

Agenda – Legislation, Justice and Constitution Committee

Meeting Venue:

Video conference via Zoom

Meeting date: 2 November 2020

Meeting time: 10.00

For further information contact:

Gareth Williams

Committee Clerk

0300 200 6565

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In accordance with Standing Order 34.19, the Chair has determined that the public are excluded from the Committee's meeting in order to protect public health. This meeting will be broadcast live on www.Senedd.TV

Informal pre-meeting (09.30–10.00)

1 Introduction, apologies, substitutions and declarations of interest
10.00

2 Legislative Consent Memorandum on the UK Internal Market Bill:
Evidence session

10.00–11.00

(Pages 1 – 109)

Jeremy Miles MS, Counsel General

Sophie Brighthouse, Deputy Director, Policy, Welsh Government

Gareth McMahon, Senior Government Lawyer, Welsh Government

[Legislative Consent Memorandum](#)

CLA(5)–31–20 – Briefing

CLA(5)–31–20 – Paper 1 – Welsh Government briefing

CLA(5)–31–20 – Paper 2 – Legal Advice Note

CLA(5)–31–20 – Paper 3 – Research Service: Update on the Bill's progress in the House of Lords

CLA(5)–31–20 – Paper 4 – Research Service: Updated Bill summary



Senedd Cymru
Welsh Parliament

CLA(5)–31–20 – Paper 5 – Letter from the Secretary of State for Wales, 3 October 2020

3 Motion under Standing Order 17.42 to resolve to exclude the public from Item 4

11.00

4 Legislative Consent Memorandum on the UK Internal Market Bill: Consideration of evidence

11.00–11.15

Break [11.15–11.20]

5 Proposed negative instruments that raise no reporting issues under Standing Order 21.3B

11.20–11.25

(Pages 110 – 111)

CLA(5)–31–20 – Paper 6 – Proposed negative statutory instruments with clear reports

5.1 pNeg(5)32 – The Teachers’ Qualifications (Amendment) (Wales) (EU Exit) Regulations 2020

5.2 pNeg(5)34 – The Environment (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2020

6 Instruments that raise no reporting issues under Standing Order 21.2 or 21.3

11.25–11.30

(Page 112)

**CLA(5)–31–20 – Paper 7 – Statutory instruments with clear reports
Negative Resolution Instruments**

6.1 SL(5)637 – The School Teachers’ Pay and Conditions (Wales) Order 2020

7 Instruments that raise issues to be reported to the Senedd under Standing Order 21.2 or 21.3

11.30–11.40

Negative Resolution Instruments

7.1 SL(5)636 – The Health Protection (Coronavirus, Public Health Information for Persons Travelling to Wales etc.) (Amendment) Regulations 2020

(Pages 113 – 131)

CLA(5)–31–20 – Paper 8 – Report

CLA(5)–31–20 – Paper 9 – Regulations

CLA(5)–31–20 – Paper 10 – Explanatory Memorandum

CLA(5)–31–20 – Paper 11 – Written statement, 14 October 2020

7.2 SL(5)639 – The Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 15) Regulations 2020

(Pages 132 – 145)

CLA(5)–31–20 – Paper 12 – Report

CLA(5)–31–20 – Paper 13 – Regulations

CLA(5)–31–20 – Paper 14 – Explanatory Memorandum

CLA(5)–31–20 – Paper 15 – Letter from the Minister for Finance and Trefnydd, 16 October 2020

CLA(5)–31–20 – Paper 16 – Written statement, 15 October 2020

7.3 SL(5)642 – The Health Protection (Coronavirus, International Travel) (Wales) (Amendment) (No. 16) Regulations 2020

(Pages 146 – 162)

CLA(5)–31–20 – Paper 17 – Report

CLA(5)–31–20 – Paper 18 – Regulations

CLA(5)–31–20 – Paper 19 – Explanatory Memorandum

CLA(5)–31–20 – Paper 20 – Letter from the Minister for Finance and Trefnydd, 23 October 2020

CLA(5)–31–20 – Paper 21 – Written statement, 22 October 2020

Made Affirmative Resolution Instruments

**7.4 SL(5)638 – The Health Protection (Coronavirus Restrictions) (No.2) (Wales)
(Amendment) (No. 19) Regulations 2020**

(Pages 163 – 191)

