

Agenda – Constitutional and Legislative Affairs Committee

Meeting Venue:

Committee Room 1 – Senedd

Meeting date: 14 January 2019

Meeting time: 13.00

For further information contact:

Gareth Williams

Committee Clerk

0300 200 6362

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1 Introduction, apologies, substitutions and declarations of interest

2 Legislation (Wales) Bill: Evidence session 2

13.00

(Pages 1 – 13)

Sir Nicholas Green, Chair, Law Commission

Mr. Nicholas Paines QC, Law Commission

Mr. Henni Ouahes, Law Commission

Dr. Charles Mynors, Law Commission

CLA(5)–2–19 – Briefing

CLA(5)–2–19 – Paper 1 – Law Commission response to the consultation on the Welsh Government’s consultation on the draft Legislation Bill

3 Legislation (Wales) Bill: Evidence Session 3

13.45

(Pages 14 – 30)

Dr Catrin Fflur Huws

Professor Thomas Watkin

CLA(5)–02–19 – Briefing

CLA(5)–02–19 – Paper 2 – Written evidence from Professor Thomas Watkin on the legislation (Wales) Bill



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Cymru

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Wales

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

14.30

(Pages 31 – 33)

CLA(5)–02–19 – Paper 3 – Statutory instruments with clear reports

Negative Resolution Instruments

4.1 SL(5)298 – The Fostering Panels (Establishment and Functions) (Wales) Regulations 2018

Affirmative Resolution Instruments

4.2 SL(5)292 – The Adult Placement Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019

The following summary of consultation response relates to the this instrument and was laid before the Assembly. [Adult Placement Services Regulations – consultation summary of responses](#)

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

Negative Resolution Instruments

5.1 SL(5)299 – The Local Authority Fostering Services (Wales) Regulations 2018

(Pages 34 – 91)

CLA(5)–02–19 – Paper 4 – Report

CLA(5)–02–19 – Paper 5 – Regulations

CLA(5)–02–19 – Paper 6 – Explanatory Memorandum

Affirmative Resolution Instruments

5.2 SL(5)293 – The Regulated Advocacy Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019

(Pages 92 – 148)

CLA(5)–02–19 – Paper 7 – Report

CLA(5)–02–19 – Paper 8 – Regulations

CLA(5)–02–19 – Paper 9 – Explanatory Memorandum

The following summary of consultation response relates to the this instrument and was laid before the Assembly. [Advocacy Services Regulations – consultation summary of responses](#)

5.3 SL(5)296 – The Regulated Fostering Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019

(Pages 149 – 228)

CLA(5)–02–19 – Paper 10 – Report

CLA(5)–02–19 – Paper 11 – Regulations

CLA(5)–02–19 – Paper 12 – Explanatory Memorandum

The following summary of consultation response relates to the this instrument and was laid before the Assembly. [Fostering Services Regulations – consultation summary of responses](#)

6 Proposed negative instruments that raise no reporting issues under standing order 21.3B

(Pages 229 – 231)

CLA(5)–02–19 – Paper 13 – Proposed negative instruments with clear reports

6.1 pNeg(5)04 – The Equality Act 2010 (Statutory Duties) (Wales) (Amendment) (EU Exit) Regulations 2019

6.2 pNeg(5)05 – The Livestock (Records, Identification and Movement) (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019

6.3 pNeg(5)06 – The Radioactive Contaminated Land (Modification of Enactments) (Wales) (Amendment) (EU Exit) Regulations 2019

6.4 pNeg(5)07 – The Animal By-Products and Transmissible Spongiform Encephalopathies (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019

7 Statutory Instruments requiring Consent: Brexit

7.1 SICM(5)13 – The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2018

(Pages 232 – 275)

CLA(5)–02–19 – Paper 14 – Letter from the Minister for the Environment, Energy and Rural Affairs

CLA(5)– 02–19 – Paper 15 – 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)– 02–19 – Paper 16 – Statutory Instrument Consent Memorandum

CLA(5)– 02–19 – Paper 17 – Regulations

CLA(5)– 02–19 – Paper 18 – Explanatory Memorandum

CLA(5)– 02–19 – Paper 19 – Commentary

7.2 SICM(5)14 – The Public Procurement (Amendment) (EU Exit) Regulations 2019 – amendments to Section 155 (2) and (3) of the Equality Act 2010

