

Agenda – Constitutional and Legislative Affairs Committee

Meeting Venue:

Committee Room 1 – Senedd

Meeting date: 10 December 2018

Meeting time: 14.30

For further information contact:

Gareth Williams

Committee Clerk

0300 200 6362

SeneddCLA@assembly.wales

1 Introduction, apologies, substitutions and declarations of interest
14.30

2 Legislation (Wales) Bill: Evidence from the Counsel General:
Evidence session 1

14.30

(Pages 1 – 25)

Jeremy Miles AM, Counsel General

Dylan Hughes, First Legislative Counsel, Welsh Government

Dr James George, Legislative Counsel, Welsh Government

Claire Fife, Policy Advisor to the Counsel General, Welsh Government

[Legislation \(Wales\) Bill](#)

[Explanatory Memorandum](#)

[Draft Taxonomy for Codes of Welsh Law](#)

CLA(5)–32–18 – Briefing

CLA(5)–32–18 – Research Service Summary

CLA(5)–32–18 – Paper 56 – Correspondence with the Secretary of State for Wales

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

15.30

(Pages 26 – 27)

CLA(5)–32–18 – Paper 1 – Statutory instruments with clear reports



Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales

Affirmative Resolution Instruments

- 3.1 SL(5)287 – The Landfill Disposals Tax (Tax Rates) (Wales) (Amendment) Regulations 2018**

Negative Resolution Instruments

- 3.2 SL(5)290 – The Social Services and Well-being (Wales) Act 2014 (Isles of Scilly Modification) Regulations 2018**

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

Negative Resolution Instruments

- 4.1 SL(5)285 – The Carcase Classification and Price Reporting (Wales) Regulations 2018**

(Pages 28 – 63)

CLA(5)–32–18 – Paper 2 – Report

CLA(5)–32–18 – Paper 3 – Regulations

CLA(5)–32–18 – Paper 4 – Explanatory Memorandum

Composite Negative Resolution Instruments

- 4.2 SL(5)288 – The Environmental Protection (Miscellaneous Amendments) (England and Wales) Regulations 2018**

(Pages 64 – 88)

CLA(5)–32–18 – Paper 5 – Report

CLA(5)–32–18 – Paper 6 – Regulations

CLA(5)–32–18 – Paper 7 – Explanatory Memorandum

Affirmative Resolution Instruments

- 4.3 SL(5)289 – The Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2019**

(Pages 89 – 114)

CLA(5)–32–18 – Paper 8 – Report

CLA(5)–32–18 – Paper 9 – Regulations

CLA(5)–32–18 – Paper 10 – Explanatory Memorandum

5 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

5.1 SL(5)284 – The Environmental Noise (Wales) (Amendment) Regulations 2018 (Page 115)

CLA(5)–32–18 – Paper 11 – Report

5.2 SL(5)286 – The Environment, Planning and Rural Affairs (Miscellaneous Amendments) (Wales) Regulations 2018 (Page 116)

CLA(5)–32–18 – Paper 12 – Report

6 Statutory Instruments requiring Consent: EU Exit

6.1 SICM(5)8 – The Marine Environment (Amendment) (EU Exit) Regulations 2018 (Pages 117 – 149)

CLA(5)–32–18 – Paper 13 – Letter from the Cabinet Secretary for Energy, Planning and Rural Affairs

CLA(5)–32–18 – Paper 14 – Welsh Government Written Statement: Notification in Relation to Statutory Instruments made by UK Ministers in devolved areas under the European Union (Withdrawal) Act 2018 not laid before the Assembly

CLA(5)–32–18 – Paper 15 – Statutory Instrument Consent Memorandum

CLA(5)–32–18 – Paper 16 – Regulations

CLA(5)–32–18 – Paper 17 – Explanatory Memorandum

CLA(5)–32–18 – Paper 18 – Commentary

6.2 SICM(5)9 – The Merchant Shipping and Other Transport (Environmental Protection) (Amendment) (EU Exit) Regulations 2018 (Pages 150 – 179)

CLA(5)–32–18 – Paper 19 – Letter from the Cabinet Secretary for Economy and Transport

CLA(5)–32–18 – Paper 20 – Welsh Government Written Statement: Notification in Relation to Statutory Instruments made by UK Ministers in devolved areas under the European Union (Withdrawal) Act 2018 not laid before the Assembly

CLA(5)–32–18 – Paper 21 – Statutory Instrument Consent Memorandum

CLA(5)–32–18 – Paper 22 – Regulations

CLA(5)–32–18 – Paper 23 – Explanatory Memorandum

CLA(5)–32–18 – Paper 24 – Commentary

7 Written statements under Standing Order 30C

7.1 WS–30C(5)31 – The Common Agricultural Policy and Agriculture and Horticulture Development Board (Amendment Etc.) (EU Exit) Regulations 2018
(Pages 180 – 183)

