

Cynulliad National Cenedlaethol Assembly for Cymru Wales

NATIONAL ASSEMBLY

FOR WALES

LEGISLATION COMMITTEE

SECOND ASSEMBLY

FOURTH ANNUAL REPORT

2006 - 2007

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SECOND ASSEMBLY

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SUMMARY OF THE WORK OF THE LEGISLATION COMMITTEE 2006-2007

PREFACE BY THE CHAIR OF THE LEGISLATION COMMITTEE

The Legislation Committee first met on 14 September 1999. The first Chair of the Committee, Michael German AM, informed the Members that the Committee reports would be laid before the Assembly and attached to the relevant draft Order for consideration by the relevant plenary session. The reports would be drawn to the attention of Assembly Members when papers for plenary sessions were circulated. This procedure formed the basis of the Committee's work throughout all these years.

The first item of draft Assembly legislation considered by the Committee was "The Local Government Act 1999 (Commencement) (Wales) Order 1999" (report LC1) and the last Statutory Instrument was "The Local Authorities (Allowances for Members) (Wales) Regulations 2007" (report LC1513) considered at the last meeting on the 20 March 2007. In total the Committee has considered 1513 pieces of legislation.

The Committee has met weekly during the First and Second Assemblies and has published a total of eight Annual reports.

In July 2001the then Chair of the Legislation Committee, Mick Bates AM, attended an International Conference on Regulation Reform Management and Scrutiny of Legislation held at the New South Wales State Parliament in Sydney, Australia and made a presentation entitled "Regulatory Reform – a Welsh Perspective". The Committee later published his report.

In 2002 the Committee made a written submission to the Richard Commission. The Chair of the Committee Mick Bates represented the Committee before the Commission.

In July 2005 the Committee forwarded its views to the Assembly's White Paper Committee; the document was entitled "The scrutiny of legislation following the 2007 elections to the National Assembly". The Committee's Chair Glyn Davies AM attended the White Paper Committee to put forward the committee's representations.

In spring 2006 the Legislation Committee considered the potential remit of a subordinate legislation committee established by the Third Assembly following the coming into force of the Government of Wales Act 2006. The Committee has received a number of written

representations and heard the evidence of many experts and related organisations. The Committee particularly appreciated the contributions of Sylvia Jackson MSP, Stewart Maxwell MSP of the Subordinate Legislation Committee of the Scottish Parliament; the Chair of the Assembly's Business Committee Jenny Randerson AM, David Lambert and Marie Navarro of Cardiff Law School, Anna Daniel of the Members' Research Service in Brussels. Details of the papers and discussions can be accessed on the Committee's internet page. The Report of the Review was submitted to the First Minister, the Presiding Officer and all Assembly Members and published on the Committee's website.

This very necessary and meticulous scrutiny would be impossible without the contribution of the Committee Members.

During the First Assembly the following Assembly Members were members of the Committee: Lorraine Barrett AM, Mick Bates AM, Nicholas Bourne LLBLLM AM, Rosemary Butler AM, Christine Chapman AM, Glyn Davies AM, Jocelyn Davies AM, Ron Davies AM, Delyth Evans AM, Val Field AM, Michael German OBE AM, Dr Brian Gibbins FRCGP AM, Janice Gregory AM, John Griffiths AM, Pauline Jarman AM, Ann Jones AM, Carwyn Jones LLB AM, Peter Law AM, Huw Lewis AM, Dai Lloyd MBBCh MRCGP Dip. Ther FRCGP AM, Val Lloyd AM, John Marek AM, Tom Middlehurst AM, Jonathan Morgan LLB MSc FRSA AM, Lynne Neagle AM, Alun Pugh AM, Karen Sinclair AM, Gwenda Thomas AM, Owen John Thomas MA AM.

The following Assembly Members worked sat on the Committee during the Second Assembly: Eleanor Burnham AM, Rosemary Butler AM, Christine Chapman AM, Jeff Cuthbert AM, Glyn Davies AM, Tamsin Dunwoody AM, Janice Gregory AM, Christine Gwyther AM, Irene James AM, Elin Jones AM, Laura Jones AM, Ann Jones AM, Dai Lloyd AM, Sandra Mewies AM, Janet Ryder AM, Catherine Thomas AM, Brynle Williams AM.

I would like to thank my predecessors who chaired the Committee before me: during the First Assembly, Michael German OBE AM and Mick Bates AM and during the Second Assembly Glyn Davies AM who chaired the Committee until January 2006.

I would also like to mention the efforts of the Committee's Legal Advisers and officials – their input allowed the Committee to work smoothly and efficiently within a tight schedule of weekly meetings. In this context I want to name particularly Mr John Turnbull who was the Legal Adviser to the Committee from its establishment in 1999un till his resignation in January 2004. I join the Presiding Officer Lord Dafydd Elis-Thomas AM who wrote in his tribute that John Turnbull helped the Committee to lay the foundations of competent legislative scrutiny. Mr Turnbull has been succeeded by the Legal Adviser Mr Gwyn Griffiths and Assistant Legal Adviser Mrs Joanest Jackson.

Over the years, the Committee has been clerked by Jane Phillips (June 1999 – November 1999, Adrian Green (November 1999 – June 2001) and, finally, Olga Lewis, who has been its Clerk since June 2001.

David Melding AM Chair, The National Assembly for Wales Legislation Committee

PROCEDURES BY WHICH LEGISLATION IS MADE

The National Assembly processes legislation in four different ways: by Standard Procedure, Executive Procedure, Accelerated Procedure or Extended Procedure. The Legislation Committee also scrutinises legislation made under Standing Order (SO)25.2 and SO29.

Standard Procedure

Under the Standard Procedure, the responsible Minister publishes a draft order to all members and invites comments on whether it should be considered by a subject committee. Normally the Minister also carries out a regulatory appraisal of the likely costs and benefits of the draft order. The Minister then submits the draft order to the Business Committee and recommends whether it should be referred to a subject committee. Following Business Committee consideration, the Deputy Presiding Officer decides whether the draft order should be referred to a subject committee (extended procedure) and, after any report by the subject committee, the Minister tables the draft order in Plenary and refers it to the Legislation Committee. The Legislation Committee then reports on whether the Assembly should pay special attention to the draft order. After being approved by the Assembly, the order may be made (SO 24).

Extended Procedure

The extended procedure is when a draft order is sent to a subject committee by the Deputy Presiding Officer as outlined within the description of the Standard Procedure above (SO 24.6 - 24.8).

