

Concise Minutes – Constitutional and Legislative Affairs Committee

Meeting Venue:

Committee Room 1 – Senedd

Meeting date: Monday, 11 March 2019

Meeting time: 13.30 – 16.52

This meeting can be viewed

on [Senedd TV](#) at:

<http://senedd.tv/en/5263>

Attendance

Category	Names
Assembly Members:	Mick Antoniw AM (Chair) Carwyn Jones AM Mandy Jones AM Dai Lloyd AM David Melding AM
Witnesses:	Elin Jones AM, Llywydd, Llywydd Anna Daniel, Head of Strategic Transformation Matthew Richards, Head of the Legal Service, Head of the Legal Service
Committee Staff:	P Gareth Williams (Clerk) Sarah Sargent (Second Clerk) Mike Lewis (Deputy Clerk) Manon George (Researcher) Gareth Howells (Legal Adviser) Stephen Davies (Legal Adviser)



Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales

1 Introduction, apologies, substitutions and declarations of interest

–Apologies were received from Dawn Bowden AM. Apologies were also received from Suzy Davies AM, David Melding AM substituted.

2 Senedd and Elections (Wales) Bill: Evidence session 1

The Committee took evidence from Elin Jones AM, Llywydd and Member in Charge of the Bill. The Llywydd agreed to provide the Committee with all relevant correspondence with Welsh Government Ministers on the subject of the Bill.

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

3.1 SL(5)353 – The Local Government (Assistants for Political Groups) (Remuneration) (Wales) (Amendment) Order 2019

3.2 SL(5)334 – The Local Authority Adoption Services (Wales) Regulations 2019

The Committee considered the instruments and was content.

4 Instruments previously considered for sifting and now subject to scrutiny under Standing Orders 21.2 and 21.3

4.1 SL(5)363 – The Air Quality Standards (Wales) (Amendment) (EU Exit) Regulations 2019

4.2 SL(5)377 – The Food Standards and Labelling (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019

The Committee considered the instruments and was content.

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

5.1 SL(5)333 – The Adoption Support Services (Wales) Regulations 2019

The Committee considered the instrument along with the Government response and will report to the Assembly in line with the technical points identified.

5.2 SL(5)342 – The Carbon Capture Readiness (Electricity Generating Stations) (Amendment) (Wales) Regulations 2019

The Committee considered the instrument and will report to the Assembly in line with the merits points identified.

5.3 SL(5)336 – The Common Agricultural Policy (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019

The Committee considered the instrument and will report to the Assembly in line with the merits points identified and also to highlight issues as a result of the UK exiting the EU.

5.4 SL(5)337 – The Animal Health and Welfare (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019

The Committee considered the instrument along with the Government response and will report to the Assembly in line with the merits points identified and also to highlight issues as a result of the UK exiting the EU.

5.5 SL(5)338 – The Regulated Adoption Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019

The Committee considered the instrument and will report to the Assembly in line with technical and merits points identified.

6 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

6.1 SL(5)356 – The Transmissible Spongiform Encephalopathies (Wales) (Amendment) Regulations 2019

The Committee considered the instrument and will report to the Assembly to highlight issues as a result of the UK exiting the EU.

7 Instruments that raise issues to be reported to the Assembly under Standing Order 21.7

7.1 SL(5)349 – Code of Practice – The Local Authority Adoption Services (Wales) Regulations 2019

The Committee considered the Code of Practice and will report to the Assembly in accordance with Standing Order 21.7.

7.2 SL(5)350 – Code of Practice – The Local Authority Fostering Services (Wales) Regulations 2018

The Committee considered the Code of Practice and will report to the Assembly in accordance with Standing Order 21.7.

7.3 SL(5)352 – Statutory Guidance for the Commissioning of VAWDASV Services in Wales

The Committee considered the Statutory Guidance and will report to the Assembly in accordance with Standing Order 21.7.

8 Written statements under Standing Order 30C

8.1 WS-30C(5)118 – The Food (Amendment) (EU Exit) Regulations 2019

The Committee noted the statement and the commentary.

8.2 WS-30C(5)123 – The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments) (EU Exit) Regulations 2019

The Committee noted the statement and the commentary. The Committee agreed to write to the Welsh Government to seek further clarification.

8.3 WS-30C(5)124 – The Common Fisheries Policy (Amendment etc.) (EU Exit) (No. 2) Regulations 2019

The Committee noted the statement and the commentary.

9 Papers to Note

9.1 Letter from the Minister for International Relations and the Welsh Language regarding the Conformity Assessment (Mutual Recognition Agreements) Regulations 2019

The Committee noted the letter from Minister for International Relations and the Welsh Language.

9.2 Letter from the Counsel General and Brexit Minister regarding The Challenges to Validity of EU Instruments (EU Exit) Regulations 2019

The Committee noted the letter from the Counsel General and Brexit Minister.

9.3 Letter from the Chair of the Climate Change, Environment and Rural Affairs Committee to the First Minister re: Scrutiny of Legislative Consent Memorandums

The Committee noted the letter from the Chair of the Climate Change, Environment and Rural Affairs to the First Minister.

9.4 Supplementary Legislative Consent Memorandum on the Healthcare (International Arrangements) Bill – Correspondence

The Committee noted the correspondence in relation to the Healthcare (International Arrangements) Bill.

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

The motion was agreed.

11 Senedd and Elections (Wales) Bill: Consideration of Evidence

The Committee considered the evidence received.

12 Legislation (Wales) Bill: Draft Report

The Committee considered its draft report and agreed to consider a revised version at the following week's meeting.

13 Forward Work Programme

The Committee discussed its forward work programme.

14 Discussion on Statutory Instruments requiring Consent: Brexit

The Committee discussed its approach to Statutory Instruments requiring Consent in relation to Brexit.