

BUSINESS PAPERS

VOTES & PROCEEDINGS FOR TUESDAY, 10th OCTOBER 2000

PART 2 - SECTION H

The session commenced at 2pm

2.00pm

Appointment to the Local Government Partnership Council

To propose that the National Assembly, in accordance with paragraphs 1(1) and 4 of Schedule 11 to the Government of Wales Act 1998, appoints Cllr E Caerwyn Roberts MBE JP (National Park Authorities) to be a member of the Local Government Partnership Council in place of Cllr Gordon Cawood.

A vote was taken on the motion:

For 43; Abstain 0; Against 0; Total 43

The motion was carried

Election to the Agriculture and Rural Development Committee

To propose that the National Assembly, acting under section 57(8) of the Government of Wales Act 1998, elects Janet Ryder (Plaid Cymru) to its Agriculture and Rural Development Subject Committee in place of Janet Davies (Plaid Cymru).

A vote was taken on the motion:

For 45; Abstain 0; Against 0; Total 45

The motion was carried

Election to the Economic Development Committee

To propose that the National Assembly, acting under section 57(8) of the Government of Wales Act 1998, elects Dafydd Wigley (Plaid Cymru) to its Economic Development Subject Committee in place of Helen Mary Jones (Plaid Cymru).

A vote was taken on the motion:

For 45; Abstain 0; Against 0; Total 45

The motion was carried

Election to the Local Government and Housing Committee

To propose that the National Assembly, acting under section 57(8) of the Government of Wales Act 1998, elects Dai Lloyd (Plaid Cymru) to its Local Government and Housing Subject Committee in place of Owen John Thomas (Plaid Cymru).

A vote was taken on the motion:

For 47; Abstain 0; Against 0; Total 47

The motion was carried

Election to the Pre 16 Education, Schools and Early Learning Committee

To propose that the National Assembly, acting under section 57(8) of the Government of Wales Act 1998, elects Cynog Dafis (Plaid Cymru) to its Pre 16 Education, Schools and Early Learning Subject Committee in place of Pauline Jarman (Plaid Cymru).

A vote was taken on the motion:

For 48; Abstain 0; Against 0; Total 48

The motion was carried

Election to the Post 16 Education and Training Committee

To propose that the National Assembly, acting under section 57(8) of the Government of Wales Act 1998, elects Owen John Thomas (Plaid Cymru) to its Post 16 Education and Training Subject Committee in place of Jocelyn Davies (Plaid Cymru).

A vote was taken on the motion:

For 47; Abstain 0; Against 0; Total 47

The motion was carried

Election to the Legislation Committee

To propose that the National Assembly, acting under section 59(2) of the Government of Wales Act 1998, elects Pauline Jarman (Plaid Cymru) to its Legislation Committee in place of Jocelyn Davies (Plaid Cymru).

A vote was taken on the motion:

For 49; Abstain 0; Against 0; Total 49

The motion was carried

Election to the Committee on Standards of Conduct

To propose that the National Assembly, in accordance with standing order 16.2 elects Cynog Dafis (Plaid Cymru) to its Committee on Standards of Conduct in place of Janet Davies (Plaid Cymru).

A vote was taken on the motion:

For 49; Abstain 0; Against 0; Total 49

The motion was carried

Election to the Committee on European Affairs

To propose that the National Assembly, in accordance with standing order 15.4 elects Ieuan Wyn Jones (Plaid Cymru) to its Committee on European Affairs in place of Jocelyn Davies (Plaid Cymru).

A vote was taken on the motion:

For 49; Abstain 0; Against 0; Total 49

The motion was carried

Election to the Environment, Planning and Transport Committee

To propose that the National Assembly, acting under section 57(8) of the Government of Wales Act 1998, elects the following members to its Environment, Planning and Transport Subject Committee:

Rhodri Glyn Thomas (Plaid Cymru) in place of Gareth Jones (Plaid Cymru); and Helen Mary Jones (Plaid Cymru) in place of Jocelyn Davies (Plaid Cymru).

A vote was taken on the motion:

For 50; Abstain 0; Against 0; Total 50

The motion was carried

Election to the Health and Social Services Committee

To propose that the National Assembly, acting under section 57(8) of the Government of Wales Act 1998, elects the following members to its Health and Social Services Subject Committee:

Pauline Jarman (Plaid Cymru) in place of Geraint Davies (Plaid Cymru); and Jocelyn Davies (Plaid Cymru) in place of Helen Mary Jones (Plaid Cymru).