Accelerated Procedure

The Accelerated Procedure is when, on motion of the Minister, the Assembly votes to approve a draft Order without any debate (SO 24.25), but after it has completed all other stages of the Standard Procedure.

Executive Procedure

Under the Executive Procedure, the Assembly Cabinet may determine that it is not reasonably practical to comply with one or more of the standard procedure stages, including seeking approval from the Assembly. Where an Order has been made without consideration by the Assembly a Member may within 40 working days of the Order being made table a motion that the Order be revoked. If the Order has not been considered by the Legislation Committee before being made, it is referred to the Committee subsequently. Any defects noted under Standing Order 11.7 should normally be rectified the next time the National Assembly legislates on the subject. However, if the defect is particularly serious, it is recommended that amending legislation should be made to rectify the matter as soon as possible.

Standing Order 29 Legislation

The Legislation Committee also considers SO29 legislation. This subordinate legislation is not required to be made by Statutory Instrument and is not subject to parliamentary procedure.

Standing Order 25.2 Legislation

Subordinate legislation subject to a relevant Parliamentary procedure.

SECOND ASSEMBLY: FOURTH YEAR ANALYSIS

INTRODUCTION

The role of the Legislation Committee is to scrutinise relevant Assembly subordinate legislation to ensure that it is within the scope of enabling powers and is properly drafted. Its statutory basis is set out in sections 58 and 59 of the Government of Wales Act 1998 and its functions are detailed in Standing Order 11.

This is the Fourth Annual Report of the work of the Legislation Committee (Second Assembly) covering the period July 2006 - March 2007. During that time the Committee considered a total of **171** pieces of subordinate legislation.

This annual report provides an overview of the Committee's scrutiny of Statutory Instruments. The results are presented in the form of a summary table for ease of reference.

COMMITTEE RESPONSIBILITIES: STANDING ORDER 11.7

Standing Order 11.7 sets out grounds on which the Committee is to invite the National Assembly to pay special attention to legislation. The grounds are as follows:

- doubt as to whether the legislation is within the Assembly's powers or appears to make unusual or unexpected use of the powers under which it is made;
- it is excluded from challenge in the courts;
- it appears to have unauthorised retrospective effect;
- its form or meaning needs further explanation;
- its drafting appears to be defective or fails to fulfil statutory or other legal requirements;
- there appear to be inconsistencies between the English and the Welsh texts
- the subordinate legislation uses gender specific language;
- the subordinate legislation is not to be made in both English and Welsh.

Before reporting to the Assembly the Committee is, under Standing Order 11.6, required to notify the relevant Assembly Minister of this intention and invite him or her to give evidence to the Committee.

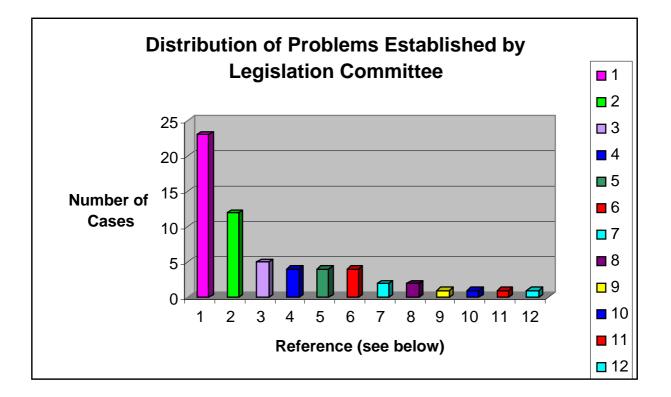
During the reporting period (July 2006 – March 2007) the Committee considered **171** pieces of legislation.

The Committee invited the Assembly to pay special attention to legislation on **60** separate occasions. In the majority of cases those defects were capable of correction by Memorandum of Correction: **47** out of total **60** occasions.

The reasons why the Committee invited the Assembly to pay special attention to Statutory Instruments were as follows:

• the drafting appeared to be defective - 23 cases;

- defective drafting, there were inconsistencies between the English and the Welsh texts
 12 cases;
- subordinate legislation is not to be made in both English and Welsh 5 cases;
- defective drafting, subordinate legislation is not to be made in both English and Welsh
 4 cases;
- defective drafting, subordinate legislation is not to be made in both English and Welsh, subordinate legislation uses gender specific language – 4 cases;
- defective drafting, inconsistencies between the English and the Welsh texts, subordinate legislation uses gender specific language 4;
- there were inconsistencies between the English and the Welsh texts 2 cases;
- defective drafting, subordinate legislation uses gender specific language 2 cases;
- subordinate legislation uses gender specific language 1 case;
- defective drafting, form or meaning needs further explanation 1 case;
- defective drafting, there is doubt whether the subordinate legislation is within the Assembly's powers – 1;
- defective drafting, form or meaning needs further explanation, there were inconsistencies between the English and the Welsh texts 1 case.



- 1 defective drafting 23 cases;
- **2** defective drafting, there were inconsistencies between the English and the Welsh texts **12** cases;
- 3 subordinate legislation is not to be made in both English and Welsh 5 cases;
- 4 defective drafting, subordinate legislation is not to be made in both English and Welsh
 4 cases;

5 - defective drafting, subordinate legislation is not to be made in both English and Welsh, subordinate legislation uses gender specific language – **4** cases;

6 - defective drafting, inconsistencies between the English and the Welsh texts, subordinate legislation uses gender specific language -4;

7 - there were inconsistencies between the English and the Welsh texts - 2 cases;

8 - defective drafting, subordinate legislation uses gender specific language – 2 cases;

9 - subordinate legislation uses gender specific language – **1** case;

10 - defective drafting, form or meaning needs further explanation – **1** case;

11 - defective drafting, there is doubt whether the subordinate legislation is within the Assembly's powers -1;

12 - defective drafting, form or meaning needs further explanation, there were inconsistencies between the English and the Welsh texts - **1** case.

Out of a total of **171** Statutory Instruments considered during the period from July 2006 to March 2007, the Committee did not need to make any comments under S.O.11.7 in respect of **111** Orders. The Committee invited the Assembly to pay special attention to legislation on **60** separate occasions. Of these, **17** are available as printed versions at present. **9** final versions took into account Committee suggestions fully; **2** final versions incorporated some of the suggestions; **4** final versions did not incorporate the suggestions; **2** final versions had the points taken into consideration, amendments intended in the new Sis.

In many instances the legal advisers to the Committee had been asked to comment on early drafts of legislation. This resulted in a considerable number of drafting and other points being corrected prior to formal submission of the legislation to the Committee.

