

# Forward Look

Relevant supporting documents can be found under "Assembly Business", "Documents Laid" which are usually posted 5 working days ahead of the relevant session.

[Notified by the Business Minister in a statement to the Assembly on Tuesday, 30 January 2007.]

## Determinations

Following the meeting of the Business Committee held on 30 January 2007 the Deputy Presiding Officer determined, in accordance with Standing Order 24.6 that the following items of legislation need not be referred to a subject committee for extended consideration:

- Approval of Code of Practice (Private Retirement Housing) (Wales) Order 2007
- Children and Adoption Act 2006 (Commencement No. 1) (Wales) Order 2007
- The Commons (Severance of Rights) (Wales) Order 2007
- Council Tax (Additional Provisions for Discount Disregards) (Amendment) (Wales) Regulations 2007
- The Council Tax (Administration and Enforcement) (Amendment) (Wales) Regulations 2007

- The Council Tax (Discount Disregards) (Amendment) (Wales) Order 2007
- The Home Energy Efficiency Schemes (Wales) Regulations 2007 -
- The Products of Animal Origin (Third Country Imports) (Wales) Regulations 2007
- The Colours in Food (Amendment) (Wales) Regulations 2007
- The Quick-frozen Foodstuffs (Wales) Regulations 2007

### **Draft Business Statement**

**Tuesday 6 February & Wednesday 7 February 2007**

**Tuesday 13 February & Wednesday 14 February 2007**

*Half term Recess 19- 23 February 2007*

**Tuesday 27 February & Wednesday 28 February 2007**

**Tuesday 6 February 2007**

- **Questions to the First Minister (45 mins)**
- **Business Statement (10 mins)**
- **Motion to approve under Standing Order 24.25 (1 min)**

Ø **The Children's Commissioner For Wales (Amendment) Regulations 2007**

These Regulations amend and add a new regulation to the Children's Commissioner for Wales Regulations 2001, enabling the Commissioner to make joint reports with the new Commissioner for Older People in Wales where both act in relation to the same matter. The proposed Commissioner for Older People in Wales Regulations 2007 contain a similar clause. The Regulations also amend the definition of "First Minister" in line with the Government of Wales Act 2006.

- **Motion to approve The Highways Act 1980 (Gating Orders) (Wales) Regulations 2007 (15 mins)**

These Regulations prescribe procedural and other requirements that local authorities must comply with in relation to the making of gating Orders under the Highways Act 1980. On the date on which the Regulations come into force, the provisions of the Clean Neighbourhoods and Environment Act 2005, which insert the new gating order provisions into the Highways Act 1980, also come into force. The substantive provision of the 1980 Act enable local authorities to restrict the public right of way over certain highways (by means of a physical barrier where appropriate), which facilitate crime or anti-social behaviour. The provisions inserted into the 1980 Act suspend rights and allow for variation and revocation of Orders when circumstances change or improve.

## **Proposal to debate the following 3 items together but with separate votes (15 mins)**

- **Motion to approve The Housing Act 2004 (Commencement No. 4) (Wales) Order 2007**

This Order will commence the provisions in the Housing Act 2004, which relate to Tenancy Deposit Schemes. Section 212 of the Act states that “The appropriate national authority must make arrangements for securing that one or more tenancy deposit schemes are available for the purpose of safeguarding tenancy deposits paid in connection with shorthold tenancies”. The schemes will cover Wales and England and will consist of a single custodial scheme and one or more insurance based schemes. A landlord who lets a property on a shorthold tenancy, and takes a deposit, will be required by section 213 of the Act to safeguard the deposit with an approved scheme. Sections 214 and 215 contain provisions relating to court proceedings and sanctions for non-compliance. The Order will commence the above requirement to make arrangements for tenancy deposit schemes and will come into force on 6 April 2007 in both countries.

- **Motion to approve The Housing (Tenancy Deposits) (Prescribed Information) Order 2007 under Standing Order 25 section 3**

This Order prescribes the information that must be passed to the tenant relating to the tenancy deposit scheme applying to the deposit, to compliance by the landlord of any initial requirements imposed on him by the scheme and to the operation of the provisions contained in sections 212-215 and Schedule 10 of the Housing Act 2004.

- **Motion to approve The Housing (Tenancy Deposits) (Specified Interest Rate) Order 2007 under Standing Order 25 section 3**

This Order specifies the interest rate at which deposits will be returned. The rate has been set at Bank of England Base Rate less 2.32%. This rate has been calculated based on bid metrics submitted by the scheme providers.

