

AGENDA

Votes and Proceedings for Wednesday 26th November

The meeting commenced at 2.00pm

2.01pm

Questions to Jane Hutt, Minister for Health and Social Services

The first 5 questions were asked.

2.27pm

Questions to Jane Davidson, Minister for Education and Lifelong Learning

The first 6 questions were asked. Question 3 was transferred for written answer.

2.50pm

This item was not subject to debate and a vote proceeded immediately

Motion to approve under Standing Order 22.25

NDM1718 Karen Sinclair (Clwyd South)

To propose that the National Assembly for Wales, acting under Standing Order 22.25:

1.

a) Considers the report of the Legislation Committee laid in the Table Office on 18 November 2003 on the draft Order The Nurses Agencies (Wales) (Amendment) Regulations 2003, and

b) Approves that The Nurses Agencies (Wales) (Amendment) Regulations 2003 is made in accordance with the draft regulations laid in the Table Office on 11 November 2003 and the Regulatory Appraisal laid in the Table Office on 11 November 2003.

2.

a) Considers the report of the Legislation Committee laid in the Table Office on 18 November 2003 on the draft Order The Health (Wales) Act 2003 (Commencement No2) Order 2003, and

b) Approves that The Health (Wales) Act 2003 (Commencement No2) Order 2003 is made in accordance with the draft regulations laid in the Table Office on 11 November 2003.

3.

a) Considers the report of the Legislation Committee laid in the Table Office on 18 November 2003 on the draft Order The Local Government Act (Commencement) (Wales) Order 2003, and

b) Approves that The Local Government Act (Commencement) (Wales) Order 2003 is made in accordance with the draft regulations laid in the Table Office on 12 November 2003.

A vote was taken on the motion:

For 49; Abstain 0; Against 0; Total 49

The motion was carried

The following 2 items of business were taken together with separate votes

2.52pm

Motion to approve The South Wales Sea Fisheries Committee (Levies) Regulations 2003

NDM1719 Karen Sinclair (Clwyd South)

To propose that the National Assembly for Wales:

Considers the principle of The South Wales Sea Fisheries Committee (Levies) Regulations 2003, a copy of which was laid in the Table Office on 4 November 2003.

A vote was taken on the principle of the Order

For 51; Abstain 0; Against 0; Total 51

The principle of the order, was approved

NDM1720 Karen Sinclair (Clwyd South)

To propose that the National Assembly for Wales:

1. Considers the report of the Legislation Committee laid in the Table Office on 18 November 2003 in relation to the draft order, The South Wales Sea Fisheries Committee (Levies) Regulations 2003; and

2. Approves that The South Wales Sea Fisheries Committee (Levies) Regulations 2003 is made in accordance with the draft laid in the Table Office on 4 November 2003 and the Regulatory Appraisal laid in the Table Office on 4 November 2003.

A vote was taken on the Order

For 51; Abstain 0; Against 0; Total 51

The Order was approved

Motion to approve The South Wales Sea Fisheries District (Variation) Order 2003

NDM1721 Karen Sinclair (Clwyd South)

To propose that the National Assembly for Wales:

Considers the principle of The South Wales Sea Fisheries District (Variation) Order 2003, a copy of which was laid in the Table Office on 4 November 2003.

A vote was taken on the principle of the Order

For 52; Abstain 0; Against 0; Total 52

The principle of the order, was approved

NDM1722 Karen Sinclair (Clwyd South)

To propose that the National Assembly for Wales:

1. Considers the report of the Legislation Committee laid in the Table Office on 18 November 2003 in relation to the draft order, The South Wales Sea Fisheries District (Variation) Order 2003; and

2. Approves that The South Wales Sea Fisheries District (Variation) Order 2003 is made in accordance with the draft laid in the Table Office on 4 November 2003 and the Regulatory Appraisal laid in the Table Office on 4 November 2003.

A vote was taken on the Order

For 52; Abstain 0; Against 0; Total 52

The Order was approved

2.55pm

Motion to approve a Delegation of Functions of the Local Government Act 2003 to the First Minister

NDM1723 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 all the functions of the National Assembly contained in the Local Government Act 2003 to the Assembly First Minister, save those which by law cannot be so delegated and save those in Section 104 of the Act, which have previously been delegated by the Assembly on 15th October 2003.

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

This delegation will be made in the knowledge that those functions will, as appropriate, be further delegated to the appropriate Assembly Minister and to staff.

