

Agenda – Constitutional and Legislative Affairs Committee

Meeting Venue:

Committee Room 1 – Senedd

Meeting date: 11 February 2019

Meeting time: 14.30

For further information contact:

Gareth Williams

Committee Clerk

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1 Introduction, apologies, substitutions and declarations of interest

2 Instruments that raise no reporting issues under Standing Order 21.2 or 21.3

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CLA(5)–06–19 – Paper 1 – Statutory instruments with clear reports

Negative Resolution Instruments

2.1 SL(5)315 – The National Health Service (Paramedic Independent Prescriber and Paramedic Supplementary Prescriber) (Wales) (Miscellaneous Amendments) Regulations 2019

3 Instruments previously considered for sifting and now subject to scrutiny under Standing Orders 21.2 and 21.3

(Pages 2 – 4)

CLA(5)–06–19 – Paper 2 – Clear reports except for single merits point under Standing Order 21.3 (has been subject to sifting)

3.1 SL(5)310 – The Radioactive Contaminated Land (Modification of Enactments) (Wales) (Amendment) (EU Exit) Regulations 2019

3.2 SL(5)313 – The Equality Act 2010 (Statutory Duties) (Wales) (Amendment) (EU Exit) Regulations 2019



4 Instruments that raise issues to be reported to the Assembly under Standing Order 21.2 or 21.3

4.1 SL(5)304 – The Equine Identification (Wales) Regulations 2019

(Pages 5 – 8)

CLA(5)–06–19 – Paper 30 – Government response

CLA(5)–06–19 – Paper 31 – Report

5 Instruments that raise no reporting issues under Standing Order 21.2 or 21.3 but have implications as a result of the UK exiting the EU

Negative Resolution Instruments

5.1 SL(5)314 – The Plant Health (Wales) (Amendment) Order 2019

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CLA(5)–06–19 – Paper 3 – Report

Affirmative Resolution Instruments

5.2 SL(5)312 – The Household Waste Duty of Care (Fixed Penalties) (Wales) Regulations 2019

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CLA(5)–06–19 – Paper 4 – Report

6 Proposed negative instruments that raise no reporting issues under Standing Order 21.3B

6.1 pNeg(5)18 – The Trade in Animals and Related Products (Amendment) (Wales) (EU Exit) Regulations 2019

(Pages 11 – 12)

CLA(5)–06–19 – Paper 5 – Report

6.2 pNeg(5)20 – The Food and Feed Regulated Products (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019

(Pages 13 – 14)

6.3 pNeg(5)21 – The Food and Feed Hygiene and Safety (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019

CLA(5)–06–19 – Paper 6 – Proposed Negative instruments with clear reports

7 Proposed negative instruments that raise reporting issues under Standing Order 21.3B

7.1 pNeg(5)17 – The Regulation and Inspection of Social Care (Qualifications) (Wales) (Amendment) (EU Exit) Regulations 2019

(Pages 15 – 35)

CLA(5)–06–19 – Paper 7 – Report

CLA(5)–06–19 – Paper 8 – Regulations

CLA(5)–06–19 – Paper 9 – Explanatory Memorandum

8 Statutory Instruments requiring Consent: Brexit

8.1 SICM(5)19 – The UK Statistics (Amendment etc) (EU Exit) Regulations 2019

(Pages 36 – 90)

CLA(5)–06–19 – Paper 10 – Letter from the Minister for Finance and Trefnydd

CLA(5)–06–19 – Paper 11 – Welsh Government Written Statement: Notification in Relation to Statutory Instruments made by UK Ministers in devolved areas under the European Union (Withdrawal) Act 2018 not laid before the Assembly