CLA(5)–31–20 – Paper 22 – Report

CLA(5)–31–20 – Paper 23 – Regulations

CLA(5)–31–20 – Paper 24 – Explanatory Memorandum

CLA(5)–31–20 – Paper 25 – Letter from the First Minister, 16 October 2020

CLA(5)–31–20 – Paper 26 – Written statement, 16 October 2020

**7.5 SL(5)641 – The Health Protection (Coronavirus Restrictions) (No. 3) (Wales)
Regulations 2020**

(Pages 192 – 254)

CLA(5)–31–20 – Paper 27 – Report

CLA(5)–31–20 – Paper 28 – Regulations

CLA(5)–31–20 – Paper 29 – Explanatory Memorandum

CLA(5)–31–20 – Paper 30 – Letter from the First Minister, 21 October 2020

CLA(5)–31–20 – Paper 31 – Written statement, 19 October 2020

**8 Instruments that raise issues to be reported to the Senedd under
Standing Order 21.2 or 21.3 – previously considered**

11.40–11.45

**8.1 SL(5)607 – The Health Protection (Coronavirus Restrictions) (No. 2) (Wales)
(Amendment) (No. 8) (Caerphilly) Regulations 2020**

(Pages 255 – 258)

CLA(5)–31–20 – Paper 32 – Report

CLA(5)–31–20 – Paper 33 – Welsh Government response

**8.2 SL(5)611 – The Health Protection (Coronavirus Restrictions) (Functions of
Local Authorities) (Wales) Regulations 2020**

(Pages 259 – 265)

CLA(5)–31–20 – Paper 34 – Report

CLA(5)–31–20 – Paper 35 – Welsh Government response

8.3 SL(5)616 – The Health Protection (Coronavirus Restrictions) (Functions of Local Authorities etc.) (Wales) Regulations 2020

(Pages 266 – 270)

CLA(5)–31–20 – Paper 36 – Report

CLA(5)–31–20 – Paper 37 – Welsh Government response

8.4 SL(5)630 – The Adoption and Fostering (Wales) (Miscellaneous Amendments) (Coronavirus) Regulations 2020

(Pages 271 – 275)

CLA(5)–31–20 – Paper 38 – Report

CLA(5)–31–20 – Paper 39 – Welsh Government response

9 Subordinate legislation that raises issues to be reported to the Assembly under Standing Order 21.7

11.45–11.50

Affirmative Resolution Procedure

9.1 SL(5)635 – The Debt Respite Scheme (Breathing Space Moratorium and Mental Health Crisis Moratorium) (England and Wales) Regulations 2020

(Pages 276 – 361)

CLA(5)–31–20 – Paper 40 – Report

CLA(5)–31–20 – Paper 41 – Regulations

CLA(5)–31–20 – Paper 42 – Explanatory Memorandum

10 Statutory Instruments requiring Senedd consent (Statutory Instrument Consent Memorandums)

11.50–12.00

10.1 SICM(5)31 – The European Union Withdrawal (Consequential Modifications) (EU Exit) Regulations 2020

(Pages 362 – 398)

CLA(5)–31–20 – Paper 43 – Statutory Instrument Consent Memorandum

CLA(5)–31–20 – Paper 44 – Regulations

CLA(5)–31–20 – Paper 45 – Explanatory Memorandum

CLA(5)–31–20 – Paper 46 – Written statement

CLA(5)–31–20 – Paper 47 – Commentary

**10.2 SICM(5)32 – The Quality and Safety of Organs Intended for Transplantation
(Amendment) (EU Exit) Regulations 2020**

(Pages 399 – 423)

CLA(5)–31–20 – Paper 48 – Statutory Instrument Consent Memorandum

CLA(5)–31–20 – Paper 49 – Regulations

CLA(5)–31–20 – Paper 50 – Explanatory Memorandum

CLA(5)–31–20 – Paper 51 – Letter from the Minister for Health and Social
Services, 15 October 2020

