

## **Constitutional Affairs Committee**

**Report: CA(3)-06-11 : 10 March 2011**

This meeting can be viewed on Senedd TV at:  
<http://www.senedd.tv/archiveplayer.jsf>

**Time: 9.30 am**

**Venue: Committee Room 4, Ty Hywel**

### **Assembly Members in attendance**

Janet Ryder, North Wales (Chair)

Alun Davies, Mid and West Wales

William Graham, South Wales East

### **Apologies.**

Apologies were received from Rhodri Morgan AM and Kirsty Williams AM. There were no substitutions.

The Committee reports to the Assembly as follows:

### **Instruments and Draft Instruments in respect of which the Assembly is not invited to pay special attention under Standing Order 15.2 or 15.3**

#### **Instruments subject to annulment pursuant to a resolution of the Assembly (Negative Procedure)**

##### **CA538 - The Healthy Start Scheme (Description of Healthy Start Food) (Wales) (Amendment) Regulations 2011**

**Procedure:** Negative.

**Date made:** 15 February 2011.

**Date laid:** 16 February 2011.

**Coming into force date:** 6 April 2011

##### **CA539 - The Civil Enforcement of Parking Contraventions (County of Powys) Designation Order 2011**

**Procedure:** Negative.

**Date made:** 15 February 2011.

**Date laid:** 18 February 2011.

**Coming into force date:** 1 April 2011

##### **CA540 - The Town and Country Planning (Blight Provisions) (Wales) Order 2011**

**Procedure:** Negative.

**Date made:** 15 February 2011.

**Date laid:** 18 February 2011.

**Coming into force date:** 1 April 2011

**CA541 - The Local Authorities (Alteration of Requisite Calculations) (Wales) Regulations 2011**

**Procedure:** Negative.

**Date made:** 16 February 2011.

**Date laid:** 18 February 2011.

**Coming into force date:** 28 February 2011

**CA542 - The Food Labelling (Declaration of Allergens) (Wales) Regulations 2011**

**Procedure:** Negative.

**Date made:** 20 February 2011.

**Date laid:** 23 February 2011.

**Coming into force date:** 17 March 2011

**CA543 - The Council Tax and Non-Domestic Rating (Amendment) (Wales) Regulations 2011**

**Procedure:** Negative.

**Date made:** 21 February 2011.

**Date laid:** 25 February 2011.

**Coming into force date:** 1 April 2011

**CA551 - The Fire and Rescue Authorities (Performance Indicators) (Wales) Order 2011**

**Procedure:** Negative.

**Date made:** 21 February 2011.

**Date laid:** 1 March 2011.

**Coming into force date:** 1 April 2011

**Draft Instruments subject to approval pursuant to a resolution of the Assembly (Affirmative Procedure)**

**CA535 - The Student Fees (Approved Plans) (Wales) Regulations 2011**

**Procedure:** Affirmative.

**Date made:** Not stated.

**Date laid:** 15 February 2011.

**Coming into force:** 31 March 2011

**CA536 - The Student Fees (Amount) (Wales) Regulations 2011**

**Procedure:** Affirmative.

**Date made:** Not stated.

**Date laid:** 15 February 2011.

**Coming into force:** 31 March 2011

**Instruments in respect of which the Assembly is invited to pay special attention under Standing Orders 15.2 and/or 15.3**

**Instruments subject to annulment pursuant to a resolution of the Assembly (Negative Procedure)**

**CA537 -The Natural Mineral Water, Spring Water and Bottled Drinking Water (Wales) (Amendment) Regulations 2011**

**Procedure:** Negative.

**Date made:** 12 February 2011.

**Date laid:** 15 February 2011.

**Coming into force date:** 14 March 2011

The Committee agreed the Report under S.O.15.3, which is attached as Annex 1.

**Janet Ryder AM**

Chair, Constitutional Affairs Committee

**10 March 2011**

## **Annex 1**

### **Constitutional Affairs Committee**

**(CA(3)-06-11)**

**CA537**

### **Constitutional Affairs Committee Report**

**Title: The Natural Mineral Water, Spring Water and Bottled Drinking Water (Wales) (Amendment) Regulations 2011**

**Procedure: Negative**

These Regulations further amend the Natural Mineral Water, Spring Water and Bottled Drinking Water (Wales) Regulations 2007 (the 2007 Regulations) by:

- (a) updating the reference to the Veterinary Medicines Regulations 2009 in regulation 3(1)(a) of the 2007 Regulations and
- (b) providing that languages in addition to English may be used on the marking or label.

### **Technical Scrutiny**

Under Standing Order 15.2 the Assembly is not invited to pay special attention to this instrument.

### **Merits Scrutiny**

1. Under Standing Order 15.3(ii) the Assembly is invited to pay special attention to this instrument on the grounds “that it is of political or legal importance or gives rise to issues of public policy likely to be of interest to the Assembly.”
2. The way in which the use of the Welsh language is treated in legislation on this subject has three times since 2007 been the subject of adverse reports by this Committee and its predecessor (SLC 67, SLC313 and CA425) because certain provisions required the use of English terms only. Evidence on the subject was given to the Committee by officials on 25 March 2010 and by the Deputy Minister for Social Services, Gwenda Thomas AM on 29 April 2010. The Minister agreed to bring forward further legislation to ensure that nothing in the 2007 Regulations (as amended) would prevent or discourage the use of the Welsh language on labels referred to in the 2007 Regulations.
3. Consultation on proposals took place in August of 2010 and drafting was co-ordinated so that similar amendments are being made

to the corresponding legislation in the other parts of the United Kingdom. This will ensure that bottles with bilingual labels may be sold in all parts of the U.K.

4. The Committee is pleased to report to the Assembly that this issue has now been satisfactorily resolved.

**Janet Ryder AM**  
Chair, Constitutional Affairs Committee

**10 March 2011**