A vote was taken on the motion:

For 51; Abstain 0; Against 0; Total 51

The motion was carried

2.08pm

Personal Statement by Tom Middlehurst on his resignation from the Cabinet

2.16pm

Questions to First Secretary

The first 9 questions were reached. Question 3 was withdrawn

2.46pm

First Secretary statement on the proposed Labour / Liberal Democrat Partnership

3.17pm

First Secretary statement on the Memorandum of Understanding on the Fuel Supply

3.45pm

Points of Order

1. **David Melding** concerning the validity of the title Deputy First Secretary since it does not appear in the Assembly's standing orders.

The Presiding Officer confirmed that all the standing orders would be considered if the Assembly moved to coalition government.

2. **Pauline Jarman** concerning differences between BetterWales.Com which had been approved by the Assembly and the Partnership Agreement issued by the Cabinet.

The Presiding Officer confirmed that any changes to Betterwales.com would have to be subject of a motion to the Assembly. Consultation was a matter for the government.

3. **Val Feld** concerning Members declaration of interests.

David Davies confirmed that he had no interest to declare. The Presiding Officer confirmed that it was for Members to declare interests.

4. **Alun Cairns** concerning a statement on BAE made by the First Secretary during the Assembly constituency weeks.

The First Secretary confirmed that he had wanted to make the statement as soon as he could. He would make time to repeat it to the Assembly to allow for questions.

3.57pm

Business Statement: the Business Secretary

10 objections having been made to the Business statement under standing order 5.4 the Business Secretary formally moved for the adoption of the business statement.

A vote was taken on the motion:

For 31; Abstain 0; Against 22; Total 53

The Business Statement was carried.

Approval of the Seeds (National List of Varieties) Regulations 2000 - WITHDRAWN

To propose that the National Assembly, acting in accordance with Standing Order No 22.33 approves the draft of the Seeds (National List of Varieties) Regulations 2000, a copy of which was laid in the Table Office on 7 September 2000.

4.11pm

CHANGES TO STANDING ORDERS

1. STANDING ORDER 6.5

To propose that the National Assembly, acting under section 46(6) of the Government of Wales Act 1998, and Standing Order 26:

- i. considers the report of the Business Committee laid in the Table Office on 3rd October 2000;
- ii. approves the following revision to the Standing Orders;
- iii. resolves that the revision shall take effect immediately:

Standing Order 6.5

At the end (following "reports submitted by committees") add

"Motions proposing debates on reports submitted by subject committees may not be amended".

A vote was taken on the motion:

For 38; Abstain 0; Against 13; Total 51

The motion was carried by the required two third majority.

2. STANDING ORDERS 6.37 AND 22.58

To propose that the National Assembly, acting under section 46(6) of the Government of Wales Act 1998, and Standing Order 26:

- i. considers the report of the Business Committee laid in the Table Office on 3rd October 2000;
- ii. approves the following revisions to the Standing Orders;
- iii. resolves that the revisions shall take effect immediately:

Standing Order 6.37

Delete ii and insert:

"(ii) An Assembly Secretary, or a Member nominated by the Assembly Secretary with the prior consent of the Presiding Officer, will respond; and"

Standing Order 22.58

Delete final sentence (commencing "Such an application....")

The Business Secretary advised that there was a typographical error and the second comma should be deleted.

A vote was taken on the motion:

For 43; Abstain 1; Against 7; Total 51

The motion was carried by the required two third majority.

3. NEW STANDING ORDER 28 AND CHANGES TO 6, 8 AND 19

To propose that the National Assembly, acting under section 46(6) of the Government of Wales Act 1998, and Standing Order 26:

- i. considers the report of the Business Committee laid in the Table Office on 3rd October 2000;
- ii. approves the following revisions to the Standing Orders;
- iii. resolves that the revisions shall take effect immediately:

New Standing Order 28

THE HOUSE COMMITTEE

Title and Terms of Reference

28.1 There shall be a House Committee which shall provide advice to the Presiding Officer, the Assembly and the Clerk on:-

1. the administration of the Office of the Presiding Officer excluding the following matters relating to staff:-
 - i. their terms and conditions of service;
 - ii. their structure and management;
 - iii. arrangements made under section 63 of the Government of Wales Act for carrying out of the functions which have been delegated to staff.

b. The exercise of the functions of the Office of the Presiding Officer including the services, facilities and accommodation provided for Members, their support staff and the general public

But excluding matters:-

- i. relating to the role of the Presiding Officer in deciding whether to refer a matter to the Committee on Standards;
- ii. relating to the conduct of plenary and committee sessions of the Assembly;
- iii. within the responsibility of the Business Committee;

c. Members' salaries, allowances and pensions;

- d. the contents of guidance to be published in relation to the matters set out at (a)-(c) above;
- e. the budget of the Office of the Presiding Officer.

