

# Agenda – Legislation, Justice and Constitution Committee

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Meeting Venue:

For further information contact:

Video Conference via Zoom

P Gareth Williams

Meeting date: 28 February 2022

Committee Clerk

Meeting time: 13.30

0300 200 6565

[SeneddLJC@senedd.wales](mailto:SeneddLJC@senedd.wales)

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## 1 Introductions, apologies and substitutions

13.30

## 2 Scrutiny session with the Counsel General and Minister for the Constitution – Postponed to 14 March 2022

(Pages 1 – 40)

Mick Antoniw MS, Counsel General and Minister for the Constitution

Attached Documents:

LJC(6)-07-22 – Paper 1 – Briefing

LJC(6)-07-22 – Paper 2 – Senedd Research briefing – Legislative consent

LJC(6)-02-22 – Paper 3 – Letter from the Counsel General and Minister for Constitution, 22 February 2022

LJC(6)-07-22 – Paper 4 – Letter to the First Minister, 10 December 2021

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

13.30 – 13.35

(Pages 41 – 42)

Attached Documents:

LJC(6)-07-22 – Paper 5 – Statutory instruments with clear reports

**Made Negative Resolution Instruments**



**3.1 SL(6)154 – The National Health Service (Performers Lists) (Wales) (Amendment) (EU Exit) Regulations 2022**

**3.2 SL(6)156 – The Council Tax (Administration and Enforcement) (Amendment) (Wales) Regulations 2022**

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

13.35 – 13.45

**Made Negative Resolution Instruments**

**4.1 SL(6)157 – The Food (Withdrawal of Recognition) (Miscellaneous Amendments and Transitional Provisions) (Wales) (EU Exit) Regulations 2022**

(Pages 43 – 44)

[Regulations](#)

[Explanatory Memorandum](#)

Attached Documents:

LJC(6)-07-22 – Paper 6 – Draft report

**4.2 SL(6)158 – The Curriculum and Assessment (Wales) Act 2021 (Transitional and Saving Provision) Regulations 2022**

(Pages 45 – 46)

[Regulations](#)

[Explanatory Memorandum](#)

Attached Documents:

LJC(6)-07-22 – Paper 7 – Draft report

**4.3 SL(6)159 – The Health Protection (Coronavirus, International Travel) (Wales) Regulations 2022**

(Pages 47 – 52)

[Regulations](#)

[Explanatory Memorandum](#)

Attached Documents:

LJC(6)-07-22 – Paper 8 – Draft report

LJC(6)-07-22 – Paper 9 – Letter from the Minister for Health and Social Services to the Llywydd, 10 February 2022

**4.4 SL(6)160 – The Milk and Milk Products (Pupils in Educational Establishments) Aid Applications (Wales) Regulations 2022**

(Pages 53 – 54)

[Regulations](#)

[Explanatory Memorandum](#)

Attached Documents:

LJC(6)-07-22 – Paper 10 – Draft report

**4.5 SL(6)162 – The Health Protection (Coronavirus, Public Health Information to Travellers and Operator Liability) (Wales) (Amendment) Regulations 2022**

(Pages 55 – 59)

[Regulations](#)

[Explanatory Memorandum](#)

Attached Documents:

LJC(6)-07-22 – Paper 11 – Draft report

LJC(6)-07-22 – Paper 12 – Letter from the Minister for Health and Social Services to the Llywydd, 17 February 2022

**Affirmative Resolution Instruments**

**4.6 SL(6)155 – The Local Elections (Miscellaneous and Consequential Amendments) (Wales) Regulations 2022**

(Pages 60 – 61)

Attached Documents:

LJC(6)-07-22 – Paper 13 – Draft report

**Made Affirmative Resolution Instruments**

**4.7 SL(6)161 – The Health Protection (Coronavirus Restrictions) (No.5) (Wales) (Amendment) (No.5) Regulations 2022**

(Pages 62 – 65)

[Regulations](#)

[Explanatory Memorandum](#)

Attached Documents:

LJC(6)-07-22 – Paper 14 – Draft report

LJC(6)-07-22 – Paper 15 – Letter from the First Minister to the Llywydd, 16 February 2022

**5 Instruments that raises no reporting issues under Standing Order 21.7**

13.45 – 13.50

(Pages 66 – 68)

Attached Documents:

LJC(6)-07-22– Paper 16 – Statutory instruments with clear reports

**5.1 SL(6)153 – Code of practice on the exercise of social services functions in relation to Part 4 (direct payments and choice of accommodation) and Part 5 (charging and financial assessment) of the Social Services and Well-being (Wales) Act 2014**

