



Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales

Cofnod y Trafodion The Record of Proceedings

Y Pwyllgor Materion Cyfansoddiadol a Deddfwriaethol

The Constitutional and Legislative Affairs Committee

21/11/2016

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Cofnodir y trafodion yn yr iaith y llefarwyd hwy ynnddi yn y pwyllgor. Yn ogystal, cynhwysir trawsgrifiad o'r cyfieithu ar y pryd. Lle mae cyfranwyr wedi darparu cywiriadau i'w tystiolaeth, nodir y rheini yn y trawsgrifiad.

The proceedings are reported in the language in which they were spoken in the committee. In addition, a transcription of the simultaneous interpretation is included. Where contributors have supplied corrections to their evidence, these are noted in the transcript.

Aelodau'r pwyllgor yn bresennol
Committee members in attendance

Nathan Gill Bywgraffiad Biography	Annibynnol Independent
Huw Irranca-Davies Bywgraffiad Biography	Llafur (Cadeirydd y Pwyllgor) Labour (Committee Chair)
Dai Lloyd Bywgraffiad Biography	Plaid Cymru The Party of Wales
David Melding Bywgraffiad Biography	Ceidwadwyr Cymreig Welsh Conservatives

Eraill yn bresennol
Others in attendance

Rebecca Evans	Aelod Cynulliad, Llafur (Gweinidog Iechyd y Cyhoedd a Gwasanaethau Cymdeithasol) Assembly Member, Labour (the Minister for Social Services and Public Health)
Nia Roberts	Gwasanaethau Cyfreithiol, Llywodraeth Cymru Legal Services, Welsh Government
Chris Tudor-Smith	Uwch Swyddog Cyfrifol, Llywodraeth Cymru Senior Responsible Officer, Welsh Government

Swyddogion Cynulliad Cenedlaethol Cymru yn bresennol
National Assembly for Wales officials in attendance

Siân Giddins	Dirprwy Glerc Deputy Clerk
Gareth Howells	Cynghorydd Cyfreithiol Legal Adviser
Gareth Pembroke	Cynghorydd Cyfreithiol Legal Adviser

Naomi Stocks	Ail Clerc Second Clerk
Dr Alys Thomas	Y Gwasanaeth Ymchwil Research Service
Gareth Williams	Clerc Clerc

*Dechreuodd y cyfarfod am 14:31.
The meeting began at 14:31.*

**Cyflwyniad, Ymddiheuriadau, Dirprwyon a Datgan Buddiannau
Introduction, Apologies, Substitutions and Declarations of Interest**

[1] **Huw Irranca-Davies:** Good afternoon, Minister. We'll commence this session of the Constitutional and Legislative Affairs Committee.

**Bil Iechyd Cyhoeddus (Cymru): Sesiwn Dystiolaeth gyda Gweinidog
Iechyd y Cyhoedd a Gwasanaethau Cymdeithasol
Public Health (Wales) Bill: Evidence Session with the Minister for Social
Services and Public Health**

[2] **Huw Irranca-Davies:** You're very welcome this afternoon, Minister, in front of us. Would you like, or would your colleagues like to introduce themselves?

[3] **Ms Roberts:** My name's Nia Roberts and I'm a lawyer in the health and food safety team.

[4] **Mr Tudor-Smith:** Chris Tudor-Smith and I'm the senior responsible officer for the Bill.

[5] **Huw Irranca-Davies:** Thank you. You're all very welcome indeed. We're here today looking at the Public Health (Wales) Bill introduced on 7 November. We understand, from reading it and the explanatory memorandum that, in the main, it's reintroducing the provisions of the Public Health (Wales) Bill, but there are some changes that we might look at now as well.

[6] I wonder if I could begin, Minister, just by asking you whether you're satisfied that the Bill is within the Assembly's competence?

[7] **The Minister for Social Services and Public Health (Rebecca Evans):** Yes, I'm satisfied that the Bill falls within the competence of the National Assembly for Wales. I was grateful to the Presiding Officer for her statement of 7 November, which also confirmed that it would be within competence, subject to the securing of the Crown's consents from the Secretary of State.

