



## **Constitutional and Legislative Affairs Committee**

**Report: CLA(4)-03-12 : 6 February 2012**

**The Committee reports to the Assembly as follows:**

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

### **Negative Resolution Instruments**

#### **CLA80 – The General Teaching Council for Wales (Functions) (Amendment) Regulations 2012**

**Procedure:** Negative.

**Date made:** 20 January 2012

**Date laid:** 26 January 2012

**Coming into force date:** in accordance with regulation 1(2)

#### **CLA81 – The General Teaching Council for Wales (Additional Functions) (Amendment) Order 2012**

**Procedure:** Negative.

**Date made:** 20 January 2012

**Date laid:** 26 January 2012

**Coming into force date:** in accordance with regulation 1(2)

#### **CLA82 – The General Teaching Council for Wales (Amendment) Order 2012**

**Procedure:** Negative.

**Date made:** 20 January 2012

**Date laid:** 26 January 2012

**Coming into force date:** in accordance with regulation 1(2)

#### **CLA83 – The General Teaching Council for Wales (Constitution) (Amendment) Regulations 2012**

**Procedure:** Negative.

**Date made:** 20 January 2012

**Date laid:** 26 January 2012

**Coming into force date:** in accordance with regulation 1(2)

## **CLA84 - The General Teaching Council for Wales (Disciplinary Functions) (Amendment) Regulations 2012**

**Procedure:** Negative.

**Date made:** 20 January 2012

**Date laid:** 26 January 2012

**Coming into force date:** in accordance with regulation 1(2)

### **Affirmative Resolution Instruments**

None

### **Instruments that raise reporting issues under Standing Order 21.2 or 21.3**

### **Negative Resolution Instruments**

None

### **Affirmative Resolution Instruments**

None

### **Other Business**

#### **Local Government Byelaws Bill**

The Committee took oral evidence from the Minister for Local Government and Communities Carl Sargeant AM in respect of the Local Government Byelaws Bill.

The Minister agreed to provide further written information about:

- the procedures that would apply in practice to powers under Section 7 that are exercisable concurrently with the Secretary of State;
- the resolution of opposing views, between two Community Councils and between Community Councils and Unitary Authorities, over the need for the creation of new byelaws; and
- the range within which a fixed penalty must fall and whether there should be greater procedural consistency between Orders changing the fixed penalty (affirmative procedure) and Regulations specifying the range of penalties (negative procedure).

### **Committee Correspondence**

## **Supplementary Legislative Consent Memorandum (LCM) relating to the Welfare Reform Bill**

The Committee discussed the report of the Children and Young People Committee on the Supplementary Legislative Consent Memorandum (LCM) relating to the Welfare Reform Bill. The Committee decided to reflect the issues highlighted by this report in its own report on the Inquiry into the Granting of Powers to Welsh Ministers in UK Laws.

## **Welsh Government Guidelines on Choice of Affirmative or Negative Procedure in Subordinate Legislation**

The Committee discussed the Welsh Government Guidelines on Choice of Affirmative or Negative Procedure in Subordinate Legislation sent by the Counsel General to the Chair in a letter dated 24 January 2012. The Committee decided to write to the Counsel General to inform him about the issues highlighted by the discussion.

## **Resolution to Meet in Private**

In accordance with Standing Order 17.42(vi) the Committee resolved to exclude the public from the remainder of the meeting to discuss the evidence on the Local Government Byelaws Bill.

## **David Melding AM**

Chair, Constitutional and Legislative Affairs Committee

**6 February 2012**