CLA(5)–32–18 – Paper 25 – Statement

CLA(5)–32–18 – Paper 26 – Commentary

7.2 WS–30C(5)32 – The European Institutions and Consular Protection (Amendment etc.) (EU Exit) Regulations 2018
(Pages 184 – 188)

CLA(5)–32–18 – Paper 27 – Statement

CLA(5)–32–18 – Paper 28 – Commentary

7.3 WS–30C(5)33 – The Transmissible Spongiform Encephalopathies and Animal By-Products (Amendment) (EU Exit) Regulations 2018
(Pages 189 – 192)

CLA(5)–32–18 – Paper 29 – Statement

CLA(5)–32–18 – Paper 30 – Commentary

7.4 WS–30C(5)34 – The Air Quality (Amendment of Domestic Regulations) (EU Exit) Regulations 2018
(Pages 193 – 196)

CLA(5)–32–18 – Paper 31 – Statement

CLA(5)–32–18 – Paper 32 – Commentary

7.5 WS-30C(5)35 – The Air Quality (Miscellaneous Amendment and Revocation of Retained Direct EU Legislation) (EU Exit) Regulations 2018

(Pages 197 – 202)

CLA(5)-32-18 – Paper 33 – Statement

CLA(5)-32-18 – Paper 34 – Commentary

7.6 WS-30C(5)36 – The CRC Energy Efficiency Scheme (Amendment) (EU Exit) Regulations 2018

(Pages 203 – 206)

CLA(5)-32-18 – Paper 35 – Statement

CLA(5)-32-18 – Paper 36 – Commentary

7.7 WS-30C(5)37 – The Justification Decision Powers (EU Exit) Regulations 2018

(Pages 207 – 210)

CLA(5)-32-18 – Paper 37 – Statement

CLA(5)-32-18 – Paper 38 – Commentary

7.8 WS-30C(5)38 – The Veterinary Medicines and Animals and Animal Products (Examination of Residues and Maximum Residues Limits) (Amendment etc.) (EU Exit) Regulations 2018

(Pages 211 – 214)

CLA(5)-32-18 – Paper 39 – Statement

CLA(5)-32-18 – Paper 40 – Commentary

7.9 WS-30C(5)40 – The Trade in Animals and Related Products (Amendment etc.) (EU Exit) Regulations 2018

(Pages 215 – 218)

CLA(5)-32-18 – Paper 41 – Statement

CLA(5)-32-18 – Paper 42 – Commentary

7.10 WS-30C(5)41 – The Protocol 1 to the EEA Agreement (Amendment) (EU Exit) Regulations 2018

(Pages 219 – 222)

CLA(5)-32-18 – Paper 43 – Statement

CLA(5)-32-18 – Paper 44 – Commentary

**7.11 WS-30C(5)42 – The Common Fisheries Policy (Amendment etc) (EU Exit)
Regulations 2018**

(Pages 223 – 230)

CLA(5)-32-18 – Paper 45 – Statement

CLA(5)-32-18 – Paper 46 – Commentary

8 Papers to note

**8.1 Welsh Government Written Statement: Submission and Publication of the Law
Commission's Final Report on Planning Law in Wales**

(Pages 231 – 232)

CLA(5)-32-18 – Paper 47 – Welsh Government Written Statement

**8.2 Letter from the Llywydd to the First Minister: the role of the Assembly and its
committees in scrutinising Brexit-related legislation**

(Pages 233 – 234)

CLA(5)-32-18 – Paper 48 – Letter from the Llywydd

**8.3 Correspondence with the First Minister: Composite and Joint Statutory
Instruments**

(Pages 235 – 244)

CLA(5)-32-18 – Paper 49 – Letter to the First Minister, 13 November 2018

CLA(5)-32-18 – Paper 50 – Letter from the First Minister, 28 November 2018

**8.4 Letter from the Cabinet Secretary for Economy and Transport: Response to
the Committee's Report on the Scrutiny of Regulations made under the Trade
Bill**

(Pages 245 – 246)

CLA(5)-32-18 – Paper 51 – Letter from the Cabinet Secretary for Economy
and Transport

**8.5 Letter from the Cabinet Secretary for Energy, Planning and Rural Affairs: UK
Agriculture Bill**

(Pages 247 – 250)

CLA(5)-32-18 – Paper 52 – Letter from Cabinet Secretary for Energy ,
Planning and Rural Affairs

8.6 Letter from the Llywydd: Assembly Reform

(Pages 251 – 253)

CLA(5)–32–18 – Paper 53 – Letter from the Llywydd

9 Motion under Standing Order 17.42 to resolve to exclude the public from the meeting for the following business:

16.00

10 Consideration of evidence: Legislation (Wales) Bill

11 Legislative Consent Memorandum: UK Agriculture Bill: Draft Report

(Pages 254 – 292)

CLA(5)–32–18 – Paper 54 – Draft Report

12 Scrutiny of regulations made under the EU (Withdrawal) Act 2018: Update

(Pages 293 – 296)

CLA(5)–32–18 – Paper 55 – Update