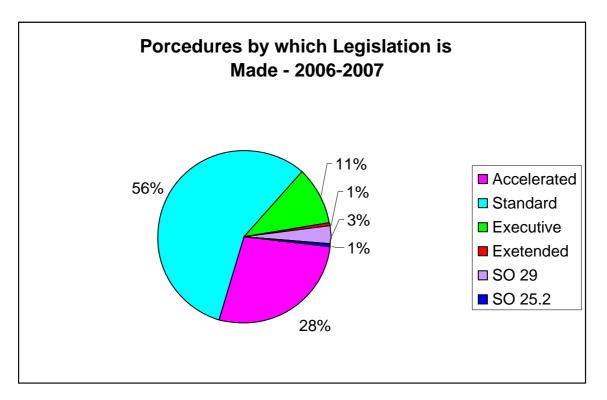
OBSERVATIONS

Besides reporting formally under Standing Order 11.7, the Committee's reports to the Assembly have included observations on minor defects.

In total, the Committee made **66** observations. Of these, the Committee pointed out cases where drafting was defective on **33** occasions and made suggestions on the need for greater clarity on **6** occasions. Typographical errors were found in **16** cases. **6** cases contained grammatical errors. Minor inconsistencies between the English and the Welsh texts were established in **5** cases.

PROCEDURES BY WHICH LEGISLATION IS MADE: 2006-2007

The National Assembly processes legislation in five different ways: by Standard Procedure, Executive Procedure, Accelerated Procedure, S.O.29 and S.O.25 Part II. Out of total **171** Orders considered by the Committee during the period from July 2004 to July 2005, **102** cases (60.0%) followed the Standard Procedure; **19** cases (11.1%) - the Executive Procedure; **49** cases (29%) - the Accelerated Procedure, **1** case (0.6%) followed the Extended Procedure. Out of 102 cases that followed the Standard Procedure, **6** cases (3.5% of the total 171 SIs) – Standing Order 29 and **1** case (0.6% of the total 171 SIs) – Standing Order 25 Part II.



OPERATIONAL MATTERS

The Legislation Committee met every week when the Assembly was in session and therefore it had to work to very tight deadlines. However, the Committee operated smoothly. All draft Statutory Instruments and legal adviser reports were placed on the agenda of meetings held soon after the dates when the draft legislation was laid before the Assembly. The Committee Secretariat aimed to provide Members with all papers two working days before the meeting, in line with the Sanding Order 8.22. Following each meeting the Secretariat ensured that the Committee's Reports were laid before the Assembly as soon as possible, usually the same day. The reports and minutes were placed on the Internet within two working days after the Committee meetings. All SO 11.6 letters (i.e., the letters from the Chair alerting the Minister that the Committee had invited the Assembly to pay special attention to proposed Assembly Orders) were also sent within that time scale.

STATUTO SI Number		
LC1343	The Avian Influenza (Vaccination) (Wales) Regulations 2006	19 September 2006
LC1344	Executive Procedure. Date made 5 July 2006 The Avian Influenza and Influenza of Avian Origin in Mammals (Wales) Order 2006 Executive Procedure. Date made 5 July 2006	19 September 2006
LC1345	Directions to NHS Trusts and Powys Local Health Board 2006	19 September 2006
LC1346	S.O.29 legislation. Standard Procedure. Coming into force date 27 September 2006. The Horses (Zootechnical Standards) (Wales) Regulations 2006 Accelerated Procedure. Coming into force date 30	19 September 2006
LC1347	September 2006 The Animals and Animal Products (Import and Export) (Wales) (Amendment) Regulations 2006 Executive Procedure. Date made 29 July 2006	14 November 2006
LC1348	The Specified Diseases (Notification and Slaughter) (Wales) Order 2006	26 September 2006
LC1349	Executive Procedure. Date made 16 August 2006 The Environmental Noise (Wales) Regulations 2006 Standard Procedure. Coming into force date 4 October 2006	26 September 2006
LC1350	The Home Energy Efficiency Scheme (Categories of Works and Maximum Amounts of Grant)(No.3) (Wales) Determination 2006 S.0.29 legislation. Standard Procedure. Coming into force	26 September 2006
LC1351	date October 2006. The Commissioner for Older People (Wales) Act 2006 (Commencement) Order 2006 <i>Standard Procedure. Coming into force date 14 October</i>	3 October 2006
LC1352	2006 The Paying Agency (National Assembly for Wales) (Amendment) Regulations 2006 <i>Standard Procedure. Coming into force date 16 October</i>	3 October 2006
LC1353	2006 The Youth and Community Work Education and Training (Inspection) (Wales) Regulations 2006 <i>Standard Procedure. Coming into force date 23 October</i>	3 October 2006
LC1354	2006 The Housing Renewal Grants (Amendment) (Wales) Regulations 2006 <i>Standard Procedure. Coming into force data 20 October</i> 2006	3 October 2006

LC1355	The Housing Renewal Grants (Prescribed Form and Particulars) (Amendment) (Wales) Regulations 2006	3 October 2006
	Standard Procedure. Coming into force data 20 October 2006	
LC1356	The Fishing Boats (Satellite-Tracking Devices) (Wales) Scheme 2006 S.O. 25.2 legislation. Standard Procedure. Coming into force	10 October 2006
LC1357	date 20 October 2006 The Sea Fishing (Enforcement of Community Satellite Monitoring Measures) (Wales) Order 2006 Standard Procedure. Coming into force date 20 October 2006	10 October 2006
LC1358	The Community Care, Services for Carers and Children's Services (Direct Payments) (Wales)Amendment Regulations 2006 Standard Procedure. Coming into force date2006	10 October 2006
LC1359	The Agricultural Holdings (Units of Production) (Wales) Order 2006 Accelerated Procedure. Coming into force date 27 October 2006	10 October 2006
LC1360	The Pollution Prevention and Control (England and Wales) (Amendment) (Wales) Regulations 2006 Accelerated Procedure. Coming into force date 25 October 2006	10 October 2006
LC1361	The Clean Neighbourhoods and Environment Act 2005 (Commencement No. 2, Transitional Provisions and Savings) (Wales) Order 2006 Accelerated Procedure. Coming into force date 27 October 2006	10 October 2006
LC1362	The Feeding Stuffs (Wales) (Amendment) Regulations 2006 <i>Extended Procedure. Coming into force date 17 November</i> <i>2006</i>	10 October 2006
LC1363	The National Health Service (Travelling Expenses and Remission of Charges) (Amendment) (No. 2) Regulations 2006 Standard Procedure. Coming into force date 18 October 2006	10 October 2006
LC1364	The Street Works (Reinstatement) (Amendment) (Wales) Regulations 2006 Standard Procedure. Coming into force date 24 January 2007	10 October 2006
LC1365	The Specification for the Reinstatement of Openings in Highways 2nd Edition 2006 S.O. 29 legislation. Standard Procedure. Coming into force date 24 January 2007	10 October 2006