(Pages 276 – 346)

CLA(5)–02–19 – Paper 20 – Letter from the First Minister

CLA(5)– 02–19 – Paper 21 – 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)– 02–19 – Paper 22 – Statutory Instrument Consent Memorandum

CLA(5)– 02–19 – Paper 23 – Regulations

CLA(5)– 02–19 – Paper 24 – Explanatory Memorandum

CLA(5)– 02–19 – Paper 25 – Commentary

7.3 SICM(5)15 – The Farriers (Registration) and Animal Health (Amendment) (EU Exit) Regulations 2019

(Pages 347 – 371)

CLA(5)–02–19 – Paper 26 – Letter from the Minister for Environment, Energy and Rural Affairs

CLA(5)– 02–19 – Paper 27 – 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)– 02–19 – Paper 28 – Statutory Instrument Consent Memorandum

CLA(5)– 02–19 – Paper 29 – Regulations

CLA(5)– 02–19 – Paper 30 – Explanatory Memorandum

CLA(5)– 02–19 – Paper 31 – Commentary

7.4 SICM(5)16 – The Veterinary Surgeons and Animal Welfare (Amendment) (EU Exit) Regulations 2019

(Pages 372 – 394)

CLA(5)–02–19 – Paper 32 – Letter from the Minister for Environment, Energy and Rural Affairs

CLA(5)– 02–19 – Paper 33 – 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)– 02–19 – Paper 34 – Statutory Instrument Consent Memorandum

CLA(5)– 02–19 – Paper 35 – Regulations

CLA(5)– 02–19 – Paper 36 – Explanatory Memorandum

CLA(5)– 02–19 – Paper 37 – Commentary

7.5 SICM(5)17 – The Waste (Miscellaneous Amendments) (EU Exit) Regulations 2019

(Pages 395 – 480)

CLA(5)–02–19 – Paper 38 – Letter from the Minister for Environment, Energy and Rural Affairs

CLA(5)– 02–19 – Paper 39 – 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)– 02–19 – Paper 40 – Statutory Instrument Consent Memorandum

CLA(5)– 02–19 – Paper 41 – Regulations

CLA(5)– 02–19 – Paper 42 – Explanatory Memorandum

CLA(5)– 02–19 – Paper 43 – Commentary

8 Written statements under Standing Order 30C

8.1 WS–30C(5)59 – The Greenhouse Gas Emissions Trading Scheme (Amendment) (EU Exit) Regulations 2018

(Pages 481 – 484)

CLA(5)–02–19 – Paper 44 – Statement

CLA(5)–02–19 – Paper 45 – Commentary

8.2 WS–30C(5)62 – The Pesticides (Maximum Residue Levels) (Amendment etc.) (EU Exit) Regulations

(Pages 485 – 501)

CLA(5)–02–19 – Paper 46 – Statement

CLA(5)–02–19 – Paper 47 – Commentary

8.3 WS–30C(5)63 – The Pesticides and Fertilisers (Miscellaneous Amendments) (EU Exit) Regulations

(Pages 502 – 505)

CLA(5)–02–19 – Paper 48 – Statement

CLA(5)–02–19 – Paper 49 – Commentary

8.4 WS–30C(5)64 – The Common Agricultural Policy (Rules for Direct Payments) (Amendment) (EU Exit)

(Pages 506 – 508)

