

Votes and Proceedings – Plenary

Meeting Venue:

Y Siambr – Y Senedd

Meeting date:

Wednesday, 2 May 2018

Meeting time: 13.30

This meeting can be viewed

on [Senedd TV](#) at:

<http://senedd.tv/en/4980>

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1 Questions to the Cabinet Secretary for Economy and Transport

The item started at 13.30

The first 7 questions were asked. Questions 2 and 3 were grouped together for answer. The Presiding Officer invited party spokespeople to ask questions to the Cabinet Secretary and the Minister for Culture, Tourism and Sport after question 3.

2 Questions to the Counsel General

The item started at 14.18

The 8 questions were asked.

Point of Order

Mick Antoniw raised a Point of Order under Standing Orders 13.9 (ii) – (iv) and (vi) referring to unsolicited materials Neil Hamilton distributed on Members' desks before the start of the Plenary meeting. The Member stated that he would be grateful for a ruling by the Deputy Presiding Officer on what he considered to be offensive and discourteous conduct, which was designed to influence a particular debate but had no relevance to it, and for which – as far as he was aware – there was no authority from the Presiding Officer.



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The Deputy Presiding Officer stated that she was aware that Neil Hamilton distributed printed material to Members' desks in the Chamber before the start of Plenary that day. She stated that she did not consider it proper conduct for Members to leaflet other Members in the Chamber, whether that material is relevant to the Assembly's proceedings or not. Further, she stated that it is particularly discourteous and unbecoming for Members to engage in such activity anonymously, that Members have the privilege of being heard in this Chamber and should advance their arguments by means of debate, and that she does not expect a repeat of such behaviour by any Member.

3 Topical Questions

No topical questions were accepted.

4 90 Second Statements

The item started at 14.47

Jack Sargeant made a statement on Connah's Quay Nomads' match against Aberystwyth Town in the JD Welsh Cup Final at Newtown on 6 May.

5 Statement by the Chair of the Public Accounts Committee: Public Procurement

The item started at 14.49

6 Debate on the Standards of Conduct Committee's Report 01–18 to the Assembly under Standing Order 22.9

The item started at 14.56

In accordance with Standing Order 11.15(i), Business Committee decided that any vote necessary on the motion under this item would be taken immediately at the end of the item.

A vote was taken on the motion:

NDM6710 [Paul Davies \(Preseli Pembrokeshire\)](#)

To propose that the National Assembly for Wales:

1. Considers the [Report of the Standards of Conduct Committee – Report 01–18](#) together with the [Report from Sir John Griffith Williams QC under paragraph 8.6 of the procedure for dealing with complaints against Assembly Members](#) – laid before the Assembly on 18 April 2018 in accordance with Standing Order 22.9.

2. Endorses the recommendation in the report that a breach has been found and resolves that the Member, under Standing Order 22.10 (i) and (iii) should be censured and excluded from Assembly proceedings for the period of seven calendar days immediately after this motion is agreed.

The result was as follows:

For	Abstain	Against	Total
38	1	3	42

The motion was agreed.

Point of Order

Rhun ap Iorwerth raised a Point of Order under Standing Order 13.9 regarding accusations made in the previous debate about behaviour tantamount to racism in the Chamber. Although the Member who made the allegations did not specify who they were targeted at, Rhun ap Iorwerth believed it tarred all Members and asked for a ruling from the Deputy Presiding Officer. The Deputy Presiding Officer stated that she would review the record and return to the matter at a later date.

7 Member Debate under Standing Order 11.21(iv) – Period poverty and stigma

The item started at 15.11

NDM6695

[Jane Hutt \(Vale of Glamorgan\)](#)

[Jenny Rathbone \(Cardiff Central\)](#)

To propose that the National Assembly for Wales:

1. Notes the research by Plan International UK on Period Poverty and Stigma, which estimates that 1 in 10 girls in the UK has been unable to afford sanitary wear.

2. Welcomes the action by Welsh organisations including Periods in Poverty, Wings Cymru, The Red Box Project, Trussell Trust, and others to tackle this issue.
3. Notes the final report from Rhondda Cynon Taff Council Scrutiny Working Group established to deal with free sanitary provisions in schools.
4. Calls on the Welsh Government to:
 - a) consider current and emerging research on the potential impact of period poverty and stigma, on learning;
 - b) consider calls to improve education on the subject and to provide free access to sanitary items in education institutions; and
 - c) identify ways to make sanitary products available for Welsh food banks.

The motion was agreed in accordance with Standing Order 12.36.

