

# Concise Minutes – Constitutional and Legislative Affairs Committee

Meeting Venue:

Committee Room 1 – Senedd

Meeting date: Monday, 25 March 2019

Meeting time: 13.00 – 15.50

This meeting can be viewed

on [Senedd TV](#) at:

<http://senedd.tv/en/5265>

## Attendance

Category	Names
Assembly Members:	Mick Antoniw AM (Chair) Dawn Bowden AM Mandy Jones AM Dai Lloyd AM David Melding AM
Witnesses:	Professor Laura McAllister Keith Bush QC, Queens Council Roger Scully, Wales Governance Centre
Committee Staff:	P Gareth Williams (Clerk) Ruth Hatton (Deputy Clerk) Gareth Howells (Legal Adviser) Stephen Davies (Legal Adviser) Ben Harris (Legal Adviser)



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

Apologies were received from Carwyn Jones AM

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

**2.1 SL(5)383 – The Council Tax (Additional Provisions for Discount Disregards) (Amendment) (Wales) Regulations 2019**

**2.2 SL(5)397 – The Local Authority Fostering Services (Wales) (Amendment) Regulations 2019**

**2.3 SL(5)400 – The Civil Enforcement Of Parking Contraventions (County Of Monmouthshire) Designation Order 2019**

**2.4 SL(5)401 – The Civil Enforcement of Parking Contraventions (County Borough of Caerphilly) Designation Order 2019**

The Committee considered the instruments and was content.

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

**3.1 SL(5)382 – The Town and Country Planning (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019**

The Committee considered the instrument along with the Government response and will report to the Assembly in line with the reporting points identified.

**3.2 SL(5)384 – The Council Tax (Exempt Dwellings) (Amendment) (Wales) Order 2019**

The Committee considered the instrument along with the Government response and will report to the Assembly in line with the reporting points identified.

**3.3 SL(5)385 – The Flood and Water (Amendments) (England and Wales) (EU Exit) Regulations 2019**

The Committee considered the instrument along with the Government response and will report to the Assembly in line with the reporting points identified.

### **3.4 SL(5)388 – The Plant Health (Fees) (Forestry) (Wales) Regulations 2019**

The Committee considered the instrument and will report to the Assembly in line with the reporting points identified.

### **3.5 SL(5)389 – The Forest Reproductive Material (Great Britain) (Amendment) (Wales) Regulations 2019**

The Committee considered the instrument and will report to the Assembly in line with the reporting points identified.

### **3.6 SL(5)390 – The Plant Health (Forestry) (Amendment) (Wales) Order 2019**

The Committee considered the instrument and will report to the Assembly in line with the reporting points identified.

### **3.7 SL(5)394 – The Agricultural Wages (Wales) Order 2019**

The Committee considered the instrument and will report to the Assembly in line with the reporting points identified. The Committee agreed to reconsider at a future meeting when a Government response is available.

### **3.8 SL(5)405 – The Sea Fishing (Penalty Notices) (Wales) (Amendment) Order 2019**

The Committee considered the instrument and will report to the Assembly in line with the reporting points identified.

### **3.9 SL(5)393 – The Invasive Alien Species (Enforcement and Permitting) Order 2019**

The Committee considered the instrument along with the Government response. The Committee agreed to remove the second technical reporting point. The Committee will report to the Assembly to identify the remaining reporting points.

### **3.10 SL(5)395 – The Additional Learning Needs and Education Tribunal (Wales) Act 2018 (Supplementary Provisions) Regulations 2019**

The Committee considered the instrument and will report to the Assembly in line with the reporting points identified. The Committee agreed to reconsider at a future meeting when a Government response is available.

### **3.11 SL(5)396 – Qualifications Wales (Monetary Penalties) (Determination of Turnover) Regulations 2019**

The Committee considered the instrument and will report to the Assembly in line with the reporting points identified.

## **4 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**

### **4.1 SL(5)386 – The Rural Affairs, Environment, Fisheries and Food (Miscellaneous Amendments and Revocations) (Wales) Regulations 2019**

The Committee considered the instrument and will report to the Assembly to highlight issues as a result of the UK exiting the EU.

## **5 Instruments that raise issues to be reported to the Assembly under Standing Order 21.2 or 21.3 – previously considered**

### **5.1 SL(5)362 – The Genetically Modified Organisms (Deliberate Release and Transboundary Movement) (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019**

The Committee noted that the Government response was not yet available and agreed therefore to reconsider at a future meeting.

### **5.2 SL(5)372 – The National Health Service (Clinical Negligence Scheme) (Wales) Regulations 2019**

The Committee reconsidered the instrument along with the Government response and agreed to report to the Assembly on line with the reporting points identified.

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

The Committee noted the written statement and commentary.

**6.1 WS-30C(5)125 – The Regulation (EC) No 1370/2007 (Public Service Obligations In Transport) (Amendment) (EU Exit) Regulations 2019**

## **7 Papers to note**

**7.1 Letter from the First Minister to the Chair of the External Affairs and Additional Legislation Committee**

The Committee noted the letter from the First Minister to the Chair of the External Affairs and Additional Legislation Committee.

**7.2 Letter from the Chair of the Equality, Local Government and Communities Committee to the Llywydd**

The Committee noted the letter from the Chair of the Equality, Local Government and Communities Committee to the Llywydd.

**7.3 Letter from the Counsel General and Minister for Brexit: The State Aid (EU Exit) Regulations 2019**

The Committee noted the letter from the Counsel General and Minister for Brexit.

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

The Committee noted the letter from the Minister for Finance and Trefnydd.

## **8 Senedd and Elections (Wales) Bill: Evidence session 2**

The Committee took evidence from Professor Laura McAllister.

## **9 Senedd and Elections (Wales) Bill: Evidence session 3**

The Committee took evidence from Keith Bush QC.

## **10 Senedd and Elections (Wales) Bill: Evidence session 4**

The Committee took evidence from Professor Roger Awan–Scully.

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

The motion was agreed.

## **12 Senedd and Elections (Wales) Bill: Consideration of Evidence**

The Committee considered the evidence received.