Vote on the Motion

For 51; Abstain 0; Against 0; Total 51

The Motion was carried

2.57pm

Debate on CAP Reform

NDM1724 Karen Sinclair (Clwyd South)

To propose that the National Assembly for Wales:

1. Endorses the framework for reform to the EU Common Agriculture Policy as agreed at the EU Council of Agriculture Ministers in September;
2. Welcomes the flexibilities in the reform package to enable Wales to shape future CAP support to the needs of Wales and Welsh farming;
3. Acknowledges that the reform package is consistent with the strategic direction for the sustainability of Welsh agriculture as set out in "Farming for the Future"; and
4. Recognises that decisions on the shape of CAP reform in Wales will be informed by extensive consultation

English and Welsh copies of the Farming for the Future document were e-mailed to Assembly Members on 19 November 2003.

English and Welsh copies of the consultation letter on Reform of the EU Common Agriculture Policy – Implementation in Wales together with Annexes 1, 2 (English only) & 3 (English only) were e-mailed to Assembly Members on 19 November 2003.

The following amendments were tabled:

Amendment 1

Jonathan Morgan (South Wales Central)

In point 2 delete 'Welcomes' and replace with 'Notes'.

Amendment 2

Jocelyn Davies (South Wales East)

Add at the end of point 2:

' which should target supporting the rural economy, the environment and a reduction in bureaucracy.'

Amendment 3

Jocelyn Davies (South Wales East)

Add at the end of point 3:

'recognises that a successful farming sector is an essential part of creating a prosperous future for rural Wales, and'

Amendment 4

Jonathan Morgan (South Wales Central)

Add at the end of point 4:

'with all interested groups in a sensible timescale.'

Amendment 5

Jocelyn Davies (South Wales East)

Add as new point at end of motion:

'Calls on the Minister to bring forward details of the reform as soon as reasonably practical.'

Amendment 6

Kirsty Williams (Brecon and Radnorshire)

Add as new point at end of motion:

'Urges the Welsh Assembly Government to implement a broad and shallow agri-environment scheme within the framework of a reformed CAP.'

Amendment 7

Kirsty Williams (Brecon and Radnorshire)

Add as new point at end of motion:

'Urges the Welsh Assembly Government to ensure maximum flexibility for agricultural diversification with Welsh rural industries.'

Amendment 8

Kirsty Williams (Brecon and Radnorshire)

Add as new point at end of motion:

'Notes the difficult future for rural communities dependent on dairy or mixed holdings, and urges the Welsh Assembly Government to put in place a mechanism for delivering a sustainable and stable farm gate price for milk in Wales.'

Amendment 9

Kirsty Williams (Brecon and Radnorshire)

Add as new point at end of motion:

'Recognises that Welsh farming is livestock heavy with 8% of the European sheep herd, and calls upon Labour Assembly Government to ensure that this characteristic is taken into account in the delivery of reform.'

A vote was taken:

Amendment 1

For 17; Abstain 0; Against 38; Total 55

Amendment 1 was defeated

Amendment 2

For 26; Abstain 0; Against 29; Total 55

Amendment 2 was defeated

Amendment 3

For 55; Abstain 0; Against 0; Total 55

Amendment 3 was carried

Amendment 4

For 25; Abstain 0; Against 29; Total 54

Amendment 4 was defeated

Amendment 5

For 55; Abstain 0; Against 0; Total 55

Amendment 5 was carried

Amendment 6

For 25; Abstain 0; Against 27; Total 52

Amendment 6 was defeated

Amendment 7

For 25; Abstain 0; Against 29; Total 54

Amendment 7 was defeated

Amendment 8

For 26; Abstain 0; Against 29; Total 55

Amendment 8 was defeated

Amendment 9

For 54; Abstain 0; Against 0; Total 54

Amendment 9 was carried

Vote on the Motion as amended

For 55; Abstain 0; Against 0; Total 55

The Motion was carried

4:09pm

Item 8

Debate on Tackling teacher workload - the role of support staff

NDM1725 Karen Sinclair (Clwyd South)

To propose that the National Assembly for Wales:

Supports the action being taken by the Assembly Government, as a signatory to the National Agreement on Teachers Workload, to implement the Agreement in Wales.

English and Welsh copies of "Raising standards and tackling workload: A national agreement" were e-mailed to Assembly Members on 19 November 2003.

The following amendments were tabled:

Amendment 1

Jonathan Morgan (South Wales Central)

Delete 'Supports' and replace with 'Notes'.