CLA(5)–31–20 – Paper 52 – Written statement

CLA(5)–31–20 – Paper 53 – Commentary

**10.3 SICM(5)33 – The Public Procurement (Amendment etc.) (EU Exit) Regulations
2020 which contain amendments to section 155 (2) and (3) of the Equality
Act 2010**

(Pages 424 – 497)

CLA(5)–31–20 – Paper 54 – Statutory Instrument Consent Memorandum

CLA(5)–31–20 – Paper 55 – Regulations

CLA(5)–31–20 – Paper 56 – Explanatory Memorandum

CLA(5)–31–20 – Paper 57 – Written statement

CLA(5)–31–20 – Paper 58 – Commentary

**10.4 SICM(5)34 – The Common Fisheries Policy (Amendments etc.) (EU Exit)
Regulations 2020**

(Pages 498 – 559)

CLA(5)–31–20 – Paper 59 – Statutory Instrument Consent Memorandum

CLA(5)–31–20 – Paper 60 – Regulations

CLA(5)–31–20 – Paper 61 – Explanatory Memorandum

CLA(5)–31–20 – Paper 62 – Letter from the Minister for Environment, Energy
and Rural Affairs, 22 October 2020

CLA(5)–31–20 – Paper 63 – Written statement

CLA(5)–31–20 – Paper 64 – Commentary

10.5 SICM(5)35 – The Plant Health (Amendment etc.) (EU Exit) Regulations 2020

(Pages 560 – 661)

CLA(5)–31–20 – Paper 65 – Statutory Instrument Consent Memorandum

CLA(5)–31–20 – Paper 66 – Regulations

CLA(5)–31–20 – Paper 67 – Explanatory Memorandum

CLA(5)–31–20 – Paper 68 – Letter from the Minister for Environment, Energy and Rural Affairs, 22 October 2020

CLA(5)–31–20 – Paper 69 – Written statement

CLA(5)–31–20 – Paper 70 – Commentary

10.6 SICM(5)37 – The Waste and Environmental Permitting etc. (Legislative Functions and Amendment etc.) (EU Exit) Regulations 2020

(Pages 662 – 739)

CLA(5)–31–20 – Paper 71 – Statutory Instrument Consent Memorandum

CLA(5)–31–20 – Paper 72 – Regulations

CLA(5)–31–20 – Paper 73 – Explanatory Memorandum

CLA(5)–31–20 – Paper 74 – Letter from the Minister for Environment, Energy and Rural Affairs, 27 October 2020

CLA(5)–31–20 – Paper 75 – Written statement

CLA(5)–31–20 – Paper 76 – Commentary

11 Written statements under Standing Order 30C

12.00–12.15

11.1 WS–30C(5)174 – The Persistent Organic Pollutants (Amendments) (EU Exit) Regulations 2020

(Pages 740 – 745)

CLA(5)–31–20 – Paper 77 – Written statement

CLA(5)–31–20 – Paper 78 – Commentary

11.2 WS–30C(5)175 – Pesticides (Amendment) (EU Exit) Regulations 2020

(Pages 746 – 752)

CLA(5)–31–20 – Paper 79 – Written statement

CLA(5)–31–20 – Paper 80 – Commentary

11.3 WS–30C(5)177 – The Ozone–Depleting Substances and Fluorinated Greenhouse Gases (Amendment etc) (EU Exit) Regulations 2020

(Pages 753 – 757)

CLA(5)–31–20 – Paper 81 – Written statement

CLA(5)-31-20 – Paper 82 – Commentary

11.4 WS-30C(5)178 – The State Aid (Revocation etc.) (EU Exit) Regulations 2020

(Pages 758 – 764)

CLA(5)-31-20 – Paper 83 – Written statement

CLA(5)-31-20 – Paper 84 – Commentary

11.5 WS-30C(5)179 – The Blood Safety and Quality (Amendment) (EU Exit) Regulations 2020

(Pages 765 – 768)

CLA(5)-31-20 – Paper 85 – Written statement

CLA(5)-31-20 – Paper 86 – Commentary

11.6 WS-30C(5)181 – The Human Tissue (Quality and Safety for Human Application) (Amendment) (EU Exit) Regulations 2020

(Pages 769 – 772)

