

# Second Assembly Plenary Meeting

## Votes and Proceedings (237)

**Date: Tuesday, 28th November 2006**

**Time: 2.00pm**

[Detailed voting results are available here](#)

### Item 1 - Questions to the First Minister

The first 10 questions were answered

.....

**2.52pm**

### Item 2 - Business Statement

**More than 10 Members objected to the business statement**

A vote was taken on the Business Statement:

<b>For</b>	<b>Abstain</b>	<b>Against</b>	<b>Total</b>
28	9	17	54

**The Business Statement was adopted.**

.....

**3.00pm**

### Item 3 - Motion to approve The Diseases of Animals (Approved Disinfectants) (Amendment) (Wales) Order 2006

**NDM3340 Jane Hutt (Vale of Glamorgan)**

To propose that the National Assembly for Wales:

Considers the principle of The Diseases of Animals (Approved Disinfectants) (Amendment) (Wales) Order 2006 a copy of which was laid in Table Office on 7 November 2006.

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

<b>For</b>	<b>Abstain</b>	<b>Against</b>	<b>Total</b>
55	0	0	55

**The principle of the Order was agreed.**

**NDM3341 Jane Hutt (Vale of Glamorgan)**

To propose that the National Assembly for Wales:

1. Considers the report of the Legislation Committee laid in the Table Office and e-mailed to Assembly Members on 21 November 2006 in relation to the draft The Diseases of Animals (Approved Disinfectants) (Amendment) (Wales) Order 2006; and

2. Approves that the draft The Diseases of Animals (Approved Disinfectants) (Amendment) (Wales) Order 2006 is made in accordance with:

- a) the draft laid in the Table Office on 7 November 2006; and
- b) the Regulatory Appraisal laid in the Table Office on 8 November 2006.

A vote was taken on the motion to approve the Order:

<b>For</b>	<b>Abstain</b>	<b>Against</b>	<b>Total</b>
55	0	0	55

**The Order was approved.**

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**3.03pm**

**Item 4 - Statement by the Rt Hon. Peter Hain, Secretary of State for Wales on the Queen's Speech**

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## Point of Order

Mike German raised a Point of Order on whether or not political groups in the Assembly should be referred to by their registered name.

**3.52pm**

### Item 5 - Debate on the Queen's Speech

#### NDM3342 Jane Hutt (Vale of Glamorgan)

To propose that the National Assembly for Wales:

1. Notes the content of the UK Government's legislative programme for the period November 2006 to November 2007;

2. Notes that the following proposed Bills are of particular relevance to the Assembly's responsibilities:

- a) the Local Government Bill (Local Government and Public Services Committee)
- b) the Further Education and Training Bill (Education and Lifelong Learning Committee)
- c) the Climate Change Bill (Environment, Planning and Countryside Committee)
- d) the Mental Health Bill (Health and Social Services Committee)
- e) the Road Transport Bill (Enterprise, Innovation and Networks Committee)
- f) the Digital Switchover Bill (Culture, Sport and Welsh Language Committee); and

3. remits the above Bills to the relevant committees for such consideration as they consider appropriate, and requests each committee to report to the Assembly as soon as may be.

#### The following amendments were tabled:

##### Amendment 1 - Jocelyn Davies (South Wales East)

In point 1 insert the word '*unsatisfactory*' before the word '*content*'.

#### A vote was taken on Amendment 1

For	Abstain	Against	Total
28	0	28	56

As there was an equality of votes, the Presiding Officer cast his vote in the negative.

**Amendment 1 was not agreed.**

**Amendment 2 - Lisa Francis (Mid and West Wales)**

Add new point at end of motion:

*"Regrets the absence of a Bill to provide for a St David's Day public holiday."*

**A vote was taken on Amendment 2**

<b>For</b>	<b>Abstain</b>	<b>Against</b>	<b>Total</b>
28	0	28	56

As there was an equality of votes, the Presiding Officer cast his vote in the negative.

**Amendment 2 was not agreed.**

**Amendment 3 - Lisa Francis (Mid and West Wales)**

Add new point at end of motion:

*"Regrets the indications made by the Secretary of State for Wales regarding his likely exercise of a veto on requests for Orders in Council under the Government of Wales Act 2006, which may be among the other measures laid before Parliament."*

**A vote was taken on Amendment 3**

<b>For</b>	<b>Abstain</b>	<b>Against</b>	<b>Total</b>
28	0	28	56

As there was an equality of votes, the Presiding Officer cast his vote in the negative.

