



National Assembly for **Wales**
Cynulliad Cenedlaethol **Cymru**

UK Government Legislative Programme 2004-05: implications for Assembly Committees

This paper identifies Bills and Draft Bills in the UK Government's legislative programme for the 2004-05 Parliamentary Session. It identifies those remitted to the subject Committees of the National Assembly for Wales in Plenary on 1 December 2004, along with details of the Committee to which each Bill has been remitted and other portfolios on which the Bills may impact. The paper also identifies Bills that have not been remitted by Plenary but may still be of interest to Committee Members.

January 2005



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Members' Research Service

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This paper identifies Bills and Draft Bills in the UK Government's legislative programme for the 2004-05 Parliamentary Session.

Table 1 identifies those Bills remitted to the subject Committees of the National Assembly for Wales by Plenary on 1 December 2004, along with details of the Committee to which each Bill has been remitted and other portfolios on which the Bills may impact.

Table 2 identifies Bills that have not been remitted by Plenary but may nonetheless be of interest to Committee Members.

The progress of Bills can be tracked through the Assembly Weekly Information Bulletin, which is updated each week with the latest Parliamentary stage of Bills which are of significance for Wales. It also includes links to the full text of Bills, Westminster debates and further background information. The Bulletin can be accessed via the Internet at: <http://www.wales.gov.uk/keypubmrsaca/index-e.htm>

Table 1: Bills and Draft Bills remitted to Subject Committees

Bill	Subject Committee to which Bill is remitted	Other Portfolios for which the Bill may have implications	Notes
<p>National Lottery Bill <i>Progress in Parliament:</i> 25/11/04: Presentation & 1st reading</p>	<p>Culture, Welsh Language and Sport <i>Scheduled for consideration at 23 February meeting.</i></p>		<p>The Bill simplifies the system of applying for lottery grants and gives the public more input into how money is distributed. It formalises the merger of the two National Lottery distribution bodies - the Community Fund and New Opportunities Fund - into the Big Lottery Fund.</p>
<p>Railways Bill <i>Progress in Parliament:</i> 25/11/04: Presentation & 1st reading 06/12/04: 2nd reading Jan 05: Remaining stages</p>	<p>Economic Development and Transport <i>Considered at 13 January meeting</i></p>		<p>Implements proposals set out in the White Paper, <i>The Future of Rail</i>, presented to Parliament in July 2004. Includes a number of provisions for Wales, e.g. it allows the Assembly to provide financial assistance to any organisation to develop Welsh railways; and the ability to designate new services as experimental for a period of up to five years.</p>
<p>Transport (Wales) Bill <i>Progress in Parliament:</i> 15/12/04: Presentation & 1st reading</p>	<p>Economic Development and Transport <i>Considered at 13 January meeting</i></p>	<p>Local Government and Public Services</p>	<p>Gives Assembly new powers over Local Authorities in relation to Local Transport Plans and in setting up Joint Transport Authorities.</p>
<p>Education Bill (HL) <i>Progress in Parliament:</i> 30/11/04: Lords presentation & 1st reading 13/12/04: Lords 2nd reading Jan 05: Lords Committee stage</p>	<p>Education and Lifelong Learning <i>Considered at 19 January meeting.</i></p>		<p>The Bill aims to help schools to raise standards with clearer priorities and fewer bureaucratic burdens. It takes forward a number of policy developments that were set out in the DfES <i>Five-year Strategy for Children and Learners</i>. The Bill contains provisions relating both to England and Wales, as well as Wales-only and England-only provisions. In many of the cases where provisions relate to England and Wales, the Assembly will decide how, when and whether they are implemented in Wales.</p>