LC1366	The Common Agricultural Policy Single Payment and Support Schemes (Cross Compliance) (Wales) (Amendment) Regulations 2006 Accelerated Procedure. Coming into force date 1 November 2006	17 October 2006
LC1367	The Supply Of Student Support Information To Governing Bodies (Wales) Regulations 2006 Accelerated Procedure. Coming into force date 27 October 2006	17 October 2006
LC1368	 The Plant Health (Import Inspection Fees) (Wales) (No. 2) Regulations 2006 Accelerated Procedure. Coming into force date 31 October 2006 	17 October 2006
LC1369	The Food (Emergency Control) (Revocation) (Wales) Regulations 2006 Accelerated Procedure. Coming into force date 27 October 2006	17 October 2006
LC1370	The Traffic Management Act 2004 (Commencement No. 1) (Wales) Order 2006 <i>Standard Procedure. Coming into force date on 26 October</i> 2006	17 October 2006
LC1371	The Allocation of Housing (Wales) (Amendment) Regulations 2006 Executive Procedure. Date made 3 October 2006	14 November 2006
LC1372	Homelessness (Wales) Regulations 2006 Executive Procedure. Date made 3 October 2006	14 November 2006
LC1373	The Housing (Empty Dwelling Management Orders) (Prescribed Exceptions and Requirements) (Wales) Order 2006 Standard Procedure. Coming into force date on 26 October 2006	17 October 2006
LC1374	Housing (Management Orders and Empty Dwelling Management Orders) (Supplemental Provisions) (Wales) Regulations 2006 Standard Procedure. Coming into force date on 26 October 2006	17 October 2006
LC1375	The Selective Licensing of Houses (Additional Conditions) (Wales) Order 2006 Standard Procedure. Coming into force date on 26 October 2006	17 October 2006
LC1376	The Selective Licensing of Houses (Specified Exemptions) (Wales) Order 2006 Standard Procedure. Coming into force date on 26 October 2006	17 October 2006
LC1377	The Natural Environment and Rural Communities Act 2006 (Commencement) (Wales) Order <i>Standard Procedure. Coming into force date for Part 6 of the</i> <i>Act (rights of way) and parts of Section 105(2) - 16</i> <i>November 2006</i>	24 October 2006

LC1378	The Seed Potatoes (Wales) Regulations 2006 Standard Procedure. Coming into force date 15 November 2006	24 October 2006
LC1379	The Seed Potatoes (Fees) (Wales) (No 2) Regulations 2006	24 October 2006
	Standard Procedure. Coming into force date 16 November 2006	
LC1380	The Introductory Tenancies (Review of Decisions to Extend a Trial Period) (Wales) Regulations 2006 Accelerated Procedure. Coming into force date 17 November 2006	24 October 2006
LC1381	The Sheep and Goats (Records, Identification and Movement) (Wales) (Amendment) Order 2006 Standard Procedure. Coming into force date 1 January 2007	24 October 2006
LC1382	The Regional Transport Planning (Wales) Order 2006 Standard Procedure. Coming into force date 23 November 2006	7 November 2006
LC1383	The Town and Country Planning (Environmental Impact Assessment) (Amendment) (Wales) Regulations 2006 <i>Standard Procedure. Coming into force date 30 November</i> 2006	7 November 2006
LC1384	The Specified Animal Pathogens (Amendment) (Wales) Order 2006 Accelerated Procedure. Coming into force date 24 November 2006	7 November 2006
LC1385	The Inspection of the Careers and Related Services (Wales) Regulations 2006 Accelerated Procedure. Coming into force date 1 April 2007	7 November 2006
LC1386	The Contaminated Land (Wales) Regulations 2006 Accelerated Procedure. Coming into force date 10 December 2006	7 November 2006
LC1387	The Radioactive Contaminated Land (Modification of Enactments) (Wales) Regulations 2006 Accelerated Procedure. Coming into force 16 November	7 November 2006
LC1388	The Independent Review of Determinations (Adoption) (Wales) Regulations 2006 Standard Procedure. Coming into force 31 December 2006	7 November 2006
LC1389	The Common Agricultural Policy Single Payment Scheme (Set-aside) (Wales) (Amendment) Regulations 2006 Standard Procedure. Coming into force 1 December 2006	7 November 2006
LC1390	The Children (Secure Accommodation) (Amendment) (Wales) Regulations 2006	7 November 2006
LC1391	Standard Procedure. Coming into force 16 November 2006 The Smoke Control Areas (Authorised Fuels) (Wales) Regulations 2006 Standard Procedure. Coming into force date 24 November 2006	7 November 2006

LC1392	The Smoke Control Areas (Exempted Fireplaces) (Wales) Order 2006	7 November 2006
	Standard Procedure. Coming into force date 24 November 2006	
LC1393	The Curd Cheese (Restriction on Placing on the Market) (Wales) Regulations 2006	14 November 2006
LC1394	Executive Procedure. Date made 17 October 2006 The Avian Influenza (Preventive Measures) (Wales) Regulations 2006	28 November 2006
LC1395	Executive Procedure. Date made 18 October 2006 The Education (Assisted Places) (Amendment) (Wales) Regulations 2006 Accelerated Procedure. Coming into force date 23	14 November 2006
LC1396	November 2006 The Education (Assisted Places) (Incidental Expenses) (Amendment) (Wales) Regulations 2006 Accelerated Procedure. Coming into force date 23	14 November 2006
LC1397	November 2006 The Plastic Materials and Articles in Contact with Food (Wales) Regulations 2006 Accelerated Procedure. Coming into force date 19	7 November 2006
LC1398	November 2006 The Healthy Start Scheme (Description of Healthy Start Food) (Wales) Regulations 2006 <i>Standard Procedure. Coming into force date 27 November</i>	14 November 2006
LC1399	2006 The National Assembly for Wales (Returning Officers' Charges) Order 2006 <i>Standard Procedure. Coming into force date 8 December</i> 2006	21 November 2006
LC1400	The Diseases of Animals (Approved Disinfectants) (Amendment) (Wales) Order 2006 Standard Procedure. Coming into force date 30 November 2006	21 November 2006
LC1401	The Cereal Seed (Wales) and Fodder Plant Seed (Wales) (Amendment) Regulations 2006 Accelerated Procedure. Coming into force date 20 December 2006	21 November 2006
LC1402	The Avian Influenza (Vaccination) (Wales) (No.2) Regulations 2006 Executive Procedure. Date made 7 November 2006	28 November 2006
LC1403	The Avian Influenza and Influenza of Avian Origin in Mammals (Wales) (No 2) Order 2006	28 November 2006
LC1404	Executive Procedure. Date made 7 November 2006 The Rice Products (Restriction on First Placing on the Market) (Wales) Regulations 2006 Executive Procedure. Date made 8 November 2006	21 November 2006

