

## Business Committee BC(2)22-05 (Final minutes)

### MINUTES OF MEETING

**Date:** 12<sup>th</sup> July 2005

**Time:** 9.30 a.m.

**Venue:** Conference Room E

**Present:** Jenny Randerson (Chair)  
Jane Hutt, Business Minister

Jocelyn Davies, Plaid Cymru Business  
Manager

Kirsty Williams, Welsh Liberal  
Democrats Business Manager

David Melding, Welsh Conservatives  
Business Manager

John Marek, Deputy Presiding Officer

Paul Silk, Clerk to the Assembly

Andrew George, Clerk to the Business  
Committee

Marion Stapleton, Assembly Business  
Unit

Peter Jones, Counsel to the Assembly  
Parliamentary Service

Adrian Crompton, Members' Research  
and Committee Services Alun Jenkins,  
DLS (Agenda Item 4)

Marc Wyn Jones, Business Committee  
Secretariat

Catherine Morris, PS to the Deputy  
Presiding Officer

### Apologies & announcements

1.1 Apologies for absence were received from Karin Phillips. The Chair welcomed Adrian Crompton who was deputising for her.

## **2. Minutes of the previous meetings**

### **(i) BC(2)20-05 (Final minutes) - Tuesday 28<sup>th</sup> June 2005**

2.1 The minutes were presented to the Committee in their final format. As there were no comments, they would be translated in readiness for publication.

**Action: Chamber Secretariat**

### **(ii) BC(2)21-05 (draft minutes) - Tuesday 5<sup>th</sup> July 2005**

2.2 The minutes were presented to the Committee in draft. An amendment was suggested which would be incorporated before the minutes were translated in readiness for publication

**Action: Chamber Secretariat**

## **3. Matters Arising**

3.1 **Paragraph 3.1** Paul Silk referred to an Advisory Memorandum relating to the Permanent Secretary's responsibilities as the Assembly's Principal Accounting Officer in respect of proceedings in Plenary, which had been considered by the Committee on 28<sup>th</sup> June. He said that the Permanent Secretary had decided that he would write to Assembly Members if, in future, the Assembly appeared to be contemplating a course of action which he, as Principal Accounting Officer, considered would infringe the requirements of propriety or regularity, or which would be unlawful, or which would not, in his opinion, be compatible with his wider responsibilities for economy, efficiency and effectiveness. The Committee welcomed this proposal.

3.2 **Paragraph 4.2** The Business Minister said that the contingency plan for avian influenza and Newcastle Disease would be considered in Plenary in due course. She said that she would inform members out of committee whether contingency plans for other animal health emergencies had been affected by the transfer of powers from Defra.

## **4. Subordinate Legislation**

### **Orders for consideration**

The Access to Information (Post-Commencement Adoptions)(Wales) Regulations 2005 - **BC(2)22-05(p1)**

The Adoption Information and Intermediary Services (Pre-Commencement Adoptions) (Wales) Regulations 2005 - **BC(2)22-05(p2)**

The North-West, Severn-Trent and Welsh Regional Flood Defence Committees (Boundaries Alteration) Order 2005 - **BC(2)22-05(p3)**

The Local Government (Access to Information) (Variation) (Wales) Order 2005 - **BC(2)22-05(p4)**

**The Business Committee recommended the Standard procedure for BC(2)22-05(p1), BC(2)22-05(p2) and BC(2)22-05(p4). The Deputy Presiding Officer subsequently determined that none of these Orders need be referred to Subject Committee.**

4.1 Members of the Committee suggested a number of amendments to clarify the papers accompanying these items of legislation. It was agreed that the papers would be amended accordingly.

4.2 The Deputy Presiding Officer said that he would no longer be scrutinising the documentation accompanying draft legislation with the same rigour as he had previously. He said that it was the responsibility of the Government to ensure the documents were correct.

#### **BC(2)22-05(p1)**

4.3 Members noted that the approval of the Registrar General and the Chancellor of the Exchequer was required for the Assembly to make these regulations and enquired whether approval had been granted. Marion Stapleton agreed to clarify the position.

#### **BC(2)22-05(p3)**

4.4 The Deputy Presiding Officer referred to paragraph 3 of the Explanatory Memorandum accompanying this draft Order, which said that the enabling powers were "*exercisable jointly by the National Assembly for Wales and the Secretary of State for Environment, Food and Rural Affairs*". The Deputy Presiding Officer said that the Government had given a commitment to include in such orders information about whether the Assembly was required to make the order jointly or whether it had chosen to do so. Marion Stapleton confirmed that this would be the case in future. The Deputy Presiding Officer asked if Explanatory Memorandums for Orders under Standing Order 25, Section 3 could indicate whether it was intended to translate the Order into Welsh. Alun Jenkins said that, unless the Explanatory Memorandum stated otherwise, it was intended to translate the Order.

#### **(b) Standing Order 29 Subordinate Legislation**

#### **BC(2)22-05(p5)**

4.5 The Committee noted the e-mail of notification from the Minister for Environment, Planning and Countryside about his intention to approve The Diseases of Fish (Designated Areas) (Wales) (Revocation) Order 2005.

## **BC(2)22-05(p6)**

4.6 The Committee noted the e-mail of notification from the Minister for Education and Lifelong Learning about her intention to approve a list of external qualifications.

## **(c) Orders made under the Executive Procedure; Papers to note.**

## **(d) Papers for Information**

### **5. Committees**

#### **BC(2)22-05(p7)**

5.1 The Committee noted the letter of notification from the Education and Lifelong Learning Committee about an additional formal meeting on Thursday 29 September 2005.

#### **BC(2)22-05(p8)**

5.2 The Committee noted the letter from the Chair of the Education and Lifelong Learning Committee about consideration of forthcoming legislation.

#### **BC(2)22-05(p12)**

5.3 Adrian Crompton introduced a paper on a review of arrangements for subject committee business. The Committee agreed the proposed scope of the review as set out in paragraphs 4 and 5 of the paper and noted MRCS' comments on the quality and availability of data. It was noted that the review would provide useful context to inform discussions about future arrangements in the light of the White Paper.

### **6. Forthcoming Business**

#### **BC(2)22-05(p9)**

6.1 The Business Minister responded to various requests from Business Managers and said that:

A debate on the WDA was scheduled for Wednesday 13th July.

A statement on job losses in Wales as a result of the Christie Tyler announcement had been made by the Minister for Economic Development on 5 July.

6.2 Kirsty Williams referred to recent announcements in the media by Ministers. Business Managers said that Ministers should make important announcements to the Assembly in the

first instance.

## This Week's Business

### **BC(2)22-05(p10)**

6.2 The Committee considered this paper, which detailed the Assembly's agreed business for the week.

6.3 The Deputy Presiding Officer said that the indicative timings for the week's Plenary meetings showed that they would overrun. The Business Minister said that, if necessary, she would move a procedural motion to extend the meetings.

## Draft Business Statement

6.4 The Committee noted the Business Minister's proposed statement about the organisation of the Assembly's business for the weeks commencing 20 September, 27 September and 4 October.

## Business Managers' Requests

6.5 Jocelyn Davies asked if a statement could be made on the state aid regime and its effect on Wales. Business Managers supported this request.

## **7. Advice to Assembly on procedures**

## **8. Matters referred from plenary**

## **9. Revisions to Standing Orders**

## **10. Presiding Officer rulings**

## **11. Any other business.**

**CHAMBER SECRETARIAT**