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Bill	Subject Committee to which Bill is remitted	Other Portfolios for which the Bill may have implications	Notes
<p>Animal Welfare Bill <i>Progress in Parliament:</i> <i>Not yet introduced</i></p>	<p>Environment, Planning and Countryside <i>Draft Bill considered at 12 January meeting and scheduled for further consideration on 2 February.</i></p>	<p>Local Government and Public Services</p>	<p>Regulation and enforcement powers in relation to companion animals (pets, etc.) will be the responsibility of local authorities.</p>
<p>Clean Neighbourhoods and Environment Bill <i>Progress in Parliament:</i> <i>07/12/04: Presentation & 1st reading</i> <i>10/01/05: 2nd reading</i></p>	<p>Environment, Planning and Countryside <i>Considered at 12 January meeting.</i></p>	<p>Local Government and Public Services Social Justice and Regeneration</p>	<p>Regulation and enforcement powers to go to local authorities and community councils. Crosscutting issues relating to crime and anti-social behaviour.</p>
<p>Public Services Ombudsman (Wales) Bill (HL) <i>Progress in Parliament:</i> <i>24/11/04: Lords presentation & 1st reading</i> <i>16/12/04: Lords 2nd reading</i> <i>Jan 05: Lords Committee stage</i></p>	<p>Local Government and Public Services <i>Considered jointly with the House of Commons Welsh Affairs Committee on 13 and 17 of January.</i></p>	<p>Health and Social Services Cuts across other portfolios also</p>	<p>Merges office of Health Commissioner for Wales with other Ombudsmen services to create a single Public Services Wales Ombudsman. Ombudsman can investigate complaints against 'listed authorities' in the Bill including ASPBs, and health bodies.</p>
<p>Equality Bill <i>Progress in Parliament:</i> <i>Not yet introduced</i></p>	<p>Social Justice and Regeneration <i>To be considered once published.</i></p>	<p>Economic Development and Transport Equality of Opportunity Cuts across other portfolios also</p>	<p>Will aim to combat discrimination in the provision of goods and services on the grounds of religion, as well as race, sex and disability and establish a single Commission for Equality and Human Rights. May have implications in relation to the National Assembly for Wales' existing statutory duty to promote equality.</p>

Table 2: Other Bills and Draft Bills of potential interest to Committees

Bill	Relevant Committees	Notes
<p>Charities Bill (HL) <i>Progress in Parliament:</i> 20/12/04: Lords presentation & 1st reading 20/01/05: Lords 2nd reading</p>	Social Justice and Regeneration	The Charities Bill seeks to reform the laws governing the voluntary sector by establishing a definition of what constitutes a “charitable” organisation. A specific provision for Wales includes the expansion of the board of the Charity Commission adding four new commissioners to the existing five. The voluntary sector falls under the remit of the Social Justice and Regeneration Committee.
<p>Child Benefit Bill <i>Progress in Parliament:</i> 13/12/04: Presentation & 1st reading 12/01/05: 2nd reading</p>	Health and Social Services Social Justice and Regeneration Education and Lifelong Learning	The Bill will enable the UK Government to extend Child Benefit to the families of 16-19 year-olds in un-waged work-based learning and to 19 year olds completing a course of education or training. The Bill extends to the whole of the UK and has no special provision for Wales.
<p>Commissioners for Revenue and Customs Bill <i>Progress in Parliament:</i> 24/11/04: Presentation & 1st reading 08/12/04: 2nd reading Jan 05: Committee stage</p>	Social Justice and Regeneration	This Bill will integrate the Inland Revenue and HM Customs & Excise into a new single department. Though not a devolved area, the Social Justice and Regeneration Committee has taken an interest in HM Customs and Excise in terms of the organisation's role in combating substance misuse.
<p>Consumer Credit Bill <i>Progress in Parliament:</i> 16/12/04: Presentation & 1st reading 13/01/05: 2nd reading</p>	Social Justice and Regeneration Economic Development and Transport	<p>Provisions aim to protect consumers and create fairer, more competitive credit market by:</p> <ul style="list-style-type: none"> empowering consumers to challenge unfair lending and options for resolving disputes improving the regulation of consumer credit businesses extending protection to all consumer credit and by creating a fairer regime for business. <p>The Bill may be of interest to the Social Justice and Regeneration Committee within the context of debt and anti-poverty strategies and the Economic Development and Transport Committee in relation to the implications for businesses.</p>