**Amendment 3 was not agreed.**

**Amendment 4 - Kirsty Williams (Brecon and Radnorshire)**

Add new point at end of motion:

"Calls on the Assembly Government to press the UK Government to take action to reform the Barnett Formula."

**A vote was taken on Amendment 4**

<b>For</b>	<b>Abstain</b>	<b>Against</b>	<b>Total</b>
18	0	39	57

**Amendment 4 was not agreed.**

**Amendment 5 - Kirsty Williams (Brecon and Radnorshire)**

Add new point at end of motion:

*"Regrets the continued failure to introduce a Bill analogous to the Scotland Act 1998 to finally give the Assembly the same law-making powers as Scotland, instead of the halfway house of the Government of Wales Act 2006."*

**A vote was taken on Amendment 5**

<b>For</b>	<b>Abstain</b>	<b>Against</b>	<b>Total</b>
18	0	38	56

**Amendment 5 was not agreed.**

## **Amendment 6 - Kirsty Williams (Brecon and Radnorshire)**

Add new point at end of motion:

*"Calls for the Assembly Government to press for an Energy (Wales) Bill to devolve decisions on building regulations and energy consents to the National Assembly so that the Welsh Assembly Government could set accurate annual carbon emissions reductions targets, ambitious targets for renewable energy generation, boost the green economy and set out a meaningful Green Jobs Strategy."*

### **A vote was taken on Amendment 6**

<b>For</b>	<b>Abstain</b>	<b>Against</b>	<b>Total</b>
17	11	28	56

**Amendment 6 was not agreed.**

## **Amendment 7 - Kirsty Williams (Brecon and Radnorshire)**

Add new point at end of motion:

*"Calls on the Assembly Government to press for the devolution to the Assembly of responsibility for energy consents for proposed generating stations which are in excess of 50 megawatts."*

### **A vote was taken on Amendment 7**

<b>For</b>	<b>Abstain</b>	<b>Against</b>	<b>Total</b>
57	0	0	57

**Amendment 7 was agreed.**

## **Amendment 8 - Kirsty Williams (Brecon and Radnorshire)**

Add new point at end of motion:

*"Regrets that the Queen's Speech does not include a Freedom Bill to safeguard civil rights from overweaning government interference."*

### **A vote was taken on Amendment 8**

<b>For</b>	<b>Abstain</b>	<b>Against</b>	<b>Total</b>
18	11	28	57

**Amendment 8 was not agreed.**

## **Amendment 9 - Kirsty Williams (Brecon and Radnorshire)**

Add new point at end of motion:

*"Calls on the Assembly Government to press for the devolution to the Assembly of responsibility for police services in Wales."*

### **A vote was taken on Amendment 9**

<b>For</b>	<b>Abstain</b>	<b>Against</b>	<b>Total</b>
17	10	29	56

**Amendment 9 was not agreed.**

## **Amendment 10 - Kirsty Williams (Brecon and Radnorshire)**

Add new point at end of motion:

*"Believes that consideration should be given to extending TV coverage post*

*digital switchover to those who currently do not have access."*

**A vote was taken on Amendment 10**

<b>For</b>	<b>Abstain</b>	<b>Against</b>	<b>Total</b>
56	0	1	57

**Amendment 10 was agreed.**

**Amendment 11 - Kirsty Williams (Brecon and Radnorshire)**

Add new point at end of motion:

*"Regrets the focus on compulsion and containment in the Mental Health Bill, which could lead to people with mental health problems being detained for reasons other than treatment; and believes that any new laws must be focused on patient autonomy and access to care, with compulsory treatment used only as a last resort."*

**A vote was taken on Amendment 11**

<b>For</b>	<b>Abstain</b>	<b>Against</b>	<b>Total</b>
29	0	28	57

**Amendment 11 was agreed.**

**Amendment 12 - Jocelyn Davies (South Wales East)**

Add new point at end of motion:

*"Notes that Orders in Council under the Government of Wales Act 2006 are likely to be among the other legislation introduced and regrets the recent, unhelpful comments made by the Secretary of State for Wales on the operation of the Orders in Council procedure contained in the Government of Wales Act*



2006."