[8] I'm pleased to say that we have had those consents now, so we're confident that this lies within the competence of the Assembly. I would just add that we are keeping the UK Government fully up to date. For example, most recently, I wrote to them, confirming that I had reintroduced the Bill to the Assembly.

[9] **Huw Irranca-Davies:** So, there's content all around? The UK Government are content as well that this lies within devolved competence.

[10] **Rebecca Evans:** Yes. Content all around.

[11] **Huw Irranca-Davies:** That's excellent. Do you want to draw anything to our attention in how this Bill now in front of us might be affected by the new Wales Bill? Is there anything in the Bill that would not be within the Assembly's competence under the new Wales Bill if the new Wales Bill actually receives Royal Assent?

[12] **Rebecca Evans:** The Wales Bill, of course, is still going through its House of Lords committee stages. I think the Third Reading is this week. So, we don't yet know the final look of the Wales Bill, but, in any case, it's the case that the Bill provisions relating to the reserved-powers model—. I should say that reserved powers will still be in place until April 2018. So, any Bill that's gone through Stage 1 in the Assembly will be done under the current model. So, I'm not concerned that the Wales Bill would impact on either our ability to pass the Bill or our ability to enforce our provisions within the Bill.

[13] **Huw Irranca-Davies:** So, you don't need to scope that. You haven't seen that it's necessary to actually scope the impact of a potential new Wales Bill on this. You're content that this will be done and dusted regardless.

[14] **Rebecca Evans:** Yes, it's the intention to make sure that we get through Stage 1 of the Bill as early as possible and, in any event, we would hope to have the Bill receive Royal Assent, or certainly go through Stage 1, before the Wales Bill has an impact.

[15] **Huw Irranca-Davies:** Dai Lloyd.

[16] **Dai Lloyd:** Diolch, Gadeirydd. Dim ond ymhellach i hynny—ac wrth gwrs, rwy'n ymwybodol mai mater o amseru ydy o—byddwch yn ymwybodol bod yna rhan yn y Bil iechyd y cyhoedd yma ynglŷn â thriniaethau arbennig fel aciwbigo, tatŵo ac ati. Yn y cyd-destun yna, mae yna fwriad i gyflwyno gwaharddiad ar dyllu rhannau personol o gorff unigolyn o dan 16 mlwydd oed. Wrth gwrs, mae yna elfen o orfodaeth yn hynny, ac, wrth gwrs, dyna'r math o elfen y buasem yn ei golli petai Bil Cymru yn dod i mewn i fodolaeth. A ydych chi'n berffaith siŵr, felly, y byddem ni wedi gallu pasio'r rhan yna o'r Bil iechyd y cyhoedd yma ac na fydd yn cael ei amharu wedi hynny pan ddaw Bil Cymru i mewn i fodolaeth, a fydd efallai yn gwahardd y fath dyllu yn rhannau personol o gorff unigolion achos mae yna ran o orfodaeth—yr *enforcement* yma—y byddem ni'n ei cholli o dan y Bil Cymru newydd?

Dai Lloyd: Thank you, Chair. Just further to those comments—and I'm aware that it's a matter of timing—you will be aware, of course, that there is a part of the public health Bill relating to special procedures such as tattooing and acupuncture and so on. In that context, there is an intention to introduce a prohibition on intimate piercing under the age of 16. Now, of course, there is an element of compulsion there and that's the element that we would lose if the Wales Bill were to come into effect. Are you sure then that we would be able to pass that part of this public health Bill and that it won't be affected when the Wales Bill comes into force, which may prohibit that kind of intimate piercing and so on because there is an element of enforcement there that we would lose under the new Wales Bill?

[17] **Rebecca Evans:** Well, the reserved-powers model under the provisions of the Wales Bill aren't due to go live in any case until April 2018, by which point, any Bill that's gone through Stage 1 will be able to go through the rest of the Assembly process to Stage 4 under our existing arrangement. So I'm confident that that won't have an impact. Did you want to add anything, Nia?