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Bill	Relevant Committees	Notes
<p>Criminal Defence Service Bill <i>Progress in Parliament: 15/12/04: Presentation & 1st reading</i></p>	<p>Social Justice and Regeneration</p>	<p>The provisions of the Bill will seek to make best use of legal aid resources. It transfers the responsibility for granting criminal legal aid from the courts to the Legal Services Commission and re-introduces the means test for criminal cases. Though not a devolved matter, the Social Justice and Regeneration Committee may be interested in the criminal justice implications.</p>
<p>Disability Discrimination Bill (HL) <i>Progress in Parliament: 25/11/04: Lords presentation & 1st reading 06/12/04: Lords 2nd reading Jan 05: Lords Committee stage</i></p>	<p>Equality of Opportunity Social Justice and Regeneration</p>	<p>Strengthens and broadens the <i>Disability Discrimination Act 1995</i>.</p>
<p>Drugs Bill <i>Progress in Parliament: 16/12/04: Presentation & 1st reading</i></p>	<p>Social Justice and Regeneration</p>	<p>Provisions relating to drug offences and police powers cover Wales and are non-devolved. The Bill is likely to have implications for the Assembly Government's Substance Misuse Strategy, particularly in relation to the provision of treatment services in Wales.</p>
<p>European Union Bill <i>Progress in Parliament: Not yet introduced</i></p>	<p>European and External Affairs</p>	<p>Makes provision for a referendum to be held on the ratification of the EU Constitutional Treaty and amends the <i>European Communities Act 1972</i> to give effect in UK law to the new Constitutional Treaty, subject to approval in a referendum. May have implications for all Committees in terms of subsidiarity. The constitution includes the first ever reference in a European treaty to regional and local self-government and recognises and gives more power to the Committee of the Regions.</p>

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Bill	Relevant Committees	Notes
<p>Gambling Bill <i>Progress in Parliament:</i> <i>Carried over from 2003/04 Session</i> <i>24/11/04: Read 1st & 2nd time</i> <i>Jan 05: Remaining stages</i></p>	<p>Culture, Welsh language and Sport Social justice and Regeneration</p>	<p>Aims to reform the law on gambling. The Bill contains a new regulatory system to govern the provision of gambling in Great Britain, other than the National Lottery and spread betting.</p>
<p>Identity Cards Bill <i>Progress in Parliament:</i> <i>29/11/04: Presentation & 1st reading</i> <i>20/12/04: 2nd reading</i></p>	<p>Social Justice and Regeneration Health and Social Services</p>	<p>Allows the National Assembly for Wales to make regulations making the production of an ID card a condition of providing a public service for which it is responsible.</p>
<p>Inquiries Bill (HL) <i>Progress in Parliament:</i> <i>25/11/04: Lords presentation & 1st reading</i> <i>09/12/04: Lords 2nd reading</i> <i>15/12/04: Constitution Select Committee Report on the Bill</i></p>	<p>Cuts across all portfolios</p>	<p>The Bill will provide a single statutory framework under which inquiries into events of public concern are established. The Bill covers arrangements for devolved administrations to hold inquiries into matters within their remit.</p>
<p>Management of Offenders and Sentencing Bill <i>Progress in Parliament:</i> <i>12/01/05: Presentation & 1st reading</i></p>	<p>Social Justice and Regeneration</p>	<p>Provides a statutory framework for the establishment and development of the NOMS – the National Offender Management Service - the effective merging of the Prison and Probation service. This area is non-devolved but of relevance to the remit of the Social Justice and Regeneration Committee.</p>

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Bill	Relevant Committees	Notes
<p>Road Safety Bill <i>Progress in Parliament:</i> 30/11/04: Presentation & 1st reading 11/01/05: 2nd reading</p>	<p>Economic Development and Transport Social Justice and Regeneration</p>	<p>Provisions aim to reduce the number of people killed and injured on the roads. Covers a range of road safety matters, including drink driving and speeding as well as penalties and their enforcement.</p>
<p>School Transport Bill <i>Progress in Parliament:</i> Carried over from 2003/04 Session 24/11/04: Read 1st & 2nd time 20/12/04: Brought from the Commons. Lords 1st reading</p>	<p>Education and Lifelong Learning Economic Development and Transport</p>	<p>Legislation covering school transport has been carried over from the last parliamentary session, having been introduced to Parliament in October 2004. The Bill is designed to enable local authorities to pilot new schemes to tackle the congestion caused by the school run. Such schemes could include safe cycle routes to schools, "walking buses" where pupils walk to school together escorted by volunteers, and "park and stride" schemes where parents drop children off at an agreed location to be escorted into school.</p>
<p>Serious and Organised Crime and Police Bill <i>Progress in Parliament:</i> 24/11/04: Presentation & 1st reading 07/12/04: 2nd reading</p>	<p>Social Justice and Regeneration</p>	<p>Establishes the Serious and Organised Crime Agency. Provisions in the Bill cover Wales, though they are generally non-devolved. The Secretary of State has a duty to consult with the Assembly in relation to the contracting out of local authority functions relating to anti-social behaviour orders.</p>
<p>Draft Child Contact and Inter-country Adoption Bill <i>Progress in Parliament:</i> Not yet published</p>	<p>Health and Social Services</p>	<p>Likely to implement legislative proposals in the Green Paper <i>Parental Separation: Children's Needs and Parents' Responsibilities</i>, issued 21 July 2004. It will provide courts with additional means of facilitating contact and of enforcing contact orders, with the aim of helping the courts make better arrangements to ensure positive contact takes place in the best interests of the child. It also provides a statutory framework for the suspension of inter-country adoptions from a specified country where there are concerns about child welfare and the inter-country adoption process in that country.</p>

