

8. Age Alliance also sought clarity on the Commissioner's role in respect of matters that were not devolved to the National Assembly.

9. The Pensioners' Forum considered that there might be circumstances in which the Commissioner should look at cases of people between the ages of 50 and 60, not just those over 60 as prescribed in the Bill. Alun Davies also said that they would like to ensure that the Commissioner's remit required him or her to consult regularly with older people's groups and those organisations working with or for them.

10. In answer to a Member's question, all three witnesses agreed that older people should have an input into the process for the appointment of the Commissioner.

Discussion and Conclusions

11. The Deputy Minister clarified several issues raised by Members and the Committee discussed the oral evidence. (See attached verbatim record.)

12. The Deputy Minister also drew the Committee's attention to the provisions and wording of the Bill in relation to the services provided across the border for people who were normally resident in Wales. In drafting the Bill the intention had been that the Commissioner would be able to address issues relating to bodies in Wales commissioning services across the border, but this was not clearly reflected in the wording. This could be the subject of a Government amendment.

13. There is no requirement for the UK Government to respond to the Commissioner on representations on any matters that are not devolved to the National Assembly. The majority of Committee Members felt that this issue needed further consideration, although a substantial number accepted the Deputy Minister's assurance that the Assembly would pass on such representations through the Wales Office to the relevant UK Government Minister.

14. The Committee was otherwise content with the Bill

Recommendation

15. Further consideration should be given the handling of representations made by the Commissioner on matters that are not devolved to the Assembly.

David Melding
Chair
June 2005