

**Second Assembly Plenary Meeting (147)
Votes and Proceedings for Tuesday, 28th June 2005**

The meeting commenced at 2.00pm

Motion to suspend Standing Orders

NDM 2510 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales in accordance with Standing Order 37.5:

1. Suspends Standing Order 6.13, and
2. Suspends that part of Standing Order 5.4 that requires the weekly Business Statement to constitute the agreed timetable for Assembly business for the following week to allow:

NNDM2507 for the establishment of the Committee on the Better Governance for Wales White Paper;

NNDM2508 for the election of Members to the Committee; and

NNDM2509 proposing changes to Standing Orders in relation to the proposed Committee;

to be considered in Plenary on Tuesday 28 June.

3. Suspends Standing Order 6.14 to allow any amendments in relation to NNDM2507 and NNDM2509, tabled before 5.00pm on Monday 27 June 2005, to be considered in Plenary on Tuesday 28 June 2005.

A vote was taken on the motion:

For 31; Abstain 0; Against 0; Total 31

The motion was carried

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Establishment of the Committee on the Better Governance for Wales White Paper

NNDM2507 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly, in accordance with Standing Order 8.1:

1. Establishes an Advisory Committee to consider "Better Governance for Wales" (Cm 6582) so far as it relates to

the proposed new structure of the Assembly and its proposed legislative powers;

2. The title of the committee shall be the Committee on the Better Governance for Wales White Paper;

3. Membership of the Committee shall comprise seven Assembly Members, three from the Labour Party, one each from Plaid Cymru, the Welsh Conservative Party and the Welsh Liberal Democrat Party and the Presiding Officer who shall chair the Committee;

4. The terms of reference for the Committee on the Better Governance for Wales White Paper will be to:

i) Consider the proposals set out in the White Paper so far as they relate to the proposed new structure of the Assembly and its proposed legislative powers; and

ii) Take evidence from organisations and individuals with a direct interest in the proposed new structure of the Assembly and its proposed legislative powers.

5. The committee shall report to the National Assembly not later than 19 September 2005, and shall then cease to exist on 19 September 2005.

'Better Governance for Wales' can be accessed on the following hyperlink:

http://www.walesoffice.gov.uk/2005/better_governance_for_wales_report.pdf

http://www.swyddfa.cymru.gov.uk/2005/trefn_lywodraethu_well_i_gymru.pdf

A vote was taken on the motion:

For 34; Abstain 0; Against 0; Total 34

The motion was carried

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2.01pm

Election of Members to the Committee on the Better Governance for Wales White Paper

NNDM2508 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly, acting under Standing Order 8.4, elects the following Members to the Committee on the Better Governance for Wales White Paper:

Dafydd Elis-Thomas (Presiding Officer)

Jane Hutt (Labour)

Lorraine Barrett (Labour)

Carl Sargeant (Labour)

Jocelyn Davies (Plaid Cymru)

David Melding (Conservative)

Kirsty Williams (Liberal Democrat)

and elects the Presiding Officer to be the Chair of the Committee.

A vote was taken on the motion:

For 39; Abstain 0; Against 0; Total 39

The motion was carried

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Revisions to Standing Orders

NNDM2509 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly, in accordance with Standing Orders 37.1 and 37.4:

1. Considers the report of the Business Committee to revise Standing Orders, laid in the Table office and e-mailed to Assembly Members on 23 June 2005;
2. Agrees to revise Standing Orders as set out in the Business Committee report; and
3. Agrees that these Standing Order revisions shall cease to have effect on 30 October 2005.

A vote was taken on the motion:

For 43; Abstain 0; Against 0; Total 43

The motion was carried

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2.02pm

First Minister's Question Time

The first 10 questions were answered. Questions 9+10 were grouped together for answer.

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2.47pm

Business Statement

The business statement was agreed

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2.56pm

Statement by the Minister for Culture, Welsh Language and Sport: Wales Millennium Centre

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3.34pm

This item was not subject to debate and proceeded to a vote immediately

Motion to approve under Standing Orders 24.25, 25.13 & 25.14: The NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG) Regulations 2005

NDM2500 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales, acting under Standing Order 24.25, 25.13 & 25.14:

1. Approves the draft NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG) Regulations 2005 a copy of which was laid in Table Office and e-mailed to Assembly Members on 21 June 2005; and
2. Notes the Explanatory Memorandum for this Order laid in Table Office and e-mailed to Assembly members on 21 June 2005.

A vote was taken on the motion:

For 43; Abstain 0; Against 0; Total 43

The motion was carried

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This item was not subject to debate and proceeded to a vote immediately

Motion to approve under Standing Orders 24.25, 25.13 & 25.14: The NHS Business Services Authority (Awdurdod Gwasanaethau Busnes I GIG) (Establishment and Constitution) Order 2005

NDM2499 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales, acting under Standing Order 24.25, 25.13 & 25.14:

1. Approves the draft NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG) (Establishment and Constitution) Order 2005 a copy of which was laid in Table Office and e-mailed to Assembly Members on 21 June 2005; and
2. Notes the Explanatory Memorandum for this Order laid in the Table Office and e-mailed to Assembly members on 21 June 2005.

