



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

**Y Pwyllgor Materion Cyfansoddiadol a Deddfwriaethol  
The Constitutional and Legislative Affairs Committee**

**Dydd Llun, 3 Tachwedd 2014  
Monday, 3 November 2014**

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Cofnodir y trafodion yn yr iaith y llefarwyd hwy ynddi yn y pwyllgor. Yn ogystal, cynhwysir trawsgripiad o'r cyfieithu ar y pryd.

The proceedings are reported in the language in which they were spoken in the committee. In addition, a transcription of the simultaneous interpretation is included.

**Aelodau'r pwyllgor yn bresennol  
Committee members in attendance**

Alun Davies

Llafur  
Labour

Suzy Davies

Ceidwadwyr Cymreig  
Welsh Conservatives

David Melding

Y Dirprwy Lywydd a Chadeirydd y Pwyllgor  
The Deputy Presiding Officer and Committee Chair

William Powell	Democratiaid Rhyddfrydol Cymru Welsh Liberal Democrats
Simon Thomas	Plaid Cymru The Party of Wales

**Swyddogion Cynulliad Cenedlaethol Cymru yn bresennol**  
**National Assembly for Wales officials in attendance**

Stephen Boyce	Y Gwasanaeth Ymchwil Research Service
Stephen Davies	Cynghorydd Cyfreithiol Legal Adviser
Gwyn Griffiths	Uwch-gynghorydd Cyfreithiol Senior Legal Adviser
Ruth Hatton	Dirprwy Clerc Deputy Clerk
Matthew Richards	Cynghorydd Cyfreithiol Legal Adviser
Dr Alys Thomas	Y Gwasanaeth Ymchwil Research Service
Gareth Williams	Clerc Clerc

*Dechreuodd y cyfarfod am 14:29.*  
*The meeting began at 14:29.*

**Cyflwyniad, Ymddiheuriadau, Dirprwyon a Datgan Buddiannau**  
**Introduction, Apologies, Substitutions and Declarations of Interest**

[1] **David Melding:** Good afternoon everyone, and welcome to this meeting of the Constitutional and Legislative Affairs Committee. I will start with the usual announcements. We do not expect a routine fire alarm, so, if you hear the bell, please follow the instructions of the ushers. Please switch all mobile devices to ‘silent’ or switch them off altogether. These proceedings will be conducted in Welsh and English and, when Welsh is spoken, there is a translation on channel 1 and channel 0 will amplify our proceedings.

14:30

**Offerynnau nad ydynt yn Cynnwys Materion i Gyflwyno Adroddiad arnynt o**  
**dan Reol Sefydlog 21.2 na 21.3**  
**Instruments that Raise No Reporting Issues under Standing Order 21.2 or 21.3**

[2] **David Melding:** These are listed. Do Members have any comments? No. We then have the instruments that do have reporting points. They are also listed. Are Members content? It is just one, actually, I think. Okay. So, we are content.

**Papurau i’w Nodi**  
**Papers to Note**

[3] **David Melding:** There is a letter from the relevant EU commissioner on the drift nets issue—there is a set of correspondence, actually, but the main letter is from the commissioner, just updating us on that meeting. Are there any comments? It is slightly unfortunate that the Welsh federation, or whatever it is called, did not attend, but there we are; we have done our bit. Then there is the Welsh Government’s response to the committee’s inquiry on

disqualification of membership from the National Assembly. We are debating this on Wednesday, so I suspect that we are all happy to note it and then we will say what we want to say, if there is anything, in the debate.

[4] **Simon Thomas:** A allaf jest wneud un pwynt ar ymateb y Llywodraeth? Ai fi oedd yr unig un a oedd yn canfod bod yr ymateb bach yn rhyfedd yn y ffordd yr oedd wedi'i eirio? Roedd tudalen a hanner cyntaf o'r ymateb ond yn ailadrodd popeth yr oeddwn wedi argymhell *anyway*, fel petai'r Llywodraeth newydd ddarganfod hyn heb i unrhyw un arall rhoi'r wybodaeth iddi. Roeddwn i'n teimlo ei fod yn rhyfedd iawn. Roedd wedi ymateb i'n hadroddiad heb roi ei hymateb yng nghyd-destun ein hadroddiad ni. Wedyn, wrth gwrs, mae'n mynd ymlaen i ddelio â'r pwyntiau fesul un, a fe wnawn ni delio â hynny yn y Siambr yn nes ymlaen, ond roeddwn i'n canfod y peth yn od a dweud y gwir. Efallai jest fi yw hynny, ond dyna fe—rwyf wedi dweud beth yr wyf yn ei feddwl.

**Simon Thomas:** Could I just make one point on the Government's response? Was I the only person who found that the response was a little bit strange in the way that it was worded? The first page and a half of the response just repeated everything that we had recommended anyway, as if the Government has just discovered it without anyone giving it this information. I found it very strange. It responded to our report without putting its response in the context of our report. Then, of course, it goes on to deal with the points one by one, and we will deal with that in the Chamber later on, but I found the whole thing very strange, truth be told. Perhaps that is just me, but there we are—I have said what I think.

[5] **Suzy Davies:** I thought it was a little shirty, myself.

[6] **David Melding:** You are welcome to make that point. [*Laughter.*] It is perhaps a bit of a curate's egg, but I—

[7] **Alun Davies:** I think that is the best description.

[8] **David Melding:** So, I will raise some issues—. In places, it seems to agree with us in principle, but then it says that it disagrees for various reasons that, sometimes, appear to be distinctions without differences, in my view, but there we are.

[9] **Simon Thomas:** It will be useful.

[10] **David Melding:** I think our report brought clarity to the question and it stands on the public record. Okay, if there is nothing further, then we note those various papers.

14:33

### **Cynnig o dan Reol Sefydlog 17.42 i Benderfynu Gwahardd y Cyhoedd o'r Cyfarfod**

### **Motion under Standing Order 17.42 to Resolve to Exclude the Public from the Meeting**

[11] **David Melding:** I move that

*the committee resolves to exclude the public from the remainder of the meeting in accordance with Standing Order 17.42(vi).*

[12] I do not see any Member objecting, so please switch off the broadcasting equipment and, should there be anyone in the public gallery, please escort them out.

*Derbyniwyd y cynnig.  
Motion agreed.*

*Daeth rhan gyhoeddus y cyfarfod i ben am 14:33.  
The public part of the meeting ended at 14:33.*