LC1405	The Meat (Official Controls Charges) (Wales) Regulations 2006	28 November 2006
	Accelerated Procedure. Coming into force date 1 January 2007	
LC1406	The Care Standards Act 2000 and Children Act 1989 (Regulatory Reform and Complaints) (Wales) Regulations 2006	28 November 2006
LC1407	Standard Procedure. Coming into force date 1 January 2007 The Countryside and Rights of Way Act 2000	28 November
201407	(Commencement No 9 and Saving) (Wales) Order 2006 Standard Procedure. Coming into force date 6 December 2006; for section 69 of the Act (erection or improvement of	2006
LC1408	stiles, etc.) – 1 April 2007 The Rice Products (Restriction on First Placing on the	21 November
	Market (Wales) (Amendment) Regulations 2006 Executive Procedure. Date made 14 November 2006	2006
LC1409	The National Health Service (Pharmaceutical Services) (Amendment) (Wales) Regulations 2006	5 December 2006
	Executive Procedure. Coming into force date 16 November 2006	
LC1410	The Feed (Specified Undesirable Substances) (Wales)	28 November
	Regulations 2006 Accelerated Procedure. Coming into force date 26 December 2006	2006
LC1411	The Fishery Products (Official Controls Charges) (Wales) Regulations 2006	5 December 2006
	Accelerated Procedure. Coming into force date 1 January 2007	
LC1412	The Town and Country Planning (General Development Procedure) (Amendment) (Wales) Order 2006	5 December 2006
LC1413	Standard Procedure. Coming into force date 30 June 2007 The Non-Domestic Rating (Small Business Relief) (Wales) Order 2006	5 December 2006
	Standard Procedure. Coming into force date 1 April 2007	2000
LC1414	The Non-Domestic Rating (Demand Notices and Discretionary Relief) (Wales) (Amendment) Regulations	5 December 2006
	2006	
LC1415	Standard Procedure. Coming into force date 1 April 2007 The Non-Domestic Rating Contributions (Wales) (Amendment) Regulations 2006	5 December 2006
	Standard Procedure. Coming into force date 31 December 2006	2000
LC1416	The Local Government Act 2003 (Commencement No 1 and Savings) (Wales) Order 2006	5 December 2006
_	Standard Procedure. Coming into force date 1 April 2007	_
LC1417	The Planning (Listed Buildings and Conservation Areas) (Amendment) (Wales) Regulations 2006	5 December 2006
	Standard Procedure. Coming into force date 30 June 2007	

LC1418	The National Health Service (Dental Charges) (Wales) (Amendment) Regulations 2006	5 December 2006
	Standard Procedure. Coming into force date 15 December 2006	
LC1419	The National Health Service (General Ophthalmic Services) (Amendment) (Wales) Regulations 2007 Standard Procedure. Coming into force date 25 January 2007	16 January 2007
LC1420	The National Health Service (Miscellaneous Amendments Concerning Independent Nurse Prescribers, Supplementary Prescribers, Nurse Independent Prescribers and Pharmacist Independent Prescribers) (Wales) Regulations 2007 Standard Procedure. Coming into force date 1 February 2007	16 January 2007
LC1421	The Housing Act 2004 (Commencement No. 4) (Wales) Order 2007 Standard Procedure. Coming into force date 6 April 2007	30 January 2007
LC1422	The Seed (Wales) (Amendments for Tests and Trials etc.) Regulations 2007 Accelerated Procedure. Coming into force date 31 January 2007	16 January 2007
LC1423	The General Ophthalmic Services (Payments for Continuing Education and Training) (Wales) Directions 2007 S.O. 29 legislation. Standard Procedure. Coming into force date 27 January 2007	16 January 2007
LC1424	The Statutory Nuisances (Miscellaneous Provisions) (Wales) Order 2007 Accelerated Procedure. Coming into force date 30 January 2007	16 January 2007
LC1425	The Statutory Nuisance (Miscellaneous Provisions) (Wales) Regulations 2007 Accelerated Procedure. Coming into force date 31 January 2007	16 January 2007
LC1426	The Food for Particular Nutritional Uses (Addition of Substances for Specific Nutritional Purposes) (Wales) (Amendment) Regulations 2007 Accelerated Procedure. Coming into force date 25 January 2007	16 January 2007
LC1427	National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Wales) Regulations 2007 Standard Procedure. Coming into force date 1 April 2007	16 January 2007
LC1428	The Avian Influenza (H5N1 in Wild Birds) (Wales) Order 2006 Executive Procedure. Date made 12 December 2006	16 January 2007
LC1429	The Avian Influenza (H5N1 in Poultry) (Wales) Order 2006 <i>Executive Procedure. Date made 12 December 2006</i>	16 January 2007

