

# Concise Minutes – Constitutional and Legislative Affairs Committee

Meeting Venue:

Committee Room 1 – Senedd

Meeting date: Monday, 7 January 2019

Meeting time: 14.30 – 15.46

This meeting can be viewed

on [Senedd TV](#) at:

<http://senedd.tv/en/5026>

## Attendance

Category	Names
Assembly Members:	Mick Antoniw AM (Chair) Suzy Davies AM Mandy Jones AM Dai Lloyd AM Carwyn Jones AM (In place of Lee Waters AM)
Witnesses:	Vaughan Gething AM, Minister for Health and Social Services Sarah Wakeling, Welsh Government Lyn Summers, Welsh Government
Committee Staff:	P Gareth Williams (Clerk) Ruth Hatton (Deputy Clerk) Alys Thomas (Researcher) Gareth Howells (Legal Adviser) Katie Wyatt



## **1 Introduction, apologies, substitutions and declarations of interest**

Apologies were received from Dawn Bowden AM. Apologies were also received from Lee Waters AM for who Carwyn Jones AM substituted.

## **2 Legislative Consent Memorandum on the Healthcare (International Arrangements) Bill: Evidence session**

The Committee took evidence from Vaughan Gething AM Minister for Health and Social Services.

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

### **3.1 SL(5)291 – The Abolition of the Right to Buy and Associated Rights (Wales) Act 2018 (Consequential Amendments and Savings Provisions) Regulations 2019**

The Committee considered the instrument and was content.

## **4 Proposed negative instruments that raise no reporting issues under standing order 21.3B**

### **4.1 pNeg(5)001 – The Elections (Wales) (Amendment) (EU Exit) Regulations 2018**

### **4.2 pNeg(5)002 – The Environmental Damage (Prevention and Remediation) (Wales) (Amendment) (EU Exit) Regulations 2018**

### **4.3 pNeg(5)003 – The Environmental Noise (Wales) (Amendment) (EU Exit) Regulations 2018**

The Committee considered the proposed instruments and was content.

## **5 Statutory Instruments requiring Consent: Brexit**

### **5.1 SICM(5)10 – The Floods and Water (Amendment etc.) (EU Exit) Regulations 2019**

The Committee considered the Statutory Instrument Consent Memorandum and noted that the Cabinet Secretary is not minded to lay a motion for debate.

## **5.2 SICM(5)11 – The Fisheries (Amendment) (EU Exit) Regulations 2019**

The Committee considered the Statutory Instrument Consent Memorandum and noted that the Cabinet Secretary is not minded to lay a motion for debate.

## **5.3 SICM(5)12 – Environment (Amendment Etc.) (EU Exit) Regulations 2018**

The Committee considered the Statutory Instrument Consent Memorandum and noted that the Cabinet Secretary is not minded to lay a motion for debate.

## **6 Written statements under Standing Order 30C**

### **6.1 WS–30C(5)43 – The European Union (Withdrawal) Act 2018 (Consequential Modifications and Repeals and Revocations) Regulations 2018**

The Committee noted the written statement and commentary.

### **6.2 WS–30C(5)44 – The Common Agricultural Policy (Direct Payments to Farmers) (Amendment) (EU Exit) Regulations 2018**

The Committee noted the written statement and commentary.

### **6.3 WS–30C(5)45 – The Rural Development (Rules and Decisions) (Amendment) (EU Exit) Regulations 2018**

The Committee noted the written statement and commentary.

### **6.4 WS–30C(5)46 – The Rural Development (EU Exit) (Amendment) Regulations 2018**

The Committee noted the written statement and commentary.

### **6.5 WS–30C(5)47 – The Shipments of Radioactive Substances (EU Exit) Regulations 2018**

The Committee noted the written statement and commentary.

### **6.6 WS–30C(5)48 – The Environmental Permitting (England & Wales) (Amendment) (EU Exit) Regulations 2018**

The Committee noted the written statement and commentary.

## **6.7 WS-30C(5)49 – The Intelligent Transport Systems (EU Exit) Regulations 2018**

The Committee noted the written statement and commentary.

## **6.8 WS-30C(5)50 – The Animal Breeding (Amendment) (EU Exit) Regulations 2018**

The Committee noted the written statement and commentary.

## **6.9 WS-30C(5)51 – The European Structural and Investment Funds Common Provisions (Amendment) (EU Exit) Regulations 2018**

The Committee noted the written statement and commentary.

## **6.10 WS-30C(5)55 – The Ionising Radiation (Environmental and Public Protection) (Miscellaneous Amendments) (EU Exit) Regulations 2018**

The Committee noted the written statement and commentary.

## **6.11 WS-30C(5)56 – The Plant Breeders' Rights (Amendment etc.) (EU Exit) Regulations 2018**

The Committee noted the written statement and commentary. It agreed to write to the Welsh Government to seek clarification on the potential implications of the regulations binding the future competence of the Assembly.

## **6.12 WS-30C(5)057 – The Marketing of Seeds and Plant Propagating Material (Amendment etc.) (England and Wales) (EU Exit) Regulations 2018**

The Committee noted the written statement and commentary.

## **6.13 WS-30C(5)058 – The European Parliamentary Elections Etc. (Repeal, Revocation, Amendment and Saving Provisions) (United Kingdom and Gibraltar) (EU Exit) Regulations 2018**

The Committee noted the written statement and commentary.

## **6.14 WS-30C(5)60 – The Invasive Non-Native Species (Amendment etc.) (EU Exit) Regulations 2019**

The Committee noted the written statement and commentary.

## **7 Inter-institutional agreement**

The Committee agreed the agreement. The Committee agreed to table a motion for a debate about the agreement in Plenary

## **8 Papers to note**

### **8.1 Letter from the Cabinet Secretary for Education: Additional Learning Needs (ALN) transformation**

The Committee noted the letter from the Cabinet Secretary for Education.

### **8.2 Letter from the Leader of the House: Regulations made under the EU (Withdrawal) Act 2018**

The Committee noted the letter from the Leader of the House and agreed to write to the Welsh Government seeking clarification about its approach.

### **8.3 Letter from the First Minister: WS-30C(5)17 – The Animal Welfare (Amendment)(EU Exit) Regulations 2018**

The Committee noted the letter from the previous First Minister and agreed to write to the new First Minister to clarify some of the points and issues raised.

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

The motion was agreed.

## **10 Statutory Instruments requiring Consent: Brexit and Written statements under Standing Order 30C: Review**

The Committee considered the review document and agreed to consider an updated version at the next meeting with a view to publishing a report shortly.

## **11 Scrutiny of Regulations made under the EU (Withdrawal) Bill: Guidance**

The Committee agree the guidance document and agreed to publish as soon as possible.