CLA(5)– 06–19 – Paper 12 – Statutory Instrument Consent Memorandum

CLA(5)– 06–19 – Paper 13 – Regulations

CLA(5)– 06–19 – Paper 14 – Explanatory Memorandum

CLA(5)– 06–19 – Paper 15 – Commentary

9 Written statements under Standing Order 30C

- 9.1 WS-30C(5)85 – The European Structural and Investment Funds Common Provisions and Common Provision Rules etc. (Amendment) (EU Exit) Regulations 2019**
(Pages 91 – 96)
CLA(5)-06-19 – Paper 16 – Statement
CLA(5)-06-19 – Paper 17 – Commentary
- 9.2 WS-30C(5)86 – The General Food Law (Amendment etc.) (EU Exit) Regulations 2019**
(Pages 97 – 100)
CLA(5)-06-19 – Paper 18 – Statement
CLA(5)-06-19 – Paper 19 – Commentary
- 9.3 WS-30C(5)-87 – The Specific Food Hygiene (Amendment etc.) (EU Exit) Regulations 2019**
(Pages 101 – 105)
CLA(5)-06-19 – Paper 20 – Statement
CLA(5)-06-19 – Paper 21 – Commentary
- 9.4 WS-30C(5)-88 – The General Food Hygiene (Amendment) (EU Exit) Regulations 2019**
(Pages 106 – 109)
CLA(5)-06-19 – Paper 22 – Statement
CLA(5)-06-19 – Paper 23 – Commentary
- 9.5 WS-30C(5)89 – The Contaminants in Food (Amendment) (EU Exit) Regulations 2019**
(Pages 110 – 113)
CLA(5)-06-19 – Paper 24 – Statement
CLA(5)-06-19 – Paper 25 – Commentary
- 9.6 WS-30C(5)90 – The Quick-frozen Foodstuffs (Amendment) (EU Exit) Regulations 2019**
(Pages 114 – 117)
CLA(5)-06-19 – Paper 26 – Statement
CLA(5)-06-19 – Paper 27 – Commentary

10 Legislation (Wales) Bill: Consultation Responses

(Pages 118 – 207)

CLA(5)–06–19 – Paper 28 – Consultation responses

11 Papers to note

11.1 Letter from the First Minister: interpretation of the European Union (Withdrawal) Act 2018 and the Intergovernmental Agreement on the European Union (Withdrawal) Bill and the Establishment of Common Frameworks

(Pages 208 – 213)

CLA(5)–06–19 – Paper 32 – Letter from the First Minister, 7 February 2019

CLA(5)–06–19 – Paper 33 – Letter to the First Minister, 14 January 2019

11.2 Letter from the Minister for Finance and Trefnydd regarding scrutiny of regulations arising from the European Union (Withdrawal) Act 2018

(Pages 214 – 217)

CLA(5)–06–19 – Paper 34 – Letter from the Minister for Finance and Trefnydd, 7 February 2019

CLA(5)–06–19 – Paper 35 – Letter to the Minister for Finance and Trefnydd, 14 January 2019

11.3 Letter from the Minister for Finance and Trefnydd regarding the Plant Breeders' Rights (Amendment etc.) (EU Exit) Regulations 2018.

(Pages 218 – 222)

CLA(5)–06–19 – Paper 36 – Letter from the Minister for Finance and Trefnydd, 7 February 2019

CLA(5)–06–19 – Paper 37 – Letter to the Minister for Finance and Trefnydd, 14 January 2019

11.4 Letter from the Minister for Finance and Trefnydd regarding the Nutrition (Amendment etc.) (EU Exit) Regulations 2019

(Pages 223 – 227)

CLA(5)–06–19 – Paper 38 – Letter from the Minister for Finance and Trefnydd, 7 February 2019

CLA(5)-06-19 – Paper 39 – Letter to the Minister for Finance and Trefnydd,
31 January 2019

**11.5 Letter from the Minister for Finance and Trefnydd regarding the Environment
and Wildlife (Legislative Functions) (EU Exit) Regulations 2019**

(Pages 228 – 233)

CLA(5)-06-19 – Paper 40– Letter from the Minister for Finance and Trefnydd,
7 February 2019

CLA(5)-06-19 – Paper 41 – Letter to the Minister for Finance and Trefnydd,
31 January 2019

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

**13 Legislative Consent Memorandum on the UK Fisheries Bill: Draft
Report**

(Pages 234 – 264)

CLA(5)-06-19 – Paper 29 – Draft Report