

# Agenda – Constitutional and Legislative Affairs Committee

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Meeting Venue:

**Committee Room 1 – Senedd**

Meeting date: 16 September 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**

13.00

## **2 Proposed Order in Council – The Government of Wales Act 2006 (Amendment) Order 2019: Evidence session**

13.00–13.30

(Pages 1 – 17)

Jeremy Miles AM, Counsel General

Diane Dunning, Welsh Government

Dr Hugh Rawlings, Welsh Government

Angharad C Thomas–Richards, Welsh Government

**CLA(5)–24–19 – Briefing 1**

**CLA(5)–24–19 – Paper 1 – Order in Council**

**CLA(5)–24–19 – Paper 2 – Explanatory Memorandum (Welsh Government)**

**CLA(5)–24–19 – Paper 3 – Explanatory Memorandum (UK Government)**

## **3 Wales' Changing Constitution: Evidence session 1**

13.30–14.30

(Pages 18 – 47)

Jeremy Miles AM, Counsel General

Diane Dunning, Welsh Government

Dr Hugh Rawlings, Welsh Government

Simon Brindle, Welsh Government

**CLA(5)–24–19 – Briefing 2**



Cynulliad  
Cenedlaethol  
Cymru

National  
Assembly for  
Wales

CLA(5)–24–19 – Legal brief

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

14.30–14.35

(Page 48)

CLA(5)–24–19 – Paper 4 – Proposed negative statutory instruments with clear reports

##### **4.1 pNeg(5)31 – The Retained EU Law (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019**

#### **5 Proposed negative instruments that raise reporting issues under Standing Order 21.3B**

14.35–14.40

##### **5.1 pNeg(5)30 – The Seeds (Amendment etc.) (Wales) (EU Exit) Regulations 2019**

(Pages 49 – 62)

CLA(5)–24–19 – Paper 5 – Report

CLA(5)–24–19 – Paper 6 – Regulations

CLA(5)–24–19 – Paper 7 – Explanatory Memorandum

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

14.40–14.45

(Pages 63 – 66)

CLA(5)–24–19 – Paper 8 – Statutory instruments with clear reports

Negative Resolution Instruments

##### **6.1 SL(5)432 – Code of Practice for the Welfare of Cats**

##### **6.2 SL(5)436 – The Renting Homes (Fees etc.) (Wales) Act 2019 (Transitional Provision for Assured Shorthold Tenancies) Regulations 2019**

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

14.45–14.50

Negative Resolution Instruments

**7.1 SL(5)434 – The Education (School Day and School Year) (Wales) (Amendment) Regulations 2019**

(Pages 67 – 85)

CLA(5)–24–19 – Paper 9 – Report

CLA(5)–24–19 – Paper 10 – Regulations

CLA(5)–24–19 – Paper 11 – Explanatory Memorandum

**7.2 SL(5)435 – The Plant Health (Forestry) (Amendment No. 2) (Wales) Order 2019**

(Pages 86 – 96)

CLA(5)–24–19 – Paper 12 – Report

CLA(5)–24–19 – Paper 13 – Order

CLA(5)–24–19 – Paper 14 – Explanatory Memorandum

CLA(5)–24–19 – Paper 15 – Letter from the Minister for Finance and  
Trefnydd, 19 July 2019

**7.3 SL(5)437 – The Hazardous Waste (Wales) (Amendment) Regulations 2019**

(Pages 97 – 108)

CLA(5)–24–19 – Paper 16 – Report

CLA(5)–24–19 – Paper 17 – Regulations

CLA(5)–24–19 – Paper 18 – Explanatory Memorandum

**7.4 SL(5)438 – The Plant Health (Wales) (Amendment) (No. 2) Order 2019**

(Pages 109 – 121)

CLA(5)–24–19 – Paper 19 – Report

CLA(5)–24–19 – Paper 20 – Order

CLA(5)–24–19 – Paper 21 – Explanatory Memorandum

CLA(5)–24–19 – Paper 22 – Letter from the Minister for Finance and  
Trefnydd, 25 July 2019

**7.5 SL(5)439 – The Education (Student Finance) (Amendments to Student Eligibility) (Wales) Regulations 2019**

(Pages 122 – 137)

CLA(5)–24–19 – Paper 23 – Report

CLA(5)–24–19 – Paper 24 – Regulations

CLA(5)–24–19 – Paper 25 – Explanatory Memorandum

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

14.50–14.55

### **8.1 SL(5)433 – The Cardiff and Valleys Railways (Transfer) Order 2019**

(Pages 138 – 157)

