

**Votes and Proceedings for Tuesday, 15<sup>th</sup> July 2003**

**The meeting commenced at 2.00pm**

**First Minister's Question Time**

The first 10 questions were answered. Questions 1 + 2 were grouped together for answer.

**2.46pm**

**Business Statement**

More than 10 Members objected to the business statement.

**A vote was taken on the business statement:**

For 40; Abstain 0; Against 18; Total 58

The business statement was agreed

**2.57pm**

**Suspension of Standing Orders**

*NDM1606* Karen Sinclair (Clwyd South)

To propose that the National Assembly, acting under Standing Order 34.4 agrees to suspend standing order 6.12 and the second sentence of Standing Order 8.1 to allow the no named motion (NNDM1607) tabled today, to be taken this afternoon in Plenary Tuesday 15 July 2003.

I understand that the Presiding Officer is minded to allow the above motion to be moved in Plenary this afternoon. If approved, this motion will allow the following No Named Day Motion, for the establishment of a Committee under Standing Order 8.1, to also be debated this afternoon:

**A vote was taken on the motion:**

For 58; Abstain 0; Against 0; Total 58

**The motion was carried by the required 2/3rds majority**

**2.58pm**

**Committee Election**

*NNDM1607* Karen Sinclair (Clwyd South)

To propose that the National Assembly, establishes a Committee under Standing Order 8.1 to decide on seating arrangements for the Chamber of the Assembly for the course of the Second Assembly; that the Committee report no later than 21 October 2003; that the Committee cease to exist when it has reported; and that the Committee's decision shall constitute the arrangement for

seating in the Chamber from 4 November 2003.

**A vote was taken on the motion:**

For 58; Abstain 0; Against 0; Total 58

**The motion was carried**

**2.59pm**

**Statement by the Minister for Education and Lifelong Learning: Individual Learning Accounts**

**3.30pm**

**Statement by the Minister for Economic Development & Transport: A Winning Wales**

**4.06pm**

**Statement by the Minister for Education and Lifelong Learning: Standing Order 29 resolution on Financial Support for School Clothing**

**4.32pm**

**Points of Order**

**Kirsty Williams** - Standing Order 29 - abolition of prescription charges.

**Glyn Davies** - The Legislation Committee's scrutiny of Regulatory Appraisals.

**Glyn Davies** - Counsel General's evidence to Legislation Committee

**Censure Motion - NDM1577- Nicholas Bourne (Mid and West Wales), Ieuan Wyn Jones (Ynys Môn), Michael German (South Wales East), Jocelyn Davies (South Wales East), Kirsty Williams (Brecon and Radnorshire), Jonathan Morgan (South Wales Central) - *WITHDRAWN***  
**The National Assembly for Wales censures the Minister for Assembly Business for bringing the Assembly into public ridicule.**

**The Deputy Presiding Officer took the Chair**

**4.50pm**

Motion to approve The Common Agricultural Policy (Wine)(Wales) (Amendment) Regulations 2003  
*NDM1567 Karen Sinclair (Clwyd South)* - To propose that the National Assembly for Wales:  
Considers the principle of The Common Agricultural Policy (Wine) (Wales) (Amendment) Regulations 2003,  
laid in the Table Office on 24<sup>th</sup> June 2003.

In accordance with Standing Order 6.21, at least 3 Members requested that the bell be rung.

**A vote was taken on the principle of the Order**

For 55; Abstain 0; Against 0; Total 55

**The principle of the order was approved**

*NDM1568 Karen Sinclair (Clwyd South)* - To propose that the National Assembly:

1. Considers the report of the Legislation Committee which does not draw the special attention of the Assembly to any matter under Standing Order 11.5, in relation to the draft order, The Common Agricultural Policy (Wine) (Wales) (Amendment) Regulations 2003, laid in the Table Office on 1<sup>st</sup> July 2003; and

2. Approves that the Order is made in accordance with the draft laid in the Table Office on 24<sup>th</sup> June 2003.

**A vote was taken on the Order**

For 56; Abstain 0; Against 0; Total 56

**The Order was approved**

**4.58pm**

**Motion to approve The Food Safety (Ships and Aircraft) (Wales) Order 2003**

*NDM1569 Karen Sinclair (Clwyd South)* - To propose that the National Assembly for Wales:

Considers the principle of The Food Safety (Ships and Aircraft) (Wales) Order 2003, laid in the Table Office on 24<sup>th</sup> June 2003.

**A vote was taken on the principle of the Order**

For 55; Abstain 0; Against 0; Total 55

**The principle of the order was approved**

*NDM1570 Karen Sinclair (Clwyd South)* - To propose that the National Assembly:

1. Considers the report of the Legislation Committee which does not draw the special attention of the Assembly to any matter under Standing Order 11.5, in relation to the draft order, The Food Safety (Ships and Aircraft) (Wales) Order 2003, laid in the Table Office on 1<sup>st</sup> July 2003.

