



Constitutional and Legislative Affairs Committee

Report: CLA(4)-10-11 : 7 November 2011

The Committee did not consider any statutory instruments.

Committee Correspondence

CLA43 – The Animal By-Products (Enforcement) (No. 2) (Wales) Regulations 2011

The Committee noted the Minister's response to the Chair's letter dated 14 October 2011 on the merits of The Animal By-Products (Enforcement) (No. 2) (Wales) Regulations 2011.

CLA31 – The National Curriculum (Assessment Arrangements on Entry to the Foundation Phase) (Wales) Order 2011 and CLA32 – The National Curriculum (End of Foundation Phase Assessment Arrangements and Revocation of the First Key Stage Assessment Arrangements) (Wales) Order 2011

The Committee noted the Minister's response to the Chair's letter dated 19 October 2011, which had asked that the Committee be informed in writing if the powers under Article 5 are used again in future. The Minister's response indicated that he felt that it was unnecessary to write separately to the Committee as he anticipated that the matter would be subject to consultation and, therefore, published on the Welsh Government's website.

The Committee agreed that due to the nature of this power (and bearing in mind that the Committee did not have the capacity to trawl the Government's website routinely for issues such as this), the Government should ensure that the Assembly was alerted to any future use. The Chair of the Committee was asked to write again to the Minister asking him to reconsider.

Absence of Welsh Versions of Statutory Instruments made jointly with UK Ministers

The Committee noted a letter from the First Minister regarding the absence of the Welsh versions of Statutory Instruments made jointly with UK Ministers. The Committee noted that it was under a requirement to report on instruments that were not made in Welsh.

The Committee agreed that the First Minister's response on the matter was not unhelpful but that the fundamental issue was that the UK Parliament does not scrutinise general statutory instruments in languages other than English. The Committee agreed to explore with colleagues in the UK Parliament what possibility there was for this general position to be relaxed to allow statutory instruments to be made bilingually.

Committee Inquiries: Inquiry into the Granting of Powers to Welsh Ministers in UK Laws

The Committee took oral evidence from Mr Richard Parry, Reader in social policy, School of Social and Political Science, University of Edinburgh.

Resolution to Meet in Private

In accordance with Standing Order 17.42(vi) the Committee resolved to exclude the public from the remainder of the meeting to discuss the evidence submitted thus far on the Inquiry into the Granting of Powers to Welsh Ministers in UK Laws.

David Melding AM

Chair, Constitutional and Legislative Affairs Committee

7 November 2011