

# Agenda – Constitutional and Legislative Affairs Committee

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Meeting Venue:

Committee Room 1 – Senedd

Meeting date: 18 February 2019

Meeting time: 13.00

For further information contact:

**Gareth Williams**

Committee Clerk

0300 200 6362

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

## 2 Legislation (Wales) Bill: Evidence session 6 – Counsel General

(13.00 – 14.00)

(Pages 1 – 24)

Jeremy Miles AM, Counsel General

Dylan Hughes, First Legislative Counsel, Welsh Government

Dr James George, Legislative Counsel, Welsh Government

Claire Fife, Policy Advisor to the Counsel General, Welsh Government

[Legislation \(Wales\) Bill](#)

[Explanatory Memorandum](#)

CLA(5)–07–19 – Paper 1 – Letter from the Counsel General, 9 January 2019

CLA(5)–07–19 – Briefing

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

(14.00 – 14.10)

(Pages 25 – 31)

CLA(5)–07–19 – Paper 2 – Proposed negative statutory instruments with clear reports



Cynulliad  
Cenedlaethol  
Cymru

National  
Assembly for  
Wales

- 3.1 pNeg(5)19 – The Local Government Finance (Amendment) (Wales) (EU Exit) Regulations 2019
- 3.2 pNeg(5)22 – The Teachers’ Qualifications (Amendment) (Wales) (EU Exit) Regulations 2019
- 3.3 pNeg(5)24 – The Town and Country Planning (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019
- 3.4 pNeg(5)25 – The Air Quality Standards (Wales) (Amendment) (EU Exit) Regulations 2019
- 3.5 pNeg(5)26 – The Food Standards and Labelling (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019
- 3.6 pNeg(5)27 – The Genetically Modified Organisms (Deliberate Release and Transboundary Movement) (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019
- 3.7 pNeg(5)28 – The Fisheries and Marine Management (Amendment) (Wales) (EU Exit) Regulations 2019
- 3.8 pNeg(5)29 – The Marketing of Seeds and Plant Propagating Material (Amendment) (Wales) (EU Exit) Regulations 2019
- 4 Proposed negative instruments that raise reporting issues under Standing Order 21.3B  
(14.10 – 14.15)
- 4.1 pNeg(5)23 – The Waste (Wales) (Miscellaneous Amendments) (EU Exit) Regulations 2019

(Pages 32 – 66)

CLA(5)–07–19 – Paper 5 – Regulations

CLA(5)–07–19 – Paper 4 – Explanatory Memorandum

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

(14.15 – 14.20)

(Page 67)

CLA(5)–07–19 – Paper 6 – Statutory instruments with clear reports

Negative Resolution Instruments

### **5.1 SL(5)317 – The Free School Lunches and Milk (Universal Credit) (Wales) Order 2019**

## **6 Instruments that raise issues to be reported to the Assembly under Standing Order 21.2 or 21.3**

(14.20 – 14.25)

Negative Resolution Instruments

### **6.1 SL(5)318 – The Education (Student Loans) (Repayment) (Amendment) Regulations 2019**

(Pages 68 – 87)

CLA(5)–07–19 – Paper 7 – Report

CLA(5)–07–19 – Paper 8 – Regulations

CLA(5)–07–19 – Paper 9 – Explanatory Memorandum

## **7 Standing Order 30B Report: The European Union (Withdrawal) Act and Common Frameworks**

(14.25 – 14.30)

(Page 88)

CLA(5)–07–19 – Paper 10 – Report

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

(14.30 – 14.45)

### **8.1 WS–30C(5)83 – The Nutrition (Amendment etc) (EU Exit) Regulations 2019 – revised**

(Pages 89 – 95)

CLA(5)–07–19 – Paper 11 – Statement

CLA(5)–07–19 –Paper 12 – Commentary

**8.2 WS–30C(5)91 – The Food and Feed (Chernobyl and Fukushima Restrictions)  
(Amendment) (EU Exit)**

(Pages 96 – 99)

CLA(5)–07–19 –Paper 13 – Statement

CLA(5)–07–19 –Paper 14 – Commentary

**8.3 WS–30C(5)92 – The Novel Food (Amendment) (EU Exit) Regulations 2019**

(Pages 100 – 103)

CLA(5)–07–19 –Paper 15 – Statement

CLA(5)–07–19 –Paper 16 – Commentary

**8.4 WS–30C(5)93 – The Genetically Modified Food and Feed (Amendment etc.)  
(EU Exit) Regulations 2019**

(Pages 104 – 110)

CLA(5)–07–19 –Paper 17 – Statement

CLA(5)–07–19 –Paper 18 – Commentary

**8.5 WS–30C(5)94 – The Official Controls for Feed, Food and Animal Health and  
Welfare (Amendment etc.) (EU Exit) Regulations 2019**

(Pages 111 – 115)

CLA(5)–07–19 –Paper 19 – Statement

CLA(5)–07–19 –Paper 20 – Commentary

**8.6 WS–30C(5)95 – The Food and Feed (Maximum Permitted Levels of  
Radioactive Contamination) (Amendment) (EU Exit) Regulations 2019**

(Pages 116 – 119)

CLA(5)–07–19 –Paper 21 – Statement

CLA(5)–07–19 –Paper 22 – Commentary

**8.7 WS–30C(5)96 – The Food and Feed Imports (Amendment) (EU Exit)  
Regulations 2019**

(Pages 120 – 124)