**6 Instruments that raise issues to be reported to the Senedd under Standing Order 21.2 or 21.3 – Previously considered**

13.50 – 13.55

**6.1 SL(6)148 – The Education (Student Finance) (Miscellaneous Amendments) (Wales) Regulations 2022**

(Pages 69 – 73)

Attached Documents:

LJC(6)-07-22 – Paper 17 – Report

LJC(6)-07-22 – Paper 18 – Welsh Government response

## **7 Inter-Institutional Relations Agreement**

13.55 – 14.00

### **7.1 Correspondence from the Minister for Climate Change: The Phytosanitary Conditions (Amendment) Regulations 2022**

(Pages 74 – 75)

Attached Documents:

LJC(6)-07-22 – Paper 19 – Letter from the Minister for Climate Change, 11 February 2022

### **7.2 Correspondence from the Counsel General and Minister for the Constitution: Inter-Ministerial Group for Elections and Registration**

(Page 76)

Attached Documents:

LJC(6)-07-22 – Paper 20 – Letter from the Counsel General and Minister for the Constitution, 23 February 2022

## **8 Papers to note**

14.00 – 14.10

### **8.1 Correspondence from the Minister for Education and Welsh Language to the Economy, Trade and Rural Affairs Committee: Welsh Government response to the Committee's report on the Supplementary Legislative Consent Memorandum (Memorandum No. 2) on the Professional Qualifications Bill**

(Pages 77 – 78)

Attached Documents:

LJC(6)-07-22 – Paper 21 – Letter from the Minister for Education and Welsh Language to the Economy, Trade and Rural Affairs Committee, 14 February 2022

**8.2 Correspondence from the Minister for Social Justice: Welsh Government response to the Committee's report on the Legislative Consent Memoranda on the Nationality and Borders Bill**

(Pages 79 – 81)

Attached Documents:

LJC(6)-07-22 – Paper 22 – Letter from the Minister for Social Justice, 14 February 2022

**8.3 Correspondence from the Minister for Health and Social Services: Welsh Government response to the Committee's report on the Legislative Consent Memoranda on the Health and Care Bill**

(Pages 82 – 87)

Attached Documents:

LJC(6)-07-22 – Paper 23 – Letter from the Minister for Health and Social Services, 15 February 2022

LJC(6)-07-22 – Paper 24 – Letter to the Minister for Health and Social Services, 21 February 2022

**8.4 Written Statement by the First Minister of Wales: Report on the implementation of Law Commission proposals**

(Page 88)

Attached Documents:

LJC(6)-07-22 – Paper 25 – Written Statement, 15 February 2022

**8.5 Correspondence from the Counsel General and Minister for the Constitution: Welsh Government response to the Committee's report on the Legislative Consent Memoranda on the Elections Bill**

(Pages 89 – 90)

Attached Documents:

LJC(6)-07-22 – Paper 26 – Letter from the Counsel General and Minister for the Constitution, 16 February 2022

**8.6 Correspondence from the Delegated Powers and Law Reform Committee, Scottish Parliament: Inquiry into the use of the made affirmative procedure during the coronavirus pandemic**

(Page 91)

Attached Documents:

LJC(6)-07-22 – Paper 27 – Letter from the Convener of the Delegated Power and Law Reform Committee, 18 February 2022

**8.7 Correspondence from the Children, Young People and Education Committee: Findings of our 6th Senedd priorities engagement with children and young people**

(Pages 92 – 121)

Attached Documents:

LJC(6)-07-22 – Paper 28 – Letter from the Children, Young People and Education Committee, 18 February 2022

**8.8 Correspondence from the Minister for Social Justice: Supplementary Legislative Consent Memorandum (Memorandum No. 5) on the Policing, Crime, Sentencing and Courts Bill**

(Pages 122 – 123)

Attached Documents:

LJC(6)-07-22 – Paper 29 – Letter from the Minister for Social Justice, 24 February 2022

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

14.10

**10 Scrutiny session with the Counsel General and Minister for the Constitution – consideration of evidence – Postponed to 14 March 2022**

**11 International agreements considered on 14 February 2022 –  
Consideration of draft report**

14.10 – 14.20

(Pages 124 – 127)

Attached Documents:

LJC(6)-07-22 – Paper 30 – Draft report

**12 Legislative Consent Memorandum: The Cultural Objects  
(Protection from Seizure) Bill**

14.20 – 14.30

(Pages 128 – 133)

[Legislative Consent Memorandum: The Cultural Objects \(Protection from Seizure\) Bill](#)

Attached Documents:

LJC(6)-07-22 – Paper 31 – Draft report