

Agenda – Constitutional and Legislative Affairs Committee

Meeting Venue:

Committee Room 1 – Senedd

Meeting date: 4 March 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 Motion under Standing Order 17.42 to resolve to exclude the public from the meeting for the following business:
- 3 Senedd and Elections (Wales) Bill: Technical Briefing from officials
13.00
- 4 Senedd and Elections (Wales) Bill: Proposals for outreach work
13.50 (Pages 1 – 4)
CLA(5)–08–19 – Briefing outreach work
Public (14.00)
- 5 Instruments that raise no reporting issues under Standing Order 21.2 or 21.3
14.00 (Pages 5 – 10)
CLA(5)–08–19 – Paper 1 – Statutory instruments with clear reports
Negative Resolution Instruments
- 5.1 SL(5)319 – The Arrangements for Assistance for Persons Making Representations (Wales) Regulations 2019



Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales

5.2 SL(5)321 – The Regulated Services (Annual Returns and Registration) (Wales) (Amendment) Regulations 2019

5.3 SL(5)323 – The Education (Student Finance) (Miscellaneous Amendments) (Wales) Regulations 2019

Affirmative Resolution Instruments

5.4 SL(5)331 – The Regulation and Inspection of Social Care (Wales) Act 2016 (Consequential Amendments) Regulations 2019

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

(Pages 11 – 14)

CLA(5)–08–19 – Paper 2– Clear reports except for single merits point under Standing Order 21.3 (has been subject to sifting)

6.1 SL(5)325 – The Learner Travel (Wales) (Amendment) (EU Exit) Regulations 2019

6.2 SL(5)328 – The Environmental Assessment of Plans and Programmes and the Environmental Impact Assessment (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019

6.3 SL(5)329 – The Environmental Noise (Wales) (Amendment) (EU Exit) Regulations 2019

6.4 SL(5)330 – The Equine Identification (Wales) (Amendment) (EU Exit) Regulations 2019

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

7.1 SL(5)320 – The Council Tax (Administration and Enforcement) (Amendment) (Wales) Regulations 2019

(Pages 15 – 27)

CLA(5)–08–19 – Paper 3 – Report

CLA(5)–08–19 – Paper 4 – Regulations

CLA(5)–08–19 – Paper 5 – Explanatory Memorandum

7.2 SL(5)322 – The Care and Support (Charging) and (Financial Assessment) (Wales) (Miscellaneous Amendments) Regulations 2019

(Pages 28 – 44)

CLA(5)–08–19 – Paper 6 – Report

CLA(5)–08–19 – Paper 7 – Regulations

CLA(5)–08–19 – Paper 8 – Explanatory Memorandum

7.3 SL(5)326 – The Regulation and Inspection of Social Care (Wales) Act 2016 (Consequential Amendments to Secondary Legislation) Regulations 2019

(Pages 45 – 72)

CLA(5)–08–19 – Paper 9 – Report

CLA(5)–08–19 – Paper 10 – Regulations

CLA(5)–08–19 – Paper 11 – Explanatory Memorandum

7.4 SL(5)327 – The Environmental Damage (Prevention and Remediation) (Wales) (Amendment) (EU Exit) Regulations 2019

(Pages 73 – 87)

CLA(5)–08–19 – Paper 76 – Report

CLA(5)–08–19 – Paper 77 – Regulations

CLA(5)–08–19 – Paper 78 – Explanatory Memorandum

8 Instruments that raise issues to be reported to the Assembly under Standing Order 21.7

8.1 SL(5)324 – Code of Practice on the exercise of social services functions in relation to Part 4 (direct payments and choice of accommodation) and Part 5 (charging and financial assessment) of the Social Services and Well-being (Wales) Act 2014

(Pages 88 – 173)

CLA(5)–08–19 – Paper 12 – Report

CLA(5)–08–19 – Paper 13 – Code of Practice

CLA(5)–08–19 – Paper 14 – Explanatory Memorandum

9 Statutory Instruments requiring Consent: Brexit

9.1 SICM(5)20 – National Health Service (Cross-Border Healthcare and Miscellaneous Amendments etc) (EU Exit) Regulations 2019

(Pages 174 – 211)