8 Plaid Cymru debate – The European Union (Withdrawal) Bill and devolution

The item started at 15.48

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

A vote was taken on the motion without amendment:

NDM6712 [Rhun ap Iorwerth \(Ynys Môn\)](#)

To propose that the National Assembly for Wales:

1. Notes the agreement between the Welsh and UK governments on the European Union (Withdrawal) Bill.
2. Further notes that the agreement renders the Law Derived from the European Union (Wales) Bill, passed by a majority in the National Assembly for Wales, redundant.
3. Regrets the fact that the agreement grants the UK Parliament a veto over areas of devolved legislation.
4. Further regrets the agreement's undermining of the Plaid Cymru–Welsh Government White Paper on Securing Wales' Future which states "that the UK exit from the EU must

not result in devolved powers being clawed back to the UK Government. Any attempt to do so will be firmly resisted by us".

5. Calls for a meaningful vote in the National Assembly for Wales on the agreement.

For	Abstain	Against	Total
7	0	39	46

The motion without amendment was not agreed.

The following amendments were tabled:

Amendment 1. [Paul Davies \(Preseli Pembrokeshire\)](#)

Delete all and replace with:

To propose that the National Assembly for Wales:

Welcomes:

- a) the agreement between the Welsh and UK governments on the European Union (Withdrawal) Bill;
- b) that this will protect the UK internal market and ensure no new barriers are created within the UK for consumers and businesses;
- c) that this means the vast majority of EU powers that intersect with devolved competences will go directly to the devolved parliaments and assemblies when the UK leaves the EU;
- d) the duty placed on UK Ministers to seek the agreement of the devolved legislatures each time they propose to make regulations to put a policy area into the clause 11 "freeze";
- e) the time-limit introduced on the temporary constraint on devolved competence; and
- f) that this means the Welsh Government will now recommend that the National Assembly for Wales pass a legislative consent motion for the EU (Withdrawal) Bill.

[If amendment 1 is agreed, amendment 2 will be de-selected]

A vote was taken on amendment 1:

For	Abstain	Against	Total
14	0	32	46

Amendment 1 was not agreed.

Amendment 2. [Julie James \(Swansea West\)](#)

Delete all after point 2 and replace with:

3. Agrees that this positive outcome to the negotiations with the UK Government secures the National Assembly's powers over devolved policies in the changing circumstances created by Brexit and entrenches the Sewel convention, based on a default position that changes to the Assembly's competences require the Assembly's consent.

4. Welcomes the fact that any UK wide frameworks to replace the current EU frameworks will be freely negotiated between the governments and will be subject to the Sewel convention; and that while these frameworks are being negotiated, no government, including the UK Government in respect of England, will be able to introduce legislation which departs from the status quo.

5. Notes further that the National Assembly will have the opportunity for a meaningful vote on the agreement when it considers the Legislative Consent Motion to be brought forward by the Welsh Government.

A vote was taken on amendment 2:

For	Abstain	Against	Total
38	0	7	46

Amendment 2 was agreed.

A vote was taken on the motion as amended:

NDM6712 [Rhun ap Iorwerth \(Ynys Môn\)](#)

To propose that the National Assembly for Wales:

1. Notes the agreement between the Welsh and UK governments on the European Union (Withdrawal) Bill.

2. Further notes that the agreement renders the Law Derived from the European Union (Wales) Bill, passed by a majority in the National Assembly for Wales, redundant.

3. Agrees that this positive outcome to the negotiations with the UK Government secures the National Assembly's powers over devolved policies in the changing circumstances created by Brexit and entrenches the Sewel convention, based on a default position that changes to the Assembly's competences require the Assembly's consent.

4. Welcomes the fact that any UK wide frameworks to replace the current EU frameworks will be freely negotiated between the governments and will be subject to the Sewel convention; and that while these frameworks are being negotiated, no government, including the UK Government in respect of England, will be able to introduce legislation which departs from the status quo.

5. Notes further that the National Assembly will have the opportunity for a meaningful vote on the agreement when it considers the Legislative Consent Motion to be brought forward by the Welsh Government.

For	Abstain	Against	Total
39	0	7	46

The motion as amended was agreed.

9 Voting Time

The item started at 16.41

10 Short Debate

The item started at 16.43

NDM6711 [Rhianon Passmore \(Islwyn\)](#)

The land of song: developing a music education strategy for Wales

The meeting concluded at 17.01

The Assembly will sit again in Plenary at 13.30, Tuesday, 8 May 2018