Membership

28.2. The Assembly shall elect to the Committee one member from each political group in the Assembly, together with another member to chair it. If a member other than the Presiding Officer is elected to chair the Committee, the Presiding Officer shall be entitled to attend meetings of the Committee. If a member other than the Deputy Presiding Officer is elected to chair the Committee, the Deputy shall be entitled to attend meetings of the Committee.

28.3. A member of the Committee, having given advance notice to the Chair, may be represented at a meeting of the Committee by another Member nominated from the same political group to which that Member belongs. The nominated representative may participate in the meeting of the Committee as if the representative were a member of the Committee.

28.4. A member of the Committee may chair a meeting of the Committee in the absence of the Chair of the Committee. Such member shall be appointed by the Committee either at the meeting concerned or at a previous meeting.

Meetings

28.5. The Committee shall meet at least once in every four weeks that the Assembly meets in plenary, unless the Committee decides otherwise. The Committee may agree to hold additional meetings.

28.6. The Committee shall meet in private but the minutes of the meetings shall be published 6 weeks after each meeting.

28.7. A member of the Committee shall be nominated to answer questions for oral answers at a plenary meeting of the Assembly in accordance with paragraph 6.3(iv).

STANDING ORDER 6 - Assembly Business in Plenary Meetings

Para 6.3 Insert new sub paragraph

"(iv) one Member of the House Committee to answer questions for oral answers at least once, and for at least 15 minutes, in every four weeks that the Assembly meets in plenary."

Add new paragraph 6.26A

"6.26A Members may table questions for oral answer by a member of the House Committee about

any matter coming within the remit of the Committee under Standing Order 28."

Para 6.28

Insert after "to the First Secretary under paragraph 6.3(I)," "or to a member of the House Committee under paragraph 6.3(iv),

Para 6.30

In the second sentence, after "Assembly Secretaries" insert "and the member of the House Committee"

Para 6.31

At end, insert " This paragraph shall not apply to questions for oral answer by a member of the House Committee".

Para 6.33

At end, insert "or to the House Committee about matters relating to its responsibilities".

Add new paragraph 6.34A

"6.34(A) Members may table questions for written answer by the chair of the House Committee about any matter coming within the remit of the Committee under Standing Order 28."

STANDING ORDER 8 - Committees

Para 8.25A

In final sentence, after "Subject Committees" replace "and" with ","; at end of paragraph insert, "and the House Committee".

STANDING ORDER 19 - Finance Procedures

Add new paragraph 19.00

"Determination of Budget for the Office of the Presiding Officer

19.00 In each financial year, no later than 20 September, the House Committee shall consider the budget for the Office of the Presiding Officer. Following discussion between the Presiding Officer, the Clerk and the Finance Secretary, a member of the House Committee shall table a draft budget for the Office of the Presiding Officer, no later than the 1 October. At the same time, the

House Committee member shall table a motion that the draft budget be adopted. The draft budget should normally be for the following financial year and provisional allocations for the subsequent two years, or for a period which the Finance Secretary considers appropriate. The motion that the draft budget be adopted shall not be subject to amendment and shall be debated no later than 10 October. If the motion is adopted, that budget should then become the final budget for the Office of the Presiding Officer and shall be incorporated as such in the draft and final Assembly budgets."

Para 19.5 In-Year Adjustments of Assembly Budget

Add new sub title

"Changes to Main Expenditure Groups"

At start, insert "Subject to the provisions of paragraph 19.5A,"

Add new paragraphs 19.5A and 19.5B

"19.5A Except in cases of urgency, any change in the course of a financial year in the level of resources allocated to the main expenditure group established for the Office of the Presiding Officer in the final budget adopted under paragraph 19.00 shall only be made on a motion proposed by a member of the House Committee. Any such motion shall not be subject to amendment. In cases of urgency, the Clerk may, subject to paragraph 19.5B, change the level of resources allocated to this expenditure group but, in such case, a member of the House Committee shall inform the Assembly as soon as reasonably practicable of the action taken.