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Bill	Relevant Committees	Notes
<p>Draft Bill to establish a Commissioner for Older People in Wales <i>Progress in Parliament: Not yet published</i></p>	<p>Health and Social Services Cuts across other portfolios also</p>	<p>Draft Bill to be published early 2005. The role of the Older People's Commissioner will be to promote the rights and interests of older people in Wales across the range of issues and services affecting them. The report of an Assembly Government Advisory group in May 2004 outlined the likely role and responsibilities of a Commissioner.</p>
<p>Draft Company Law Reform Bill <i>Progress in Parliament: Not yet published</i></p>	<p>Economic Development and Transport</p>	<p>The Bill will implement the recommendations of the Independent Company Law Review in the light of the Government response provided by the White Paper <i>Modernising Company Law</i> of July 2002. Its provisions aim to enhance shareholder engagement and a long term investment culture; ensure better regulation and make it easier to set up and run a company; and provide flexibility for the future.</p>
<p>Draft Corporate Manslaughter Bill <i>Progress in Parliament: Not yet published</i></p>	<p>Economic Development and Transport Social Justice and Regeneration</p>	<p>Creates a new offence of corporate manslaughter making it easier for companies who have shown little or no regard for the safety of their workers or members of the public to be prosecuted for a specific and serious criminal offence. The Bill may be of interest to the Social Justice and Regeneration Committee in terms of its criminal justice perspective and the Economic Development and Transport Committee in terms of the implications for businesses.</p>
<p>Draft Counter Terrorism Bill <i>Progress in Parliament: Not yet published</i></p>	<p>Social Justice and Regeneration</p>	<p>Relates to the Home Office discussion paper <i>Counter Terrorism Powers: Reconciling Security and Liberty in an Open Society</i>, published in February 2004. May interest the Social Justice and Regeneration Committee in terms of the criminal justice implications and the potential impact on individuals.</p>
<p>Draft Courts and Tribunals Bill <i>Progress in Parliament: Not yet published</i></p>	<p>Social Justice and Regeneration</p>	<p>The Bill's provisions will aim to support those with legitimate civil claims and reform the system of tribunals. Enforcement provisions will apply to England and Wales. The new single organisation for tribunals will be UK-wide but existing devolved arrangements for tribunals will not be fundamentally affected. May be of interest to the Social Justice and Regeneration Committee in terms of the implications for those in debt.</p>

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Bill	Relevant Committees	Notes
<p>Draft Mental Health Bill <i>Progress in Parliament: Being considered by the Joint Committee on the Draft Mental Health Bill. The Committee is due to report by the end of March 2005.</i></p>	<p>Health and Social Services Social Justice and Regeneration</p>	<p>Draft Bill designed to update the <i>Mental Health Act 1983</i> by introducing a new legal framework for the treatment of people with mental disorders in England and Wales. The Assembly Health and Social Services Committee has been hearing evidence and has reported to the Joint Committee scrutinising the Bill in Westminster which will itself report by March 2005.</p>
<p>Draft Youth Justice Bill <i>Progress in Parliament: Not yet published</i></p>	<p>Social Justice and Regeneration Health and Social Services</p>	<p>Contains sentencing provisions and clarifies in law the purpose of juvenile sentencing as being the prevention of offending. The sentencing provisions within the Bill cover Wales and are non-devolved. It is likely to have implications for the Assembly Government's All Wales Youth Offending Strategy and general areas of policy that affect children.</p>