2. Approves that the Order is made in accordance with the draft order laid in the Table Office on the 24<sup>th</sup> June 2003; the Regulatory Appraisal laid in the Table Office on 24<sup>th</sup> June 2003 and the Memorandum of Corrections laid in the Table Office on the 1<sup>st</sup> July 2003.

**A vote was taken on the Order**

For 55; Abstain 0; Against 0; Total 55

**The Order was approved**

**5.03pm**

**Motion to approve The Education (Assisted Places) (Incidental Expenses) (Amendment) (Wales) Regulations 2003**

*NDM1571 Karen Sinclair (Clwyd South)* - To propose that the National Assembly for Wales:

Considers the principle of The Education (Assisted Places) (Incidental Expenses) (Amendment) (Wales) Regulations 2003, laid in the Table Office on 26<sup>th</sup> June 2003.

**The following amendment has been tabled:**

**Amendment 1 - Jonathan Morgan (South Wales Central)**

After '26<sup>th</sup> June 2003' insert:

', and regrets that the Assisted Places Scheme is no longer available.'

**A vote was taken on the amendment to the principle of the Order**

For 11; Abstain 0; Against 40; Total 51

**The amendment to the principle of the order fell**

**A vote was taken on the principle of the Order**

For 53; Abstain 0; Against 0; Total 53

**The principle of the order was approved**

*NDM1572 Karen Sinclair (Clwyd South)* - To propose that the National Assembly:

1. Considers the report of the Legislation Committee which does not draw the special attention of the Assembly to any matter under Standing Order 11.5, in relation to the draft order, The Education (Assisted Places) (Incidental Expenses) (Amendment) (Wales) Regulations 2003, laid in the Table Office on 1<sup>st</sup> July 2003.

2. Approves that the Order is made in accordance with the draft laid in the Table Office on 26<sup>th</sup> June 2003.

**A vote was taken on the Order**

For 53; Abstain 0; Against 0; Total 53

**The Order was approved**

**5.10pm**

**Motion to approve The Plant Protection Products (Amendment) Regulations 2003 under Standing Orders 23.10, 23.11 & 22.25**

*NDM1573 Karen Sinclair (Clwyd South)* - To propose that the National Assembly:

Acting under Standing Order 22.25, 23.10 & 23.11:

Approves the draft Plant Protection Products (Amendment) Regulations 2003, a copy of which was laid in Table Office on 2<sup>nd</sup> July 2003 and the explanatory Memorandum laid in Table Office on 2<sup>nd</sup> July 2003.

**A vote was taken on the motion:**

For 54; Abstain 0; Against 0; Total 54

**The motion was carried**

**5.10pm**

**Motion to approve The Urban Waste Water Treatment (England and Wales) (Amendment) Regulations 2003 under Standing Order 23.10.**

*NDM1574 Karen Sinclair (Clwyd South)* - To propose that the National Assembly:

Acting under Standing Order 23.10

Approves the draft The Urban Waste Water Treatment (England and Wales) (Amendment) (Wales) Regulations 2003, a copy of which was laid in Table Office and emailed to Members on 8<sup>th</sup> July

2003.

**A vote was taken on the motion:**

For 54; Abstain 0; Against 0; Total 54

**The motion was carried**

**5.14pm**

**Delegation of The European Communities (Designation) (No2) Order 2003 to the First Minister**

*NDM1575 Karen Sinclair (Clwyd South)*

To propose that the National Assembly for Wales, acting under section 62(1)(b) of the Government of Wales Act 1998, resolves to delegate to the First Minister all the functions of the National Assembly (save those which by law cannot be so delegated) contained in or under regulations made by:

(a) the National Assembly (whether made by the National Assembly alone or together with a UK Minister, UK Government Department or the Scottish or Northern Ireland Executives) under section 2(2) of the European Communities Act 1972 pursuant to the functions conferred on the Assembly by;

The European Communities (Designation) (No. 2) Order 2003 (SI 2003, No 1246) (available on the HMSO website at:

<http://www.legislation.hmso.gov.uk/si/si2003/20031246.htm>)

or

(b) a UK Minister under his or her concurrent powers, under the said section 2(2) in relation to any of the measures in respect of which functions were conferred on the National Assembly in the Designation Order.

[Nothing in this motion will have the effect of reducing the pre-eminence of the authority of the full Assembly or reducing the role of Assembly Committees in the exercise of the above functions.]

