



Cynulliad Cenedlaethol Cymru **The National Assembly for Wales**

Y Pwyllgor Materion Cyfansoddiadol a Deddfwriaethol **The Constitutional and Legislative Affairs Committee**

Dydd Llun, 24 Mawrth 2014
Monday, 24 March 2014

Cynnwys **Contents**

Cyflwyniad, Ymddiheuriadau, Dirprwyon a Datganiadau o Fuddiant
Introduction, Apologies, Substitutions and Declarations of Interest

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

Offerynnau sy'n Cynnwys Materion i Gyflwyno Adroddiad Arnynt i'r Cynulliad o dan Reol
Sefydlog 21.2 neu 21.3
Instruments that Raise Issues to be Reported to the Assembly under Standing Order 21.2 or
21.3

Deddfwriaeth Arall
Other Legislation

Papur i'w Nodi
Paper to Note

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

Cofnodir y trafodion yn yr iaith y llefarwyd hwy ynddi yn y pwyllgor. Yn ogystal, cynhwysir
trawsgrifiad o'r cyfieithu ar y pryd.

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.

Aelodau'r pwyllgor yn bresennol
Committee members in attendance

Mick Antoniw	Llafur (yn dirprwyo ar ran Julie James) Labour (substitute for Julie James)
Suzy Davies	Ceidwadwyr Cymreig Welsh Conservatives
David Melding	Y Dirprwy Lywydd a Chadeirydd y Pwyllgor The Deputy Presiding Officer and Committee Chair
Eluned Parrott	Democratiaid Rhyddfrydol Cymru Welsh Liberal Democrats
Simon Thomas	Plaid Cymru The Party of Wales

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

Stephen Boyce	Y Gwasanaeth Ymchwil Research Service
Gwyn Griffiths	Uwch-gynghorydd Cyfreithiol Senior Legal Adviser
Ruth Hatton	Dirprwy Glerc Deputy Clerk
Gareth Williams	Clerc Clerk

Dechreuodd y cyfarfod am 14:29.
The meeting began at 14:29.

Cyflwyniad, Ymddiheuriadau, Dirprwyon a Datganiadau o Fuddiant
Introduction, Apologies, Substitutions and Declarations of Interest

[1] **David Melding:** Good afternoon everyone and welcome to this meeting of the Constitutional and Legislative Affairs Committee. I have no apologies listed, but I suspect that Julie James has apologised, as Mick Antoniw is here. Welcome to our meeting, Mick. I will make the usual housekeeping announcements. We do not expect a routine fire drill, so if we hear the alarm, we should follow the instructions of the ushers, who will help us leave the building safely. Please switch off all mobile phones and other electronic equipment completely, as even on silent they interfere with the broadcasting equipment. These proceedings will be conducted in Welsh and English. When Welsh is spoken, there is a translation available on channel 1; channel 0 will amplify proceedings.

14:30

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

[2] **David Melding:** These are instruments that raise no reporting issues, but they are listed there for you should you have any queries. Are Members content? I see that you are.

**Offerynnau sy'n Cynnwys Materion i Gyflwyno Adroddiad Arnynt i'r Cynulliad
o dan Reol Sefydlog 21.2 neu 21.3
Instruments that Raise Issues to be Reported to the Assembly under Standing
Order 21.2 or 21.3**

[3] **David Melding:** These are instruments that do raise reporting issues, and they are also listed there, if you have any queries. They are fairly technical in terms of the reports. Do Members have any issues?

[4] **Eluned Parrott:** I have just one, if I may, Chair, on the Emergency Ambulance Services Committee (Wales) Regulations 2014. The coming-into-force date is 1 April, which is very soon for regulations that make such a significant change. Although it is a change that is called for, as I understand, in the McClelland report, I wonder if it would be useful for the committee to write a note to raise awareness of this with the Assembly's Health and Social Care Committee, so that it is aware of that and has the opportunity to scrutinise it if it feels the need to do so.

[5] **David Melding:** How late is it?

[6] **Mr Griffiths:** It is within, just about, the normal timescales.

[7] **David Melding:** It is a negative instrument, which may be one of the reasons. What does the committee feel? I am not sure that the Health and Social Care Committee is going to do anything at this late stage. If we are going to alert another committee, we need pretty good grounds to do that.

[8] **Mick Antoniw:** I thought that it was pretty innocuous, but then—. Were there any particular issues that—

[9] **Eluned Parrott:** I do not think that there are any issues that will cause concern. However, as I say, I think that it is something that has been discussed at length by that committee, and I was not sure whether it would be aware that recommendations had been brought forward and that this is coming into effect as soon as 1 April.

[10] **Mr Griffiths:** [*Inaudible.*]—adviser to that committee who checked these regulations. So the committee would be aware of it, through the staff supporting the committee.

[11] **David Melding:** Is that okay?

[12] **Eluned Parrott:** Yes.

[13] **David Melding:** Is there anything else? No.

14:33

**Deddfwriaeth Arall
Other Legislation**

[14] **David Melding:** There is a public bodies Order. Gwyn, did you want to give us an oral update?

[15] **Mr Griffiths:** Byddaf yn gryno iawn **Mr Griffiths:** I will be very succinct in yn cyfeirio at y Gorchymyn hwn. Un peth i'w referring to this Order. One thing to note is

nodi yw bod teitl y memorandwm wedi newid i gyfeirio at enw ffurfiol y Gorchymyn, ond mae'r testun yn union yr un fath. Mae'r Gorchymyn yn cyfeirio at ddisodli pwyllgor nad yw wedi cyfarfod ers dros 20 mlynedd, ac nid oes aelodau wedi eu hapwyntio iddo yn yr un cyfnod. Felly, ni allaf feddwl bod unrhyw reswm dros barhau â deddfwriaeth sydd yn cyfeirio ato. Does dim pellach i'w ddweud na'r hyn sydd ym memorandwm y Llywodraeth.

that the title of the memorandum has changed to refer the Order's formal name, but the text is exactly the same. The Order refers to the abolition of a committee that has not met for over 20 years, and no members have been appointed to it in that period. Therefore, I cannot think that there is any reason to continue with the legislation that refers to it. I have nothing further to add to what appears in the Government's memorandum.

[16] **Simon Thomas:** Rydym eisiau rhagor o bwyllgorau fel hynny. [*Chwerthin.*]

Simon Thomas: We need more committees like that. [*Laughter.*]

[17] **David Melding:** Any other helpful remarks? No. We will discuss this further in private session.

14:33

Papur i'w Nodi Paper to Note

[18] **David Melding:** There is a copy of a helpful letter from Lord Boswell, chairman of the committee on the European Commission's work programme for 2014. There is a very helpful appendix as well, including subjects that it regards as most salient. It impacts on us, obviously; some of those subjects very much cover devolved areas. We now have quite good links with Lord Boswell's committee and feed in our views as appropriate. I am sure that Members will find it useful to have that letter and the list of major issues that are likely to be addressed by the Commission in the forthcoming year. Are there any comments?

[19] **Suzy Davies:** It was very helpful, I thought.

[20] **Simon Thomas:** It was basically saying 'We are keeping an eye on you', was it not?

[21] **David Melding:** Yes, that is what a scrutiny role entails.

14:35

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

[22] **David Melding:** I move that

the committee resolves to exclude the public from the remainder of the meeting in accordance with Standing Order 17.42(ix).

[23] I do not see any Member objecting, so please clear the public gallery and switch off the broadcasting equipment.

*Derbyniwyd y cynnig.
Motion agreed.*

*Daeth rhan gyhoeddus y cyfarfod i ben am 14:35.
The public part of the meeting ended at 14:35.*