

Business Committee BC(2)18-05 (Final minutes)

MINUTES OF MEETING

Date: 14th June 2005

Time: 9 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

Lord Dafydd Elis-Thomas, Presiding
Officer

Paul Silk, Clerk to the Assembly

Andrew George, Clerk to the Business
Committee

Marion Stapleton, Assembly Business
Unit

Karin Phillips, Members' Research and
Committee Services Peter Jones,
Counsel to the Assembly Parliamentary
Service

Alun Jenkins, DLS (Agenda Item 4)

Marc Wyn Jones, Business Committee
Secretariat

Adrian Green, PS to the Presiding
Officer

Apologies & announcements

1.1 Apologies for absence were received from the Deputy Presiding Officer. The Chair welcomed the Presiding Officer who was representing him under Standing Order 1.10.

Apologies for absence were also received from Catherine Morris. The Chair welcomed Adrian Green.

2. Minutes of the previous meetings

(i) BC(2)16-05 (Final minutes) - Tuesday 24th 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)17-05 (draft minutes) - Tuesday 7th June 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 **7th June: Paragraph 4.3** Marion Stapleton referred to the Scallop Fishing (Wales) Order 2005 (BC(2)17-05(p6) and confirmed that the amendments proposed by the Environment, Planning and Countryside Committee had been incorporated. She also referred to the Explanatory Memorandum which said that "*this Order has some distinct Welsh provision, in that it reflects the nature of the Welsh fleet*". She said that ships in the Welsh fleet were smaller, and that they fished within 12 miles of the Welsh coast.

3.2 **17th May: Paragraph 9.1** Marion Stapleton said that a code of guidance associated with Standing Order 19 had been prepared and that the paper would be submitted to the Committee at its next meeting following further consultation with officials.

4. Subordinate Legislation

Orders for consideration

The National Health Service (Travelling Expenses and Remission of Charges) (Amendment) (Wales) Regulations 2005 - **BC(2)18-05 (p1)**

The Higher Education Act 2004 (Commencement No.2 and Transitional Provision) (Wales) Order 2005 - **BC(2)18-05 (p2)**

The Highways (Schools) (Special Extinguishment and Special Diversion Orders) (Wales) Regulations 2005 - **BC(2)18-05 (p3)**

The Home Loss Payments (Prescribed Amounts) (Wales) Regulations 2005 - **BC(2)18-05 (p4)**

The Street Works (Recovery of Costs) (Wales) Regulations 2005 - **BC(2)18-05 (p5)**

The Street Works (Sharing of Costs of Works) (Wales) Regulations 2005 - **BC(2)18-05 (p6)**

The Education (Induction Arrangements for School Teachers) (Wales) Regulations 2005 - **BC(2)18-05 (p7)**

The Genetically Modified Organisms (Deliberate Release) (Wales) (Amendment) Regulations 2005 - **BC(2)18-05 (p8)**

The Genetically Modified Organisms (Transboundary Movements) (Wales) Regulations 2005 - **BC(2)18-05 (p9)**

& Report from the Environment, Planning and Countryside Committee - **BC(2)18-05(p15)**

The Business Committee recommended the Accelerated procedure for BC(2)18-05 (p1) and BC(2)18-05(p3) - BC(2)18-05(p6). The Committee recommended the Standard procedure for BC(2)18-05(p2) and BC(2)18-05(p7) - BC(2)18-05(p9). 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.

BC(2)18-05(p4)

4.2 The Chair referred to paragraph 21 of the Explanatory Memorandum, which said that "*it would be difficult to justify having a different basis in existence for Home Loss Payments between Wales and England*" and asked why this was the case. Alun Jenkins said that this was a political judgement. The Chair said that the Minister for Environment, Planning and Countryside would be reporting on 22 June to the Environment, Planning and Countryside Committee about the extent of increases to be effected by the Regulations.

BC(2)18-05(p5)

4.3 The Chair noted that the Explanatory Memorandum said that "*similar legislation came into force in England on 1 September 2002*" and asked why there had been a delay in introducing the legislation in Wales. Marion Stapleton confirmed that the delay was because the legislation had been regarded a low priority.

(b) Standing Order 29 Subordinate Legislation

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

BC(2)18-05(p10)

4.4 The Business Committee noted the letter on the use of the Executive procedure for The Food (Chilli, Chilli Products, Curcuma and Palm Oil) Emergency Control (Wales) Regulations 2005.

