

Thursday, 11th July 2002

VOTES AND PROCEEDINGS

The Session commenced at 9.05am

Questions to Jane Davidson, the Minister for Education and Lifelong Learning

The first 6 questions were answered.

9.25am

Questions to Jane Hutt, the Minister for Health and Social Services

The first 6 questions were answered.

9.45am

Statement: The Minister for Economic Development made a statement on Allied Steel and Wire

10.22am

Statement: The Minister for Health and Social Services made a statement on Palliative Care

10.56am

Point of Order

Elin Jones on the making of Ministerial statements to the Assembly.

Composite Motion - *This motion was not moved and has been rescheduled for Thursday 18th July 2002.*

NDM1121 - To propose that the National Assembly, acting under Standing Order 22.25:

1. Approves:

The Contaminants in Food (Wales) Regulations 2002 laid in the Table Office on 18 June 2002.

2. Considers:

a) The report of the Legislation Committee which has not identified any matters for concern in the draft order The Contaminants in Food (Wales) Regulations 2002, laid in the Table Office on 2 July 2002,

b) The Regulatory Appraisal and annexes, laid in the Table Office on 18 June 2002, and

c) The Memorandum of Corrections laid in the Table Office on 2 July 2002.

3. Approves:

The Local Authorities (Companies) (Amendment) (Wales) Order 2002 laid in the Table Office on 18 June 2002; and

4. Considers:

The report of the Legislation Committee which has not identified any matters for concern in the draft order The Local Authorities (Companies) (Amendment) (Wales) Order 2002, laid in the Table Office on 2 July 2002

5. Approves:

The Local Authorities (Capital Finance) (Approved Investments) (Amendment) (No. 2) (Wales) Regulations 2002 laid in the Table Office on 18 June 2002; and

6. Considers:

The report of the Legislation Committee which has not identified any matters for concern in the draft order The Local Authorities (Capital Finance) (Approved Investments) (Amendment) (No. 2) (Wales) Regulations 2002, laid in the Table Office on 2 July 2002

7. Approves:

The Undersized Spider Crabs (Wales) Order 2002 laid in the Table Office on 25 June 2002; and

8. Considers:

- a) The report of the Legislation Committee which has not identified any matters for concern in the draft order The Undersized Spider Crabs (Wales) Order 2002, laid in the Table Office on 2 July 2002; and
- b) The Regulatory Appraisal, laid in the Table Office on 25 June 2002.

9. Approves:

The Shellfish (Specification of Crustaceans)(Wales) Regulations 2002 laid in the Table Office on 25 June 2002; and

10. Considers:

The report of the Legislation Committee which has not identified any matters for concern in the draft order The Shellfish (Specification of Crustaceans) (Wales) Regulations 2002, laid in the Table Office on 2 July 2002

Approval of the Welfare of Farmed Animals (Wales) (Amendment) Regulations 2002 - *These motions were not moved.*

NDM1122 - To propose that the National Assembly: considers the principle of The Welfare of

Farmed Animals (Wales) (Amendment) Regulations 2002, laid in the Table Office on 18 June 2002.

The following amendment was tabled:

Amendment 1 - Jonathan Morgan (South Wales Central)

Add at end of motion:

' and considers the report of the Agriculture and Rural Development Committee agreed on 19 June 2002.'

The report of the Agriculture and Rural Development Committee can be located on the Intranet using the attached link;

[http://assembly/committees/Agriculture%20&%20Rural%20Development/2002/10-02%20\(19%20June\)/plenaryreportonWelfareoffarmedanimals.html](http://assembly/committees/Agriculture%20&%20Rural%20Development/2002/10-02%20(19%20June)/plenaryreportonWelfareoffarmedanimals.html)

NDM1123 - 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 Welfare of Farmed Animals (Wales) (Amendment) Regulations 2002, laid in the Table Office and emailed to Members on 4 July 2002.

2. Approves:

a) that the Order is made in accordance with the draft laid in the Table Office on 18 June 2002; and

b) the Regulatory Appraisal, laid in the Table Office on 18 June 2002

11.00am

Approval of the National Health Service (General Medical Services)(Amendment)(No 3) (Wales) Regulations 2002

NDM1124 - To propose that the National Assembly considers the principle of The National Health Service (General Medical Services) (Amendment) (No.3) (Wales) Regulations 2002, laid in the Table Office on 18 June 2002.

A vote was taken on the principle of the Order

For 40; Abstain 0; Against 0; Total 40

The principle of the Order was approved.