LC1430	The Agricultural Subsidies and Grants Schemes (Appeals) (Wales) Regulations 2006	16 January 2007
1 04 494	Executive Procedure. Date made 13 December 2006	16 100000
LC1431	The Rural Development Programmes (Wales)	16 January 2007
	Regulations 2006 Executive Procedure. Date made 13 December 2006	2007
LC1432	The Animals and Animal Products (Import and Export) (Wales) (Amendment) (No. 2) Regulations 2006	16 January 2007
	Executive Procedure. Date made 21 December 2006	
LC1433	The Environmental Impact Assessment (Uncultivated	23 January
	Land and Semi-natural Areas) (Wales) (Amendment)	2007
	Regulations 2007	
	Standard Procedure. Coming into force date 9 February 2007	
LC1434	The Health Act 2006 (Commencement No. 1 and	23 January
	Transitional Provisions) (Wales) Order 2007	2007
	Standard Procedure. Coming into force date 2 April 2007	
LC1435	Tax Credits (Approval of Child Care Providers) (Wales) Scheme 2007	23 January 2007
	Standard Procedure. Coming into force date 1 February 2007	
LC1436	The Official Controls (Animals, Feed and Food) (Wales)	23 January
	Regulations 2007	2007
	Standard Procedure. Coming into force date 31 January 2007	
LC1437	The Smoke-free Premises etc. (Wales) Regulations 2007	23 January
	Standard Procedure. Coming into force 2 April 2007	2007
LC1438	The Local Health Board Dental Services Directions 2007 S.O. 29 legislation. Standard Procedure. Coming into force	23 January 2007
1 04 400	date 1 February 2007	
LC1439	The Highways Act 1980 (Gating Orders) Regulations 2007	30 January 2007
	Standard Procedure. Coming into force date 19 February 2007	00 1
LC1440	The Commissioner for Older People in Wales	30 January
	(Appointment) Regulations 2007	2007
	Standard Procedure. Coming into force date 16 February 2007	
LC1441	Commissioner for Older People in Wales Regulations 2007	30 January 2007
	Standard Procedure. Coming into force date 16 February 2007	
LC1442	The Children's Commissioner for Wales (Amendment) Regulations 2007	30 January 2007
	Accelerated Procedure. Coming into force date 9 February 2007	2007
LC1443	The Products of Animal Origin (Third Country Imports)	6 February 2007
	(Wales) Regulations 2007	,
	Accelerated Procedure. Coming into force date 14 February 2007	

LC1444	The Placement of Children (Wales) Regulations 2007 Standard Procedure. Coming into force date 1 July 2007	30 January 2007
LC1445	The Review of Children's Cases (Wales) Regulations 2007	30 January 2007
LC1446	Standard Procedure. Coming into force date 1 July 2007 The Children's Homes (Wales) (Miscellaneous Amendments) Regulations 2007	30 January 2007
LC1447	Standard Procedure. Coming into force date 1 July 2007 Local Health Boards (Functions) (Wales) (Amendment) Regulations 2007	30 January 2007
LC1448	Standard Procedure. Coming into force date 1 July 2007 The Local Authorities (Alternative Arrangements) (Wales) Regulations 2007	6 February 2007
	Standard Procedure. Coming into force date 16 February 2007	
LC1449	The Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007 Standard Procedure. Coming into force date 16 February	6 February 2007
LC1450	2007 The Agricultural Wages Committee (Wales) Order 2007	6 February 2007
LC1430	Standard Procedure. Coming into force date 1 March 2007	01 ebidary 2007
LC1451	The National Assembly for Wales (Date of First Meeting of the Assembly Constituted by the Government of Wales Act 2006) Order 2007 Standard Procedure. Coming into force date 14 February 2007	6 February 2007
LC1452	Accounts and Audit (Wales) (Amendment) Regulations 2007 Accelerated Procedure. Coming into force date 1 March 2007	6 February 2007
LC1453	The Food Hygiene (Wales) (Amendment) Regulations2007Accelerated Procedure. Coming into force date 14 February	6 February 2007
LC1454	2007 The Quick-frozen Foodstuffs (Wales) Regulations 2007 Accelerated Procedure. Coming into force date 1 March 2007	6 February 2007
LC1455	The Home Energy Efficiency Schemes (Wales) Regulations 2007 Standard Procedure. Coming into force date 14 February	6 February 2007
LC1456	2007 The Colours in Food (Amendment) (Wales) Regulations 2007 <i>Accelerated Procedure. Coming into force date 10 April</i>	13 February 2007
	2007	
LC1457	The Commons (Severance of Rights) (Wales) Order 2007 Accelerated Procedure. Coming into force date 1 March 2007	13 February 2007

LC1458	Council Tax (Additional Provisions for Discount Disregards) (Amendment) (Wales) Regulations 2007 Standard Procedure. Coming into force date 1 April 2007	13 February 2007
LC1459	The Council Tax (Administration and Enforcement) (Amendment) (Wales) Regulations 2007 Standard Procedure. Coming into force date 1 April 2007	13 February 2007
LC1460	The Council Tax (Discount Disregards) (Amendment) (Wales) Order 2007	13 February 2007
LC1461	Standard Procedure. Coming into force date 1 April 2007 Children and Adoption Act 2006 (Commencement No. 1) (Wales) Order 2007	13 February 2007
LC1462	Standard Procedure. Coming into force date 2 April 2007 Approval of Code of Practice (Private Retirement Housing) (Wales) Order 2007	13 February 2007
LC1463	Standard Procedure. Coming into force date 2 March 2007 The Local Authorities (Alteration of Requisite Calculations) (Wales) Regulations 2007 Standard Procedure. Coming into force date 28 February 2007	13 February 2007
LC1464	The Further Education Corporations (Publication of Draft Orders) (Wales) Regulations 2007 Accelerated Procedure. Coming into force date 23 March 2007	13 February 2007
LC1465	The Local Inquiries, Qualifying Inquiries and Qualifying Procedures (Standard Daily Amount) (Wales) Regulations 2007	27 February 2007
LC1466	Accelerated Procedure. Coming into force date 1 April 2007 The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Gwynedd) Order 2007 Accelerated Procedure. Coming into force date 1 April 2007	27 February 2007
LC1467	The Children (Performances) (Amendment)(Wales) Regulations 2007 <i>Standard Procedure. Coming into force date 2 April 2007</i>	27 February 2007
LC1468	The Controls on Dogs (Non-application to Designated Land) (Wales) Order 2007	27 February 2007
LC1469	Standard Procedure. Coming into force date 15 March 2007 The Dog Control Orders (Miscellaneous Provisions) (Wales) Regulations 2007 Standard Procedure. Coming	27 February 2007
LC1470	into force date 15 March 2007 The Home Energy Efficiency Schemes (Categories of Works and Maximum Amounts of Grant) (Wales) (Amendment) Determination 2007 S.O. 29 legislation. Standard Procedure. Coming into force	27 February 2007
LC1471	date 8 March 2007 The Environmental Offences (Fixed Penalties) (Miscellaneous Provisions) (Wales) Regulations 2007 <i>Standard Procedure. Coming into force date 15 March 2007</i>	27 February 2007

