

Concise Minutes – Legislation, Justice and Constitution Committee

Meeting Venue:

Video Conference via Zoom

Meeting date: Monday, 17 January 2022

Meeting time: 13.30 – 16.20

This meeting can be viewed

on [Senedd TV](#) at:

<http://senedd.tv/en/12582>

Remote

Attendance

Category	Names
Members of the Senedd:	Huw Irranca-Davies MS (Chair) Rhys ab Owen MS Alun Davies MS Darren Millar MS (In place of Peter Fox MS)
Witnesses:	Mick Antoniw MS, Counsel General and Minister for the Constitution James Gerard, Welsh Government
Committee Staff:	P Gareth Williams (Clerk) Sarah Sargent (Second Clerk) Gareth Howells (Legal Adviser) Jennifer Cottle (Legal Adviser) Aled Evans (Legal Adviser) Samiwel Davies (Legal Adviser)



Senedd Cymru
Welsh Parliament

1 Introductions, apologies, substitutions and declarations of interest

Apologies were received from Peter Fox MS. Darren Millar MS attended as a substitute.

2 Scrutiny session with the Counsel General and Minister for the Constitution

The Committee received evidence from the Counsel General and Minister for the Constitution in relation to the Welsh Government's work on justice and the implementation of the Thomas Commission, and on issues related to the Welsh Government's draft budget for 2022–23.

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

3.1 SL(6)116 – The Additional Learning Needs and Education Tribunal (Wales) Act 2018 (Consequential Amendments) (No. 3) Regulations 2021

The Committee considered the instrument and was content.

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

4.1 SL(6)121 – The Education (School Day and School Year) (Wales) (Amendment) (Coronavirus) Regulations 2021

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

4.2 SL(6)126 – The Health Protection (Coronavirus, International Travel and Public Health Information to Travellers) (Wales) (Miscellaneous Amendments) Regulations 2022

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

4.3 SL(6)123 – The Official Controls (Extension of Transitional Periods and Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2021

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

4.4 SL(6)115 – The Greenhouse Gas Emissions Trading Scheme (Amendment) Order 2021

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

4.5 SL(6)114 – The Greenhouse Gas Emissions Trading Scheme (Amendment) Order 2022

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

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

5.1 SL(6)102 – The Education (Student Fees, Awards and Support) (Amendment) (Wales) Regulations 2021

The Committee noted the Welsh Government response.

5.2 SL(6)118 – The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) (Amendment) (No. 23) Regulations 2021

The Committee noted the Welsh Government response. In addition the Committee agreed to write to the Welsh Government to seek further clarification.

6 Papers to note

6.1 Correspondence from the Health and Social Care Committee and the Children, Young People and Education Committee: Legislative Consent Memoranda on the Nationality and Borders Bill

The Committee noted the letter from the Chairs of the Health and Social Care Committee and the Children, Young People and Education Committee to the Business Committee. The Committee noted that the Business Committee had agreed to the request to extend the reporting deadline for the Welsh Government's Legislative Consent Memorandum on the Nationality and Borders Bill.

6.2 Correspondence from the Counsel General and Minister for the Constitution: The Waste and Agriculture (Legislative Functions) Regulations 2022

The Committee noted the letter from the Counsel General and Minister for the Constitution.

6.3 Correspondence from the Minister for Climate Change: Interministerial Group on Net Zero, Energy and Climate Change

The Committee noted the letter from the Minister for Climate Change.

6.4 Correspondence from the Counsel General and Minister for the Constitution: Consent to the UK Government exercising a delegated legislative power in a devolved area in relation to Wales

The Committee noted the letter from the Counsel General and Minister for the Constitution, and that it informed the Committee of the Welsh Government's intention to consent to The Social Security (Scotland) Act 2018 (Disability Assistance and Information-Sharing) (Consequential Provision and Modifications) Order 2022.

7 Motion under Standing Order 17.42 to resolve to exclude the public from the remainder of the meeting

The Committee agreed the motion.

8 Scrutiny session with the Counsel General and Minister for the Constitution – consideration of evidence

The Committee considered the evidence received during its session with the Counsel General and Minister for the Constitution, and how it would inform its future work. In addition, the Committee agreed to consider a draft letter to the Welsh Government in relation to the draft Budget for 2022–23 at its next meeting.

9 Supplementary Legislative Consent Memoranda (Memorandum No. 3 and Memorandum No. 4) on the Police, Crime, Sentencing and Courts Bill

The Committee considered and agreed its report on the Welsh Government's Supplementary Legislative Consent Memoranda (Memorandum No. 3 and Memorandum No. 4) on the Police, Crime Sentencing and Courts Bill. The Committee noted the report would be laid by 5pm.

10 Supplementary Legislative Consent Memorandum (Memorandum No. 2) on the Professional Qualifications Bill

The Committee considered the Welsh Government's Supplementary Legislative Consent Memorandum (Memorandum No. 2) on the Professional Qualifications Bill, and agreed to consider its draft report at the next meeting.

11 Supplementary Legislative Consent Memorandum (Memorandum No. 2) on the Health and Care Bill

The Committee considered the Welsh Government's Supplementary Legislative Consent Memorandum (Memorandum No. 2) on the Health and Care Bill, and agreed to consider its report at a future meeting.

12 Legislative Consent Memorandum on the Commercial Rent (Coronavirus) Bill

The Committee considered the Welsh Government's Legislative Consent Memorandum on the Commercial Rent (Coronavirus) Bill, and agreed to consider its report at a future meeting.

13 Scrutiny of Welsh Government notifications: Consent to Statutory Instruments made by the UK Government

The Committee considered and agreed its approach to scrutinising the Welsh Government consenting to the making of Statutory Instruments by the UK Government. In addition, the Committee agreed to write to the Welsh Government to seek clarification on its approach to notifying the Senedd of such consent decisions.

14 Review of Intergovernmental Relations

The Committee noted the letter and the written statement from the First Minister in relation to the review of Intergovernmental Relations.

15 Review of the committee timetable and committee remits

The Committee agreed to defer its discussion on the review of the committee timetable and remits to the following meeting.