[18] **Ms Roberts:** No, that was everything.

[19] **Huw Irranca-Davies:** Nathan.

[20] **Nathan Gill:** Thank you, Minister. I wondered if you could maybe explain how this Bill differs from that which reached Stage 4 in the previous Assembly.

[21] **Rebecca Evans:** As the First Minister announced in his legislative statement on 28 June, we are reintroducing the Bill to the Assembly, as it was after the amending stages, without the provisions regarding the restriction of the use of nicotine-inhaling devices in some public places. As you'll be aware, that step was taken in order to build consensus around the Assembly for the remaining provisions of the Bill, and in order to try and ensure that we are in a position to take this Bill through as swiftly as we can in order to realise the benefits to public health that are contained within it.

[22] **Nathan Gill:** Okay, and maybe, in the explanatory memorandum, could you tell us where these changes are explained?

[23] **Rebecca Evans:** The explanatory memorandum, which we published alongside the introduction of the Bill, is an entirely new document to reflect the changes that took place during the amending stages of the Bill. Previous sections in it, referring to the use of nicotine-inhaling devices in public places, have been removed from the explanatory memorandum and there are new sections that have been added throughout, reflecting the changes that were made at Stage 3. For example, the most substantive of these relates to the provisions regarding smoking on school grounds, hospital grounds and public playgrounds and those relating to the health impact assessments, which were also added at Stage 3. It's also been updated throughout to refer to recent policy developments, and updated data and statistics have come to our attention since the last version of the explanatory memorandum as well. Was there anything that you'd like to add? No.

[24] **Huw Irranca-Davies:** Okay. Happy, Nathan? Okay. Dai.

[25] **Dai Lloyd:** Diolch, Gadeirydd. **Dai Lloyd:** Thank you, Chair. Further Ymhellach, ar yr un trywydd ag oedd to that, along the same lines as Nathan newydd holi amdano, rydym Nathan has just been questioning, ni'n mynd ar ôl y gwahaniaethau we're going after the differences rhwng yr hen Fil a'r Bil newydd sydd between the old Bill and the new Bill gerbron. Yn y cyd-destun yna, a allaf that's before us. In that context,

i ofyn a ydych chi wedi ychwanegu at y pwerau i wneud is-ddeddfwriaeth neu a ydyn nhw'n cael eu lleihau mewn unrhyw ffordd? A fuasai unrhyw newid yn y pwerau i wneud is-ddeddfwriaeth? A oes mwy ohonyn nhw neu lai ohonyn nhw?

could I ask if you've added to the powers to make subordinate legislation or are they being reduced in any way? Would there be any change to the powers to make subordinate legislation? Are there more of them or fewer?

[26] **Rebecca Evans:** The only changes that relate to the powers to make subordinate legislation are those that were made through the amending stages, as the Bill proceeded through the last Assembly. So, those powers relating to the restriction of the use of nicotine-inhaling devices have been removed and new powers have been added with regard to the addition of regulation-making powers relating to health impact assessments. So, those are the changes that have taken place.

[27] **Dai Lloyd:** A yw'r newidiadau rydych chi wedi eu crybwyll, felly, yn golygu, pan fyddwch chi'n edrych drwy'r Bil newydd, fod nifer y pwerau i wneud rheoliadau wedi lleihau o 79 yn yr hen Fil, fel y'i diwygiwyd yng Nghyfnod 2, i 64 yn y Bil newydd. A ydy'r rheswm am hynny i gyd i'w wneud efo cael gwared ar unrhyw reoliadau yn ymwneud ag e-sigarennau?

Dai Lloyd: Do the changes that you've mentioned, therefore, mean that, when you look at the new Bill, the number of the powers for making regulations has reduced from 79 in the old Bill, as amended in Stage 2, to 64 in the new Bill. Is the reason for that all to do with getting rid of any regulations relating to e-cigarettes?