## **Motion to approve the following 4 items together but with separate votes (15 mins)**

- **Motion to approve The Placement of Children (Wales) Regulations 2007**

These Regulations revoke and replace The Arrangements for Placement of Children (General) Regulations 1991, introducing new Wales-only Regulations. These Regulations are interrelated with amendments made to three other sets of Regulations, namely: The Children's Homes (Wales) (Miscellaneous Amendments) Regulations 2007, The Review of Children's Cases (Wales) Regulations 2007 and The Local Health Boards (Functions) (Wales) (Amendment) Regulations 2007 and they should be considered as a package to be issued alongside statutory guidance under the Children Act 2004.

The Regulations strengthen local authorities' arrangements for the placement of children, to take particular account of the child's health and educational needs and in particular any mental health or special educational needs. They extend the role of the Independent Reviewing Officer (IRO), introducing a greater level of scrutiny to the placement and review process. This includes ensuring that Panels convened to consider out of area placements operate in accordance with statutory requirements, that notifications of placements, arrangements for health assessments, registration with a GP and access to a dentist have taken place in accordance with statutory timescales, that the child's health and education records have been transferred when a child moves placement and that any identified mental health needs are being met.

- **Motion to approve The Review Of Children's Cases (Wales) Regulations 2007**

These Regulations revoke the Review of Cases Regulations 1991, in relation to Wales, introducing new Wales-only Regulations. These Regulations are inter-related with three other sets of Regulations namely: The Placement of Children (Wales) Regulations 2007, The Children's Homes (Wales) (Miscellaneous Amendments) Regulations 2007; and The Local Health Boards (Functions) (Wales) (Amendment) Regulations 2007. They should be considered as a package to be issued alongside statutory guidance under the Children Act 2004.

Changes in the Regulations introduce a new level of scrutiny by the Independent Reviewing Officer to ensure that new requirements imposed by The Placement of Children (Wales) Regulations 2007 are fully met. These include: ensuring that procedures relating to the Panel for out of authority placements are adhered to; that the child has access to a dentist; and where the child is placed in a children's home, the link worker designated by the children's home to promote the child's health, education and wellbeing is involved in the child's review.

- **Motion to approve The Children's Homes (Wales) (Miscellaneous Amendments) Regulations 2007**

These Regulations amend the Children's Homes (Wales) Regulations 2002. Amendments made to these Regulations are inter-related with amendments made to three other sets of Regulations namely: The Review of Children's Cases (Wales) Regulations 2007; The Placement of Children (Wales) Regulations 2007; and The Local Health Boards (Functions) (Wales) (Amendment) Regulations 2007 and they should be considered as a package to be issued alongside statutory guidance under the Children Act 2004.

These Regulations require managers and staff of children's homes to register with the Care Council for Wales (the Council) and to hold a relevant qualification by a specified date. In addition, children's homes are required to have a designated person (a link worker) to promote the health, education and wellbeing of children in liaison with education and health professionals.

The Regulations also make provisions for children's homes to have minimum numbers of qualified staff, minimum numbers of permanent staff and to ensure that children have access to a dentist. The Regulations also make minor corrections to the principal Regulations.

- **Motion to approve The Local Health Boards (Functions) (Wales) (Amendment) Regulations 2007**

These Regulations amend the Local Health Boards (Functions) (Wales) Regulations 2003. These Regulations are inter-related with amendments to three other sets of Regulations, namely: The Review of Children's Cases (Wales) Regulations 2007; The Placement of

Children (Wales) Regulations 2007; and The Children's Homes (Wales) (Miscellaneous Amendments) Regulations 2007. They should be considered as a package to be issued alongside statutory guidance under the Children Act 2004.

These Regulations maintain the Local Health Board's responsibility for resourcing secondary health care services for children who come from the area but are then placed outside their home area. This includes: looked after children; sick children in independent hospitals; and children with a statement of special educational needs up to the age of 21 years. These duties will extend to children placed in England. Parallel provisions are being made by the Department of Health to require Primary Care Trusts in England to resource secondary health provision for children placed across the border in Wales.

