

VOTES AND PROCEEDINGS

The Session commenced at 9.05am

Questions to Jane Hutt, Minister for Health and Social Services

The first 5 questions were answered

9.22am

Questions to Jane Davidson, Minister for Education and Lifelong Learning

The first 6 questions were answered. Question 4 was withdrawn.

9.41am

Questions to House Committee

The first 11 questions were answered. Questions 3 & 6 were withdrawn.

Point of Order

David Melding under Standing Order 6.8 on provision of written Cabinet statements. The Presiding Officer advised that providing a written statement was not a breach of the current standing orders.

10.07am

Debate on the Welsh Language Act Regulations

NDM737 To propose that the National Assembly:

1. Notes that at 1 July 2001 a total of 159 public sector Welsh Language Schemes were in existence and approved by the Welsh Language Board under the Welsh Language Act 1993.
2. Welcomes The Welsh Language Schemes (Public Bodies) Order 2001 (a draft of which was

laid in Table Office on 1 May 2001), brought forward by the Minister for Culture, Sport and the Welsh Language, which will bring 25 new organisations within the scope of the Welsh Language Act.

3. Invites the Minister for Culture Sport and the Welsh Language to bring forward further subordinate legislation of this type in 2002.

The following amendments were selected:

1. Jocelyn Davies (South Wales East);

Add as a new point at the end of motion

Ensures that the Welsh Language Board is funded sufficiently to enable it to monitor properly the 159 language schemes that have been approved so far.

2. Jocelyn Davies (South Wales East);

Add as a new point at the end of the motion

Calls upon the Culture Minister to bring the former utilities, such as water, electricity, gas, British Telecom and railway companies within the scope of the Welsh Language Act.

A vote was taken:

Amendment 1

For 22; Abstain 0 Against 27; Total 49

Amendment 1 was defeated

Amendment 2

For 13; Abstain 0; Against 35; Total 48

Amendment 2 was defeated

The motion

For 49; Abstain 0; Against 0; Total 49

The motion was carried

10.40am

Approval of the The Welsh Language Schemes (Public Bodies) Order 2001

NDM738 To propose that the National Assembly:

Considers the principle of The Welsh Language Schemes (Public Bodies) Order 2001, laid in the Table Office on 1 May 2001.

A vote was taken on the principle of the Order

For 47; Abstain 0; Against 0; Total 47

The principle of the Order was carried

NDM739 To propose that the National Assembly:

1. considers the report of the Legislation Committee which has not identified under Standing Order 11.5 any matters for concern in the draft order, **The Welsh Language Schemes (Public Bodies) Order 2001**, laid in the Table Office on 22 May 2001.

2. approves that the Order is made in accordance with the draft laid in the Table Office on 1 May 2001 and the Regulatory Appraisal laid in Table Office on 15 June 2001.

A vote was taken on the order:

For 48; Abstain 0; Against 0; Total 48

The order was carried

10.41am

The Deputy Presiding Officer took the Chair

Debate on the National Housing Strategy

NDM740

1. Endorses 'Better Homes for People in Wales – A National Housing Strategy for Wales' (laid in the Table Office on 4 July 2001) and the vision it contains for housing in Wales.

2. Supports the policies and actions set out in the strategy for ensuring that everyone in Wales has the opportunity: to live in good quality, affordable, housing; and to choose where they live and whether buying or renting is best for them and their families.

3. Recognises that delivering and developing the strategy will require all levels of government,

sectors, organisations and individuals to work together, providing equality of opportunity within communities where no-one is excluded.

The following amendments were selected:

1. Jocelyn Davies (South Wales East);

In point 1 replace 'Endorses' with Receives

2. William Graham (South Wales East):

In Point 1, delete "and the vision it contains for housing in Wales", and replace with "as the foundation upon which to address the provision of high quality and affordable housing within Wales".

3. William Graham (South Wales East):

Insert a new Point after Point 1, which reads:

Acknowledges the acceptance, within the strategy, of PFI initiatives and the transfer of housing stock from Local Authority control.

4. Jocelyn Davies (South Wales East);

In point 2 replace 'Supports' with 'Accepts'

5. Jocelyn Davies (South Wales East);

Delete full stop and add at the end of point 2 ' but regrets that many of the suggestions that came forward from the Housing Task Groups are not included in the strategy.'

6. William Graham (South Wales East):

In Point 3, insert "whilst" between "Recognises that" and "delivering", then add to the end of the sentence ", questions the number of community strategy, local housing strategy, Forums, Panels and Working Groups deemed necessary to achieve these aims, may hinder the progression of objectives".

