

Agenda – Legislation, Justice and Constitution Committee

Meeting Venue:

For further information contact:

Video conference via Zoom

Gareth Williams

Meeting date: 14 December 2020

Committee Clerk

Meeting time: 09.30

0300 200 6565

SeneddLJC@senedd.wales

In accordance with Standing Order 34.19, the Chair has determined that the public are excluded from the Committee's meeting in order to protect public health. This meeting will be broadcast live on www.Senedd.TV

Informal pre-meeting (09.00–09.30)

1 Introduction, apologies, substitutions and declarations of interest
09.30

2 Proposed Order in Council – The Government of Wales Act 2006
(Amendment) Order 2021: Evidence session

09.30–10.15

(Pages 1 – 26)

Jeremy Miles MS, Counsel General

Christopher Warner, Deputy Director, Constitution and Justice, Welsh
Government

Anna Hind, Lawyer, Welsh Government

CLA(5)–37–20 – Briefing

CLA(5)–37–20 – Paper 1 – Proposed Order

CLA(5)–37–20 – Paper 2 – Explanatory Memorandum (Welsh Government)

CLA(5)–37–20 – Paper 3 – Explanatory Memorandum (UK Government)



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

10.15–10.20

Negative Resolution Instruments

3.1 SL(5)677 – The Waste (Wales) (Miscellaneous Amendments) (EU Exit) Regulations 2020

(Pages 27 – 53)

CLA(5)–37–20 – Paper 4 – Report

CLA(5)–37–20 – Paper 5 – Regulations

CLA(5)–37–20 – Paper 6 – Explanatory Memorandum

3.2 SL(5)684 – The National Health Service (General Medical Services Contracts) (Prescription of Drugs etc.) (Wales) (Amendment) (EU Exit) Regulations 2020

(Pages 54 – 67)

CLA(5)–37–20 – Paper 7 – Report

CLA(5)–37–20 – Paper 8 – Regulations

CLA(5)–37–20 – Paper 9 – Explanatory Memorandum

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

10.20–10.25

(Pages 68 – 70)

CLA(5)–37–20 – Paper 10 – Statutory Instruments with clear reports

Negative Resolution Instruments

4.1 SL(5)679 – The Non-Domestic Rating Contributions (Wales) (Amendment) Regulations 2020

4.2 SL(5)680 – The Additional Learning Needs (List of Independent Special Post-16 Institutions) (Wales) Regulations 2020

4.3 SL(5)687 – The Producer Responsibility Obligations (Packaging Waste) (Amendment) (Wales) Regulations 2020

Affirmative Resolution Instruments

4.4 SL(5)688 – The Senedd Cymru (Representation of the People) (Amendment) Order 2020

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

10.25–10.35

Negative Resolution Instruments

5.1 SL(5)681 – The Rating Lists (Valuation Date) (Wales) Order 2020

(Pages 71 – 79)

CLA(5)–37–20 – Paper 11 – Report

CLA(5)–37–20 – Paper 12 – Regulations

CLA(5)–37–20 – Paper 13 – Explanatory Memorandum

5.2 SL(5)683 – The Animal Feed (Particular Nutritional Purposes and Miscellaneous Amendments) (Wales) Regulations 2020

(Pages 80 – 91)

CLA(5)–37–20 – Paper 14 – Report

CLA(5)–37–20 – Paper 15 – Regulations

CLA(5)–37–20 – Paper 16 – Explanatory Memorandum

5.3 SL(5)686 – The Local Government (Coronavirus) (Postponement of Elections) (Wales) (No. 2) Regulations 2020

(Pages 92 – 116)

CLA(5)–37–20 – Paper 17 – Report

CLA(5)–37–20 – Paper 18 – Regulations

CLA(5)–37–20 – Paper 19 – Explanatory Memorandum

CLA(5)–37–20 – Paper 20 – Letter from the Minister for Finance and Trefnydd, 3 December 2020

Affirmative Resolution Instruments

5.4 SL(5)670 – The Plant Health (Amendment etc.) (Wales) (EU Exit) Regulations 2020

(Pages 117 – 155)

CLA(5)–37–20 – Paper 21 – Report

CLA(5)-37-20 – Paper 22 – Regulations

CLA(5)-37-20 – Paper 23 – Explanatory Memorandum

5.5 SL(5)672 – The Trade in Animals and Related Products (Wales) (Amendment) (EU Exit) Regulations 2020

(Pages 156 – 184)

CLA(5)-37-20 – Paper 24 – Report

CLA(5)-37-20 – Paper 25 – Regulations

CLA(5)-37-20 – Paper 26 – Explanatory Memorandum

5.6 SL(5)673 – The Direct Payments to Farmers and Rural Affairs (Miscellaneous Amendments etc.) (Wales) (EU Exit) Regulations 2020

(Pages 185 – 222)

CLA(5)-37-20 – Paper 27 – Report

CLA(5)-37-20 – Paper 28 – Regulations

CLA(5)-37-20 – Paper 29 – Explanatory Memorandum

5.7 SL(5)682 – The Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2021

(Pages 223 – 245)

CLA(5)-37-20 – Paper 30 – Report

CLA(5)-37-20 – Paper 31 – Regulations

CLA(5)-37-20 – Paper 32 – Explanatory Memorandum

CLA(5)-37-20 – Paper 33 – Written statement, 1 December 2020

Made Affirmative Resolution Instruments

5.8 SL(5)685 – The Health Protection (Coronavirus Restrictions and Functions of Local Authorities) (Amendment) (Wales) Regulations 2020

