

## 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, 13 February 2007.]

### Determinations

Following the meeting of the Business Committee held on 13 February the Deputy Presiding Officer determined, in accordance with Standing Order 24.6 that the following items of legislation need not be referred to a subject committee for extended consideration:

- The Air Quality Standards (Wales) Regulations 2007
- The Dairy Produce Quotas (Wales) (Amendment) Regulations 2007
- The Environmental Offences (Fixed Penalties) (Miscellaneous Provisions) (Wales) Regulations 2007
- The General Teaching Council for Wales (Constitution) (Amendment) Regulations 2007
- The Mental Capacity Act 2005 (Appropriate Body) (Wales) Regulations 2007
- Mental Capacity Act 2005 (Commencement) (Wales) Order 2007
- Mental Capacity Act 2005 (Independent Mental Capacity Advocates) (Wales) Regulations 2007
- The Mental Capacity Act 2005 (Loss of Capacity during Research Project)

(Wales) Regulations 2007

- The Controls on Dogs (Non-application to Designated Land) (Wales) Order 2007
- The Dog Control Orders (Miscellaneous Provisions) (Wales) Regulations 2007

### **Draft Business Statement**

*Half term Recess 19- 23 February 2007*

**Tuesday 27 February & Wednesday 28 February 2007**

**Tuesday 6 March & Wednesday 7 March 2007**

**Tuesday 13 March & Wednesday 14 March 2007**

### **Tuesday 27 February 2007**

- **Questions to the First Minister (45 mins)**
- **Business Statement (10 mins)**
- **Statement by Jane Hutt, Minister with responsibility for Equality of Opportunity: Response of the Welsh Assembly Government to the Equality of Opportunity Committee`s Review: Service Provision for Disabled Young People (30 mins)**

The Report was debated in Plenary on 16 January 2007.

- **Motion to approve under Standing Order 24.25 (1 min)**

#### **∅ The Commons (Severance Of Rights) (Wales) Order 2007**

This Order sets out the temporary exceptions to the prohibition imposed by the Commons Act 2006 on the severance of commons rights from the land to which they are attached.

### Ø **The Colours In Food (Amendment) (Wales) Regulations 2007**

These Regulations will amend the Colours in Food Regulations 1995 in Wales to implement Commission Directive 2006/33/EC, the fourth amendment to Directive 95/45/EC, which lays down specific purity criteria (specifications) for colours for the use in foodstuffs throughout the EU.

The aim of the Directive is to amend the purity criteria for two colours: Sunset Yellow FCF (E110) and titanium dioxide (E 171). Sunset Yellow FCF is a colourant that may be added to foods to induce a colour change. It is a synthetic coal tar and azo dye useful in fermented foods that must be heated. It is denoted by E number E110, and has the capacity for inducing an allergic reaction. Sunset Yellow FCF may be found in orange squash and soft drinks, marzipan, Swiss roll, apricot jam, sweets, packet soups and some sauce mix. Titanium Dioxide is a natural white mineral that is denoted by E number E171. It is most commonly used as a white food dye, and can be found in tablets and capsules, cottage and Mozzarella cheese, toothpaste and also in sweets, where it is often used to provide a barrier between different colours.

### **Proposal to debate the following 3 items together but with separate votes (30 mins)**

- **Motion to approve The Council Tax (Additional Provisions For Discount Disregards) (Amendment) (Wales) Regulations 2007**

In setting the council tax bill for a property there is an assumption that two or more adults are in residence. If there is only one resident then a discount will apply. Certain care workers who provide care or support through a connection with the Crown, a charity or a local authority are not taken into account when looking at the number of adults resident in a dwelling to determine whether a discount should apply. Currently, such carers must not earn more than £36 per week to qualify to be disregarded. These Regulations will increase that limit in line with inflation to £44.

- **Motion to approve The Council Tax (Administration And Enforcement) (Amendment) (Wales) Regulations 2007**

This Instrument will amend existing Regulations relating to the financial thresholds that apply in setting the amount of deductions from earnings when applying an Attachment of Earnings Order to recover unpaid council tax. Once a liability order has been granted, billing authorities can instruct employers to recover unpaid council tax directly from an employee's wages. The amount that employers should deduct from an employee's wages under an Attachment of Earnings Order (AEO) is set out in Regulations and depends on the level of

the employee's net earnings. These Regulations will increase the earnings limits in line with the increase in the Average Earnings Index.