**A vote was taken on the motion:**

For 53; Abstain 0; Against 0; Total 53

**The motion was carried**

**5.15pm**

**Motion to approve changes to Standing Order 35**

*NDM1566 - Jenny Randerson (Cardiff Central)* - To propose that the National Assembly acting under section 46(6) of the Government of Wales Act and Standing Order 34:

1. considers the report of the Business Committee laid in the Table Office and e-mailed to Members on 8<sup>th</sup> July 2003; and
2. approves the revisions to Annex A to Standing Order 35 outlined in the report.

**A vote was taken on the motion:**

For 54; Abstain 0; Against 0; Total 54

**The motion was carried**

**5.17pm**

**Motion to approve the Presiding Office Budget**

*NDM1565 - John Marek (Wrexham)*

To propose that the National Assembly, acting under Standing Order 19.00, adopts the budget for the Presiding Office for 2004-2005 and indicative allocations for the subsequent two years as set out in the Table entitled 'Presiding Office Budget for 2004-05 and Indicative Budget for 2005-06 and 2006-07' laid in the Table Office on 7 July 2003.

**A vote was taken on the motion:**

For 54; Abstain 0; Against 0; Total 54

**The motion was carried**

**5.21pm**

**Motion to amend the National Assembly for Wales Members Pension Scheme Rules**

*NDM1564 - Dr John Marek (Wrexham)* - To propose that the National Assembly for Wales:

Acting under section 18 (1) of the Government of Wales Act 1998 and Standing Order 3.1 determines that National Assembly for Wales Members' Pension Scheme Rules approved by the Assembly on 22 January 2003 should be amended as follows:

1. Rule D2 shall be amended with effect from 1 April 2003 to incorporate a new Rule D2(5) to read as follows:-

"D2 (5) A participating Member who immediately prior to the election was also a participating office holder and who is re-appointed to the same qualifying office or another qualifying office at the same salary shall in respect of the interim period between the date of the election returning him or her to the Assembly and the subsequent date of re-appointment into a qualifying office, be required to contribute an amount equal to the aggregate of his/her contribution rate and the Assembly on-going contribution rate as advised by the Actuary from time to time, calculated on the amount of his/her office holder's salary. This contribution shall be deducted from the participating Member's salary in addition to the contribution payable by him/her under Rule D1 above.

D2 (5) (a) Any contributions paid by a participating Member under Rule D2(5) above shall be refunded by the Trustees to him or her within such reasonable period as the Trustees may determine if the member fails to be re-appointed to the same qualifying office (or another qualifying office at the same salary) following the election."

2. Rule F4 shall be amended with effect from 1 April 2003 by the following:-

(i) inserting before the word "and" at the end of Rule F4(2)(a) the words "except for this purpose that

part of contributions under Rule D2(5) which represents the Assembly ongoing contribution shall be disregarded";

(ii) inserting at the beginning of Rule F4(4) the words "Subject to Rule (4A)"; and

(iii) inserting the following new Rule F4 (4A) at the end of sub-Rule F4(4):

"(4A) "Where a participating Member has paid additional contributions under Rule D2(5), the "relevant terminal salary" shall be determined at the end of the period of reckonable service as an office-holder immediately following the interim period in respect of which the additional contributions were due. "

**A vote was taken on the motion:**

For 53; Abstain 2; Against 0; Total 55

**The motion was carried**

**Debate on the "Climbing Higher " Sports Strategy - *No motion tabled***

**Motion to debate the seating arrangements in the Assembly Chamber - *WITHDRAWN***

*NDM1578 Karen Sinclair (Clwyd South)* - To propose that the National Assembly, approves the following allocation of seats within the Assembly Chamber with effect from 22<sup>nd</sup> September 2003:

Seats 9-12, 17-22, 29-36, 45-53, 63-65 to the Welsh Assembly Labour Group.

Seats 13-16, 23, 24, 37, 38, 54, 55, 66, 67 to the Welsh Assembly Plaid Cymru Group

Seats 25-26, 39-42, 56-60, to the Welsh Assembly Conservative Group.

Seats 27, 28, 43, 44, 61, 62 to the Welsh Assembly Liberal Democrats Group.

Seat 68 to the Independent Member for Wrexham

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**The meeting concluded at 5.24pm**

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**The Assembly will sit again in Plenary at**

**2.00pm on Wednesday, 16<sup>th</sup> July 2003**

## **DOCUMENTS LAID SINCE THE ASSEMBLY LAST MET**

### **Documents Laid on 11 July 2003**

Welsh Language Board Annual Report 2002/03 - LD2224

### **Documents Laid on 10 July 2003**

Report of the Business Committee - LD2223

### **Documents Laid on 9 July 2003**

Periodic Timetable Statement 22/09/03-11/01/04 - LD2221

Voluntary Sector Scheme Third Annual Report - LD2222