[28] **Rebecca Evans:** Yes, that reflects the removal of the e-cigarettes sections of the Bill, but also the inclusion of the health impact assessments. But, it doesn't add or reduce the powers available to Welsh Ministers beyond what was already agreed in the amending stages previously.

[29] **Dai Lloyd:** Felly, ymhellach i hynny, a fu unrhyw fân newidiadau o ran geiriad o gwbl?

Dai Lloyd: Therefore, further to that, were there any minor changes in terms of wording at all?

[30] **Rebecca Evans:** There are several minor changes in wording, again, which reflect the changes that were made as the Bill passed through the Assembly previously. Of course, the provisions relating to health impact assessments have been given their own discrete part—Part 5—within the Bill.

We feel that gives them more prominence, and it makes for a more coherent Bill.

[31] The provisions regarding local toilet strategies have been changed to realign the dates with the local authority election cycles, and we had to do that prior to introducing them to the Assembly. Again, that's just to make sense because of the delay or the changing date of the Assembly.

[32] Amendments were also made to Part 2 of the Bill to remove the ability of a justice of the peace to grant a warrant to enter dwellings for the purpose of determining whether any smoke-free signage offences were being committed. That was felt to be more proportionate, really, in terms of the rights of the homeowner, under article 8 of the convention, which is the right to a private and family life. We've also made some minor drafting revisions as well to improve the clarity and consistency of the Bill, but there's nothing that effects a change in policy. It's really about making the Bill more coherent and giving that special focus to health impact assessments.

[33] **Dai Lloyd:** Diolch am hynny. **Dai Lloyd:** Thank you for that. Just Jest yn dilyn, i gadarnhau, felly: following on, to confirm, therefore: rydych chi wedi cadw'r holl you have retained all the welliannau a dderbyniwyd yng amendments from Stages 2 and 3 in Nghyfnod 2 a Chyfnod 3 yn y previous discussions. drafodaeth o'r blaen, felly.

[34] **Rebecca Evans:** Yes, that's right, apart from those amendments, of course, that relate to nicotine-inhaling devices.

[35] **Dai Lloyd:** A allaf i jest holi un **Dai Lloyd:** Can I just ask one cwestiwn atodol yn wyneb yr ateb i'm supplementary question in light of cwestiwn cyntaf i ynglŷn ag unrhyw the answer to my first question in drawstoriad efo Bil Cymru? Yr ydych relation to the Wales Bill? You are chi'n dweud, felly, os ydy'r Cynulliad saying, therefore, that if this yma yn gallu cyflwyno unrhyw ddarn Assembly can introduce any piece of o ddeddfwriaeth cyn mis Ebrill 2018, legislation before April 2018, we're yr ydym ni'n glir, felly, o unrhyw clear, therefore, of any impairment or amharu neu dynnu'n ôl ar y pwerau, pulling back of powers, whatever Bill pa bynnag Fil ydyw—na fydd unrhyw it is—that there will be no influence ddylanwad ar hynny tan ar ôl Ebrill on that until after April 2018, 2018, felly, pan fydd Bil Cymru yn therefore, when the Wales Bill will cicio i mewn. kick in.

[36] **Rebecca Evans:** That's right. Nia might want to say more, but it's my understanding that any Bill that has completed Stage 1 will be allowed to complete the rest of its passage under the current arrangements.

[37] **Ms Roberts:** That's my understanding as well. As a transitional provision in the current draft of the Wales Bill, obviously, that might be subject to change. I don't want to say anything too strong here, but that's my understanding: that if it passes through Stage 1 by that date, it will go under the Government of Wales Act as it is now, as opposed to going under the Wales Bill—revised version.

[38] **David Lloyd:** Okay.

[39] **Huw Irranca-Davies:** So, it's clear that it's definitely in the interest of this to have a speedy but a due diligence transition as it goes forward. Okay, thank you. David.

[40] **David Melding:** Yes. Have any of the procedures that are in place for subordinate legislation changed? Have some gone from negative to affirmative or vice versa, compared to the original Bill?