CLA(5)–08–19 – Paper 15 – Letter from the Minister for Health and Social Services

CLA(5)–08–19 – Paper 16 – 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)– 08–19 – Paper 17 – Statutory Instrument Consent Memorandum

CLA(5)– 08–19 – Paper 18 – Regulations

CLA(5)– 08–19 – Paper 19 – Explanatory Memorandum

CLA(5)– 08–19 – Paper 20 – Commentary

9.2 SICM(5)21 – Social Security Coordination (Benefits in Kind etc) (Amendment etc) (EU Exit) Regulations 2019

(Pages 212 – 255)

CLA(5)–08–19 – Paper 21 – Letter from the Minister for Health and Social Services

CLA(5)–08–19 – Paper 22 – 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)- 08-19 – Paper 23 – Statutory Instrument Consent Memorandum

CLA(5)- 08-19 – Paper 24 – Regulations

CLA(5)- 08-19 – Paper 25 – Explanatory Memorandum

CLA(5)- 08-19 – Paper 26 – Commentary

10 Written statements under Standing Order 30C

10.1 WS-30C(5)101 – The Public Procurement (Amendment etc.) (EU Exit) (No.2) Regulations 2019

(Pages 256 – 259)

CLA(5)-08-19 – Paper 27 – Statement

CLA(5)-08-19 – Paper 28 – Commentary

10.2 WS-30C(5)104 – The Market Measures (Marketing Standards) (Amendment of Retained Direct EU Legislation) (EU Exit) Regulations 2019

(Pages 260 – 264)

CLA(5)-08-19 – Paper 29 – Statement

CLA(5)-08-19 – Paper 30 – Commentary

10.3 WS-30C(5)105 – The Common Agricultural Policy (Financing, Management and Monitoring) (Miscellaneous Amendments) (EU Exit) Regulations 2019

(Pages 265 – 268)

CLA(5)-08-19 – Paper 31 – Statement

CLA(5)-08-19 – Paper 32 – Commentary

10.4 WS-30C(5)106 – Market Measures Payment Schemes (Amendments) (EU Exit) Regulations 2019

(Pages 269 – 273)

CLA(5)-08-19 – Paper 33 – Statement

CLA(5)-08-19 – Paper 34 – Commentary

10.5 WS-30C(5)107 – The Common Fisheries Policy and Aquaculture (Amendment etc.) (EU Exit) Regulations 2019

(Pages 274 – 281)

CLA(5)-08-19 – Paper 35 – Statement

CLA(5)-08-19 – Paper 36 – Commentary

- 10.6 WS–30C(5)108 – Detergents (Safeguarding) (Amendment) (EU Exit) Regulations 2019**
(Pages 282 – 285)
- CLA(5)–08–19 – Paper 37 – Statement
CLA(5)–08–19 – Paper 38 – Commentary
- 10.7 WS–30C(5)109 – The State Aid (Agriculture and Fisheries) (Amendment) (EU Exit) Regulations 2019**
(Pages 286 – 293)
- CLA(5)–08–19 – Paper 39 – Statement
CLA(5)–08–19 – Paper 40 – Commentary
CLA(5)–08–19 – Paper 41 – Letter from the Counsel General
- 10.8 WS–30C(5)110 – The Environment (Miscellaneous Amendments and Revocations) (EU Exit) Regulations 2019**
(Pages 294 – 301)
- CLA(5)–08–19 – Paper 42 – Statement
CLA(5)–08–19 – Paper 43 – Commentary
- 10.9 WS–30C(5)111 – The Food, Drink, Veterinary Medicines And Residues (Amendments Etc.) (Eu Exit) Regulations 2019**
(Pages 302 – 311)
- CLA(5)–08–19 – Paper 44 – Statement
CLA(5)–08–19 – Paper 45 – Commentary
- 10.10 WS–30C(5)112 – The Market Measures (Miscellaneous Provisions) (Amendment) (EU Exit) Regulations 2019**
(Pages 312 – 315)
- CLA(5)–08–19 – Paper 46 – Statement
CLA(5)–08–19 – Paper 47 – Commentary
- 10.11 WS–30C(5)113 – The Animal Health, Plant Health, Seeds and Seed Potatoes (Amendment) (EU Exit) Regulations 2019**
(Pages 316 – 319)