LC1472	The Air Quality Standards (Wales) Regulations 2007 Accelerated Procedure. Coming into force date 15 March 2007	27 February 2007
LC1473	The General Teaching Council for Wales (Constitution) (Amendment) Regulations 2007	6 March 2007
LC1474	Standard Procedure. Coming into force date 14 March 2007 The Mental Capacity Act 2005 (Appropriate Body) (Wales) Regulations 2007 Standard Procedure. Coming into force date for the purpose mentioned in regulation 1(1)(a) - 1 July 2007. For all other purposes - 1 October 2007	6 March 2007
LC1475	Mental Capacity Act 2005 (Commencement) (Wales) Order 2007 Standard Procedure. Coming into force date for the purpose of article 3 – 1 July 2007. For the purpose of article 4 - 1 October 2008. For all other purposes - 1 October 2007	6 March 2007
LC1476	Mental Capacity Act 2005 (Independent Mental Capacity Advocates) (Wales) Regulations 2007 Standard Procedure. Coming into force date 1 October 2007	6 March 2007
LC1477	The Mental Capacity Act 2005 (Loss of Capacity during Research Project) (Wales) Regulations 2007 Standard Procedure. Coming into force date for the purpose mentioned in regulation 1(1)(a) - 1 July 2007. For all other purposes - 1 October 2007.	6 March 2007
LC1478	The Dairy Produce Quotas (Wales) (Amendment) Regulations 2007 Accelerated Procedure. Coming into force date 31 March 2007	6 March 2007
LC1479	The Contaminants in Food (Wales) Regulations 2007 Accelerated Procedure. Coming into force date 15 March 2007	6 March 2007
LC1480	The Meat (Official Controls Charges) (Wales) Regulations 2007 Accelerated Procedure. Coming into force date 26 March 2007	6 March 2007
LC1481	The Cattle Identification (Wales) Regulations 2007 Standard Procedure. Coming into force date 6 April 2007	6 March 2007
LC1482	The Local Health Boards (Constitution, Membership and Procedures) (Wales) (Amendment) Regulations 2007 Standard Procedure. Coming into force date 1 April 2007	13 March 2007
LC1483	The Local Authority Adoption Service (Wales) Regulations 2007 Standard Procedure. Coming into force date 2 April2007	13 March 2007
LC1484	The National Health Service (Optical Charges and Payments) (Amendment) (Wales) Regulations 2007	13 March 2007
LC1485	Standard Procedure. Coming into force date 29 March 2007 The Local Government (Access to Information) (Variation) (Wales) Order 2007 Accelerated Procedure. Coming into force date 21 April 2007	13 March 2007

LC1486	The Local Authorities (Executive Arrangements) (Decisions, Documents and Meetings) and the Standards Committees (Wales) (Amendment) Regulations 2007 Accelerated Procedure. Coming into force date 21 April 2007	13 March 2007
LC1487	The Independent Schools (Miscellaneous Amendments) (Wales) Regulations 2007 Accelerated Procedure. Coming into force date 29 March	13 March 2007
LC1488	2007 The Notification of Marketing of Food for Particular Nutritional Uses (Wales) Regulations 2007 <i>Accelerated Procedure. Coming into force date 1 April 2007</i>	13 March 2007
LC1489	The Staffing of Maintained Schools (Miscellaneous Amendments) (Wales) Regulations 2007 <i>Standard Procedure. Coming into force date 29th March</i> 2007	13 March 2007
LC1490	Designation of Schools Having a Religious Character (Wales) Order 2007	13 March 2007
LC1491	Accelerated Procedure. Coming into force date 1 May 2007 The References to Health Authorities Order 2007 Accelerated Procedure. Coming into force date 1 April 2007	13 March 2007
LC1492	The Common Agricultural Policy Single Payment and Support Schemes (Cross-compliance) (Wales) (Amendment) Regulations 2007 Accelerated Procedure. Coming into force date 31 March 2007	13 March 2007
LC1493	The Firefighters' Pension Scheme (Wales) Order 2007 Standard Procedure. Coming into force date 29 March 2007	20 March 2007
LC1494	The Firefighters' Compensation Scheme (Wales) Order 2007	20 March 2007
LC1495	Standard Procedure. Coming into force date 29 March 2007 The Firefighters' Pension (Wales) Scheme (Amendment) Order 2007	20 March 2007
LC1496	Standard Procedure. Coming into force date 29 March 2007 The Local Authorities (Capital Finance and Accounting) (Wales) (Amendment) Regulations 2007 Standard Procedure. Coming into force date for the purpose	20 March 2007
LC1497	of regulations 1 and 3 29 March 2007and for all other purposes 1 April 2007 The National Assistance (Assessment of Resources and Sums for Personal Requirements) (Amendments)	20 March 2007
LC1498	(Wales) Regulations 2007 Standard Procedure. Coming into force date 9 April 2007 The Food Supplements (Wales) (Amendment) Regulations 2007	20 March 2007
LC1499	Accelerated Procedure. Coming into force date 6 April 2007 The Children's Commissioner for Wales (Appointment) (Amendment) Regulations 2007 Accelerated Procedure. Coming into force date 1 April 2007	20 March 2007

LC1500	The National Health Service (Optical Charges and Payments) (Amendment) (Wales) (No. 2) Regulations 2007	20 March 2007
LC1501	Accelerated Procedure. Coming into force date 1 April 2007 The Education (Pupil Referral Units) (Application of Enactments) (Wales) Regulations 2007 Accelerated Procedure. Coming into force date 23 April 2007	20 March 2007
LC1502	The Curd Cheese (Restriction on Placing on the Market) (Wales) (Revocation) Regulations 2007	13 March 2007
LC1503	Executive Procedure. Coming into force date 6 March 2007 The Road Traffic (Permitted Parking Area and Special Parking Area) (County of the Isle of Anglesey) Order 2007	20 March 2007
LC1504	Accelerated Procedure. Coming into force date 1 April 2007 The National Health Service (Pharmaceutical Services) (Remuneration for Persons providing Pharmaceutical Services) (Amendment) (Wales) Regulations 2007	20 March 2007
1 04505	Accelerated Procedure. Coming into force date 1 April 2007	00 Marsh 0007
LC1505	The Assembly Learning Grants and Loans (Higher Education) (Wales) Regulations 2007 <i>Standard Procedure. Coming into force date 1 April 2007</i>	20 March 2007
LC1506	Health, Social Care and Well-being Strategies (Wales) (Amendment) Regulations 2007	20 March 2007
LC1507	Standard Procedure. Coming into force date 1 April 2007 The National Health Service (Travelling Expenses and Remission of Charges) (Wales) Regulations 2007 Standard Procedure. Coming into force date 1 April 2007	20 March 2007
LC1508	The Docking of Working Dogs' Tails (Wales) Regulations 2007	20 March 2007
LC1509	Standard Procedure. Coming into force date 28 March 2007 The Mutilations (Permitted Procedures) (Wales) Regulations 2007	20 March 2007
LC1510	Standard Procedure. Coming into force date 28 March 2007 The Welfare of Animals (Miscellaneous Revocations) (Wales) Regulations 2007	20 March 2007
LC1511	Standard Procedure. Coming into force date 28 March 2007 The Welfare of Animals (Transport) (Wales) Order 2007 Standard Procedure. Coming into force date 30 March 2007	20 March 2007
LC1512	The Animal Welfare Act 2006 (Commencement No. 1) (Wales) Order 2007	20 March 2007
LC1513	Standard Procedure. Made on 27 March 2007 The Local Authorities (Allowances for Members) (Wales) Regulations 2007 Standard Procedure. Coming into force date 1 June 2007	20 March 2007

