

Concise Minutes – Legislation, Justice and Constitution Committee

Meeting Venue:

Committee Room 4 – Tŷ Hywel

Meeting date: Monday, 11 January 2021

Meeting time: 09.30 – 10.27

This meeting can be viewed

on [Senedd TV](#) at:

<http://senedd.tv/en/11061>

Attendance

Category	Names
Members of the Senedd:	Mick Antoniw MS (Chair) Carwyn Jones MS Dai Lloyd MS David Melding MS
Witnesses:	
Committee Staff:	P Gareth Williams (Clerk) Sarah Sargent (Second Clerk) Gareth Howells (Legal Adviser) Rhiannon Lewis (Legal Adviser)

1 Introduction, apologies, substitutions and declarations of interest

The Chair confirmed that, in accordance with Standing Order 34.19, he had determined that the public were excluded from the Committee's meeting in order to protect public health.

There were no apologies or substitutions.



Senedd Cymru
Welsh Parliament

2 Instruments that raise no reporting issues under Standing Order 21.2 or 21.3

2.1 SL(5)713 – The Land Transaction Tax (Specified Amount of Relevant Rent) (Wales) (Amendment) Regulations 2021

The Committee considered the instrument and was content.

3 Instruments that raise issues to be reported to the Senedd under Standing Order 21.2 or 21.3

3.1 SL(5)691 – The Digital Health and Care Wales (Establishment and Membership) Order 2020

The Committee considered the instrument and agreed to report to the Senedd in line with the reporting point identified.

3.2 SL(5)692 – The Digital Health and Care Wales (Membership and Procedure) Regulations 2020

The Committee considered the instrument and agreed to report to the Senedd in line with the reporting points identified.

3.3 SL(5)693 – The Business Tenancies (Extension of Protection from Forfeiture etc.) (Wales) (Coronavirus) (No. 3) Regulations 2020

The Committee considered the instrument and agreed to report to the Senedd in line with the reporting point identified.

3.4 SL(5)694 – The Personal Protective Equipment (Temporary Arrangements) (Coronavirus) (Wales) Regulations 2020

The Committee considered the instrument and agreed to report to the Senedd in line with the reporting point identified and to highlight issues as a result of the UK's exit from the European Union.

3.5 SL(5)697 – The Health Protection (Coronavirus, International Travel and Public Health Information to Travellers) (Wales) (Amendment) (No. 2) Regulations 2020

The Committee considered the instrument and agreed to report to the Senedd in line with the reporting points identified.

3.6 SL(5)705 – The Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 22) Regulations 2020

The Committee considered the instrument and agreed to report to the Senedd in line with the reporting points identified.

3.7 SL(5)715 – The Health Protection (Coronavirus, South Africa) (Wales) Regulations 2020

The Committee considered the instrument with the Welsh Government response and agreed to report to the Senedd in line with the reporting points identified.

3.8 SL(5)706 – The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020

The Committee considered the instrument and agreed to report to the Senedd in line with the reporting points identified.

3.9 SL(5)708 – The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) Regulations 2020

The Committee considered the instrument and agreed to report to the Senedd in line with the reporting points identified.

3.10 SL(5)711 – The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 2) Regulations 2020

The Committee considered the instrument with the Welsh Government response and agreed to report to the Senedd in line with the reporting points identified.

3.11 SL(5)709 – The Landfill Disposals Tax (Tax Rates) (Wales) (Amendment) (No. 2) Regulations 2020

The Committee considered the instrument and agreed to report to the Senedd in line with the reporting point identified.

3.12 SL(5)710 – The Land Transaction Tax (Tax Bands and Tax Rates) (Wales) (Amendment) Regulations 2020

The Committee considered the instrument with the Welsh Government response and agreed to report to the Senedd in line with the reporting points identified.

4 Instruments that raise no reporting issues under Standing Order 21.2 or 21.3 but have implications as a result of the UK exiting the EU

4.1 SL(5)689 – The Environmental Impact Assessment (Agriculture) (Wales) (Amendment) Regulations 2020

The Committee considered the instrument and agreed to report to the Senedd to highlight issues as a result of the UK's exit from the European Union.

5 Instruments that raise issues to be reported to the Senedd under Standing Order 21.2 or 21.3 – previously considered

5.1 SL(5)685 – The Health Protection (Coronavirus Restrictions and Functions of Local Authorities) (Amendment) (Wales) Regulations 2020

The Committee noted the Welsh Government response.

