

Committee on the Government of Wales Bill

Minutes GWB(2)-05-06 (mins)

Meeting date: Wednesday 8 February 2006

Meeting time: 15 minutes after the end of plenary

Meeting venue: Committee Room 3, National Assembly for Wales

Assembly Members in Attendance

Assembly Member	Constituency
Leighton Andrews	Rhondda
Nick Bourne	Mid and West Wales
Jocelyn Davies	South Wales East
Lord Dafydd Elis-Thomas (Chair)	Meirionnydd Nant Conwy
Mike German	South Wales East
Jane Hutt	Vale of Glamorgan
Ann Jones	Vale of Clwyd
Ieuan Wyn Jones	Ynys Mon
Val Lloyd	Swansea East
David Melding	South Wales East
Gwenda Thomas	Neath

Officials

Name	Representing
Paul Silk	Clerk to the Assembly
Peter Jones	Counsel to the Assembly Parliamentary Service
Hugh Rawlings	Constitutional Affairs Unit, Welsh Assembly Government

Committee Service

Name	Job title
Siân Wilkins	Committee Clerk
Gareth Williams	Committee Clerk
Sarah Beasley	Deputy Committee Clerk

Item 1: Introduction, Apologies, Substitutions and Declarations of Interest

1.1 No apologies were received.

Item 2: Outstanding items from previous meeting

1.2 No issues were raised.

Item 3: Government of Wales Bill

Paper: **GWB(2)-05-06 (p1)**

3.1 Amendment 98: proposed by Ieuan Wyn Jones and Jocelyn Davies

Clause 33, page 21 line 22 at the end "The Secretary of State must publish his reasons for deciding that consultation is inappropriate under this sub-section within 21 days of making his decision"

Amendment 18: proposed by the Welsh Conservative Group

Clause 33. Remove the sentence "The Secretary of State can participate by actually attending the plenary session, or by video link" from explanatory notes, page 34.

These amendments were grouped by the Presiding Officer for the purpose of discussion, but were voted upon separately.

Following discussion, these amendments were voted on as follows:

Amendment 98:

For: Nick Bourne, David Melding, Mike German, Ieuan Wyn Jones, Jocelyn Davies (5)

Against: Jane Hutt, Gwenda Thomas, Ann Jones, Val Lloyd, Leighton Andrews (5)

Abstention: (0)

Casting Vote: (1) Lord Dafydd Elis-Thomas voted against the amendment, in accordance with Standing Order 8.14

Amendment defeated.

Amendment 18:

**Amendment withdrawn on the basis that this will be a matter for Standing Orders.
[Action]**

3.2 Amendment 99: proposed by Ieuan Wyn Jones and Jocelyn Davies

New Clause:

"33A. Consultation about representation in European Union institutions.

Within three months of the first Assembly election provided for under this Act, the Secretary of State for Wales must publish a document making proposals for increasing the representation of Wales in the UK Government's representation within European Union institutions, and consult the Assembly about that document.

Within six months of the first Assembly election provided for under this Act, Her Majesty's Government shall consider and make decisions concerning increasing the representation of Wales in the UK Government's representation within European Union institutions."

Following discussion, this amendment was withdrawn.

3.3 Amendment 63: proposed by the Welsh Liberal Democrats

Clause 34(1) Page 21 Line 24 – Leave out 'If not an Assembly Member'

Amendment 64: proposed by the Welsh Liberal Democrats

Clause 34(1) Page 21 Line 25 – Insert after 'orders' 'but only to provide his legal opinion to Assembly Members'

Amendment 65: proposed by the Welsh Liberal Democrats

Clause 34(2) Page 21 Line 27 – Leave out 'if not an Assembly Member'

These amendments were grouped by the Presiding Officer for the purpose of discussion.

Following discussion, these amendments were withdrawn.

3.4 Amendment 59: proposed by the Welsh Liberal Democrats

Clause 49(5) Page 29 Line 30 – Leave out.

This amendment was withdrawn prior to the meeting.

Amendment 58: proposed by the Welsh Liberal Democrats

Clause 49 Page 29 Line 30 – Insert new clause:

(4) The First Civil Service Commissioner will make recommendations to the First Minister on the appointment of the Counsel General when a vacancy occurs in that office.

This amendment was withdrawn prior to the meeting.

Amendment 60: proposed by the Welsh Liberal Democrats

Clause 49(6) Page 29 Line 34 – Leave out ‘First Minister’ and replace with ‘Permanent Secretary’

This amendment was withdrawn prior to the meeting.