REPORT TO MEMBERS

SUMMARY OF ISSUES RAISED BY THE COMMITTEE IN THEIR REPORTS

	Executive	Report	S.O.11.7			Observations			SO 11.7
	Procedure S.O.24.28	Under S.O.11.7	matters amended by Memo of Corrections	Need for Greater Clarity (1)	Defective drafting (2)	Grammatical Errors (3)	Inconsistenc y in English & Welsh Texts (4)	Typographic al Errors (5)	Comments Included in Final Version
LC1343 (e)	*	*	*		*			*	
LC1344 (e)	*	*	*						
LC1345 S.O.29 (s)									4
LC1346 (a)									4
LC1347 (e)	*	*							
LC1348 (e)	*								4
LC1349 (s)									4
LC1350 S.O.29 (s)									4
LC1351 (s)									4
LC1352 (s)									4

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LC1511				*			4
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LC1513	*	*			
(s)					

Comments included in final version:

(1) -(2) -

(3)

- all comments are taken into account
- some comments are taken into account
- none of the comments are taken into account
- (4) there were no comments
- (5) points taken into consideration, amendments intended in the new SI

POINTS REPORTED UNDER S.O. 11.7

- 1. LC1343 defective drafting, inconsistencies between the English and the Welsh texts;
- 2. LC1344 defective drafting, subordinate legislation is not to be made in both English and Welsh, subordinate legislation uses gender specific language;
- 3. LC1347 defective drafting, subordinate legislation is not to be made in both English and Welsh;
- 4. LC1357 defective drafting, inconsistencies between the English and the Welsh texts;
- 5. LC1360 defective drafting
- 6. LC1361 defective drafting
- 7. LC1364 defective drafting
- 8. LC1365 subordinate legislation is not to be made in both English and Welsh
- 9. LC1366 defective drafting
- 10. LC1367 defective drafting
- 11. LC1369 defective drafting;
- 12. LC1372 defective drafting;
- 13. LC1381 inconsistencies between the English and the Welsh texts;
- 14.LC1382 defective drafting, inconsistencies between the English and the Welsh texts;
- 15. LC1383 defective drafting
- 16. LC1385 defective drafting
- 17. LC1386 defective drafting
- 18. LC1387 subordinate legislation uses gender specific language
- 19. LC1388 defective drafting, inconsistencies between the English and the Welsh texts, subordinate legislation uses gender specific language;
- 20.LC1389 defective drafting, inconsistencies between the English and the Welsh texts;
- 21. LC1390 defective drafting;
- 22. LC1393 subordinate legislation is not to be made in both English and Welsh;
- 23.LC1403 defective drafting, subordinate legislation uses gender specific language, subordinate legislation is not to be made in both English and Welsh;
- 24.LC1404 defective drafting, subordinate legislation is not to be made in both English and Welsh;
- 25.LC1405 defective drafting, inconsistencies between the English and the Welsh texts;
- 26. LC1406 defective drafting, inconsistencies between the English and the Welsh texts;
- 27. LC1407 defective drafting, form or meaning needs further explanation;
- 28. LC1408 subordinate legislation is not to be made in both English and Welsh
- 29. LC1410 subordinate legislation is not to be made in both English and Welsh;
- 30. LC1411 defective drafting
- 31. LC1422 defective drafting
- 32. LC1424 defective drafting

- 33.LC1425 defective drafting; inconsistencies between the English and the Welsh texts;
- 34.LC1427 defective drafting; inconsistencies between the English and the Welsh texts;
- 35.LC1428 defective drafting, subordinate legislation is not to be made in both English and Welsh;
- 36.LC1429 defective drafting, subordinate legislation is not to be made in both English and Welsh;
- 37. LC1435 defective drafting,
- 38. LC1439 defective drafting,
- 39. LC1444 defective drafting, inconsistencies between the English and the Welsh texts;
- 40. LC1445 defective drafting, subordinate legislation uses gender specific language;
- 41.LC1446 defective drafting, inconsistencies between the English and the Welsh texts;
- 42. LC1448 defective drafting;
- 43. LC1453 defective drafting;
- 44.LC1454 defective drafting; inconsistencies between the English and the Welsh texts, subordinate legislation uses gender specific language;
- 45. LC1469 defective drafting
- 46. LC1471 there is doubt whether the subordinate legislation is within the Assembly's powers, defective drafting;
- 47. LC1472 defective drafting;
- 48.LC1476 defective drafting, inconsistencies between the English and the Welsh texts,
- 49. LC1479 defective drafting,
- 50.LC1481 defective drafting, inconsistencies between the English and the Welsh texts, subordinate legislation uses gender specific language;
- 51.LC1483 defective drafting, inconsistencies between the English and the Welsh texts, subordinate legislation uses gender specific language;
- 52. LC1502 subordinate legislation is not to be made in both English and Welsh;
- 53. LC1493 defective drafting, form or meaning needs further explanation, inconsistencies between the English and the Welsh texts,
- 54. LC1494 defective drafting; subordinate legislation uses gender specific language, subordinate legislation is not to be made in both English and Welsh;
- 55. LC1495 defective drafting; subordinate legislation uses gender specific language, subordinate legislation is not to be made in both English and Welsh;
- 56. LC1499 defective drafting, inconsistencies between the English and the Welsh texts;
- 57. LC1500 inconsistencies between the English and the Welsh texts;
- 58. LC1505 defective drafting, subordinate legislation uses gender specific language
- 59. LC1507 defective drafting;
- 60. LC1513 defective drafting.