

## 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, 4th October 2005.]**

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**Tuesday 11 October & Wednesday 12 October 2005**

**Tuesday 18 October & Wednesday 19 October 2005**

***Recess 24- 30 October 2005***

**Tuesday 1 November & Wednesday 2 November**

**Tuesday 11 October 2005**

- **Motion to elect members under Standing Order 8.4 to the Committee to consider the terms of reference for an inquiry to be held into the recent e-coli outbreaks in Wales (1 min)**
- **Questions to the First Minister (45 mins)**
- **Business Statement (10 mins)**
- **Motion to approve under Standing Order 24.25 (1 min)**
  
- **The Public Services Ombudsman (Wales) Act 2005 (Commencement No. 1 and Transitional Provisions and Savings) Order 2005**

This Order will commence the majority of the provisions of the Public Services Ombudsman (Wales) Act 2005 from 12 October 2005 and 1 April 2006 to ensure that functions of the existing public sector ombudsmen in Wales will be brought together under the Public Services Ombudsman for Wales from 1 April 2006. At present, the offices of the existing public sector ombudsmen in Wales are held by the same individual, but they operate under different regimes set up under different pieces of legislation. Once the 2005 Act is implemented, as

a result of this Order, there will be one Public Services Ombudsman for Wales (PSOW), operating one system for dealing with complaints of maladministration or service failure relating to the actions of most public bodies working in Wales. The PSOW will also deal with complaints relating to the conduct of local government members and employees, under the ethical framework provisions in Part 3 of the Local Government Act 2000.

- **The Education (Assisted Places) (Incidental Expenses) (Amendment) (Wales) Regulations 2005**

The Assisted Places Scheme was established in 1980 and allowed the government to assist parents with the cost of fees at [independent schools](#) on a means-tested basis. The scheme was abolished in 1997, but pupils were able to complete the specific phase of education.

The Education (Schools) Act 1997, provides for the progressive phasing out of the Assisted Places Scheme (APS) and imposes a duty on the National Assembly for Wales to continue to remit the whole or part of the tuition fees and other incidental expenses which parents are required to meet in connection with their child's participation in the APS.

These Regulations uplift by 2.1% (in line with inflation October 2004 Retail Price Index), the tables used to calculate parents' eligibility to receive uniform grant and travel grant available under the scheme during the academic year 2005/06.

- **The Food Labelling (Amendment)(Wales)(No2)Regulations 2005**

These Regulations will provide for the administration and enforcement (including penalties and offences), of Commission Directive 2005/26/EC of 21 March 2005, establishing a list of food ingredients or substances provisionally excluded from Annex IIIa of Directive 2000/13/EC of the European Parliament and of the Council. This Directive provides provisional exemptions for ingredients derived from allergens that are no longer allergenic, from the requirement to be listed as allergens on food labels. Thus, avoiding over labelling and reducing consumer choice.

*Annex IIIa of Directive 2000/13/EC establishes a list of food ingredients to be indicated on the label*

*as they are likely to cause adverse reactions in susceptible individuals*

<sup>2</sup> *Substance causing an adverse reaction*

- **The Education (Assisted Places) (Amendment) (Wales) Regulations 2005**

The Assisted Places Scheme was established in 1980 and allowed the government to assist parents with the cost of fees at independent schools on a means-tested basis. The scheme was abolished in 1997, but pupils were able to complete the specific phase of education.

The Education (Schools) Act 1997, provides for the progressive phasing out of the Assisted Places Scheme (APS) and imposes a duty on the National Assembly for Wales to continue to remit the whole or part of the tuition fees and other incidental expenses (e.g. uniform and travel grants), which parents are required to meet in connection with their child's participation in the APS.

These Regulations uplift by 2.1% (in line with inflation October 2004 Retail; Price Index) the tables used to calculate the amount that parents of children continuing to hold assisted places at former participating independent schools have to contribute to tuition fees during the academic year 2005/2006, having regard to their relevant income. The Regulations also uprate by 2.1% the dependants allowance (i.e. the amount by which the parents relevant income is reduced in order to calculate their contribution to the place taken up by the pupil in the Assisted Places Scheme. For the 2005/2006 school year, the dependants allowance has been uplifted from £1,540 to £1,575.