CLA(5)-08-19 – Paper 48 – Statement
CLA(5)-08-19 – Paper 49 – Commentary

**10.12 WS-30C(5)114 – The Organic Production and Control (Amendment) (EU Exit)
Regulations 2019**

(Pages 320 – 323)

CLA(5)-08-19 – Paper 50 – Statement
CLA(5)-08-19 – Paper 51 – Commentary

**10.13 WS-30C(5)115 – The Agriculture (Legislative Functions) (EU Exit) (No 2)
Regulations 2019**

(Pages 324 – 329)

CLA(5)-08-19 – Paper 52 – Statement
CLA(5)-08-19 – Paper 53 – Commentary

**10.14 WS-30C-116 – The Common Agricultural Policy (Financing, Management
and Monitoring Supplementary Provisions) (Miscellaneous Amendments) (EU
Exit) Regulations 2019**

(Pages 330 – 333)

CLA(5)-08-19 – Paper 54 – Statement
CLA(5)-08-19 – Paper 55 – Commentary

**10.15 WS-30C(5)117 – The Agriculture (Legislative Functions) (EU Exit)
Regulations 2019**

(Pages 334 – 340)

CLA(5)-08-19 – Paper 56 – Statement
CLA(5)-08-19 – Paper 57 – Commentary

**10.16 WS-30C-119 – The Environment, Food and Rural Affairs (Amendment) (EU
Exit) Regulations 2019**

(Pages 341 – 346)

CLA(5)-08-19 – Paper 58 – Statement

CLA(5)–08–19 – Paper 59 – Commentary

**10.17 WS–30C–120 – The Food and Farming (Amendment) (EU Exit) Regulations
2019**

(Pages 347 – 352)

CLA(5)–08–19 – Paper 60 – Statement

CLA(5)–08–19 – Paper 61 – Commentary

**10.18 WS–30C–121 – The Common Organisation of the Markets in Agricultural
Products (Council Regulations) (Miscellaneous Amendments etc.) (EU Exit)
Regulations 2019**

(Pages 353 – 359)

CLA(5)–08–19 – Paper 62 – Statement

CLA(5)–08–19 – Paper 63 – Commentary

**CLA(5)–08–19 – Paper 79 – Letter from the Counsel General, 28 February
2019**

**10.19 WS–30C–122 – The Zoonotic Disease Eradication Control (Amendment) (EU
Exit) Regulations 2019**

(Pages 360 – 366)

CLA(5)–08–19 – Paper 64 – Statement

CLA(5)–08–19 – Paper 65 – Commentary

11 Papers to Note

**11.1 Letter from the Rt.Hon Lord Trefgarne Chair of the Secondary Legislation
Committee relating to WS–30C(5)81 – The State Aid (EU Exit) Regulations
2019**

(Page 367)

**CLA(5)–08–19 – Paper 66 – Letter from the Rt.Hon Lord Trefgarne Chair of
the Secondary Legislation Committee**

**11.2 Correspondence relating to pNeg(5)08 – The Flood and Water (Amendments)
(England and Wales) (EU Exit) Regulations 2019**

(Pages 368 – 370)

CLA(5)–08–19 – Paper 67 – Letter to the Minister for Environment, Energy
and Rural Affairs

CLA(5)–08–19 – Paper 68 – Letter from the Minister for Environment, Energy
and Rural Affairs

**11.3 Letter from the Minister for Environment, Energy and Rural Affairs relating to
SICM(5)18 – The Fertilisers and Ammonium Nitrate Material (Amendment) (EU
Exit) Regulations 2019**

(Page 371)

CLA(5)–08–19 – Paper 69 – Letter from the Minister for Environment, Energy
and Rural Affairs

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

13 Supplementary Legislative Consent Memorandum: Trade Bill

(Pages 372 – 384)

CLA(5)–08–19 – Paper 73 – Supplementary Legislative Consent Memorandum

CLA(5)–08–19 – Paper 74 – Draft Report

**14 Scrutiny of regulations made under the EU (Withdrawal) Act 2018:
Update**

(Pages 385 – 386)

CLA(5)–08–19 – Paper 76 – Update