CLA(5)–24–19 – Paper 26 – Report

CLA(5)–24–19 – Paper 27 – Order

## **9 Statutory Instruments requiring Assembly consent: Brexit**

14.55–15.00

### **9.1 SICM(5)25 – The Plant Health (Amendment etc.) (EU Exit) Regulations 2019**

(Pages 158 – 201)

CLA(5)–24–19 – Paper 28 – Statutory Instrument Consent Memorandum

CLA(5)–24–19 – Paper 29 – Regulations

CLA(5)–24–19 – Paper 30 – Explanatory Memorandum

CLA(5)–24–19 – Paper 31 – Letter from the Minister for Environment, Energy and Rural Affairs, 29 July 2019

CLA(5)–24–19 – Paper 32 – Written statement

CLA(5)–24–19 – Paper 33 – Commentary

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

15.00–15.05

(Pages 202 – 220)

CLA(5)–24–19 – Paper 34 – Written statement

CLA(5)–24–19 – Paper 35 – Report

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

15.05–15.10

### **11.1 WS–30C(5)140 – The Freedom of Establishment and Free Movement of Services (EU Exit) Regulations 2019**

(Pages 221 – 225)

CLA(5)–24–19 – Paper 36 – Written statement

CLA(5)-24-19 – Paper 37 – Commentary

**11.2 WS-30C(5)142 – The Agriculture (Miscellaneous Amendments) (EU Exit)  
Regulations 2019**

(Pages 226 – 230)

CLA(5)-24-19 – Paper 38 – Written statement

CLA(5)-24-19 – Paper 39 – Commentary

**11.3 WS-30C(5)143 – The Health and Safety (Amendment) (EU Exit) Regulations  
2018**

(Pages 231 – 234)

CLA(5)-24-19 – Paper 40 – Written statement

CLA(5)-24-19 – Paper 41 – Commentary

**11.4 WS-30C(5)144 – The Storage of Carbon Dioxide (Amendment and Power to  
Modify) (EU Exit) Regulations 2018**

(Pages 235 – 238)

CLA(5)-24-19 – Paper 42 – Written statement

CLA(5)-24-19 – Paper 43 – Commentary

**11.5 WS-30C(5)145 – The Animals (Legislative Functions) (EU Exit) Regulations  
2019**

(Pages 239 – 242)

CLA(5)-24-19 – Paper 44 – Written statement

CLA(5)-24-19 – Paper 45 – Commentary

**11.6 WS-30C(5)146 – The Common Agricultural Policy and Common Organisation  
of the Markets in Agricultural Products (Miscellaneous Amendments) (EU Exit)  
Regulations 2019**

(Pages 243 – 247)

CLA(5)-24-19 – Paper 46 – Written statement

CLA(5)-24-19 – Paper 47 – Commentary

**11.7 WS-30C(5)147 – The Food and Drink (Amendment) (EU Exit) Regulations  
2019**

(Pages 248 – 251)

CLA(5)-24-19 – Paper 48 – Written statement

CLA(5)-24-19 – Paper 49 – Commentary

**11.8 WS–30C(5)148 – The Common Organisation of the Markets in Agricultural Products (Transitional Arrangements etc.) (Amendment) (EU Exit) Regulations 2019**

(Pages 252 – 257)

CLA(5)–24–19 – Paper 50 – Written statement

CLA(5)–24–19 – Paper 51 – Commentary

**11.9 WS–30C(5)150 – The Import of and Trade in Animals and Animal Products (Amendment etc.) (EU Exit) (No. 2) Regulations 2019**

(Pages 258 – 262)

CLA(5)–24–19 – Paper 52 – Written statement

CLA(5)–24–19 – Paper 53 – Commentary

**11.10 WS–30C(5)149 – The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019**

(Pages 263 – 267)

CLA(5)–24–19 – Paper 54 – Written statement

CLA(5)–24–19 – Paper 55 – Commentary

**12 Interparliamentary Forum on Brexit: Update**

15.10–15.15

(Pages 268 – 271)

CLA(5)–24–19 – Paper 56 – Media release

CLA(5)–24–19 – Paper 57 – Letter from the Chair of the Public Administration and Constitutional Affairs Committee, 5 September 2019

**13 Paper(s) to note**

15.15–15.20

**13.1 Letter from the Minister for Finance and Trefnydd: WS–30C(5)134 – The European Grouping of Territorial Cooperation (EU Exit) Regulations 2019**

(Pages 272 – 273)

CLA(5)–24–19 – Paper 58 – Letter from the Minister for Finance and Trefnydd, 17 July 2019