- **Motion to approve the Avian Influenza and Newcastle Disease (Contingency and Planning)(Wales) (15 mins)**

This Order will specify Avian Influenza (a highly contagious viral disease affecting the respiratory, digestive and/or nervous system of many species of bird) and Newcastle Disease as diseases requiring a Welsh contingency plan. Newcastle Disease is a highly contagious disease of birds caused by a para-myxo virus (a virus which affects the respiratory and digestive tracts). Birds affected by this disease are owls, turkeys, geese, ducks, pheasants, guinea fowl and other wild and captive birds including ratites such as ostriches, emus and rhea.

- **Motion to approve The Town and Country Planning (Local Development Plan) (Wales) Regulations 2005 (10 mins)**

The proposed Regulations provide for those matters that will be further regulated in relation to the preparation and content of local development plans under the Planning and Compulsory Purchase Act 2004 (Part 6, sections 61-78). The local development

plan (LDP) system will replace the current unitary development plan (UDP) system in Wales. Statutory development plans set out the local planning authority's policies and proposals for the development and use of land in its area; they guide and inform the day to day decisions as to whether or not planning permission should be granted.

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

The purpose of the Disability Discrimination Act 2005 is to give comprehensive civil rights to disabled people in employment and society more widely. This Act amends the Disability Discrimination Act 1995 and will extend basic rights and opportunities for disabled people. The Act introduces a general duty on the public sector to promote equality of opportunity for disabled people, and specific duties on some public authority's to assist in the planning, delivery and evaluation of action to meet the general duty and report on activities.

These Regulations support the effective introduction of the duty by requiring public authorities to produce and publish a Disability Equality Scheme (DES).

- **Motion to approve the Disability Discrimination (Public Authorities) (Statutory Duties) Regulations 2005 under Standing Order 26 (10 mins)**

The purpose of the Disability Discrimination Act 2005 is to give comprehensive civil rights to disabled people in employment and society more widely. This Act amends the Disability Discrimination Act 1995 and will extend basic rights and opportunities for disabled people. The Act introduces a general duty on the public sector to promote equality of opportunity for disabled people, and specific duties on some public authority's to assist in the planning, delivery and evaluation of action to meet the general duty and report on activities.

These Regulations support the effective introduction of the duty by requiring public authorities to produce and publish a Disability Equality Scheme (DES).

- **Motion to approve the Teacher Training Incentive Scheme under Standing Order 29.3(iii) (10 mins)**

This Scheme makes provision for the National Assembly for Wales to pay grants by way of incentives for eligible persons to undergo a postgraduate initial teacher training course and by way of incentives for eligible persons to take up particular teaching posts for given minimum periods of time.

The 2005-06 academic year will be the sixth year these incentive grants have been offered. In previous years the detailed eligibility and other grant criteria, conditions,

etc, were set out under written guidance issued to accredited providers of initial teacher training in Wales and to students on postgraduate courses.

However, these grants are now made under different legislation and recent legal advice has indicated that they now fall within the ambit of subordinate legislation and therefore should be subject to Standing Order 29 procedures.

Because the Scheme is non-contentious and there is a need to ensure the prompt payment of students, the Minister for Education and Lifelong Learning has determined that the procedures under Standing Order 29.3(i) (consideration by the Subject Committee) and 29.3(ii) (consideration by the Legislation Committee) should be disapplied in this instance. However, because the Subject Committee have not previously been notified of this legislation, the Minister has determined that the Scheme should be considered in Plenary (Standing Order 29.3(iii)) to give Members the opportunity to debate it.