- **Motion to approve The Council Tax (Discount Disregards) (Amendment) (Wales) Order 2007**

In setting the council tax bill for a property there is an assumption that two or more adults are in residence. If there is only one resident then a discount will apply. Apprentices are not taken into account when looking at the number of adults resident in a dwelling to determine whether a discount should apply. Currently, an apprentice must not earn more than £160 per week to qualify to be disregarded, and must be earning substantially less than they would be likely to receive had he/she achieved the qualification in question. This Order will increase the earnings limit in line with inflation to £195 per week and remove the requirement to be earning substantially less than their expected future salary. It will also make clear that allowances should be included with salary when assessing an apprentice's earnings.

This Order will also change the definitions of 'prescribed educational establishments', 'further education' and 'foreign language assistants' so that they take account of amendments made by subsequent legislation made since The Council Tax (Discount Disregards) Order 1992 (the 1992 Order). A further amendment includes reference to the National Assembly for Wales as the body that accredits qualifications in Wales with the Qualifications and Curriculum Authority that accredits qualifications in England.

- **Motion to approve The **Approval of Code Of Practice (Private Retirement Housing) (Wales) Order 2007 (15 mins)****

The Order gives approval (with the exception of appendices 4-6) to the Association of Retirement Housing Managers' (ARHM) Code of Practice with regard to the management of private retirement homes. The Code sets out what is regarded as best practice for management in the residential private retirement sector, as well as highlighting any legislative requirements that managers need to comply with.

Appendices 4 to 6 of the Code have not been approved as they are not relevant for the purposes of section 87 of the Leasehold Reform, Housing and Urban Development Act 1993.

- **Motion to approve The Local Authorities (Alteration of Requisite**

## **Calculations) (Wales) Regulations 2007(15 mins)**

These Regulations omit references to “relevant special grant” since no special grants are being defined as relevant special grants for that financial year. These Regulations also insert definitions of sums payable in respect of redistributed non-domestic rates and revenue support grant into sections 32, 33, 43 and 44 of the Local Government Finance Act 1992. They also define “floor funding” in section 43 of the 1992 Act for police authorities in Wales only for the financial year beginning 1 April 2007. The floor funding is added to ensure that the overall increase in central funding for the Police Authorities compared to the last year is 3.6%.

- **Welsh Liberal Democrat nominated debate (45 mins)**

## **Wednesday 28 February 2007**

- **Local Government Questions to Sue Essex, Minister for Finance, Local Government & Public Services (30 mins)**
- **Questions to Jane Davidson, Minister for Education, Lifelong Learning & Skills (30 mins)**
- **Motion to approve The Plant Protection Products (Amendment) Regulations 2007 under Standing Order 25 section 3 (15 mins)**

These joint Regulations will amend the Plant Protection Products Regulations 2005 (as amended), which implement in England and Wales Council Directive 91/414/EEC concerning the placing of plant protection products on the market.
- **Motion to delegate functions under The Children and Adoption Act 2006 to the First Minister (10 mins)**

- **Motion to delegate functions under The Gambling Act 2005 to the First Minister (10 mins)**
- **Motion to delegate functions under the National Health Service Act 2006, the National Health Service(Wales) Act 2006 and the National Health Service (Consequential Provisions) Act 2006 to the First Minister(10 mins)**
- **Motion to approve in year changes within the APS Budget (5 mins)**
- **Motion to approve in year changes within Main Expenditure Groups (10 mins)**
- **Debate on the Health and Social Services Committee`s Report on The Mental Health Bill (60 mins.**
- **Short debate (30 mins)**

## Tuesday 6 March 2007

- **Questions to the First Minister (45 mins)**
- **Business Statement (10 mins)**
- **Motion to approve under Standing Order 24.25(1 min)**

### **Ø The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Gwynedd) Order 2007**

This Order will enable Gwynedd Council to enforce decriminalised parking restrictions within the County of Gwynedd. It would apply to all public highways except for the A55 Trunk Road, including slip roads. This would mean that non-endorsable offences, such as parking on double yellow lines, would be enforced through a civil law regime rather than under criminal law. The enforcement duty would pass from North Wales Police to the Council.

### **Ø The Local Inquiries, Qualifying Inquiries and Qualifying Procedures (Standard Daily Amount) (Wales) Regulations 2007**

These Regulations prescribe:

- an increase in the standard daily amount charged by the Planning Inspectorate to local authorities for the services provided by Planning Inspectors in conducting public inquiries into various matters where the local authority requires consent, confirmation etc. from the National Assembly for Wales. The daily rate will be increased by £77, from £645 to £722, in relation to an inquiry, which opens on or after 1 April 2007; and
- a new standard daily amount to be charged by the Planning Inspectorate to local authorities for the services provided by Planning Inspectors in conducting Independent Examinations into local planning authorities' Local Development Plans. The daily rate will be £640 in relation to an Examination, which opens on or after 1 April 2007.