[41] **Rebecca Evans:** Again, the only changes would be those that occurred through the amending stages of the last Assembly. They did, as you'll remember, provide an opportunity for extra scrutiny. So, those changes were changes from the negative to the affirmative procedure. There's nothing that has been changed that reduces the level of scrutiny.

[42] **David Melding:** So, it would follow, then, that there's nothing in there that amends primary legislation via subordinate.

[43] **Rebecca Evans:** The only way in which you would amend the legislation would be through the parts of the Bill that allow Ministers to, for example, include further special procedures to the list of special procedures, or to increase or add to the list of smoke-free premises. But those would be done by the affirmative procedure and following full consultation as well.

[44] **David Melding:** So, the actual—my memory fails me. Did the previous Bill—I can't remember whether it did have any provisions that allowed subordinate legislation to amend primary legislation with that sole exception?

[45] **Rebecca Evans:** There is section 63(5), which allows Ministers to amend the list of relevant offences that can be taken into account by a local authority when deciding whether or not to grant the special procedure licence; section 90(1), which allows Ministers to amend the list of special procedures, by that licensing system that I referred to; section 90(5), which allows Ministers to make consequential amendments to the special procedures licensing system, if changes are required as a result of adding or removing special procedures to the system; and, finally, section 107(2), which allows Welsh Ministers to add or remove bodies from the list of public bodies that may be required to complete health impact assessments. But there's nothing else in the Bill that allows Welsh Ministers to change other primary legislation.

14:45

[46] **David Melding:** Those pieces of subordinate legislation are affirmative, are they?

[47] **Rebecca Evans:** That's right.

[48] **David Melding:** In every case.

[49] **Rebecca Evans:** Yes.

[50] **Huw Irranca-Davies:** Okay. Thank you, David. Nathan, if you'd like to take us on.

[51] **Nathan Gill:** Yes. Just looking at section 12 now, there's a provision in there in the Bill to allow Welsh Ministers to make regulations around smoke-free cars. Under freedom of information requests, responses from 42 police forces in England and Wales have shown us that, actually, there's only been one fine issued for smoking in a car with children since the ban came into force on 1 October 2016. The Police Federation of England and Wales stated that this was because it was really difficult—those are their words—to enforce the law, as the police did not have the power to issue on-the-spot fines. So, with that in mind, I just wondered what your thoughts were about section 12 and this provision that you have.

[52] **Rebecca Evans:** We are aware of positive action, which has been taken by both police forces and local authorities in terms of, for example, giving

verbal warnings and warning letters to motorists. I think that it's important to remember that, when we first introduced the smoking provisions in other legislation, to tackle smoking, we actually implemented or enforced with a light touch in the first instance. It's more about creating a culture change than enforcing in a heavy-handed way. For example, if we look back at the legislation on wearing seat belts, there's no way that you could enforce that in every single case in which the law wasn't adhered to, but it did, obviously, over time, create a real shift in culture and a real shift in the way that people behave. So, that's part of the way in which we'll do this.

[53] I know that local authorities have already been successful in raising awareness of changes through social media, press notices and their own websites and so on. So, it is partly about enforcement, but it's also about raising awareness and changing the culture about what's acceptable and what isn't.

[54] **Nathan Gill:** Thank you.

[55] **Huw Irranca-Davies:** Could I just flick back a little bit, just for a moment, if I could, to the question of the changes that have been made since the previous Bill? Can you draw attention to whether there have been any changes at all on issues of human rights as a result of any of those changes?

[56] **Rebecca Evans:** No changes with regard to human rights.

[57] **Huw Irranca-Davies:** None. That's great, I just wanted to clarify that for the record. Thank you. David.

[58] **David Melding:** The previous committee's report, and the recommendations in the report, were all followed, in my recollection, apart from one, which related to this issue of enforcement authorities not being defined as public authorities. We had a long discussion with the Minister, and the Minister said—I don't think my recollection's incorrect—that you couldn't conceive of any enforcement authority not being a public authority, but he obdurately refused to write that into the Bill, and you have followed that practice. Why?

