

## **Subordinate Legislation Committee**

### **Report (SLC (3) 23-09)**

**Date:** 14 October 2009  
**Time:** 9.30am  
**Venue:** Committee Room 4, Ty Hywel

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The Committee met on 14 October 2009. At the meeting the following Committee Members were present: Janet Ryder AM, Alun Davies AM, William Graham AM, Mike German AM. Apologies were received from Joyce Watson AM. There were no substitutions.

The Committee reports to the Assembly as follows:

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

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

##### **SLC336 - The Welsh College of Horticulture (Dissolution) (Amendment) Order 2009**

Negative Procedure. Date made 29 September 2009. Date laid 1 October 2009. Coming into force date 23 October 2009

##### **SLC338 - The Council Tax and Non-Domestic Rating (Electronic Communications) (Wales) Order 2009**

Negative Procedure. Date made 01 October 2009. Date laid 6 October 2009. Coming into force date 31 October 2009

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

##### **SLC334 - The Local Authorities (Alternative Arrangements) (Wales) (Amendment) Regulations 2009**

Affirmative Procedure. Date made not stated. Coming into force date 2 December 2009

#### **Other Business**

#### **Floating Exceptions**

The Committee considered the issue of floating and fixed exceptions under Standing Order 15.6(v) 'any legislative matter of a general nature within or relating to the competence of the Assembly or Welsh Ministers'. The Assembly Chief Legal Adviser gave evidence to the Committee. The

Members considered the paper of the Chief Legal Adviser and explored the reasons for the changes to schedule 5. The Committee decided to undertake further work on the issue of Floating Exception.

**Review of Bills before Parliament (and draft bills) for possible scrutiny under Standing Order 15.6(ii)**

The Committee considered the Bills and Draft Bills which were before the Westminster Parliament that would be suitable for the Committee to consider in relation to the delegation to Welsh Ministers of powers to make subordinate legislation. The Committee agreed to look at the Draft Floods and Water Management Bill in the future and consider the implications of other Bills when appropriate.

**Agenda Item 6 – Consideration of the Committee’s Draft Report on the proposed Social Care (Charges) Measure and Consideration of the Legal Advisers’ paper on the Review of Statutory Instruments**

In accordance with Standing Order 10.37(vi) the Committee resolved to exclude the public from the remainder of the meeting to discuss the evidence and recommendations for the Committee’s Draft Report on the proposed Social Care (Charges) Measure

**Janet Ryder AM**  
**Chair, Subordinate Legislation Committee**

**14 October 2009**