

National Assembly for Wales

Constitutional and Legislative Affairs Committee

Statutory Instruments with Clear Reports

7 March 2016

CLA680 - The Commissioner for Older People in Wales (Appointment) (Amendment) Regulations 2016

Procedure: Negative

These Regulations amend the Commissioner for Older People in Wales (Appointment) Regulations 2007 (SI 2007/396) to provide the First Minister with a discretionary power to extend the term of the Older People's Commissioner ("OPC") who is in a first appointment, for a maximum period of two years.

Further, these Regulations also provide that if the First Minister extends the OPC's term, the OPC may not be reappointed for a second term.

CLA681 - The Education (Amendments Relating to the Intervals for Inspection of Education and Training) (Wales) Regulations 2016

Procedure: Negative

These Regulations amend the following Regulations:

- The Inspection of Education and Training (Wales) Regulations 2001;
- The Education (School Inspection) (Wales) Regulations 2006;
- The Inspection of the Careers and Related Services (Wales) Regulations 2006; and
- The Education (Inspection of Nursery Education) (Wales) Regulations 2015.

The effect of the amendments is to enable Estyn to release resource to assist the Welsh Government with implementing the recommendations from the Donaldson review 'Successful Futures'. The Regulations require Her Majesty's Chief Inspector of Education and Training in Wales to inspect at least once within a seven year period beginning on 1 September 2016 and ending on 31 August 2023 and at least once within every subsequent six year period.



CLA685 - The Duty of Letting Agents to Publicise Fees (Exclusion) (Wales) Regulations 2016

Procedure: Negative

These Regulations provide that legal professionals acting in a legal capacity on lettings-related work are not letting agents. Therefore, provisions in the Consumer Rights Act 2015 requiring the display of fees will not apply, unless the legal professionals also carry out other aspects of letting agency work.

CLA692 - The Social Services and Well-being (Wales) Act 2014 (Consequential Amendments) (Secondary Legislation) Regulations 2016

Procedure: Negative

These Regulations provide for the revocation of Wales only secondary legislation and the disapplication in relation to Wales of England and Wales secondary legislation made under any of the provisions of primary legislation that have been repealed as a consequence of the commencement of the Social services and Well-being (Wales) 2014 Act ("the 2014 Act"). They also make consequential and incidental amendments to secondary legislation required as a consequence of the commencement of the 2014 Act together with saving and transitional provisions relating to the provisions of care and support and the continuation of any child practice review undertaken but not completed before the coming into force of the 2014 Act.

CLA693 - The Social Services and Well-being Act 2014 (Consequential Amendments) and Care Planning, Placement and Case Review (Miscellaneous Amendments) (Wales) regulations 2016

Procedure: Negative

These Regulations replace, in relation to Wales, provision formally made under part 3 of the Children Act 1989. The Regulations amend secondary legislation relating to looked after and accommodated children in relation to care planning, placement decisions and case reviews.

CLA694 - The Common Agricultural Policy (Amendment) (No.2) (Wales) Regulations 2016

Procedure: Negative

These Regulations amend the Common Agricultural Policy Basic Payment and Support Schemes (Wales) Regulations 2015 and the Common Agricultural Policy (Integrated Administration and Control System and Enforcement and Cross Compliance) (Wales) Regulations 2014. The changes relate to administrative



aspects of the Basic Payment Scheme and an amendment of the Cross Compliance Regulations to allow farmers to leave a rough surface over winter. The Regulations also revoke the Common Agricultural Policy (Amendment) (Wales) Regulations 2016.

CLA695 - The Higher Education (Fee and Access Plans) (Notices, Procedure and Publication) (Wales) Regulations 2016

Procedure: Negative

These Regulations make provision in respect of notices under sections 37, 38 and 39 of the Higher Education (Wales) Act 2015 and how and when the Higher Education Funding Council for Wales is to comply with its duties under section 40(1) of the 2015 Act.

CLA677 - The Water Resources (Control of Pollution) (Oil Storage) (Wales) Regulations 2016

Procedure: Affirmative

These Regulations require a person with custody or control of oil to comply with certain requirements with regard to storing and handling. They aim to reduce and prevent water pollution.

The main requirements of these Regulations include:

- oil must be stored in containers of sufficient strength
- oil containers must be situated within secondary containment systems
- steps must be taken to prevent leakage/spillage from tanks, pumps and pipes etc.

The Regulations also cover the storing and handling of agricultural fuel oil, thus replacing the current provisions for such oil in the Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (Wales) Regulations 2010.

CLA686 - The Food Hygiene Rating (Promotion of Food Hygiene Rating) (Wales) Regulations 2016

Procedure: Affirmative

These Regulations make provision in relation to the promotion of food hygiene ratings under the Food Hygiene Rating (Wales) Act 2013. They require takeaway food businesses to display a bilingual statement on defined hard copy materials (e.g. menus and leaflets), directing the consumer to the food hygiene ratings website and encouraging the consumer to ask the food business for their rating. The Regulations also make provision for the voluntary use of food hygiene rating images and prescribing their format including the creation of offences and enforcement powers.



CLA687 - Welsh Language (Wales) Measure 2011 (amendment of Schedule 6) (No 2) Order 2016

Procedure: Affirmative

This Order updates, by the insertion of new organisations, Schedule 6 of the Welsh Language (Wales) Measure 2011 so enabling the Welsh Ministers (by separate regulations) to make Welsh Language Standards in respect of these organisations and authorising the Welsh Language Commissioner to require those organisation to comply with standards.

CLA689 - The Welsh Language Standards (No.4) Regulations 2016

Procedure: Affirmative

These Regulations specify standards in relation to the conduct of the bodies listed in Schedule 6 to the Regulations. The listed bodies are:

- Agricultural Land Tribunal;
- Education Workforce Council;
- the Mental Health Review Tribunal for Wales;
- the Residential Property Tribunal Wales;
- the Special Educational Needs Tribunal for Wales;
- Valuation Tribunal for Wales.

CLA690 - The Welsh Language Standards (No 5) Regulations 2016

Procedure: Affirmative

These Regulations specify standards in relation to the conduct of the bodies listed in Schedule 6 to the Regulations. The bodies are:

- the chief constables of the police forces that operate in Wales (the British Transport Police, the Civil Nuclear Constabulary, Dyfed-Powys Police, Gwent Police, North Wales Police and South Wales Police);
- the British Transport Police Authority;
- the Civil Nuclear Police Authority;
- the Police and Crime Commissioners for Dyfed-Powys, Gwent, North Wales and South Wales;
- the Independent Police Complaints Commission;



– the Fire and Rescue Authorities that operate in Wales (Mid and West Wales FRA, North Wales FRA and South Wales FRA).

CLA691 - Welsh Language (Wales) Measure 2011 (Consequential Provisions) Order 2016

Procedure: Affirmative

This Order amends the Government of Wales Act 2006 to remove the duties of the Welsh Ministers in relation to their Welsh Language Scheme. As 31 March 2016, the Welsh Ministers will be required to comply with Welsh Language Standards.