CLA(5)–02–19 – Paper 50 – Statement

CLA(5)–02–19 – Paper 51 – Commentary

- 8.5 WS-30C(5)70 – The Waste (Miscellaneous Amendments) (EU Exit) (No. 2) Regulations 2019**
(Pages 509 – 515)
CLA(5)-02-19 – Paper 52 – Statement
CLA(5)-02-19 – Paper 53 – Commentary
- 8.6 WS-30C(5)71 – The Marketing of Seeds and Plant Propagating Material (Amendment etc.) (EU Exit) Regulations 2018**
(Pages 516 – 520)
CLA(5)-02-19 – Paper 54 – Statement
CLA(5)-02-19 – Paper 55 – Commentary
- 8.7 WS-30C(5)72 The Plant Health (EU Exit) Regulations 2019**
(Pages 521 – 525)
CLA(5)-02-19 – Paper 56 – Statement
CLA(5)-02-19 – Paper 57 – Commentary
- 8.8 WS-30C(5)73 – The Recognition of Professional Qualifications (Amendment etc.)**
(Pages 526 – 529)
CLA(5)-02-19 – Paper 58 – Statement
CLA(5)-02-19 – Paper 59 – Commentary
- 8.9 WS-30C(5)74 – The Ozone-Depleting Substances and Fluorinated Greenhouse Gases (Amendments etc) (EU Exit) Regulations 2018**
(Pages 530 – 535)
CLA(5)-02-19 – Paper 60 – Statement
CLA(5)-02-19 – Paper 61 – Commentary
- 9 Revised Written statements under Standing Order 30C**
- 9.1 WS-30C(5)34r – The Air Quality (Amendment of Domestic Regulations) (EU Exit) Regulations 2018**
(Pages 536 – 546)
CLA(5)-02-19 – Paper 62 – Letter from the First Minister, 3 January 2019
CLA(5)-02-19 – Paper 63 – Letter to the First Minister, 11 December 2018
CLA(5)-02-19 – Paper 64 – Revised Statement

CLA(5)–02–19 – Paper 65 – Revised Commentary

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

(Pages 547 – 558)

CLA(5)–02–19 – Paper 66 – Letter from the First Minister, 3 January 2019

CLA(5)–02–19 – Paper 67 – Letter to the First Minister, 11 December 2018

CLA(5)–02–19 – Paper 68 – Revised Statement

CLA(5)–02–19 – Paper 69 – Revised Commentary

10 Papers to note

10.1 Letter from Jane Hutt Assembly Member for the Vale of Glamorgan

(Pages 559 – 565)

CLA(5)–02–19 – Paper 70 – Letter from Jane Hutt Assembly Member for the Vale of Glamorgan

10.2 Letter from the Minister for Environment, Energy and Rural Affairs: SL(5)285 – The Carcase Classification and Price Reporting (Wales) Regulations 2018

(Pages 566 – 569)

CLA(5)–02–19 – Paper 71 – Letter from the Minister for Environment, Energy and Rural Affairs, 8 January 2019

CLA(5)–02–19 – Paper 72 – Letter to the Minister for Environment, Energy and Rural Affairs, 18 December 2018

10.3 Legislative Consent Memorandum on the Healthcare (International Arrangements) Bill

(Pages 570 – 571)

CLA(5)–02–19 – Paper 73 – Letter from the Minister for Health and Social Care: Legislative Consent Memorandum on the Healthcare (International Arrangements) Bill, 9 January 2019

10.4 Legislation (Wales) Bill: Letter from the Counsel General

(Pages 572 – 581)

CLA(5)–02–19 – Paper 74 – Letter from the Counsel General, 10 January 2019

10.5 Autism (Wales) Bill: Letter from Paul Davies AM the Member in Charge of the Bill

(Pages 582 – 588)

CLA(5)–02–19 – Paper 75 – Letter from Paul Davies AM, 10 January 2019

11 Statutory Instruments requiring Consent: Brexit: Previously considered

11.1 SICM(5)8 (No.2) – The Marine Environment (Amendment) (EU Exit) Regulations 2018

(Pages 589 – 610)

CLA(5)– 02–19 – Paper 76 – Letter from the Cabinet Secretary for Energy, Planning and Rural Affairs

CLA(5)– 02–19 – Paper 77 – 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)– 02–19 – Paper 78 – Statutory Instrument Consent Memorandum

CLA(5)– 02–19 – Paper 79 – Regulations

CLA(5)– 02–19 – Paper 80 – Explanatory Memorandum

CLA(5)– 02–19 – Paper 81 – Commentary

CLA(5)–02–19 – Paper 82 – SICM(5)8 (No.2) – The Marine Environment (Amendment) (EU Exit) Regulations 2018

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

13 Consideration of Evidence: Legislation (Wales) Bill

14 SICM(5)8 (No.2) – The Marine Environment (Amendment) (EU Exit) Regulations 2018

CLA(5)-02-19 - Draft report

15 Legislative Consent Memorandum on the Healthcare (International Arrangements) Bill: Draft Report

(Pages 611 - 629)

CLA(5)-02-19 - Paper 83- Draft Report