- **Plaid Cymru Party nominated debate (45 mins)**
- **Debate on the Annual Report of the Health Service Commissioner for Wales 2003/04 (45 mins)**

### Wednesday 12 October 2005

- **Questions to Edwina Hart, Minister for Social Justice and Regeneration (30 mins)**
- **Questions to Andrew Davies, Minister for Economic Development & Transport (30 mins)**
- **Questions to Jane Hutt , Trefnydd, in accordance with Standing Order 6.28 and as specified in the list of Ministerial responsibilities (30 mins)**
- **Debate on Council Tax in Wales (60 mins)**
- **Short debate (30 mins)**

### Tuesday 18 October 2005

- **Questions to the First Minister (45 mins)**
- **Business Statement (10 mins)**
- **Motion to approve under Standing Order 24. 25(1 min)**
- **The Fire and Rescue Services Act 2004 (Consequential Amendments) (Wales) Order 2005**

The Fire and Rescue Services Act 2004 received Royal Assent on 22 July 2004, and most of the provisions were commenced in Wales on 10 November 2004. This Order makes consequential amendments. It replaces existing references to "fire authorities", "fire brigades" and "the Fire Services Act 1947" with references to the "Fire Rescue Authorities and "the Fire and Rescue Services Act 2004", respectively.

***Proposal to debate the following 5 items together but with separate votes (30 mins)***

- **Motion to approve the Change of Category of Maintained Schools (Wales) (Amendment) Regulations 2005**

Schedule 8 to the School Standards and Framework Act 1998 enables the making of Regulations, which provide for the procedure under which a maintained school within one of the categories set out in section 20(1) of the 1998 Act, to become a school in another one of those categories. In accordance with Schedule 8 to the 1998 Act, the Change of Category of Maintained Schools (Wales) Regulations 2001 make provision for the procedure for community, voluntary controlled, voluntary aided, and foundation schools to become another category of school within those categories, and for a community special school to become a foundation special school and a foundation special school a community special school.

Schedule 12 to the 1998 Act, as modified by the 2001 Regulations, currently sets out the new Instrument of Government to be adopted by a governing body when a school changes category, including the constitution of the new governing body. However, Schedule 12 to the 1998 Act has been repealed by the Education Act 2002, and its provisions are being replaced by the proposed Government of Maintained Schools (Wales) Regulations 2005.

- **Motion to approve The New Maintained Schools (Wales) Regulations 2005**

These Regulations will replace The Education (New Schools) (Wales) Regulations 1999. The Regulations relate to the government of new schools and include provisions, which enable a temporary governing body to be established to carry out functions and responsibilities, put arrangements in place and conduct the business necessary to establish a new maintained school and ensure it is fully functional on the opening date.

The New Maintained Schools (Wales) Regulations 2005 also contain changes, which are consequential as a result of the proposed Government of Maintained Schools (Wales) Regulations 2005. Their purpose is to ensure that temporary governing bodies of new maintained schools continue to be properly constituted, have the same framework and responsibilities and can conduct business in the same way as

permanent governing bodies operate.

- **Motion to approve The Annual Parents` Meeting (Exemptions) (Wales) Regulations 2005**

These Regulations revoke The Education (Annual Parents' Meetings) (Wales) Regulations 1999 and introduce more flexibility for governing bodies in relation to the annual meeting with parents. The new Regulations no longer prescribe the way in which the meeting is conducted, that process will in future be for governing bodies to decide upon, and provide additional exemptions to the governing body's obligation to hold an annual meeting with parents.

However, the Regulations also specify two overriding requirements for holding a meeting, which are: that a governing body cannot be exempt under the new exemptions from holding a meeting for 2 years in a row; and if the parents of 5% of registered pupils request an annual meeting the governing body must comply with that request.

- **Motion to approve The Government of Maintained Schools (Wales) Regulations 2005**

These Regulations will replace The Education (School Government) (Wales) Regulations 1999 as amended by the 2001 amending Regulations. They will provide a new regulatory framework within which governing bodies will operate and conduct their business, enabling them to be effective in discharging their duties and statutory responsibilities. The new Regulations reflect the provisions that currently exist in the 1999 regulations, although some changes have been made following consultation, so as to give governing bodies a greater degree of flexibility in relation to some of their statutory functions. These include delegations of functions and the way in which the governing body elects their officers and conducts their business. The Regulations are also more structured and provide consistency of approach and clarify matters where the 1999 Regulations were considered ambiguous.