CLA(5)–07–19 –Paper 23 – Statement

CLA(5)–07–19 –Paper 24 – Commentary

**8.8 WS-30C(5)97 – The Materials and Articles in Contact with Food (Amendment) (EU Exit) Regulations 2019**

(Pages 125 – 129)

CLA(5)-07-19 –Paper 25 – Statement

CLA(5)-07-19 –Paper 26 – Commentary

**8.9 WS-30C(5)98 – The Animal Feed (Amendment) (EU Exit) Regulations 2019**

(Pages 130 – 134)

CLA(5)-07-19 –Paper 27 – Statement

CLA(5)-07-19 –Paper 28 – Commentary

**8.10 WS-30C(5)99 – The Food Additives, Flavourings, Enzymes and Extraction Solvents (Amendment etc.) (EU Exit) Regulations 2019**

(Pages 135 – 139)

CLA(5)-07-19 –Paper 29 – Statement

CLA(5)-07-19 –Paper 30 – Commentary

**8.11 WS-30C(5)100 – The Sprouts and Seeds (Amendment) (EU Exit) Regulations 2019**

(Pages 140 – 143)

CLA(5)-07-19 –Paper 31 – Statement

CLA(5)-07-19 –Paper 32 – Commentary

**9 Papers to note**

(14.45 – 14.55)

**9.1 Letter from Sir Bernard Jenkin MP to the Rt Hon Greg Clark MP regarding the The State Aid (EU Exit) Regulations 2019**

(Pages 144 – 147)

CLA(5)-07-19 – Paper 33 – Letter from Sir Bernard Jenkin MP to the Rt Hon Greg Clark MP regarding the The State Aid (EU Exit) Regulations 2019

**9.2 Correspondence with the House of Lords Secondary Legislation Scrutiny Committee regarding The Plant Breeders' Rights (Amendment etc.) (EU Exit) Regulations 2018**

(Pages 148 – 151)

CLA(5)-07-19 – Paper 34 – Letter to the House of Lords Secondary Legislation Committee

CLA(5)–07–19 – Paper 35 – Letter from the House of Lords Secondary Legislation Committee

- 9.3 Letter from the Minister for Health and Social Services regarding the Welsh Government's Legislative Consent Memorandum on the Healthcare (International Arrangements) Bill**

(Pages 152 – 158)

CLA(5)–07–19 – Paper 36 – Letter from the Minister for Health and Social Care

CLA(5)–07–19 – Paper 37 – Letter to the Minister for Health and Social Care

- 9.4 Letter from the Counsel General to the Older People's Commissioner for Wales and the Children's Commissioner for Wales regarding the Legislation (Wales) Bill**

(Page 159)

CLA(5)–07–19 – Paper 38 – Letter from the Counsel General

- 9.5 Letter from the Minister for Environment, Energy and Rural Affairs to the Chair of the Climate Change, Environment and Rural Affairs Committee regarding the Fisheries Bill**

(Pages 160 – 161)

CLA(5)–07–19 – Paper 39 – Letter from the Minister for Environment, Energy and Rural Affairs

- 9.6 Senedd and Elections (Wales) Bill: Correspondence**

(Pages 162 – 176)

CLA(5)–07–19 – Paper 41 – Letter from the Llywydd

CLA(5)–07–19 – Paper 42 – Letter from the Counsel General

- 9.7 Letter on behalf of the Minister for Finance and Trefnydd regarding the Public Procurement (Amendment Etc.) (EU Exit) Regulations 2019**

(Pages 177 – 181)

CLA(5)–07–19 – Paper 44 – Letter from the Minister for Finance and Trefnydd

CLA(5)–07–19 – Paper 45 – Letter to the Minister for Finance and Trefnydd

- 9.8 Letter on behalf of the Minister for Finance and Trefnydd regarding the Import of and Trade in Animals and Animal Products (Amendment etc.) (EU Exit) Regulations 2019**  
(Pages 182 – 185)  
CLA(5)–07–19 – Paper 46 – Letter from the Minister for Finance and Trefnydd  
CLA(5)–07–19 – Paper 47 – Letter to the Minister for Finance and Trefnydd
- 10 Motion under Standing Order 17.42 to resolve to exclude the public from the meeting for the following business**  
(14.55)
- 11 Legislation (Wales) Bill – consideration of evidence and discussion of key issues arising during scrutiny of the Bill**  
(14.55 – 15.15)
- 12 Legislative Consent Memorandum: Animal Health (Service Animals) Bill – consideration of draft report**  
(15.15 – 15.35) (Pages 186 – 189)  
CLA(5)–07–19 – Paper 40 – Draft report
- 13 The Sewel convention – approach to future work**  
(15.15 – 15.25) (Pages 190 – 192)  
CLA(5)–07–19 – Paper 42 – Approach to future work
- 14 Senedd and Elections (Wales) Bill – approach to Stage 1 scrutiny**  
(15.25 – 15.55) (Pages 193 – 212)  
[Senedd and Elections \(Wales\) Bill](#)  
[Explanatory Memorandum](#)  
CLA(5)–07–19 – Paper 48 – Approach to scrutiny
- 15 Scrutiny of regulations made under the EU (Withdrawal) Act 2018: Update**  
(Pages 213 – 214)  
CLA(5)–07–19 – Paper 43 – Update

**Date of the next meeting – 4 March 2019**