19.5B Any change proposed by the Clerk in a financial year to the level of resources allocated to the main expenditure group established for the Office of the Presiding Officer shall first be discussed with the Presiding Officer and the House Committee and subsequently with the Assembly Secretary for Finance. Such discussions shall also take place before the Clerk, in cases or urgency, changes the level of resources allocated to this main expenditure group."

Para 19.6

Add new sub title

"Changes Within Main Expenditure Groups"

At start, insert " Subject to the provisions in paragraph 19.7A,"

Add new paragraph 19.7A

"19.7A The provisions of paragraphs 19.6 and 19.7 shall not apply to the main expenditure group established for the Office of the Presiding Officer. In the course of a financial year, the Clerk to

the Assembly, after consultation with the Presiding Officer and the House Committee and having notified the Assembly Secretary for Finance, may approve the transfer of resources within the main expenditure group established for the Office of the Presiding Officer, between and within financial allocations within the main expenditure group."

Add new paragraph 19.22

"19.22 The provisions of paragraphs 19.13 to 19.21 shall apply to the authorisation by the Presiding Officer of a Notifiable Transaction with the substitution for references to "an Assembly Secretary" of references to "a member of the House Committee"."

A vote was taken on the motion:

For 50; Abstain 0; Against 0; Total 50

The motion was carried by the required two third majority.

4.36pm

Debate on the Establishment of a Budget for the Office of the Presiding Officer
To propose that, in accordance with standing order 19, the National Assembly:

Approves the revised budget for the Assembly Costs and Central Administration Main Expenditure Groups for 2000-2001 as set out in Table 1 laid in the Table Office on Tuesday 3 October 2000

Approves the budget for the Assembly Costs Main Expenditure Group for 2001-2002, 2002-2003 and 2003-2004 as set out in Table 2 laid in the Table Office on Tuesday 3 October 2000

approves that the "Assembly Costs" Main Expenditure Group be re-named "Office of the Presiding Officer" Main Expenditure Group

A vote was taken on the motion:

For 40; Abstain 0; Against 0; Total 40

The motion was carried

4.41pm

Debate on Budgetary Adjustments in Main Expenditure Groups

That the National Assembly, in accordance with Standing Order 19.5, approves the transfers across Main Expenditure Groups for the financial year 2000-01 laid in the Table Office on Tuesday 3 October.

The proposed changes to the 2000-2001 Main Expenditure Groups are contained in Table laid in the Table Office on Tuesday 3 October 2000.

A vote was taken on the motion:

For 27; Abstain 0; Against 0; Total 27

The motion was carried

The session concluded at 4.57pm

The Assembly will sit again in Plenary at

9.05am on Thursday, 12th October 2000

J W Lloyd

Clerk to the Assembly

DOCUMENTS LAID SINCE THE ASSEMBLY LAST MET IN PLENARY

DOCUMENTS LAID ON 5 OCTOBER 2000

The Specified Risk Material (Amendment) (Wales) Order 2000

DOCUMENTS LAID ON 4 OCTOBER 2000

The Care Standards Act 2000 (Commencement No.1) (Wales) Order 2000

The Local Government Act 2000 (Commencement) (Wales) Order 2000

The Education (Restriction of Employment) (Wales) Regulations 2000

DOCUMENTS LAID ON 3 OCTOBER 2000

Business Committee Report to the Assembly on Proposals for Changes to the Assembly's Standing Orders in Accordance with Standing Order 26.1

Table 1 - Revised Budgets for 2000-2001 for Assembly Costs and Central Administration Main Expenditure Groups by Budget Expenditure Line (For NDM393)

Table 2 - Budgets for 2001-2002 to 2003-2004 for the Assembly Costs and Central Administration Main Expenditure Groups (For NDM393)

Notes to Table 1 (For NDM393)

Explanatory Note for Motion NDM393

Revised Budgets for 2000-2001 Resulting from Proposed Transfers Between Main Expenditure Groups (NDM394)

Notes for Revised Budget Table (NDM394)

Explanatory Note (NDM394)

DOCUMENTS LAID ON 22 SEPTEMBER 2000

General Report of the Auditor General for Wales: Financial Audit of 1998-99 Accounts. Response to the Report of the Audit Committee

DOCUMENTS LAID ON 13 SEPTEMBER 2000

Legislation Committee Report (LC119) - The Sea Fishing (Enforcement of Community Conservation Measures) (Wales) Order 2000