NDM1125 - 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 National Health Service (General Medical Services) (Amendment) No.3) (Wales) Regulations 2002 laid in the Table Office on 2 July 2002; and

2. Approves that the Order is made in accordance with the draft laid in the Table Office on 18 June 2002.

A vote was taken on the Order

For 40; Abstain 0; Against 0; Total 40

The Order was approved.

11.03am

Approval, under Standing Order 24, of the Transport & Works (Application & Objections Procedure) (England & Wales) Rules 2002

NDM1126 - *To propose that the National Assembly, acting in accordance with the provisions of Standing Order 24, agrees that the Secretary of State makes The Transport and Works (Applications and Objections Procedure)(England and Wales) (Amendment) Rules 2002 which was laid in Table Office on 3 July 2002.*

(Hyperlinks to Office of the Deputy Prime Minister's web site, which contains the consultation paper and regulatory impact assessment, can be seen below: <http://www.planning.odpm.gov.uk/consult/afsoswf/index.htm>

or, when archived, at: <http://www.planning.odpm.gov.uk/conindex.htm>)

The Transport and Works (Applications and Objections Procedure)(England and Wales) (Amendment) Rules 2002 were laid in Table Office on 3 July 2002.

An explanatory memorandum, which included financial considerations, was laid in the Table Office on 3 July 2002.

A vote was taken

For 38; Abstain 0; Against 1; Total 39

The motion was carried.

Debate on the World Summit on Sustainable Development - *This item was not moved, as no motion had been tabled.*

11:12am

Debate on the Annual Report of the Voluntary Sector Scheme

NDM1127 - To propose that the Assembly:

1. Notes the action taken to implement the Voluntary Sector Scheme in the period up to 31 March 2002 and agrees to publish the Annual Report;
2. Values particularly the work of the voluntary sector in its contributions to the National Assembly's policy formulation process;
3. Recognises the important contribution made by the voluntary sector and the constructive manner in which the sector and the Assembly have worked together over the year, in particular through the Voluntary Sector Partnership Council.

The Voluntary Sector Scheme Second Annual Report was laid in Table Office on 3 July 2002.

The following amendments were tabled:

Amendment 1 - Jocelyn Davies (South Wales East)

In point 2 insert after process:

',notably with regard to the key cross cutting themes of promoting Sustainable Development, Equality of Opportunity, Social Inclusion and the development of a bilingual Wales'

Amendment 2 - Jonathan Morgan (South Wales Central)

At end of motion add new point:

Welcomes the publication of the Code of Practice for Funding the Voluntary Sector and recognises the importance of the Assembly, ASPB's and Local Authorities abiding by the Code.

The Code of Practice for Funding the Voluntary Sector can be located on the Internet using the attached link;

<http://www.wales.gov.uk/themesvoluntarysector/content/codeofpractice/index.htm>

A vote was taken:

Amendment 1

For 43; Abstain 0; Against 0; Total 43

Amendment 1 was carried.

Amendment 2

For 43; Abstain 0; Against 0; Total 43

Amendment 2 was carried.

The motion, as amended

For 44; Abstain 0; Against 0; Total 44

The motion, as amended, was carried.

11.55am

Procedural Motion

The Business Minister proposed a procedural motion under Standing Order 6.16 to bring forward the no named day motion NNDM1129 listed under item 13 on the order paper.

As the procedural motion was successful, items 12 and 13 were debated together but the motions were moved and voted upon separately

A vote was taken on the procedural motion

For 42; Abstain 0; Against 0; Total 42

The procedural motion was carried.

11.56am

Debate on the Draft Publication Scheme under The Freedom of Information Act

NDM1128 - To propose that the National Assembly:

1. Considers the draft of the Publication Scheme, which the National Assembly for Wales is required to adopt under section 19 of the Freedom of Information Act;
2. Notes that the draft will be further edited in the light of comments made today in plenary and as a result of wide-ranging consultation. The draft will also be amplified to include user-friendly explanations of each of the classes listed and to take account of comments from officials across the spectrum of National Assembly groups; and
3. Invites the Minister for Open Government to submit the amended Scheme to the Information Commissioner for approval. Following her approval, the Scheme will be submitted to plenary for final approval.

A copy of the draft Publication Scheme was laid in Table Office on 3 July 2002.

An explanatory note was also laid in Table Office on 3 July 2002.