A vote was taken on the motion:

For 49; Abstain 0; Against 0; Total 49

The motion was carried

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3.35pm

This item was not subject to debate and proceeded to a vote immediately

Motion to approve under Standing Orders 24.25, 25.13 & 25.14: The NHS Blood and Transplant (Gwaed a Thrawsblaniadau`r GIG) Regulations 2005

NDM2501 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales, acting under Standing Order 24.25, 25.13 & 25.14:

1. Approves the draft NHS Blood and Transplant (Gwaed a Thrawsblaniadau'r GIG) Regulations 2005 a copy of which was laid in Table Office and e-mailed to Assembly Members on 21 June 2005; and
2. Notes the Explanatory Memorandum for this Order laid in the Table Office and e-mailed to Assembly members on 21 June 2005.

A vote was taken on the motion:

For 49; Abstain 0; Against 0; Total 49

The motion was carried

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3.36pm

This item was not subject to debate and proceeded to a vote immediately

Motion to approve under 24.25, 25.13 & 25.14: The NHS Blood and Transplant (Gwaed a Thrawsblaniadau`r GIG) (Establishment and Constitution)Order 2005

NDM2502 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales, acting under Standing Order 24.25, 25.13 & 25.14:

1. Approves the draft NHS Blood and Transplant (Gwaed a Thrawsblaniadau'r GIG) (Establishment and Constitution) Order 2005 a copy of which was laid in Table Office and e-mailed to Assembly Members on 21 June 2005; and
2. Notes the Explanatory Memorandum for this Order laid in the Table Office and e-mailed to Assembly members on 21 June 2005.

A vote was taken on the motion:

For 48; Abstain 0; Against 0; Total 48

The motion was carried

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This item was not subject to debate and proceeded to a vote immediately

Motion to approve under Standing Orders 24.25, 25.13 & 25.14: The Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff) (England and Wales) (Amendment) (No2) Regulations 2005

NDM2503 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales, acting under Standing Order 24.25, 25.13 & 25.14:

1. Approves the draft Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff) (England and Wales) (Amendment) (No 2) Regulations 2005 a copy of which was laid in Table Office and e-mailed to Assembly Members on 21 June 2005; and
2. Notes the Explanatory Memorandum for this Order laid in the Table Office and e-mailed to Assembly members on 21 June 2005

A vote was taken on the motion:

For 49; Abstain 0; Against 0; Total 49

The motion was carried

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This item was not subject to debate and proceeded to a vote immediately

Motion to approve under Standing Order 24.25

NDM2496 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales, acting under Standing Order 24.25:

1. a) Considers the report of the Legislation Committee laid in the Table Office and e-mailed to Assembly Members on 21 June 2005 on the draft Individual Learning Accounts Wales (Amendment) Regulations 2005;and
 - b) Approves that the draft Individual Learning Accounts Wales (Amendment) Regulations 2005 are made in accordance with:
 - i) the draft regulations laid in the Table Office on 7 June 2005; and
 - ii) the regulatory appraisal laid in the Table Office on 14 June 2005; and
 - iii) the Memorandum of Corrections laid in the Table Office and e-mailed to Assembly Members on 21 June 2005.
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2. a) Considers the report of the Legislation Committee laid in the Table Office and e-mailed to Assembly Members on 21 June 2005 on the draft National Health Service (Travelling Expenses and Remission of Charges) (Amendment) (Wales) Regulations 2005; and
 - b) Approves that the draft National Health Service (Travelling Expenses and Remission of Charges (Amendment)

(Wales) Regulations 2005 are made in accordance with:

- i) the draft regulations laid in the Table Office on 14 June 2005; and
- ii) the regulatory appraisal laid in the Table Office on 17 June 2005; and
- iii) the Memorandum of Corrections laid in the Table Office and e-mailed to Assembly Members on 21 June 2005.

3. a) Considers the report of the Legislation Committee laid in the Table Office and e-mailed to Assembly Members on 21 June 2005 on the draft Street Works (Sharing of Costs of Works) (Wales) Regulations 2005 and

b) Approves that the draft Street Works (Sharing of Costs of Works) (Wales) Regulations 2005 are made in accordance with:

- i) the draft regulations laid in the Table Office on 14 June 2005; and
- ii) the regulatory appraisal laid in the Table Office on 17 June 2005; and
- iii) the Memorandum of Corrections laid in the Table Office and e-mailed to Assembly Members on 21 June 2005.

A vote was taken on the motion:

For 49; Abstain 0; Against 0; Total 49

The motion was carried

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3.37pm

Motion to approve The Scallop Fishing (Wales) Order 2005

NDM2498 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales:

Considers the principle of the Scallop Fishing (Wales) Order 2005 a copy of which was laid in Table Office on 7 June 2005.