- **Motion to approve The Governor Allowances (Wales) Regulations 2005**

The current legislation contained in schedule 11 of the Schools Standards and Framework Act 1998 and the Education (Governors' Allowances) Regulations 1999, makes provision for governing bodies of maintained schools to establish a scheme to pay governors an allowance in respect of expenditure incurred in performing their duties as a governor or member of a governing body committee. The expenses are funded out of the school delegated budget and are paid in accordance with section 174 of the local government act 1972. Allowances cannot be paid in respect of loss of earnings.

The 1999 regulations are generic and cover the payment of allowances to governors

and non governor members of committees of maintained schools. The regulations also provide for the payment of expenses to persons appointed to represent the interests of the local education authority at an institution providing further and higher education or both, or on the governing body of an independent school or non maintained special school.

The new regulations replicate the provisions that currently exist in the 1999 regulations except that payment of allowances are to be made in accordance with section 100 of the local government act 2000 instead of section 174 of the local government act 1972.

- **Motion to approve under Standing Order 24. 25 (1 min)**

- **The Education Act 2002 (Commencement No. 7) (Wales) Order 2005**

The purpose of these Regulations is to apply transitional modifications to the Education Act 2002 in connection with the bringing into force of provisions of the Act by the proposed Education Act 2002 (Commencement no. 7) (Wales) Order 2005. They also make amendments to a number of regulations which are mainly consequential on the new requirement for maintained nursery schools to have governing bodies.

- **Motion to approve The Education Act 2002 (Transitional Provisions and Consequential Amendments)(Wales) Regulations 2005 (15 mins)**

The purpose of this Order is to commence provisions in the Education Act 2002, which will allow the National Assembly for Wales to make Regulations to replace provisions in schedules to the School Standards and Framework Act 1998, and Regulations currently in force under the School Standards and Framework Act 1998, covering the government of maintained schools and instruments of government, annual parents meetings, payment of allowances to governors and the establishment of temporary governing bodies for new schools.

The Order also commences consequential amendments, which apply responsibilities for special educational needs (sen) provision, exclusion of pupils, school funding and inspection on governing bodies of nursery schools once they have been constituted under the proposed Government of Maintained Schools (Wales) Regulations 2005. The order also commences an amendment to the School Standards and Framework Act 1998 in relation to school attendance targets, which is expected to come into force early in the new year.



- **Motion to approve The TSE (Wales) (Amendment) (No2) Regulations 2005 (15 mins)**

These Regulations further amend the TSE (Wales) Regulations 2002 (S.I. No. 1416), as amended by S.I. 2004/2735 and S.I. 2005/1392. The 2002 Regulations are the domestic legislation for the enforcement and administration of Regulation EC No. 999/2001, which lays down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (TSEs) on an EU wide basis. Spongiform encephalopathies are neurological disorders, which include both bovine spongiform encephalopathy (BSE) in cattle and scrapie in sheep.

The Regulations provide a regime for the slaughter for human consumption, and testing, of cattle over thirty months of age. They will also make it an offence to consign cattle born before 1 August 1996 to an abattoir for slaughter for human consumption, and make a number of relatively minor amendments required to address issues in the 2002 Regulations, which have arisen in areas of enforcement, identification and feed controls and which need to be addressed as soon as possible, rather than in the consolidation of the regulations (the TSE (Wales) Regulations 2006) intended to revoke and replace the 2002 Regulations, that are scheduled to come into force on 25 January 2006.