- **Motion to approve the UK Government's General Guidance to the Office of Rail Regulation (10 mins)**
- **Plaid Cymru nominated debate (45 mins)**
- **Debate on the Culture, Welsh Language and Sport Committee's Report : Review of Football (60 mins)**

**Wednesday 7 February 2007**

- **Finance Questions to Sue Essex, Minister for Finance, Local Government & Public services (30 mins)**

- **Questions to Carwyn Jones, Minister for Environment, Planning & Countryside (30 mins)**
- **Motion to approve the Local Government Finance Report (Police) 2007-08 (15 mins)**
- **Debate on the proposed new Standing Orders (60 mins)**
- **Debate on the Social Justice and Regeneration Committee`s Review of Youth Homelessness (60 mins)**
- **Short Debate (30 mins)**

**Tuesday 13 February 2007**

- **Questions to the First Minister (45 mins)**
- **Business Statement (10 mins)**
- **Motion to approve under Standing Order 24.25(1 min)**

Ø **The Accounts And Audit (Wales) (Amendment) Regulations 2007**

These Regulations amend the Account and Audit (Wales) (Amendment) Regulations 2005 to take account of a significant change in accounting terms for the year ending 31 March 2007. This will require local authorities to complete different accounting statements and is already



reflected in the Statement of Recommended Practice: Code of Practice on Local Authority Accounting in the United Kingdom (SORP) published on 15 June 2006. The SORP prescribes the accounting treatment and disclosures for all normal transactions of a local authority and sets out the proper accounting practices required for the Statements of Accounts, by section 21(2) of the Local Government Act 2003. The changes include the replacement of the Consolidated Revenue Account with an Income and Expenditure Account, the Statement of Total Recognised Gains and Losses replaces the Statement of Total Movement of Reserves and a Balance Sheet will replace the Consolidated Balance Sheet.

The amendment to the 2005 Regulations will ensure that they compliment SORP when authorities come to complete annual accounts at the end of the financial year.

#### **Ø The Food Hygiene (Wales) (Amendment) Regulations 2007**

These Regulations amend the Food Hygiene (Wales) Regulations 2006 by updating the definitions of certain Community Instruments that are referred to in those Regulations. This provides enforcement powers in respect of the EU Food Hygiene Regulations and associated pieces of implementing and transitional legislation.

#### **Ø The Products Of Animal Origin (Third Country Imports) (Wales) Regulations 2007**

These Regulations implement Council Directive 97/78/EC (laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries). They require that products of animal origin for import from third countries, to which Council Directive 97/78/EC applies, must be presented to an approved Border Inspection Post for veterinary examination to ensure that the product complies with the relevant import requirement.

Regulations implementing this Directive were first introduced in 2002 and have been updated regularly, primarily to include Commission Decisions amending Community import requirements. These Regulations revoke and re-enact with changes The Products of Animal Origin (Third Country Imports) (Wales) Regulations 2005.

## Ø **The Quick-Frozen Foodstuffs (Wales) Regulations 2007**

These Regulations provide for the administration and enforcement provisions of Commission Regulation 37/2005 on the monitoring of temperatures in the means of transport, warehousing and storage of Quick-Frozen Foodstuffs (QFF) intended for human consumption. QFF means a product comprising food, which has undergone a freezing process known as “quick freezing”. This is where the zone of maximum crystallisation is crossed as rapidly as possible, depending on the type of product, and which is labelled for the purpose of sale to indicate that it has undergone that process, some examples of Quick Frozen foodstuffs include peas and oven-ready chips. However, this does not include ice-cream or any other edible ice.

- **Motion to Approve The Agricultural Wages Committee (Wales) Order 2007 (15 mins)**  
This Order will reduce the number of Agricultural Wages Committees (AWCs) and Agricultural Dwelling House Advisory Committees (ADHACs) from six, per organisation, to one. In addition, it amends The Agricultural Wages Committees (Areas) Order 1974.

- **Motion to Approve The National Assembly For Wales (Date Of First Meeting Of The Assembly Constituted By The Government Of Wales Act 2006) Order 2007 (15 mins)**

This Order specifies the date of the first meeting of the National Assembly for Wales constituted under the Government of Wales Act 2006, following the Assembly elections in May 2007.

- **Motion to approve The Home Energy Efficiency Schemes (Wales) Regulations 2007 (15 mins)**

These Regulations revoke and re-enact with amendments The Home Energy Efficiency Schemes (Wales) Regulations 2000. They enable the Home Energy Efficiency Schemes (HEES) in Wales to be updated by extending the measures available (e.g. to introduce coal central heating into the Scheme) and to extend the client groups who qualify to receive assistance under the Scheme.