**A vote was taken on Amendment 12**

<b>For</b>	<b>Abstain</b>	<b>Against</b>	<b>Total</b>
30	0	27	57

**Amendment 12 was agreed.**

**Amendment 13 - Jocelyn Davies (South Wales East)**

Add new point at end of motion:

*"Calls on the First Minister to seek the support of the UK Government in setting up an agreed protocol on how the Secretary of State for Wales will consider each application from the Assembly Government for an Order in Council under the Government of Wales 2006."*

**A vote was taken on Amendment 13**

<b>For</b>	<b>Abstain</b>	<b>Against</b>	<b>Total</b>
57	0	0	57

**Amendment 13 was agreed.**

**Amendment 14 - Jocelyn Davies (South Wales East)**

Add new point at end of motion:

*"Regrets that the speech outlining the UK Government's legislative programme made no reference to the need to replace the current Barnett formula with a formula based on need."*

**A vote was taken on Amendment 14**

<b>For</b>	<b>Abstain</b>	<b>Against</b>	<b>Total</b>
18	0	39	57

**Amendment 14 was not agreed.**

### **Amendment 15 - Jocelyn Davies (South Wales East)**

Add new point at end of motion:

*"Regrets that the UK Government's legislative programme failed to include legislation that would require the Prime Minister to consult the Assembly before committing Welsh troops to hostilities abroad."*

**A vote was taken on Amendment 15**

<b>For</b>	<b>Abstain</b>	<b>Against</b>	<b>Total</b>
12	0	44	56

**Amendment 15 was not agreed.**

### **NDM3342 Jane Hutt (Vale of Glamorgan)**

To propose that the National Assembly for Wales:

1. Notes the content of the UK Government's legislative programme for the period November 2006 to November 2007;

2. Notes that the following proposed Bills are of particular relevance to the Assembly's responsibilities:

- a) the Local Government Bill (Local Government and Public Services Committee)
- b) the Further Education and Training Bill (Education and Lifelong Learning Committee)
- c) the Climate Change Bill (Environment, Planning and Countryside Committee)
- d) the Mental Health Bill (Health and Social Services Committee)

- e) the Road Transport Bill (Enterprise, Innovation and Networks Committee)
  - f) the Digital Switchover Bill (Culture, Sport and Welsh Language Committee);
- and

3. remits the above Bills to the relevant committees for such consideration as they consider appropriate, and requests each committee to report to the Assembly as soon as may be.

4. Calls on the Assembly Government to press for the devolution to the Assembly of responsibility for energy consents for proposed generating stations which are in excess of 50 megawatts.

5. Believes that consideration should be given to extending TV coverage post digital switchover to those who currently do not have access.

6. Regrets the focus on compulsion and containment in the Mental Health Bill, which could lead to people with mental health problems being detained for reasons other than treatment; and believes that any new laws must be focused on patient autonomy and access to care, with compulsory treatment used only as a last resort.

7. Notes that Orders in Council under the Government of Wales Act 2006 are likely to be among the other legislation introduced and regrets the recent, unhelpful comments made by the Secretary of State for Wales on the operation of the Orders in Council procedure contained in the Government of Wales Act 2006.

8. Calls on the First Minister to seek the support of the UK Government in setting up an agreed protocol on how the Secretary of State for Wales will consider each application from the Assembly Government for an Order in Council under the Government of Wales 2006.

A vote was taken on the Motion as amended:

<b>For</b>	<b>Abstain</b>	<b>Against</b>	<b>Total</b>
57	0	0	57

**The Motion as amended was agreed.**

**The meeting concluded at 5.43pm**

**The Assembly will sit again in Plenary at 2.00pm on Wednesday, 29th November 2006.**

**E P Silk**

**Clerk to the Assembly**

### **Determinations**

**Following the meeting of the Business Committee held on 28 November 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 Local Government Act 2003 (Commencement No.1 and Savings) (Wales) Order 2006

The Non-Domestic Rating (Demand Notices and Discretionary Relief) (Wales) (Amendment) Regulations 2006

The Non-Domestic Rating (Small Business Relief) (Wales) Order 2006

The Non-Domestic Rating Contributions (Wales) (Amendment) Regulations 2006

The Planning (Listed Buildings and Conservation Areas) (Amendment) (Wales) Regulations 2006

The Town and Country Planning (General Development Procedure) (Amendment) (Wales) Order

The National Health Service (Dental Charges) (Wales) (Amendment) Regulations 2006