- **Welsh Conservative Party nominated debate (45 mins)**
- **Debate on the Annual Report of the the Local Government Partnership Scheme 2004-2005 (45 mins)**

### Wednesday 19 October 2005

- **Finance Questions to Sue Essex, Minister for Finance, Local Government and Public Services (30 mins)**
- **Questions to Carwyn Jones, Minister for Environment, Planning and Countryside (30 mins)**
- **Motion to delegate functions under the Reporting of Milk Products (Wales) Regulations 2005 (15 mins)**
- **Motion to approve the Reporting of Milk Products (Wales) Regulations 2005 (15 mins)**
- **Debate on the Annual Report of the Voluntary Sector(60 mins)**
- **Short debate (30 mins)**

### Tuesday 1 November 2005

- **Questions to the First Minister (45 mins)**
- **Business Statement (10 mins)**

- **Motion to approve under Standing Order 24.25 (1 min)**
- **The National Health Service (Appointment of Consultants) (Wales) (Amendment) Regulations 2005**

These Regulations amend the National Health Service (Appointment of Consultants) (Wales) Regulations 1996 by applying the provisions of the 1996 Regulations to NHS Trusts. They also create two new exemptions from the requirement that an Advisory Appointments Committee must be held to appoint a consultant. The first applies to a person who has been in post as a consultant with the medical services of the armed forces and is appointed to a consultant post in one of the bodies to whom the 1996 Regulations apply without moving location or without the post altering in any significant way. The second exemption applies to a consultant who retires but then returns to a very similar post in the same body, albeit that the terms of his employment may have altered. The Regulations also allow for one of the advertisements to be placed in electronic form and set out the exact requirements for the constitution of an Advisory Appointments Committee where two or more bodies to whom the 1996 Regulations apply act together to establish a joint Advisory Appointments Committee.

- **The Beet Seed (Wales) Regulations 2005**

These Regulations implement EC Seeds Directives controlling the certification and marketing of beet, e.g. for sugar beet and fodder beet, etc. They include provisions that lay down the procedures relating to the certification of beet seed in Wales, including provisions relating to the entry of seed lots, the entry of crops, the field inspection of crops, the lodging of field inspection reports and similar documents, the re-grading of crops, seed testing, the lodging of seed test reports, the re-grading of seed and the withdrawal of official certification. The Regulations revoke and replace, with modifications, the Beet Seeds Regulations 1993 insofar as they apply to Wales. They also revoke the Beet Seeds (Amendment) Regulations 1999 insofar as they apply to Wales and the Beet Seeds (Amendment) (Wales) Regulations 2001, both of which amended the 1993 Regulations. In addition, these Regulations further implement in Wales amendments made in England by the Beet Seed (England) (Amendment) Regulations 2004. EC Seeds Directives concerning the other species groups, such as cereals and vegetables are being implemented by separate Regulations.

- **The Seed (Registration, Licensing and Enforcement)(Wales) Regulations 2005**

These Regulations revoke and replace the Seeds (Registration, Licensing and Enforcement) Regulations 1985 as amended as respects Wales and the Seeds (Fees) Regulations 1985 as amended in relation to matters arising under the 1985 Regulations as respects Wales.

The EC directives controlling the certification and marketing of seed of the Main Agricultural and Vegetable Species require Member States to participate in Community organised seed trials, which compare seed quality against directive requirements. These Regulations will ensure that the National Assembly for Wales (or Department for Environment, Food and Rural Affairs acting on its behalf) have powers to take, or use, samples for this purpose.

The Regulations include provisions for:

- registering seed companies;
- licensing seed industry personnel to inspect crops and sample seed;
- licensing seed testing stations to carry out official seed tests; and
- enforcement of seeds regulations, including procedures for drawing enforcement samples.

They also control the licensing of seed trade personnel. The National Assembly for Wales has powers to withdraw licenses from those who, for example, do not comply with license conditions or fail to maintain their competence. These new Regulations will extend the rights of appeal to the Plant Varieties and Seeds Tribunal, which has the power to adjudicate in such matters, where licenses are withdrawn. This will ensure that those whose employment might be affected by decisions on their licenses have a right to an independent hearing.

## ● **The Vegetable Seed (Wales) Regulations 2005**

These Regulations implement EC Seeds Directives controlling the certification and marketing of vegetable seed. They include provisions that lay down the procedures relating to the certification of vegetable seed in Wales, including provisions relating to the entry of seed lots, the entry of crops, the field inspection of crops, the lodging of field inspection reports and similar documents, the re-grading of crops, seed testing, the lodging of seed test reports, the re-grading of seed and the withdrawal of official certification.

