Agenda – Constitutional and Legislative Affairs Committee

Meeting Venue: Committee Room 1 – Senedd
Meeting date: 18 February 2019
Meeting time: 13.00

For further information contact:
Gareth Williams Committee Clerk
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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(S)–07–19 – Paper 1 – Letter from the Counsel General, 9 January 2019
CLA(S)–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(S)–07–19 – Paper 2 – Proposed negative statutory instruments with clear reports
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


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 3 – Report
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 4 – Explanatory Memorandum
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)
(Pages 89 – 95)
CLA(5)–07–19 – Paper 11 – Statement
8.2 WS–30C(5)91 – The Food and Feed (Chernobyl and Fukushima Restrictions) (Amendment) (EU Exit) (Pages 96 – 99)

8.3 WS–30C(5)92 – The Novel Food (Amendment) (EU Exit) Regulations 2019 (Pages 100 – 103)

8.4 WS–30C(5)93 – The Genetically Modified Food and Feed (Amendment etc.) (EU Exit) Regulations 2019 (Pages 104 – 110)

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)

8.6 WS–30C(5)95 – The Food and Feed (Maximum Permitted Levels of Radioactive Contamination) (Amendment) (EU Exit) Regulations 2019 (Pages 116 – 119)

8.7 WS–30C(5)96 – The Food and Feed Imports (Amendment) (EU Exit) Regulations 2019 (Pages 120 – 124)
8.8 *WS–30C(5)97* – The Materials and Articles in Contact with Food (Amendment) (EU Exit) Regulations 2019

(CLAs) – Paper 25 – Statement

(CLAs) – Paper 26 – Commentary

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

(CLAs) – Paper 27 – Statement

(CLAs) – Paper 28 – Commentary

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

(CLAs) – Paper 29 – Statement

(CLAs) – Paper 30 – Commentary

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

(CLAs) – Paper 31 – Statement

(CLAs) – 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

(CLAs) – 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

(CLAs) – 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)

CLA(5)–07–19 – Paper 40 – Draft report

13 The Sewel convention – approach to future work
(15.15 – 15.25)

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)

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