- **Slot reserved for subordinate legislation (35 mins)**
- **Welsh Conservative party nominated debate (45 mins)**
- **Debate on the Annual Report of the Health Service Commissioner for Wales (30 mins)**

**Wednesday 14 February 2007**

- **Motion to elect a member to the Local Government Partnership Council ( 1 min)**
- **Questions to Brian Gibbons ,Minister for Health and Social Services (30 mins)**
- **Questions to Alun Pugh, Minister for Culture, Welsh Language and Sport (30 mins)**
- **Questions to the House Committee (5 mins)**
- **Proposal to debate the following 2 items together but with separate votes (15 mins)**
  - **Motion to approve The Commissioner For Older People In Wales (Appointment) Regulations 2007**

These Regulations set out the arrangements for the appointment and term of office of the Commissioner and the grounds on which he or she could be removed from office early. They also stipulate that the views of older people must be taken into account in the appointment process.

- **Motion to approve The Commissioner For Older People In Wales Regulations 2007**

These Regulations give the Commissioner power to examine the cases of particular older people in Wales and the power to give assistance, including financial assistance, to an older person in making a complaint or representation to, or about, certain bodies in Wales. They also set out the arrangements to be made by the Commissioner regarding his or her relationship with older people in Wales and the arrangements to apply to the Commissioner's reports.

**Proposal to debate the following 2 items together but with separate votes (15 mins)**

- **Motion to approve The Local Authorities (Alternative Arrangements) (Wales) Regulations 2007**

These Regulations specify, which local authority functions must not be, need not be, or are not solely to be board functions (or executive functions for authorities operating executive arrangements). They also introduce amendments to the functions of local authorities, specifically those operating alternative arrangements. These Regulations consolidate the Regulations previously made by replacing and revoking The Local Authorities (Alternative Arrangements) (Wales) Regulations 2001 as amended. They will allow for the better allocation of responsibilities and greater flexibility for local government. The consolidation of such technical regulations will provide local authorities with a more user-friendly reference document.

These Regulations will be made in tandem with the associated Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007, which introduce amendments to the functions of local authorities operating executive arrangements.

- **Motion to approve The Local Authorities (Executive Arrangements) (Functions And Responsibilities) (Wales) Regulations 2007**

These Regulations specify, which local authority functions must not be, need not be, or are not solely to be executive functions (or board functions for authorities operating alternative arrangements). They also introduce amendments to the functions of local authorities, specifically those operating executive arrangements. These Regulations consolidate the Regulations previously made by replacing and revoking The Local Authorities Executive Arrangements (Functions and Responsibilities) (Wales) Regulations 2001, as amended. They allow for the better allocation of responsibilities and greater flexibility for local government. The consolidation of such technical Regulations will provide local authorities with a more user-friendly reference document.

These Regulations will be made in tandem with the associated Local Authorities (Alternative Arrangements) (Wales) Regulations 2007, which introduce amendments to the functions of local authorities operating alternative arrangements.

- **Slot reserved for subordinate legislation (45 mins)**

- **Motion to approve The Social services Inspectorate for Wales performance management Development Fund Grant for 2007- 08 (10 mins)**

- **Motion to delegate functions under The Disability Discrimination Act 1995 to the First Minister (15 mins)**

- **Motion to delegate functions under The National Assembly for Wales (Transfer of Functions) Order 2006 to the First Minister (15 mins)**

- **Short debate (30 mins)**

## **Tuesday 27 February 2007**

- **Questions to the First Minister (45 mins)**
- **Business Statement (10 mins)**
- **Statement by Jane Hutt, Minister with responsibility for Equality of Opportunity: Response of the Welsh Assembly Government to the Equality of Opportunity Committee's Review: Service Provision for Disabled Young People (30 mins)**

The Report was debated in Plenary on 16 January 2007.

## **Motion to approve under Standing Order 24.25 (1 min**

### **Ø The Commons (Severance Of Rights) (Wales) Order 2007**

This Order sets out the temporary exceptions to the prohibition imposed by the Commons Act 2006 on the severance of commons rights from the land to which they are attached.

### **Ø The Colours In Food (Amendment) (Wales) Regulations 2007**

These Regulations will amend the Colours in Food Regulations 1995 in Wales to implement Commission Directive 2006/33/EC, the fourth amendment to Directive 95/45/EC, which lays down specific purity criteria (specifications) for colours for the use in foodstuffs throughout the EU.