7. Jocelyn Davies (South Wales East);

In point 3 insert after 'equality of opportunity' 'and sustainability'

8. William Graham (South Wales East):

Add a new Point 4:

Accepts that to achieve the higher quality and affordable housing, which allows for the choice to buy or to rent, requires a greater understanding and co-operation between Local Authorities and the Independent Sector to establish effective local housing strategies.

9. Jocelyn Davies (South Wales East);

Add as new bullet point at the end of the motion

'Calls on the Government of Wales to instigate a National Housing Needs and Conditions Survey, being partly financed by the money already set aside for this purpose in the 2002 – 2003 budget and ensuring that this is a national survey assessing present and future needs.

10. Jocelyn Davies (South Wales East);

Add as new bullet point at the end of the motion

'Calls on the Government of Wales to recognise the right of people to access housing within their local communities equitably throughout Wales.

11. Jocelyn Davies (South Wales East);

Add as new bullet point at the end of the motion

'Calls on the Minister for Local Government and Communities to make representation to the UK Government through the Secretary of State for Wales on the need to simplify housing benefit including abolishing the single room rent restrictions for under 25's.

12. Jocelyn Davies (South Wales East);

Add as new bullet point at the end of the motion

'Calls on the Minister for Local Government and Communities to make representation to the UK Government through the Secretary of State for Wales to transfer the powers on building regulations from the Buildings Regulations Advisory Committee to the National Assembly.

A vote was taken:

Amendment 1

For 21; Abstain 0; Against 24; Total 45

Amendment 1 was defeated

Amendment 2

For 45; Abstain 0; Against 0; Total 45

Amendment 2 was carried

Amendment 3

For 9; Abstain 0; Against 36; Total 45

Amendment 3 was defeated

Amendment 4

For 21; Abstain 0; Against 25; Total 46

Amendment 4 was defeated

Amendment 5

For 21; Abstain 0; Against 24; Total 45

Amendment 5 was defeated

Amendment 6

For 9; Abstain 0; Against 37; Total 46

Amendment 6 was defeated

Amendment 7

For 45; Abstain 0; Against 0; Total 45

Amendment 7 was carried

Amendment 8

For 34; Abstain 12; Against 0; Total 46

Amendment 8 was carried

Amendment 9

For 21; Abstain 0; Against 25; Total 46

Amendment 9 was defeated

Amendment 10

For 12; Abstain 9; Against 25; Total 46

Amendment 10 was defeated

Amendment 11

For 37; Abstain 0; Against 9; Total 46

Amendment 11 was carried

Amendment 12 was withdrawn

The motion, as amended

For 45; Abstain 0; Against 0; Total 45

The motion, as amended, was carried

11.48am

The Presiding Officer took the Chair

Revision of the determination on Members' Salaries and Allowances

NDM742

To propose that the Assembly approves the National Assembly for Wales (Assembly Members and Officers) (Salaries, Allowances etc.) (No 2)

Determination 2001 laid in the Table Office on 3 July 2001.

A vote was taken on the motion

For 45; Abstain 0; Against 0; Total 45

The motion was carried by the required two thirds majority

11.52am

Approve of a consequential change to the Members' Pension Scheme

NDM743

To propose that the Rules of the National Assembly for Wales Members' Pension Scheme (available on the Intranet at <http://assembly/aegis/AssemblyGuidance/Fees%20Office%20New/Guidance%20&%20Forms/Pensions/Scheme%20Rules/Final%20version%20Pension%20Scheme%20Rules%2025%20May.doc>) be amended as follows:

For paragraph (3) of Rule C2, in the definition of "qualifying officer ", substitute the following,

(3) In these Rules "qualifying office" means any of the following offices:

- a. the presiding officer;
- b. the deputy presiding officer;
- c. the Assembly First Secretary;
- d. the Assembly Secretaries;
- e. the leader of the largest party not represented in the Assembly Cabinet;
and
- f. Chairs of Subject Committees established in accordance with section 57 of the Act

A vote was taken on the motion

For 45; Abstain 0; Against 0; Total 45

The motion was carried by the required two thirds majority

11.54am

Revision of Standing Orders

NDM741 To propose that the National Assembly acting under section 46(6) of the Government of Wales Act and Standing Order 34:

- (i) considers the report of the Business Committee laid in the Table Office on 3 July 2001; and
- (ii) approves the following revision of standing order.

Standing Order 23, section 3

1. *At the start of paragraph 23.9 insert,*

"Subject to paragraphs 23.11A to 23.11E,";

2. *After paragraph 23.11 insert,*

"23.11A. Subject to paragraph 23.11E, the Assembly Cabinet may determine that, in the particular circumstances, it is not reasonably practicable for a draft to be laid before the Assembly under paragraph 23.9 and in that case paragraphs 23.11B to 23.11D shall apply.