5.2 SL(5)696 – The Public Health (Protection from Eviction) (Wales) (Coronavirus) Regulations 2020

The Committee noted the Welsh Government response.

5.3 SL(5)699 – The Health Protection (Coronavirus Restrictions) (School Premises and Further Education Institution Premises) (Wales) Regulations 2020

The Committee noted the Welsh Government response.

6 Standing Order 30B Report: The European Union (Withdrawal) Act and Common Frameworks

The Committee noted the written statement and the report.

7 Written Statements under Standing Order 30C

7.1 WS-30C(5)209 – The Fertilisers and Ammonium Nitrate Material (Amendment) (EU Exit) Regulations 2021

The Committee noted the statement and the commentary.

7.2 WS-30C(5)210 – The Plant Health (Amendment) (EU Exit) Regulations 2020

The Committee noted the statement and the commentary.

8 Written Statements under the Protocol between the Welsh Government and the Committee

8.1 PS(5)001 – The World Trade Organisation Agreement on Agriculture (Domestic Support) Regulations 2020

The Committee noted the statement and that it had been laid in accordance with the Protocol between the Welsh Government and the Committee on the scrutiny of regulations arising from the UK's exit from the European Union.

9 Papers to note

9.1 Letter from the Chair of the Northern Ireland Assembly Committee for Economy: Shared Prosperity Fund

The Committee noted the letter from the Chair of the Northern Ireland Assembly Committee for the Economy and, in private session, agreed to respond at the earliest opportunity.

9.2 Letter from the Minister for Environment, Energy and Rural Affairs: UK Fisheries Bill

The Committee noted the letter from the Minister for Environment, Energy and Rural Affairs.

9.3 Letter from the Deputy Minister and Chief Whip: Domestic Abuse Bill

The Committee noted the letter from the Deputy Minister and Chief Whip.

9.4 Correspondence from the Law Commission: Consultation paper on devolved Tribunals in Wales

The Committee noted the correspondence and the written statement.

9.5 Statement by the UK Government: Update on the UK Internal Market Bill

The Committee noted the statement by the UK Government in relation to the UK Internal Market Bill and in private session agreed to write to the Secretary of State for Wales.

9.6 Letter from the Minister for Environment, Energy and Rural Affairs: British–Irish Council Environment work sector Ministerial meeting

The Committee noted the letter from the Minister for Environment, Energy and Rural Affairs.

9.7 Letter from the Minister for Environment, Energy and Rural Affairs: UK Agriculture Bill

The Committee noted the letter from the Minister for Environment, Energy and Rural Affairs.

9.8 Letter from the National Residential Landlords Association to the Minister for Finance and Trefnydd: Changes to Land Transaction Tax Higher Rate

The Committee noted the letter from the National Residential Landlords Association.

9.9 Correspondence from the Minister for Health and Social Services: Legislative Consent Memorandum on the Medicines and Medical Devices Bill

The Committee noted the letter from the Minister for Health and Social Services.

9.10 Letter from the Counsel General: Joint Ministerial Committee (EU Negotiations)

The Committee noted the letter from the Counsel General.

9.11 Letter from the Counsel General: Ministerial Forum for Trade

The Committee noted the letter from the Counsel General.

10 Motion under Standing Order 17.42 to resolve to exclude the public from the remainder of the meeting and from Item 1 of the meeting on 18 January 2021

The Committee agreed the motion under Standing Order 17.42 to resolve to exclude the public from the remainder of the meeting and also from Item 1 of the meeting on 18 January 2021.

11 Proposed Order in Council: The Government of Wales Act 2006 (Amendment) Order 2021 – consideration of draft report

The Committee considered and agreed, subject to minor amendments, its report on The Government of Wales Act 2006 (Amendment) Order 2021. The Committee noted that the report would be laid by the required deadline of 14 January 2021.

12 Supplementary Legislative Consent Memorandum on the Environment Bill – consideration of key issues

The Committee considered the Welsh Government's supplementary Legislative Consent Memorandum on the Environment Bill and agreed to consider the Minister's response to its letter at a future meeting.

13 Scrutiny of regulations made under the EU (Withdrawal) Act 2018 – update

The Committee noted the letter from the Minister for Finance and Trefnydd.

14 Common Frameworks – update

The Committee noted the updates from the Welsh Government in relation to Common Frameworks.