Amendment 61: proposed by the Welsh Liberal Democrats

Clause 49(8) Page 30 Line 1 - Leave out subsection.

This amendment was withdrawn prior to the meeting.

Amendment 62: proposed by the Welsh Liberal Democrats

Clause 49(9) Page 30 Line 4 – Leave out subsection.

This amendment was withdrawn prior to the meeting.

Amendment 114: proposed by the Welsh Liberal Democrats

Clause 49 Page 29 Line 30

At end insert (4)(a) ‘ The First Civil Service Commissioner shall make recommendations to the First Minister on the appointment of the Counsel general when a vacancy occurs in that office.’

Amendment 115: proposed by the Welsh Liberal Democrats

Clause 49 Page 29 Line 31

Leave out subsection (5)

Amendment 116: proposed by the Welsh Liberal Democrats

Clause 49 Page 29 Line 34

Leave out 'First Minister' and insert 'Permanent Secretary'

Amendment 117: proposed by the Welsh Liberal Democrats

Clause 49 Page 30 Line 1

Leave out subsection (8)

Amendment 118: proposed by the Welsh Liberal Democrats

Clause 49 Page 30 Line 4

Leave out subsection (9)

These amendments were all withdrawn

3.5 Amendment 100: proposed by Ieuan Wyn Jones and Jocelyn Davies

Clause 35, page 21, line 35:

Leave out from "so far" to "reasonably practicable" in line 36, and insert -

"save in exceptional cases where it is not reasonably possible to do so".

Following discussion, the amendment was voted on as follows:

For: Nick Bourne, David Melding, Mike German, Ieuan Wyn Jones, Jocelyn Davies (5)

Against: Jane Hutt, Gwenda Thomas, Ann Jones, Val Lloyd, Leighton Andrews (5)

Abstention: (0)

Casting Vote: (1) Lord Dafydd Elis-Thomas voted against the amendment, in accordance with Standing Order 8.14

Amendment defeated.

The Minister agreed to consider further the treatment of both English and Welsh in the conduct of Assembly business.

3.6 Amendment 101: proposed by Ieuan Wyn Jones and Jocelyn Davies

Clause 36, page 22, line 23, delete sub-clause (6)

Following discussion, the amendment was voted on as follows:

For: Nick Bourne, David Melding, Mike German, Ieuan Wyn Jones, Jocelyn Davies (5)

Against: Jane Hutt, Gwenda Thomas, Ann Jones, Val Lloyd, Leighton Andrews (5)

Abstention: (0)

Casting Vote: (1) Lord Dafydd Elis-Thomas voted against the amendment, in accordance with Standing Order 8.14

Amendment defeated.

3.7 Amendment 102: proposed by Ieuan Wyn Jones and Jocelyn Davies

Clause 37, page 23, line 14 delete sub-clause (3)

Following discussion, this amendment was withdrawn.

The Committee requested that APS provide a comparison between the provisions in the Scotland Act 1998 and this Bill, and how this has worked in practice.

[Action]

3.8 Amendment 104: proposed by the Welsh Conservative Group

In para (1) delete 'Assembly Government' and replace with 'Executive'.

Note: If approved, the above amendment will require a Welsh translation of 'Welsh Executive' and consequential amendments will be required throughout the Bill to use 'Welsh Executive' consistently.

Amendment 124: proposed by Ieuan Wyn Jones and Jocelyn Davies

Clause 45, page 27, line 25:

Leave out "Assembly Government, insert "Executive".

Amendment 125: proposed by Ieuan Wyn Jones and Jocelyn Davies

Clause 45, page 27, line 26:

Leave out "Assembly Government", insert "Executive".

Leave out "Cynulliad".

These amendments were grouped by the Presiding Officer for the purpose of discussion, but were voted upon separately.

Following discussion, these amendments were voted on as follows:

Amendment 104:

For: Nick Bourne, David Melding, Mike German, Ieuan Wyn Jones, Jocelyn Davies (5)

Against: Jane Hutt, Gwenda Thomas, Ann Jones, Val Lloyd, Leighton Andrews (5)

Abstention: (0)

Casting Vote: (1) Lord Dafydd Elis-Thomas voted against the amendment, in accordance with Standing Order 8.14

Amendment defeated.

Amendment 124:

This amendment fell as a result of amendment 104 being defeated.

Amendment 125:

This amendment fell as a result of amendment 104 being defeated.