(Pages 246 – 269)

CLA(5)-37-20 – Paper 34 – Report

CLA(5)-37-20 – Paper 35 – Regulations

CLA(5)-37-20 – Paper 36 – Explanatory Memorandum

CLA(5)-37-20 – Paper 37 – Letter from the First Minister, 3 December 2020

CLA(5)-37-20 – Paper 38 – Written statement, 3 December 2020

CLA(5)-37-20 – Paper 39 – Written statement, 30 November 2020

5.9 SL(5)690 – The Health Protection (Coronavirus, International Travel and Restrictions) (Amendment) (No. 3) (Wales) Regulations 2020

(Pages 270 – 286)

CLA(5)–37–20 – Paper 40 – Report

CLA(5)–37–20 – Paper 41 – Regulations

CLA(5)–37–20 – Paper 42 – Explanatory Memorandum

CLA(5)–37–20 – Paper 43 – Letter from the Minister for Health and Social Services, 8 December 2020

CLA(5)–37–20 – Paper 44 – Written statement, 9 December 2020

5.10 SL(5)696 – The Public Health (Protection from Eviction) (Wales) (Coronavirus) Regulations 2020

(Pages 287 – 301)

CLA(5)–37–20 – Paper 45 – Report

CLA(5)–37–20 – Paper 46 – Regulations

CLA(5)–37–20 – Paper 47 – Explanatory Memorandum

CLA(5)–37–20 – Paper 48 – Letter from the Minister for Housing and Local Government, 9 December 2020

CLA(5)–37–20 – Paper 49 – Written statement, 10 December 2020

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

10.35–10.40

6.1 SL(5)674 – The Regulation and Inspection of Social Care (Qualifications) (Wales) (Amendment) (EU Exit) Regulations 2020

(Pages 302 – 334)

CLA(5)–37–20 – Paper 50 – Report

CLA(5)–37–20 – Paper 51 – Regulations

CLA(5)–37–20 – Paper 52 – Explanatory Memorandum

7 Instruments that raise issues to be reported to the Assembly under Standing Order 21.2 or 21.3 – previously considered

10.40–10.45

7.1 SL(5)662 – The Official Controls (Plant Health and Genetically Modified Organisms) (Wales) (Amendment) (No. 2) Regulations 2020

(Pages 335 – 337)

CLA(5)–37–20 – Paper 53 – Report

CLA(5)–37–20 – Paper 54 – Welsh Government response

8 Written Statements under Standing Order 30C

10.45–10.50

8.1 WS–30C(5)207 – The Greenhouse Gas Emissions Trading Scheme (Withdrawal Agreement) (EU Exit) Regulations 2020

(Pages 338 – 342)

CLA(5)–37–20 – Paper 55 – Written statement

CLA(5)–37–20 – Paper 56 – Commentary

8.2 WS–30C(5)208 – The Food and Drink (Amendment) (EU Exit) Regulations 2020

(Pages 343 – 346)

CLA(5)–37–20 – Paper 57 – Written statement

CLA(5)–37–20 – Paper 58 – Commentary

9 Papers to note

10.50–10.55

9.1 Letter from the Counsel General: Ministerial Forum for Trade

(Page 347)

CLA(5)–37–20 – Paper 59 – Letter from the Counsel General, 7 December 2020

9.2 Letter from the Minister for Finance and Trefnydd: Consultation on a revised Regulatory Impact Assessment Code for Subordinate Legislation

(Pages 348 – 352)

CLA(5)–37–20 – Paper 60 – Letter from the Minister for Finance and Trefnydd, 8 December 2020

CLA(5)–37–20 – Paper 61 – Letter to the Minister for Finance and Trefnydd, 5 December 2019

CLA(5)–37–20 – Paper 62 – Letter from the Minister for Finance and Trefnydd, 21 November 2020

CLA(5)–37–20 – Paper 63 – Letter to the Minister for Finance and Trefnydd, 31 October 2019

9.3 Letter from the Minister for Education: Curriculum and Assessment (Wales) Bill

(Page 353)

CLA(5)–37–20 – Paper 64 – Letter from the Minister for Education, 9 December 2020

9.4 Letter from the Minister for Housing and Local Government: The Planning Applications (Temporary Modifications and Disapplication) (No. 2) (Wales) (Coronavirus) Order 2020

(Pages 354 – 355)

CLA(5)–37–20 – Paper 65 – Letter from the Minister for Housing and Local Government, 10 December 2020

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

10.55

11 Proposed Order in Council – consideration of evidence

10.55–11.10

12 Supplementary Legislative Consent Memorandum on the Medicines and Medical Devices Bill – consideration of draft report

11.10–11.20

(Pages 356 – 360)

CLA(5)–37–20 – Paper 66 – Draft report

13 Supplementary Legislative Consent Memorandum on the Environment Bill

11.20–11.30

(Pages 361 – 364)

CLA(5)–37–20 – Paper 67 – Supplementary Legislative Consent Memorandum

14 UK Internal Market Bill – update

11.30–11.40

(Pages 365 – 376)

CLA(5)–37–20 – Paper 68 – Research Service briefing

15 Scrutiny of regulations made under the EU (Withdrawal) Act 2018 – update

11.40–11.45

(Pages 377 – 378)

CLA(5)–37–20 – Paper 69 – Letter from the Minister for Finance and
Trefnydd, 10 December 2020

16 Forward Work Programme – Spring 2021

11.45–12.15

(Pages 379 – 384)

CLA(5)–37–20 – Paper 70 – Forward Work Programme

Date of the next meeting – 11 January 2021