A vote was taken on the principle of the Order

For 48; Abstain 0; Against 0; Total 48

The principle of the order was approved

NDM2497 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales:

1. Considers the report of the Legislation Committee laid in the Table Office and e-mailed to Assembly Members on 21 June 2005 in relation to the draft Scallop Fishing (Wales) Order 2005; and

2. Approves that the Scallop Fishing (Wales) Order 2005 is made in accordance with:

- a) the draft laid in the Table Office on 7 June 2005; and
- b) the Regulatory Appraisal laid in the Table Office on 17 June 2005; and
- c) the Memorandum of Corrections laid in the Table Office and e-mailed to Assembly Members on 21 June 2005.

A vote was taken on the Order

For 48; Abstain 0; Against 0; Total 48

The Order was approved

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3.40pm

Motion to approve the Civil Contingencies Act 2004 (Contingency Planning) Regulations 2005 under Standing Order 26.

NDM2504 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales, acting under Standing Order 26, agrees that the Secretary of State makes The Civil Contingencies Act 2004 (Contingency Planning) Regulations 2005, which was laid in Table Office and e-mailed to Assembly members on 21 June 2005.

The applicability of the Order in Wales is subject to the consent of the National Assembly for Wales.

The Explanatory Memorandum was laid in the Table Office and e-mailed to Assembly Members on 21 June 2005.

A vote was taken on the motion:

For 48; Abstain 0; Against 0; Total 48

The motion was carried

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3.49pm

Motion to delegate functions under The Greenhouse Gas Emissions Trading Scheme Regulations 2005 to the First Minister

NDM2493 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales, acting under section 62 (1) (b) of the Government of Wales Act 1998, resolves to delegate all functions of the National Assembly contained in or under the Greenhouse Gas Emissions Trading Scheme Regulations 2005 to the Assembly First Minister, save those which by law cannot be so delegated:

Nothing in the motion will have the effect of reducing the pre-eminence of the authority of the full Assembly or of reducing the role of the Assembly Committees in the exercise of the above functions.

This delegation will be made in the knowledge that those functions will, as appropriate, be further delegated to the appropriate Assembly Minister and to staff.

A vote was taken on the motion:

For 50; Abstain 0; Against 0; Total 50

The motion was carried

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The Deputy Presiding Officer took the chair

3.53pm

Welsh Conservative Party nominated debate

NDM2494 David Melding (South Wales Central)

Instructs the Welsh Assembly Government to drop its plans to transfer the staff responsible for delivering agri-environment schemes, particularly Tir Gofal, from the Countryside Council for Wales into the direct employment of the National Assembly for Wales.

The following amendments were tabled:

Amendment 1 - Jocelyn Davies (South Wales East)

Delete all after "Government" and insert:

"to undertake a thorough review of all public bodies in the environmental field and seek primary powers if necessary to create a coherent system with one advisory, regulatory body including functions currently carried out by the Environment Agency in Wales and the Countryside Council for Wales, bringing all executive functions under direct democratic control."

A vote was taken:

Amendment 1

For 38; Abstain 0; Against 16; Total 54

Amendment 1 was carried

Amendment 2 - Kirsty Williams (Brecon and Radnorshire)

Add new point at end of motion

Regrets the Minister's inability to spend modulated receipts as they are drawn down.

Amendment 2

For 25; Abstain 0; Against 29; Total 54

Amendment 2 was defeated

Amendment 3 - Kirsty Williams (Brecon and Radnorshire)

Add new point at end of motion

Regrets the cuts in Tir Gofal rates and urges their reversal.

Amendment 3

For 25; Abstain 0; Against 29; Total 54

Amendment 3 was defeated

A vote was taken on the motion, as amended,

Instructs the Welsh Assembly Government to undertake a thorough review of all public bodies in the environmental field and seek primary powers if necessary to create a coherent system with one advisory, regulatory body including functions currently carried out by the Environment Agency in Wales and the Countryside Council for Wales, bringing all executive functions under direct democratic control

For 10; Abstain 0; Against 45; Total 55

The motion, as amended, was defeated

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4.41pm

Motion to approve the Periodic Timetable Statement

NDM2495 Jane Hutt (Vale of Glamorgan)

That the National Assembly for Wales acting under standing order 5.1, notes the proposed 4-month timetable of Assembly Business e-mailed to Assembly Members on 21 June 2005.

A vote was taken on the motion:

For 45; Abstain 9; Against 0; Total 54

The motion was carried

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The meeting concluded at 4.44pm

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The Assembly will sit again in Plenary at 2.00pm

on Wednesday, 29th June 2005

E P Silk

Clerk to the Assembly

DOCUMENTS LAID SINCE THE ASSEMBLY LAST MET

Documents Laid on 23 June 2005

- The Higher Education Act 2004 (Commencement No.2 and Transitional Provision) (Wales) Order 2005 - LD3874
- The Welsh Assembly Government's response to the report of the National Assembly Audit Committee's report on NHS Waiting Times in Wales: Committee Report (2) 03-05 - LD3875