[59] **Rebecca Evans:** We followed that practice at this stage because the First Minister gave a commitment to not make any substantive changes to the Bill. However, I have asked officials to look at identifying all potential public enforcement bodies, with a view to potentially introducing

amendments at the next stage.

[60] **David Melding:** So, do you envisage, or can you envisage, circumstances when an enforcement authority would not also be a public authority?

[61] **Rebecca Evans:** No. I would imagine that enforcement authorities would be public authorities, which is why I've asked officials to compile a comprehensive list that we could look at introducing in terms of amendments at Stage 2.

[62] **David Melding:** I think it would help to clarify the situation if you just said that enforcement authorities have to be public authorities. It still gives you the scope you need that, occasionally, there might be national parks or the police or whatever. So, I think the committee would appreciate some movement on that.

[63] The other thing is that, where there may be a variety of public authorities that could act as enforcement authorities, given the sensitivities around these matters, how would you ensure that enforcement officers would receive an appropriate level of human rights training?

[64] **Rebecca Evans:** We have the communications plan for the Bill more widely, so, obviously, we would be very keen to ensure that anybody who has a duty under the Act is fully aware of what that duty is and how they should go about undertaking their work in the context of that duty. I don't know if Chris or Nia would want to add anything in terms of the work that's going on to identify the public bodies.

[65] **Ms Roberts:** The only thing I'd like to add to that is that, obviously, local authorities are going to be one of the main enforcement authorities, as you've already identified, and they're already very familiar with their obligations under the Human Rights Act 1998. They are bound by it, pursuant to section 6. So, they're well versed in the duties that are placed upon them.

[66] **David Melding:** But a national park might not be, or officers that—

[67] **Ms Roberts:** No, obviously, but then that's when, as the Minister has just alluded to, there'll be an education campaign of some sort around that.

[68] **David Melding:** I think for human rights obligations we expect full rigour, not just, 'Hopefully a communications campaign will see to it'.

[69] **Huw Irranca-Davies:** Thank you, David. Can I turn your attention, Minister, to section 90 and section 54 of the Bill? I don't want to rehearse arguments that have been done before, but it's quite interesting that within section 54 on special procedures you have those four examples there. The reason I ask this, by the way, is to do with clarity and practicality and accessibility of the law to the public. Those four are mentioned. I think everybody is aware that that list—which, indeed, I'll come to in a moment—could change over time. You're clearly content that those four have a clear justification for being the four that are on the face of the Bill now and that, in any subsequent iterations, it will still be clear and legible to members of the public what this Bill deals with if those are amended.

[70] **Rebecca Evans:** Yes, absolutely. Those four were chosen because they are popular procedures that are undertaken at the moment and local authorities are familiar with these procedures. So, it's important, I think, at the start that we give local authorities work to do that they are familiar with in this context. But, importantly, they all have something in common and that is that they all involve the piercing of the skin, which obviously involves a heightened public health risk if it's not done in a hygienic situation and if the individual then doesn't go away understanding how they should look after the procedure that they've had.

[71] **Huw Irranca-Davies:** Okay. In light of my subsequent questions related to this, and also section 90, I'm probing as well at the issue of this clarity and accessibility for members of the public. We need to be understandable here not only to lawyers, but also so that the public in five years' time can pick up this Bill or get the electronic copy and actually see what this Bill relates to and what might have changed since that initial list in there. So, can I ask you, first of all, to clarify the intention of section 90(5)? It states:

[72] 'Regulations under this section may make amendments to this Part that are consequential upon the amendment to section 54 effected by the regulations.'

[73] Can you clarify the intention of that and explain what 'consequential' means in this context?

