

Constitutional Affairs Committee

Report (CA (3) 05-10)

Date: 11 February 2010
Time: 9.00am
Venue: Committee Room 4, Ty Hywel

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The Committee met on 11 February 2010. At the meeting the following Committee Members were present: Janet Ryder AM, Mike German AM, William Graham AM, Alun Davies AM and Rhodri Morgan AM. There were no apologies.

The Committee reports to the Assembly as follows:

Instruments in respect of which the Assembly is not invited to pay special attention under Standing Order 15.2 and 15.3

Instruments subject to annulment pursuant to a resolution of the Assembly (Negative Procedure)

CA387 - The Learner Travel Information (Wales) (Amendment) Regulations 2010

Negative Procedure. Date made 2 February 2010. Date laid 3 February 2010. Coming into force date 1 April 2010

CA388 - The Bus Service Operators Grant (Wales) (Amendment) Regulations 2010

Negative Procedure. Date made 2 February 2010. Date laid 3 February 2010. Coming into force date 1 April 2010

CA389 - The Travel Concessions (Eligible Services) (Amendment) Order 2010

Negative Procedure. Date made 2 February 2010. Date laid 3 February 2010. Coming into force date 1 April 2010

Other Business

Committee Inquiries: Inquiry into the Developments in Schedule 5 to the Government of Wales Act 2006, including Exceptions to Matters

The Committee took oral evidence from the Chair of Legislation Committee No.5, Mark Isherwood AM and, separately, from WCVA, represented by Phil Jarrold, Deputy Chief Executive and Michelle Matheron, Senior Policy Officer.

The WCVA agreed to consider whether they could provide further information on when the complexity of Schedule 5 had made it difficult for them to advise their member organisations whether powers lay with the National Assembly or elsewhere.

Committee's Inquiries – additional information

The Members noted additional evidence provided by Mr Dewi Llyr Jones, Lecturer in Law (Bangor University) for the Committee's Inquiry into Monitoring the outcome of the Committee's Reports on Statutory Instruments and additional evidence from Mr Alan Trench, the Constitution Unit, School of Public Policy (UCL) for the Inquiry into the Developments in Schedule 5.

The Committee asked Assembly staff to provide it with further information arising from these two papers.

Committee Correspondence: NHS Redress (Wales) Measure 2007

Following earlier correspondence, on when regulations resulting from the NHS Redress (Wales) Measure 2007 were likely to be brought forward, the Minister for Health and Social Services had provided drafts of the regulations concerned, on which she was currently consulting.

As these Regulations were the first substantial Statutory Instrument resulting from the NHS Redress (Wales) Measure 2007, the Committee decided to draw them to the attention of the Health, Wellbeing and Local Government Committee so that it could to consider appropriate scrutiny arrangements.

Proposed Red Meat Industry (Wales) Measure (Stage 3) - Update on Committee's Recommendations

The Members heard an update on the recommendations made in the Committee's Report on the Proposed Red Meat Industry (Wales) Measure. The Government had submitted 11 amendments to the Measure, of which amendments 10 and 11 implemented the Committee's recommendation 3. The Members noted that there were no Government amendments addressing recommendations 2 and 4 in the Committee's report.

Flood and Water Management Bill: publication of the Committee's Report

The Members noted that the Committee's Report on Flood and Water Management Bill was published 9 February 2010.

In accordance with Standing Order 10.37(vi) the Committee resolved to exclude the public from the remainder of the meeting to discuss the evidence submitted thus far on Inquiry into the Developments in Schedule 5 to the Government of Wales Act 2006, including Exceptions to Matters.

Janet Ryder AM
Chair, Constitutional Affairs Committee

11 February 2010