(d) Papers for Information

5. Committees

BC(2)17-05(p15)

5.2 Karin Phillips introduced a revised version of the draft Committee timetable for the Autumn term 2005. She said that the new timetable took account of the Business Committee's suggestion that Subject Committees could meet on Thursdays. The Business Minister said she would like to consult her group. The Committee noted that an agreement would have to be reached before the forthcoming debate on the Periodic Timetable Statement. The Committee suggested that the original and the revised version of the timetable should be circulated to Committee Chairs for consideration, and to indicate that the Business Committee preferred the revised version.

6. Forthcoming Business

BC(2)18-05(p11)

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

There was no intention to make a statement on Out-of-Hours Services in Cardiff. The Wales Audit Office's report on Cardiff Local Health Board's Out-of-Hours contract was due for publication imminently and it would be inappropriate for the Government to comment until that time.

There was no intention to make a statement on the 1st Great Western Franchise. The tender exercise, for which invitations had been issued on 3 June, was currently a matter for the Strategic Rail Authority.

There was no intention to schedule a statement on the Government's intentions regarding elections to the Assembly before the White Paper was published. However, the First Minister would seek to make a statement as soon as it was published.

There was no intention to make a statement on the sale of Wentwood Forest, as the land was privately owned land.

A statement on the possible consequences of Wales securing structural funds following the recent referendums would be made by the First Minister following the European Council meeting on the 16/17 June.

There was currently no intention to schedule a statement on the Health Capital Programme as the Government had already published full details of its enhanced public capital programme for the NHS in Wales and none of the plans outlined have been altered.

Although there was insufficient time before the recess to schedule a debate on Cancer Services, a wider debate on the "Designed for Life" Strategy would be scheduled early in the autumn term.

This Week's Business

BC(2)17-05(p12)

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

6.3 The Presiding Officer referred to the debate on Christine Chapman's proposals for legislation under Standing Order 31. He noted that 30 minutes had been allocated for the debate and said that this might not be sufficient time. The Business Minister said she would extend the allocation to the debate to 45 minutes. The Presiding Officer thanked her for this. He also referred to the amendment which had been tabled to the motion. He said that he was minded not to select it and would be grateful to hear Members' views. Business Managers said that it was not in the spirit of the procedures for private Members' legislation for amendments to be tabled to initial motions. The Presiding Officer thanked the Committee for their advice.

Business Managers' Requests

6.4 Jocelyn Davies asked if statements could be made on the Government's school closure policy and on the announcement by the UK Government about the extension of school opening hours. David Melding supported these requests.

6.5 Kirsty Williams asked if a statement could be made on the potential for road charging in Wales. David Melding supported this request.

6.6 David Melding asked if a statement could be made on the non-availability of application forms in Welsh for licensees applying for new licences.

Draft Business Statement

6.7 The Committee noted the Business Minister's proposed statement about the organisation of the Assembly's business for the weeks commencing 20 June, 27 June and 5 July.

BC(2)18-05(p14)

6.8 The Chair said that this paper contained proposals for arrangements for the forthcoming debate on the Queen's speech. She said that the paper sought Business Managers views on whether speakers in the debate, excluding the Secretary of State, First Minister and proposers of amendments, should be allowed 3 or 5 minute speeches. The Presiding Officer said that, in the interests of holding a thorough debate, he would prefer it if Members were allowed 5 minutes to speak. However, he was also keen to accommodate as many speakers as possible. Business Managers, with the exception of Kirsty Williams, said that they preferred 3 minute speeches. The Presiding Officer said that he would take a decision about the length of speeches on the day taking into account the number of Members wishing to speak.

7. Advice to Assembly on procedures

8. Matters referred from plenary

9. Revisions to Standing Orders

BC(2)16-05 (p11)

9.1 The Business Committee considered and agreed a paper on proposed amendments to Standing Order 11. The Chair said that the proposed amendments would empower the Legislation Committee to invite the Assembly to pay special attention to proposed legislation on two additional grounds – that the draft legislation contains gender specific language; and

that it is proposed that the legislation is not made bilingually. It was agreed that a draft Report of the Business Committee would be submitted to the Committee in due course.

Action: Secretariat

10. Presiding Officer rulings

11. Any other business.

CHAMBER SECRETARIAT