The aim of the Directive is to amend the purity criteria for two colours: Sunset Yellow FCF (E110) and titanium dioxide (E 171). Sunset Yellow FCF is a colourant that may be added to foods to induce a colour change. It is a synthetic coal tar and azo dye useful in fermented foods that must be heated. It is denoted by E number E110, and has the capacity for inducing an allergic reaction. Sunset Yellow FCF may be found in orange squash and soft drinks, marzipan, Swiss roll, apricot jam, sweets, packet soups and some sauce mix. Titanium Dioxide is a natural white mineral that is denoted by E number E171. It is most commonly used as a white food dye, and can be found in tablets and capsules, cottage and Mozzarella cheese, toothpaste and also in sweets, where it is often used to provide a barrier between different colours.

**Proposal to debate the following 3 items together but with separate votes (15 mins)**

- **Motion to approve The Council Tax (Additional Provisions For Discount Disregards) (Amendment) (Wales) Regulations 2007**

In setting the council tax bill for a property there is an assumption that two or more adults are in residence. If there is only one resident then a discount will apply. Certain care workers who provide care or support through a connection with the Crown, a charity or a local authority are not taken into account when looking at the number of adults resident in a dwelling to determine whether a discount should apply. Currently, such carers must not earn more than £36 per week to qualify to be disregarded. These Regulations will increase that limit in line with inflation to £44.

- **Motion to approve The Council Tax (Administration And Enforcement) (Amendment) (Wales) Regulations 2007**

This Instrument will amend existing Regulations relating to the financial thresholds that apply in setting the amount of deductions from earnings when applying an Attachment of Earnings Order to recover unpaid council tax. Once a liability order has been granted, billing authorities can instruct employers to recover unpaid council tax directly from an employee's wages. The amount that employers should deduct from an employee's wages under an Attachment of Earnings Order (AEO) is set out in Regulations and depends on the level of the employee's net earnings. These Regulations will increase the earnings limits in line with the increase in the Average Earnings Index.

- **Motion to approve The Council Tax (Discount Disregards) (Amendment) (Wales) Order 2007**

In setting the council tax bill for a property there is an assumption that two or more adults are in residence. If there is only one resident then a discount will apply. Apprentices are not taken into account when looking at the number of adults resident in a dwelling to determine whether a discount should apply. Currently, an apprentice must not earn more than £160 per week to qualify to be disregarded, and must be earning substantially less than they would be likely to receive had he/she achieved the qualification in question. This Order will increase the earnings limit in line with inflation to £195 per week and remove the requirement to be earning substantially less than their expected future salary. It will also make clear that allowances should be included with salary when assessing an apprentice's earnings.

This Order will also change the definitions of 'prescribed educational establishments', 'further education' and 'foreign language assistants' so that they take account of amendments made by subsequent legislation made since The Council Tax (Discount Disregards) Order 1992 (the 1992 Order). A further amendment includes reference to the National Assembly for Wales as the body that accredits qualifications in Wales with the Qualifications and Curriculum Authority that accredits qualifications in England.

- **Motion to approve The Code Of Practice (Private Retirement Housing) (Wales) Order 2007 15 mins)**

The Order gives approval (with the exception of appendices 4-6) to the Association of Retirement Housing Managers' (ARHM) Code of Practice with regard to the management of private retirement homes. The Code sets out what is regarded as best practice for management in the residential private retirement sector, as well as highlighting any legislative requirements that managers need to comply with.



Appendices 4 to 6 of the Code have not been approved as they are not relevant for the purposes of section 87 of the Leasehold Reform, Housing and Urban Development Act 1993.

- **Slot reserved for subordinate legislation (50 mins)**
- **Welsh Liberal Democrat nominated debate (45 mins)**

**Wednesday 28 February 2007**

- **Local Government Questions to Sue Essex, Minister for Finance, Local Government & Public Services (30 mins)**
- **Questions to Jane Davidson, Minister for Education, Lifelong Learning & Skills (30 mins)**
- **Slot reserved for subordinate legislation (15 mins)**
- **Motion to delegate functions under The Children and Adoption Act 2006 to the First Minister (15 mins)**
- **Debate on the Health and Social Services Committee`s Report on The Mental Health Bill (60 mins).**

- **Short debate postponed from 17 January 2007 (30 mins)**

**NDM3398 Sandy Mewies (Delyn): "Looking After the Pennies" - Why financial literacy matters.**

- **Short debate (30 mins)**