CLA(5)-31-20 – Paper 87 – Written statement

CLA(5)-31-20 – Paper 88 – Commentary

11.7 WS-30C(5)182 – Genetically Modified Organisms (Amendment) (EU Exit) Regulations 2020

(Pages 773 – 778)

CLA(5)-31-20 – Paper 89 – Written statement

CLA(5)-31-20 – Paper 90 – Commentary

11.8 WS-30C(5)183 – The Organic Products (Production and Control) (Amendment) (EU Exit) Regulations 2020

(Pages 779 – 782)

CLA(5)-31-20 – Paper 91 – Written statement

CLA(5)-31-20 – Paper 92 – Commentary

11.9 WS-30C(5)184 – Food and Feed Hygiene and Safety (Miscellaneous Amendments) (EU Exit) Regulations 2020

(Pages 783 – 793)

CLA(5)-31-20 – Paper 93 – Written statement

CLA(5)-31-20 – Paper 94 – Commentary

**11.10 WS-30C(5)186 – The Plant Health (Phytosanitary Conditions) (Amendment)
(EU Exit) Regulations 2020**

(Pages 794 – 797)

CLA(5)-31-20 – Paper 95 – Written statement

CLA(5)-31-20 – Paper 96 – Commentary

**11.11 WS-30C(5)189 – The Control of Mercury (Amendment) (EU Exit) Regulations
2020**

(Pages 798 – 803)

CLA(5)-31-20 – Paper 97 – Written statement

CLA(5)-31-20 – Paper 98 – Commentary

**11.12 WS-30C(5)190 – The REACH etc. (Amendment etc.) (EU Exit) Regulations
2020**

(Pages 804 – 808)

CLA(5)-31-20 – Paper 99 – Written statement

CLA(5)-31-20 – Paper 100 – Commentary

**12 Inter-Institutional Relations Agreement between the Senedd and
the Welsh Government: Annual Report**

12.15-12.20 (Pages 809 – 817)

CLA(5)-31-20 – Paper 101 – Inter-Institutional Relations Agreement between
the Senedd and the Welsh Government, Annual Report 2019-2020

CLA(5)-31-20 – Paper 102 – Written statement, 26 October 2020

13 Papers to note

12.20-12.25

13.1 Letter to the Llywydd: Scrutiny of Covid-19 regulations

(Pages 818 – 820)

CLA(5)-31-20 – Paper 103 – Letter to the Llywydd, 22 October 2020

**13.2 Letter from the Chair of the Climate Change, Environment and Rural Affairs
Committee to the Minister for Environment, Energy and Rural Affairs: The
draft Framework Outline Agreement (FOA) for Hazardous Substances
Planning**

(Pages 821 – 824)

CLA(5)–31–20 – Paper 104 – Letter from the Chair of the Climate Change, Environment and Rural Affairs Committee, 26 October 2020

13.3 Letter from the Counsel General: Drafting of Welsh Bills

(Pages 825 – 828)

CLA(5)–31–20 – Paper 105 – Letter from the Counsel General, 28 October 2020

13.4 Letter from the Counsel General: Joint Ministerial Committee (EU Negotiations)

(Page 829)

CLA(5)–31–20 – Paper 106 – Letter from the Counsel General, 29 October 2020

14 Motion under Standing Order 17.42 to resolve to exclude the public from the remainder of the meeting

12.25

15 Legislative Consent Memorandum on the Non–Domestic Rating (Lists) (No. 2) Bill: Consideration of draft report

12.25–12.30

(Pages 830 – 834)

CLA(5)–31–20 – Paper 107 – Draft report

16 Scrutiny of regulations arising from the UK’s exit from the European Union – Protocol between the Welsh Government and the Legislation, Justice and Constitution Committee of Senedd Cymru

12.30–12.40

(Pages 835 – 845)

CLA(5)–31–20 – Paper 108 – Letter from the Minister for Finance and Trefnydd, 29 October 2020

CLA(5)–31–20 – Paper 109 – Revised Protocol

CLA(5)–31–20 – Paper 110 – Letter from the First Minister, 16 September 2020

CLA(5)–31–20 – Paper 111 – Letter to the First Minister, 23 July 2020

Date of the next meeting – 9 November 2020