**13.2 Letter from the Chair of the Finance Committee to the Llywydd and the Counsel General: Senedd and Elections (Wales) Bill**

(Pages 274 – 275)

CLA(5)–24–19 – Paper 59 – Letter from the Chair of the Finance Committee to the Llywydd and the Counsel General, 17 July 2019

**13.3 Letter from the Minister for Finance and Trefnydd: WS–30C(5)133 – The Environment (Legislative Functions from Directives) (EU Exit) Regulations 2019**

(Pages 276 – 277)

CLA(5)–24–19 – Paper 60 – Letter from the Minister for Finance and Trefnydd, 23 July 2019

**13.4 Letter from the Llywydd to the Chair of the Equality, Local Government and Communities Committee: Voting rights for prisoners**

(Pages 278 – 280)

CLA(5)–24–19 – Paper 61 – Letter from the Llywydd to the Chair of the Equality, Local Government and Communities Committee, 23 July 2019

**13.5 Letter from the Minister for Environment, Energy and Rural Affairs: Legislative Consent Memorandum on the Agriculture Bill**

(Pages 281 – 288)

CLA(5)–24–19 – Paper 62 – Letter from the Minister for Environment, Energy and Rural Affairs, 25 July 2019

**13.6 Letter from the Minister for Finance and Trefnydd: Forthcoming subordinate legislation**

(Pages 289 – 290)

CLA(5)–24–19 – Paper 63 – Letter from the Minister for Finance and Trefnydd, 26 July 2019

**13.7 Letter from the Chair of the Equality, Local Government and Communities Committee to the Llywydd: Voting rights for prisoners**

(Pages 291 – 298)

CLA(5)–24–19 – Paper 64 – Letter from the Chair of the Equality, Local Government and Communities Committee, 26 July 2019

**13.8 Letter from the Chair of the Equality, Local Government and Communities Committee to the Minister for Housing and Local Government: Voting rights for prisoners**

(Pages 299 – 303)

CLA(5)–24–19 – Paper 65 – Letter from the Chair of the Equality, Local Government and Communities Committee, 26 July 2019

**13.9 Letter from the Counsel General: EU Exit SIs**

(Pages 304 – 305)

CLA(5)–24–19 – Paper 66 – Letter from the Counsel General, 26 July 2019

**13.10 Letter from the Future Generations Commissioner: Future Generations Report**

(Pages 306 – 307)

CLA(5)–24–19 – Paper 67 – Letter from the Future Generations Commissioner, 9 August 2019

**13.11 Letter from the Llywydd: Senedd and Elections (Wales) Bill**

(Pages 308 – 315)

CLA(5)–24–19 – Paper 68 – Letter from the Llywydd, 13 August 2019

**13.12 Letter from the Llywydd to the Chair of the Finance Committee: Senedd and Elections (Wales) Bill**

(Pages 316 – 325)

CLA(5)–24–19 – Paper 69 – Letter from the Llywydd to the Chair of the Finance Committee, 13 August 2019

**13.13 Letter from the First Minister: Statutory Instrument Consent Memorandums**

(Pages 326 – 327)

CLA(5)–24–19 – Paper 70 – Letter from the First Minister, 23 August 2019

**13.14 Letter from the Minister for Finance and Trefnydd: Finance Ministers' Quadrilateral**

(Page 328)

CLA(5)–24–19 – Paper 71 – Letter from the Minister for Finance and Trefnydd, 29 August 2019



**13.15 Letter from the Counsel General to the Chair of the Finance Committee:  
Senedd and Elections (Wales) Bill**

(Page 329)

**CLA(5)–24–19 – Paper 72** – Letter from the Counsel General to the Chair of the Finance Committee, 3 September 2019

**13.16 Letter from the Counsel General: Meeting of the Joint Ministerial Committee  
(EU negotiations)**

(Pages 330 – 331)

**CLA(5)–24–19 – Paper 73** – Letter from the Counsel General, 11 September 2019

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

15.20

**15 Legislative Consent Memorandum on the Birmingham  
Commonwealth Games Bill: Draft report**

15.20–15.30

(Pages 332 – 342)

**CLA(5)–24–19 – Paper 74** – Draft report

**CLA(5)–24–19 – Paper 75** – Legislative Consent Memorandum

**CLA(5)–24–19 – Legal brief 2**

**16 Briefing on a procedure for consolidation bill scrutiny**

15.30–16.30

(Pages 343 – 420)

**CLA(5)–24–19 – Briefing 3**

**CLA(5)–24–19 – Paper 76** – Letter from the Business Committee, including draft Standing Order

**Date of the next meeting – 23 September 2019**