The Freedom of Information Act can be located on the Internet using the attached hyperlink:
<http://www.hmso.gov.uk/acts/acts2000/20000036.htm>

The following amendments were tabled:

Amendment 1 - Jonathan Morgan (South Wales Central)

Insert new point after point 1, and renumber accordingly:

Notes that the principles of accountability and openness upon which the draft publication scheme rests, requires that Ministers should answer questions both orally and in writing on all of their responsibilities.

Amendment 2 - Jonathan Morgan (South Wales Central)

Insert new point after point 2, and renumber accordingly:

Notes that time scales for complying with the requirements of the draft publication scheme are on occasion not specified, and where this is the case the Draft Publication Scheme should be read in conjunction with Standing Orders and/or resolutions of the National Assembly for Wales.

A vote was taken:

Amendment 1

For 16; Abstain 0; Against 25; Total 41

Amendment 1 was defeated.

Amendment 2

For 16; Abstain 0; Against 25; Total 41

Amendment 2 was defeated.

The motion

For 41; Abstain 0; Against 0; Total 41

The motion was carried.

Delegation of Functions to the First Minister

NNDM1129 - *To propose that the National Assembly, 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 The Freedom of Information Act 2000.*

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.

The Freedom of Information Act 2000 can be located on the Internet using the attached hyperlink: <http://www.legislation.hmso.gov.uk/acts/acts2000/20000036.htm>

A vote was taken

For 40; Abstain 0; Against 0; Total 40

The motion was carried.

12.21pm

Short Debate: *NDM1130* Owen John Thomas (South Wales Central): Leasehold - Further Reform

The session concluded at 12.46pm

The Assembly will sit again in Plenary at

2.00pm on Tuesday, 16th July 2002

E P Silk

Clerk to the Assembly

DOCUMENTS LAID SINCE THE ASSEMBLY LAST MET

Documents laid on 10 July 2002

Welsh Development Agency: 2002 Financial Report and Accounts - LD1562
Report of the Business Committee Proposal to Change Standing Orders - LD1563
The Special Educational Needs and Disability Tribunal (General Provisions and Disability Claims Procedure) Regulations 2002 - LD1565
The Special Educational Needs and Disability Tribunal (General Provisions and Disability Claims Procedure) Regulations 2002 - Explanatory Memorandum - LD1564
The National Health Service (General Medical Services Supplementary List) (Wales) Regulations 2002 - Memorandum of Corrections - LD1566
The National Health Service (General Dental Services) (Amendment) (No.2) (Wales) Regulations 2002 - Memorandum of Corrections - LD1567
The National Health Service (General Medical Services) (Amendment) (No.2) (Wales) Regulations 2002 - Memorandum of Corrections - LD1568
The National Health Service (General Ophthalmic Services) (Amendment) (Wales)

Regulations 2002- Memorandum of Corrections - LD1569
The Contaminants in Food (Wales) Regulations 2002 - Memorandum of Corrections - LD1570
The Local Authorities (Allowances for Members of County and County Borough Councils and National Park Authorities) (Wales) Regulations 2002 - Memorandum of Corrections - LD1571
Local Government Finance (Wales) Special Grant Report (No 8) (Wales) 2002 - LD1572
Code of Recommendations for the Welfare of Livestock: Laying Hens - LD1573
Welsh Development Agency: Annual Report and Accounts 2002 - LD1574

LEGISLATION COMMITTEE REPORTS

Documents laid on 9 July 2002

LC515 - National Health Service (General Ophthalmic Services) (Amendment) (Wales) Regulations 2002 - LD1553
LC516 - The National Health Service (General Medical Services) (Amendment) (Wales) (No 2) Regulations 2002 - LD1554
LC517 - The National Health Service (General Medical Services Supplementary List) (Wales) Regulations 2002 - LD1555
LC518 - The National Health Service (General Dental Services) (Amendment) (Wales) (No 2) Regulations 2002 - LD1556
LC519 - The Education (Assisted Places) (Amendment) (Wales) Regulations 2002 - LD1557
LC520 - The Education (Assisted Places) (Incidental Expenses) (Amendment) (Wales) Regulations 2002 - LD1552
LC521 - The Seeds (Fees) (Amendment) (Wales) (No. 2) Regulations 2002 - LD1558
LC522 - The Town and Country Planning (Use Classes) (Amendment) (Wales) Order 2002 - LD1559
Regulations 2002 - LD1560
LC523 - The Local Authorities (Allowances for Members of County and County Borough Councils and National Park Authorities) (Wales)
LC494 - The Local Authorities (Executive Arrangements) (Decisions, Documents and Meetings) (Wales) (Amendment) Regulations 2002 - LD1561