

Procedure: Negative

The Social Services and Well-being Act 2014 provides that a local authority may not meet a person's needs for care and support (or a carer's need for support) by providing or arranging the provision of a service which is required to be provided under a health enactment unless doing so would be incidental or ancillary to doing something else to meet those needs.

The Act also provides that this prohibition does not apply in circumstances specified in regulations.

These Regulations enable a local authority to arrange for the provision of accommodation together with nursing care provided by a registered nurse provided that the authority has obtained the consent of the relevant health body.

CLA621 - The Care and Support (Business Failure) (Wales) Regulations 2015

Procedure: Negative

The Social Services and Well-being Act 2014 imposes temporary duties on local authorities to meet care and support needs of adults (or the support needs of carers) in circumstances where registered providers of care are unable to carry on because of 'business failure'.

These regulations provide for the interpretation of 'business failure' and the circumstances in which an individual, or provider who is not an individual, is to be treated as not being able to do something because of 'business failure'.



Agenda Item 3



The Scottish Parliament
Pàrlamaid na h-Alba

Devolution (Further Powers) Committee

Mr Bernard Jenkin MP
Chair
Public Administration and
Constitutional Affairs Select
Committee
House of Commons
London, SW1A 0AA

c/o Clerk to the Committee
Room T3.40
The Scottish Parliament
Edinburgh
EH99 1SP

Tel: 0131 348 5000
devolutioncommittee@scottish.parliament.uk

19 November 2015

Dear Mr Jenkin MP,

Re. Parliamentary co-operation on scrutiny of intergovernmental relations

Thank you for your letter dated 26 October. This was considered by my Committee during its meeting today, along with correspondence of a similar nature from the Treasury Committee in the House of Commons, Constitution Committee in the House of Lords, Committee for Finance and Personnel in the Northern Ireland Assembly and the Constitutional and Legislative Affairs Committee in the National Assembly for Wales.

I am pleased to say that my Committee welcomed the positive spirit in which each of our counterparts listed above engaged with my initial letter to you all. We particularly noted your idea of an informal meeting of representatives of the various committees scrutinising constitutional affairs and intergovernmental relations in the UK legislatures. We agreed to pursue this and perhaps send a small number of representatives to such a meeting in the House of Commons in due course if you were able to host.

I would be pleased to suggest that the respective clerks to these committees liaise to find a mutually convenient date and to work on an agenda that would allow us to discuss shared interests and how we may maintain the new and more constructive means of working that you identify in your letter.

I am copying this letter to the chairs of the above-mentioned committees for their interests and look forward to hearing from you.

Yours sincerely,

A handwritten signature in black ink that reads "Bruce Crawford". The signature is written in a cursive style with a large, looping 'C' at the end.

Bruce Crawford MSP
Convener

cc. Rt. Hon Andrew Tyrie MP
The Rt. Hon, the Lord Lang of Monkton, DL
Mr Daithí McKay MLA
David Melding AM

Agenda Item 4.1

By virtue of paragraph(s) vi of Standing Order 17.42

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