



**Cynulliad Cenedlaethol Cymru  
The National Assembly for Wales**

**Y Pwyllgor Is-ddeddfwriaeth  
The Subordinate Legislation Committee**

**Dydd Mawrth, 10 Chwefror 2009  
Tuesday, 10 February 2009**

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Cofnodir y trafodion hyn yn yr iaith y llefarwyd hwy ynddi yn y pwyllgor. Yn ogystal,  
cynhwysir cyfieithiad Saesneg o gyfraniadau yn y Gymraeg.

These proceedings are reported in the language in which they were spoken in the committee.  
In addition, an English translation of Welsh speeches is included.

**Aelodau'r pwyllgor yn bresennol**  
**Committee members in attendance**

Michael German	Democratiaid Rhyddfrydol Cymru Welsh Liberal Democrats
Mark Isherwood	Ceidwadwyr Cymreig Welsh Conservatives
Janet Ryder	Plaid Cymru (Cadeirydd y Pwyllgor) The Party of Wales (Committee Chair)
Joyce Watson	Llafur Labour

**Eraill yn bresennol**  
**Others in attendance**

David Lloyd	Aelod Cynulliad, Plaid Cymru Assembly Member, The Party of Wales
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**Swyddogion Gwasanaeth Seneddol y Cynulliad yn bresennol**  
**Assembly Parliamentary Service officials in attendance**

Anna Daniel	Clerc Clerk
Bethan Davies	Clerc Clerk
Gwyn Griffiths	Cynghorydd Cyfreithiol Legal Adviser
Joanest Jackson	Cynghorydd Cyfreithiol Cynorthwyol Assistant Legal Adviser
Olga Lewis	Dirprwy Glerc Deputy Clerk

*Dechreuodd y cyfarfod am 8.19 a.m.*  
*The meeting began at 8.19 a.m.*

**Cyflwyniad, Ymddiheuriadau, Dirprwyon a Datgan Buddiannau**  
**Introduction, Apologies, Substitutions and Declarations of Interest**

[1] **Janet Ryder:** Good morning. I welcome Members, officials and members of the public to the meeting. In an emergency, ushers will indicate the nearest safe exit. Headsets are available for translation and amplification. Interpretation is available on channel 1, and amplification is on channel 0. Please switch off all mobile devices.

[2] We have apologies from Alun Davies. There are no substitutions this morning.

8.20 a.m.

**Offerynnau ac Offerynnau Drafft na fydd y Cynulliad yn Cael ei Wahodd i Roi Sylw Arbennig iddynt o dan Reol Sefydlog Rhif 15.2: Offerynnau sy'n Agored i Gael eu Dirymu yn unol â Phenderfyniad gan y Cynulliad (y Weithdrefn Negyddol)**

**Instruments and Draft Instruments in Respect of which the Assembly is not Invited to Pay Special Attention under Standing Order No. 15.2: Instruments**

**Subject to Annulment Pursuant to a Resolution of the Assembly (Negative Procedure)**

[3] **Janet Ryder:** Gwyn, are there any issues with SLC240, the Feeding Stuffs (Wales) (Amendment) Regulations 2009?

[4] **Mr Griffiths:** No.

[5] **Janet Ryder:** Joanest has been looking at SLC242, the School Milk (Wales) (Amendment) Regulations 2009.

[6] **Ms Jackson:** I have nothing to add.

[7] **Janet Ryder:** SLC243 is the Regional Transport Planning (Wales) (Amendment) Order 2009. Gwyn?

[8] **Mr Griffiths:** Diolch, Gadeirydd. Mae ychydig i'w ychwanegu ynghylch yr offeryn hwn. Fel y gwelwch o'r nodyn byr ar yr agenda, dyma'r ail dro i'r Llywodraeth ymestyn y dyddiad ar gyfer gwneud y cynlluniau newydd hyn o dan y Ddeddf. Yr wyf yn codi'r mater am i gyn aelod o'r pwyllgor wneud sylw'r tro diwethaf y gwnaeth y Llywodraeth Orchymyn yn ymestyn y dyddiad. Fel y gwelwch, fe'i estynnwyd yn wreiddiol am flwyddyn. Gofynnwyd pam yr oedd angen gohirio ac ar bwy yr oedd y bai. Y tro hwn, mae'r Llywodraeth yn ymestyn y dyddiad am chwe mis pellach, er y gallaf gadarnhau i'r pwyllgor fod tri chonsortium trafndiaeth rhanbarthol bellach wedi paratoi cynlluniau a'u hanfon i'r Llywodraeth ddelio â hwy, felly gobeithio na fydd oedi pellach.

**Mr Griffiths:** Thank you, Chair. I have something to add with regard to this instrument. As you can see from the short note on the agenda, this is the second time that the Government has extended the deadline for making these new plans under the Act. I raise the matter because a former member of this committee commented the last time the Government made an Order to extend the date. As you can see, it was extended by a year initially. Questions were asked about why there was this delay and who was to blame for it. This time, the Government is extending the date by another six months, although I can give confirmation to committee that three regional transport consortia have since prepared plans and sent them to the Government to deal with them, so I hope that there will be no further delays.

[9] **Janet Ryder:** Are Members satisfied with that explanation? I see that they are.

[10] Let us move on to the last piece of legislation in this item, which is SLC244. We have dealt with this piece of legislation before, and at the meeting of 20 January, the committee considered the Government's response to points raised by committee to be unsatisfactory, given that the issues raised could potentially cause a problem. We asked the Minister to take the points back. I now have a response from the Minister. Joanest, would you like to comment on this?

[11] **Ms Jackson:** As you said, Chair, when it considered the Transmissible Spongiform Encephalopathies (Wales) (Amendment) Regulations 2009, the committee was not satisfied with the Government's response, which was a proposal to correct errors some time this year, probably in June. As you said, you wrote to the Minister, indicating that the committee was not happy with the response, particularly as the issue of offences is involved and that there could be difficulties in the courts. I am pleased to say that the Government has taken the committee's comments on board, and it has brought forward the required amending regulations, which are now before you, and they are in satisfactory form.

[12] **Janet Ryder:** Are Members satisfied with that response and with the legislation? I see that they are. That brings us to the end of those pieces of legislation.

[13] I would like to bring to Members' attention an issue that is not on the agenda. Similar to the issue of business rates, which we will look at on 24 February, in Westminster, the Apprenticeships, Skills, Children and Learning Bill has now been laid. Do Members want to consider this matter? If we do, it will take a number of weeks to get a response from the various bodies concerned. If we want to consider this, we would need to ask for the responses now. Any comments?

[14] **Michael German:** Yes, please.

[15] **Janet Ryder:** Right. We will ask for papers from the lawyers and the Government on that, and we will let Members know when the issue appears on the agenda.

8.24 a.m.

### **Cynnig Trefniadol Procedural Motion**

[16] **Janet Ryder:** I propose that the committee resolves to go into private session for item 3 of the agenda to discuss its inquiry into the scrutiny of subordinate legislation and delegated powers. I propose that

*the committee resolves to exclude the public from the remainder of the meeting in accordance with Standing Order No. 10.37(vi).*

[17] I see that the committee is in agreement.

*Daeth rhan gyhoeddus y cyfarfod i ben am 8.24 a.m.  
The public part of the meeting ended at 8.24 a.m.*