[74] **Rebecca Evans:** In this context, it allows Ministers on a future date to

define a new procedure that may be added to the list and it's important that the definition is there, as you say, for reasons of clarity so that people understand what the Bill entails and what is exactly covered under the Bill. So, it is about giving Ministers the flexibility in future to add new definitions to the Bill, but also to ensure that the Bill keeps step with changing trends and changing fashions, because there are things perhaps that might occur in terms of special procedures in future that actually aren't popular now or just things that we haven't even thought of and people don't do now. So, it's about giving the Bill the flexibility to be futureproofed.

[75] **Huw Irranca-Davies:** Thank you for that. I only have one further question and it's in relation to the issues that were thrown up by the Hemming case in terms of licensing. Could I ask you, Minister, whether you consider that the Bill complies now, as it is, with the EU services directive following that judgment?

[76] **Rebecca Evans:** Yes, I am happy that it complies, because the Bill only allows for the fee to be charged on the basis of the administrative costs for the licence. Then there's a provision later on in the Bill to add other costs, but this very much fits in with the ruling. I don't know if Nia wants to expand on that.

[77] **Ms Roberts:** Obviously, Hemming—we've been aware of it for some time and it's been going before various different appeal courts, which keep saying various different things. But the Bill was drafted with that in mind, to make sure that, whatever the outcome in Hemming, it would still be compliant with the services directive. So, there's a very important distinction here, in that in Hemming, the power that they were talking about allows the local authority to charge an applicant a fee. Basically, in Hemming, what they said was that at the time of application, an applicant can only be charged an amount for the administration costs—so, the amount of actually processing the application itself. The big distinction here is that, in section 73 of the Bill, it's not the applicant who is charged the fee. They are already a licence holder by the time they're charged that additional amount, so it doesn't actually fall within the remit of the services directive, and we're content that it, therefore, fits with Hemming.

[78] **Huw Irranca-Davies:** Excellent. That's a very thorough answer. So, this is Hemming-proof. Could I ask my fellow members of the committee whether they have any other questions? I think we're content. Thank you very much for coming today. Thanks for your answers as well. We'll obviously pass the

transcript to you in due course for you to check over as well. Thank you very much.

[79] Whilst you're still here, I neglected at the beginning of this session to give the apologies that were given in advance for Dafydd Elis-Thomas, who can't be with us today. Thank you very much.

14:56

**Offerynnau nad ydynt yn Cynnwys Materion i Gyflwyno Adroddiad
arnynt o dan Reol Sefydlog 21.2 na 21.3
Instruments that Raise no Reporting Issues under Standing Order 21.2
or 21.3**

[80] **Huw Irranca-Davies:** We will now move on to the next item on the agenda, having messed up the first two items and put item No. 1 as item No. 2, with apologies coming after the meeting had started—I think that's a sackable offence. We will now move on to item No. 3. We have in front of us, in our pack of papers, four instruments that raise no reporting issues under Standing Order 21.2 or 21.3. We have four that are negative resolution instruments with clear reports, and also an affirmative resolution instrument. I won't read them all out, because they're within the packs. Do we have any observations or comments from committee members? The committee is content, so we'll note those statutory instruments.

14:57

**Cynnig o dan Reol Sefydlog 17.42 i Benderfynu Gwahardd y Cyhoedd
o'r Cyfarfod
Motion under Standing Order 17.42 to Resolve to Exclude the Public
from the Meeting**

Cynnig:

Motion:

bod y pwyllgor yn penderfynu that the committee resolves to gwahardd y cyhoedd o weddill y exclude the public from the cyfarfod yn unol â Rheol Sefydlog remainder of the meeting in 17.42(ix).

accordance with Standing Order 17.42(ix).

Cynigiwyd y cynnig.

Motion moved.

[81] **Huw Irranca-Davies:** At that point, under Standing Order 17.42, I will ask the committee if you're content to exclude the public from the remainder of the meeting and move into private session. Committee is content, so we're into private session. Please clear the gallery.

Derbyniwyd y cynnig.

Motion agreed.

Daeth rhan gyhoeddus y cyfarfod i ben am 14:58.

The public part of the meeting ended at 14:58.