These Regulations, which extend to Wales only, revoke and replace, with modifications, the Vegetable Seeds Regulations 1993 insofar as they apply to Wales. They also revoke the Vegetable Seeds (Amendment) Regulations 1996 and the

Vegetable Seeds (Amendment) Regulations 1999 insofar as they apply to Wales and the Vegetable Seeds (Amendment) (Wales) Regulations 2001, all of which amended the 1993 Regulations. In addition, these Regulations further implement in Wales amendments made in England by the Vegetable Seed (England) (Amendment) Regulations 2004.

EC Seeds Directive concerning the other species groups such as cereals and beet are being implemented by separate Regulations.

- **Motion to approve The Cereal Seed (Wales) Regulations 2005 (15 mins)**

Seeds of the main agricultural and vegetable species cannot be marketed unless they have been certified and shown to comply with marketing requirements. Material may be marketed only after being officially examined and certified as meeting specified minimum standards (including varietal purity, health and germination) and as being derived from crops which have also met certain standards.

These Regulations implement EC Seeds Directives controlling the certification and marketing of cereals, e.g. wheat, barley and oats. They include provisions that lay down the procedures relating to the certification of cereal seed in Wales, including provisions relating to the entry of seed lots, the entry of crops, the field inspection of crops, the lodging of field inspection reports and similar documents, the re-grading of crops, seed testing, the lodging of seed test reports, the re-grading of seed and the withdrawal of official certification.

The Regulations revoke and replace, with modifications, the Cereal Seeds Regulations 1993 insofar as they apply to Wales. They also revoke the Cereal Seeds (Amendment) Regulations 1995, the Seeds (Miscellaneous Amendments) Regulations 1997 and the Cereal Seeds (Amendment) Regulations 1999 insofar as they apply to Wales and the Cereal Seed (Wales) Regulations 2001, all of which amended the 1993 Regulations. The Regulations will also implement in Wales amendments made in England by the Cereal Seed (England) (Amendment) Regulations 2004.

EC Seeds Directives concerning the other species groups, such as cereals and vegetables, are being implemented by separate Regulations.

- ***Proposal to debate the next 3 items together but with separate votes (30 mins)***
- **Motion to approve The Local Authority (Non-Agency Adoptions) (Wales) Regulations 2005**

These Regulations are designed to ensure proper processes are in place regarding non-agency adoptions. These will ensure safety of process when people wish to adopt a child who is not placed for adoption with them by an adoption agency (non-agency adoptions).

- **Motion to approve The Local Authorities (Prescribed Fees)(Adoptions With a Foreign Element (Wales) Regulations 2005**

These Regulations provide a discretionary power for local social services authorities to charge intercountry adopters for a range of facilities provided to them in connection with adoption of children from foreign countries. The facilities involved mainly relate to counselling and the preparation of assessments on the suitability of the persons concerned as adopters of a child from a specific country.

- **Motion to approve The Local Authority Adoption Service (Wales) Regulations 2005**

These Regulations establish the standards that Local Authorities must maintain in the delivery of an adoption service. They will be inspected against these Regulations and associated minimum standards by the Care Standards Inspectorate for Wales.

They will replace the Local Authority (Adoption Services) (Wales) Regulations 2003, made under the Adoption Act 1976 and the Care Standards Act 2000. The forthcoming repeal of the 1976 Act and its replacement by the Adoption and Children Act 2002 requires the existing Regulations to be replaced.

- **Plaid Cymru nominated debate (45 mins)**
- **Debate on Health and Social Services` Committee Report : Review of the National Service Framework for Mental Health –Standard 2 : User and Carer Participation (60 mins)**

### Wednesday 2 November 2005

- **Questions to Brian Gibbons, Minister for Health and Social Services (30 mins)**
- **Questions to Alun Pugh, Minister for Culture, Welsh Language & Sport (30 mins)**
- **Questions to the House Committee (5 mins)**

- **Debate on Affordable Housing (90 mins)**
  - **Short Debate (30 mins)**
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