Amendment 2

Jocelyn Davies (South Wales East) - This has not been selected

Delete 'Supports' and replace with 'Notes'

Amendment 3

Jonathan Morgan (South Wales Central)

Add new point at end of motion:

'Regrets the lack of funding to adequately finance this agreement.'

Amendment 4

Jocelyn Davies (South Wales East)

Add new point at end of motion

Deplores the Labour Assembly Governments failure to fully fund the Agreement causing councils yet again to use their scarce resources to fund a Government policy which will inevitably have a negative impact on school budgets.

Amendment 5

Jocelyn Davies (South Wales East)

Add new point at end of motion

Regrets the failure of the Labour Assembly Government to argue the case for the devolution of teachers' pay and conditions.

Amendment 6

Kirsty Williams (Brecon and Radnorshire)

Add as new point at end of motion:

'Regrets that the £33 million allocated by the Labour Assembly Government to implement the National Agreement next year is less than that needed by LEAs and will be swallowed up by other pressures due to the inadequate local government settlement. Regrets further that this agreement is under-funded in the current financial year.'

Amendment 7

Kirsty Williams (Brecon and Radnorshire)

Add as new point at end of motion:

'Further regrets that the Labour Assembly Government is using funding allocated to keep small and rural schools open to cover the implementation of the National Agreement in the current year.'

A vote was taken:

Amendment 1

For 25; Abstain 0; Against 29; Total 54

Amendment 1 was defeated

Amendment 3

For 25; Abstain 0; Against 29; Total 54

Amendment 3 was defeated

Amendment 4

For 25; Abstain 0; Against 29; Total 54

Amendment 4 was defeated

Amendment 5

For 9; Abstain 10; Against 35; Total 54

Amendment 5 was defeated

Amendment 6

For 22; Abstain 0; Against 29; Total 51

Amendment 6 was defeated

Amendment 7

For 25; Abstain 0; Against 29; Total 54

Amendment 7 was defeated

Vote on the Motion

For 29; Abstain 9; Against 17; Total 55

The Motion was carried

5.01pm

Short debate - NDM1726 Alun Ffred Jones (Caernarfon); The Young Country

The meeting will conclude by 5.30pm

E P Silk

Clerk to the Assembly

DOCUMENTS LAID SINCE THE ASSEMBLY LAST MET

Documents Laid on 25 November 2003

- The Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (Wales) (No.2) Regulations 2003 - LD2437
- The Waste Management Licensing (Amendment) (Wales) Regulations 2004 - LD2438

- The Independent Schools (Religious Character of Schools) (Designation Procedure) (Wales) Regulations 2003 - LD2439
- The Independent Schools (Provision of Information) (Wales) Regulations 2003 - LD2440
- The Independent Schools (Publication of Inspection Reports) (Wales) Regulations 2003 - LD2441
- The Independent School Standards (Wales) Regulations 2003 - LD2442
- The Local Authorities (Capital Finance and Accounting) (Wales) Regulations 2003 - LD2443
- The Welsh Language Schemes (Public Bodies) Order 2004 - LD2444
- The Dog Fouling (Fixed Penalty) (Wales) Order 2003 - LD2445
- The Litter (Fixed Penalty) (Wales) Order 2003 - LD2446
- The Education (School Day and School Year) (Wales) Regulations 2003 - LD2447

Documents Laid on 24 November 2003

- National Assembly for Wales' Budget 2004-2005 to 2006-2007 Final Budget Proposals - LD2428
- The Education (Recognised Bodies) (Wales) Order 2003 - Regulatory Appraisal -

LD2429

- The National Health Service (Pharmaceutical Services) (Amendment)(No.2) (Wales) Regulations 2003 - LD2430

Committee Reports Laid on 25 November 2003

- LC762 - The Education (Recognised Bodies) (Wales) Order 2003 - LD2431
- LC779 - The LEA Budget, Schools Budget and Individual Schools Budget (Wales) Regulations 2003 - LD2432
- LC782 - The Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (Wales) (No. 2) Regulations 2003 - LD2433
- LC784 - The Food (Peanuts from Egypt) (Emergency Control) (Wales) Regulations 2003 - LD2434
- LC785 - The Kava-kava in Food (Wales) (Revocation) Regulations 2003 - LD2435
- LC787 - The National Assembly for Wales (Returning Officers' Charges) (Amendment) Order 2003 - LD2436