These Regulations also preserves the current standard daily amount of £679 for Unitary Development Plan Inquiries and makes provision for Simplified Planning Zone inquiries and objections consideration.

These Regulations also revoke the provisions relating to standard daily amounts, which are contained in The Fees for Inquiries (Standard Daily Amount) (Wales) Regulations 2002 and The Town and Country Planning (Costs of Inquiries etc.) (Standard Daily Amount) (Wales) Regulations 2005.

### **Ø The Air Quality Standards (Wales) Regulations 2007**

These Regulations transpose, into domestic legislation in Wales, Council Directive 2004/107/EC (fourth Daughter Directive) relating to arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons (PAHs) in ambient air. PAHs are a group of approximately 10,000 chemical compounds. Most PAHs in the environment are from incomplete burning of materials containing carbon such as oil, wood and coal.

They also revoke and consolidate the current Regulations i.e. The Air Quality Limit Values (Wales) Regulations 2002, The Air Quality (Ozone) (Wales) Regulations 2003 and The Air Quality Limit Values (Wales) (Amendment) Regulations 2005.

- **Motion to approve The Children (Performances)(Amendment) (Wales) Regulations 2007 (15 mins)**

These Regulations amend The Children (Performances) Regulations 1968 in relation to children aged 9 and over to make the rules governing performances by children less restrictive. They abolish the limits on the number of performances in which a child can take part in a year; alter the ages at which children may work; and extend the times and hours they can work or be available for performances.

The Regulations also require the licensing authority to obtain a report from the head teacher of the child's school and for matrons (chaperones) to undertake child protection training.

- **Motion to approve The Children And Adoption Act 2006 (Commencement No. 1) (Wales) Order 2007 (15 mins)**

This Order brings into force section 13 of The Children and Adoption Act 2006 and gives the Assembly the power to charge a fee to adopters for services provided in respect of Intercountry Adoption. There are currently no plans to charge adopters for the provision of services for Intercountry Adoption. However, this depends on whether the number of cases that arise annually remains static. Currently there are approximately 10 cases per year, but this may increase, meaning that the power to charge a fee will be exercised.

**Proposal to debate the following 3 items together but with separate votes (15 mins)**

- **Motion to approve The Environmental Offences (Fixed Penalties) (Miscellaneous Provisions) (Wales) Regulations 2007**

These Regulations prescribe the ranges within which local authorities in Wales are able to set the level of fixed penalty notices, at a local level for certain environmental offences, such as litter and dog fouling.

- **Motion to approve The Dog Control Orders (Miscellaneous Provisions) (Wales) Regulations 2007**

These Regulations establish a new system for the control of dogs. They specify that local authorities and community councils (defined as primary and secondary authorities respectively) can use dog control orders to cover the five offences below:



- failing to remove dog faeces;
- not keeping a dog on a lead;
- not putting, and keeping, a dog on a lead when directed to do so by an authorised officer;
- permitting a dog to enter land from which dogs are excluded; and
- taking more than a specified number of dogs onto land.

A fixed penalty is available for contravening a dog control Order. The default amount is £75, as set by the Clean Neighbourhoods and Environment Act 2005. However, a local authority will be able to set the amount within a specified range between £75 and £150. If prosecuted for the offence, a person is liable to a fine not exceeding level 3, which is £1,000.

- **Motion to approve The Controls On Dogs (Non-Application To Designated Land) (Wales) Order 2007**

This Order sets out the types of land to which Dog Control Orders do not apply. The two types of land specified by the Order as not being subject to dog control Orders are all roads and highways and Forestry Commission land. Dog control orders can cover the five offences below:

- failing to remove dog faeces;
- not keeping a dog on a lead;
- not putting, and keeping, a dog on a lead when directed to do so by an authorised officer;
- permitting a dog to enter land from which dogs are excluded; and
- taking more than a specified number of dogs onto land.