23.11B. The draft shall be signed on behalf of the Assembly in accordance with paragraph 22.26(iii).

23.11C. The relevant Assembly Secretary shall as soon as reasonably practicable after the draft has been signed under paragraph 23.11B lay before the Assembly a memorandum notifying the Assembly that the subordinate legislation has been signed on behalf of the Assembly and explaining its intended effect and likely financial implications.

23.11D. Whenever a memorandum is laid before the Assembly under paragraph

23.11C, a Member may, within the period of 40 working days beginning with the date on which the memorandum is laid, table a motion instructing the relevant Assembly Secretary -

(a) to consider the possibility of the subordinate legislation being revoked in relation to Wales; and

(b) to lay before the Assembly as soon as possible a report stating what action the Assembly Secretary has taken or proposes to take in that respect.

23.11E. Paragraphs 23.11A to 23.11E and, in paragraph 23.9, the words "Subject to paragraphs 23.11A to 23.11E," shall cease to have effect on the 26th October 2001".

3. For paragraph 23.12 substitute:

"23.12. Where subordinate legislation to which this section applies would, if the legislation were made by the Assembly alone, fall within section 1 or section 2 of this standing order, the provisions of that section or those sections shall also apply to it except that:

(a) the reference in paragraphs 23.1 and 23.5 to the provisions of paragraphs 22.2 to 22.30

shall be replaced by references to paragraphs 23.9 to 23.11E; and

(b) in a case to which paragraphs 23.11A to 23.11E apply, paragraph 23.2 shall have effect as if for "after the Assembly has been notified" there were substituted "after that Assembly Secretary has been notified".

Provided that, on and after the 26th October 2001, for sub-paragraphs (a) and (b) of paragraph 23.12, substitute:

"the references in paragraphs 23.1 and 23.5 to the provisions of paragraphs 22.2 to 22.30 shall be replaced by references to paragraphs 23.9 to 23.11."

A vote was taken on the motion

For 45; Abstain 0; Against 0; Total 45

The motion was carried by the required two thirds majority

11.56am

Debate on the Report of the Agriculture and Rural Development Committee on the Diversification of the Rural Economy *(postponed from 28th June)*

A procedural motion was proposed by the Minister for Assembly Business under Standing Order 6.16 to bring forward the following Named Day Motion which was tabled on the 20th June 2001 and postponed from Plenary on 28th June.

A vote was taken on the procedural motion

For 45; Abstain 0; Against 0; Total 45

The procedural motion was carried

NDM711 To propose that the National Assembly, in accordance with Standing Order 9.9, notes the report from the Agriculture & Rural Development Committee entitled "Diversifying the Rural Economy", which was laid in the Table Office on 20 June 2001.

A vote was taken:

For 35; Abstain 0; Against 0; Total 35

The motion was carried

12.36am

Short Debate:

NDM736 Janet Ryder (North Wales); Access to Disability Grants

The session concluded at 13.00pm

The Assembly will sit again in Plenary at

2.00pm on Tuesday, 17th July 2001

E P Silk

Clerk to the Assembly

DOCUMENTS LAID SINCE THE ASSEMBLY LAST MET

DOCUMENTS LAID ON 10 July 2001

South West Wales Regional Committee Report to the Assembly 2000-2001 LD560

Regulatory Appraisal - The Feeding Stuffs and The Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2001 LD958

The Feed Stuffs and the Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations

2001 LD957

Report by the Committee on Standards of Conduct: 02-2001 - LD959

DOCUMENTS LAID ON 9 July 2001

Guidance on Assembly Questions - LD948

National Assembly for Wales Voluntary Sector Scheme: First Annual Report - LD949

Memorandum of Corrections - The Local Government Elections (Wales) Order 2001 - LD950

Memorandum of Corrections - The NHS (General Dental Services) (Amendment) (No.2) (Wales) Regulations 2001 - LD951

Memorandum of Corrections - The Children (Protection from Offenders) (Amendment) (Wales) Regulations 2001 - LD952

Memorandum of Corrections - The Sweeteners in Food (Amendment) (Wales) Regulations 2001 - LD953

Memorandum of Corrections - The Children's Commissioner for Wales Act 2001 (Commencement) Order 2001 - LD954

Memorandum of Corrections - The Children's Commissioner for Wales Regulation 2001 - LD955

Memorandum of Corrections - The Care Standards Act 2000 (Commencement No.7) (Wales) Order 2001 - LD956