- **Slot reserved for subordinate legislation (30 mins)**

- **Debate on the Local Government and Public Services` Committee`s scrutiny project: Electoral Arrangements in Wales (60 mins)**

## Wednesday 7 March 2007

- **Questions to Edwina Hart, Minister for Social Justice and Regeneration (30 mins)**
- **Questions to Andrew Davies, Minister for Enterprise, Innovation and Networks (30 mins)**
- **Questions to Jane Hutt , y Trefnydd, in accordance with Standing Order 6.28 and as specified in the list of Ministerial responsibilities (30 mins)**
- **Motion to approve The Home Energy Efficiency Schemes (Categories Of Works And Maximum Amounts Of Grant) (Wales) (Amendment) Determination 2007 under Standing Order 29.3 (iii) (15 mins)**

This Determination will allow Eaga Partnership (the Home Energy Efficiency Scheme manager in Wales) to provide coal central heating, as an option under the Home Energy Efficiency Scheme, to those households that are considered to be 'hard to heat'. These are generally households who are not on the mains gas network and who may not have previously been able to receive assistance under the Scheme.

- **Debate on Public Services Employment in Wales (60 mins)**
- **Short debate postponed from 17 January 2007 (30 mins)**  
**NDM3398 Sandy Mewies (Delyn): "Looking After the Pennies" - Why financial literacy matters.**
- **Short debate (30 mins)**

## Tuesday 13 March 2007

- **Questions to the First Minister (45 mins)**

- **Business Statement (10 mins)**
- **Statement by the Minister for Culture, Welsh Language and Sport : The Welsh Assembly Government`s response to the Culture, Welsh Language and Sport Committee`s Review of Football in Wales (30 mins)**
- **Motion to approve under Standing Order 24.25 ( 1 min)**
- Ø **The Dairy Produce Quotas (Wales) (Amendment) Regulations 2007**

These Regulations, which apply to the current quota year (2006/07), amend the Dairy Produce Quotas (Wales) Regulations 2005 to transpose changes made to the European Community legislation governing the milk quotas regime.

- **Proposal to debate the following 4 items together but with separate votes (30 mins)**

- **Motion to approve The Mental Capacity Act 2005 (Loss Of Capacity During Research Project) (Wales) Regulations 2007**

These Regulations deal with research projects that began before the commencement of section 30 of the Mental Capacity Act 2005, which could be affected as a result of research subjects losing capacity during the course of such projects. These Regulations balance the importance of properly conducted research and the treatment and care of people who lack capacity with the need to protect their feelings and respect their current and previously expressed wishes and feelings.

- **Motion to approve The Mental Capacity Act 2005 (Independent Mental Capacity Advocates) (Wales) Regulations 2007**

These Regulations will establish the operation of the Independent Mental Capacity Advocate (IMCA) service that has been created by the Mental Capacity Act 2005.

- **Motion to approve The Mental Capacity Act 2005 (Commencement) (Wales) Order 2007**

This Order will enable Wales to establish the operation of the Independent Mental Capacity Advocate (IMCA) service that has been created by the Mental Capacity Act 2005. It will also enable the commencement of the statutory framework for Research on incapacitated persons through the recognition of appropriate bodies

to approve research into impairing conditions and to allow for ongoing use of material and information taken from research subjects in the event of them losing capacity subject to certain safeguards being met.

- **Motion to approve The Mental Capacity Act 2005 (Appropriate Body) (Wales) Regulations 2007**

Sections 30 to 34 of the Mental Capacity Act 2005 provide a statutory framework for research involving people who lack capacity to consent to their participation in research studies. More particularly, sections 30 to 33 provide a mechanism for the approval of research into or into matters connected with brain function impairment or disturbance. These Regulations provide that the NHS Research Ethics Committees (RECs) with relevant specialism in advising on the ethics of intrusive research be recognised by the National Assembly for Wales as the 'appropriate body'.

- **Motion to approve The General Teaching Council For Wales (Constitution) (Amendment) Regulations 2007 (15 mins)**

These Regulations will amend the General Teaching Council for Wales (Constitution) Regulations 1999, as amended, which govern the membership of the Council and the arrangements by which members are elected and appointed.

- **Slot reserved for subordinate legislation (80 mins)**

### Wednesday 14 March 2007

- **Finance Questions to Sue Essex, Minister for Finance, Local Government & Public Services (30 mins)**

- **Questions to Carwyn Jones, Minister for Environment, Planning & Countryside (30 mins)**

- **Debate on the Health and Social Services Committee's Review of Cancer Services (60 mins)**

- **Motion to delegate functions under The Animal Welfare Act 2006 to the First Minister (15 mins)**

- **Second Debate on Tamsin Dunwoody's Proposal for Subordinate Legislation under Standing Order 31 (45 mins)**

The Assembly supported the original motion debated on 14 November 2006:  
To propose that the National Assembly for Wales, acting under Standing Order 31.2 supports in principle legislation to:

Provide for the inspection of Private Dental Practices in Wales and the introduction of mechanisms for reporting any findings.

- **Short Debate (30 mins)**