

Agenda – Health, Social Care and Sport Committee

Meeting Venue:

Committee Room 3 – The Senedd

Meeting date: 3 May 2018

Meeting time: 09.15

For further information contact:

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Committee Clerk

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Informal pre-meeting (09.15 – 09.30)

1 Introductions, apologies, substitutions and declarations of interest

(09.30)

2 Public Health (Minimum Price for Alcohol) (Wales) Bill: Stage 2 proceedings

(09.30 – 12.30)

(Pages 1 – 15)

Vaughan Gething AM, Cabinet Secretary for Health and Social Services

Joanna Jordan, Director of Mental Health, NHS Governance and Corporate Services, Welsh Government

Bethan Roberts, Legal Services Department, Welsh Government

The Health, Social Care and Sport Committee agreed on [15 March 2018](#), under Standing Order 26.21, that the order of consideration for Stage 2 proceedings will be: Sections 1 to 9; Schedule 1; Sections 10 to 29; Long title

Paper 1 – Marshalled list of Amendments

Paper 2 – Groupings of amendments

[Public Health \(Minimum Price for Alcohol\) \(Wales\) Bill, as introduced](#)
[Explanatory Memorandum](#)

3 Paper(s) to note

(12.30)



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3.1 One-day inquiry into the All Wales Medical Performers List: Letter from the Cabinet Secretary for Health and Social Services – 27 April 2018

(Pages 16 – 19)

Paper 3

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

(12.30)

5 Use of antipsychotic medication in care homes: Consideration of draft report

(12.30 – 13.00)

(Pages 20 – 67)

Paper 4

RHESTR O WELLIANNAU WEDI'U DIDOLI MARSHALLED LIST OF AMENDMENTS

Bil Iechyd y Cyhoedd (Isafbris am Alcohol) (Cymru) Public Health (Minimum Price for Alcohol) (Wales) Bill

Mae'r gwelliannau â * ar eu pwys yn rhai newydd neu'n rhai sydd wedi'u haddasu
Amendments marked * are new or have been altered

Mae gwelliannau a nodir ag 'R' yn dynodi bod yr Aelod wedi datgan buddiant
cofrestradwy o dan Reol Sefydlog 2 neu fuddiant perthnasol o dan Reolau Sefydlog 13 neu
17 wrth gyflwyno'r gwelliant.

Amendments marked 'R' mean that the Member has declared either a registrable interest
under Standing Order 2 or relevant interest under Standing Orders 13 or 17 when tabling
the amendment.

Caiff y Bil ei ystyried yn y drefn a ganlyn—

The Bill will be considered in the following order—

Sections 1-9	Adrannau 1-9
Schedule 1	Atodlen 1
Sections 10-29	Adrannau 10-29
Long title	Teitl hir

Angela Burns

1

Section 1, page 1, line 9, leave out 'whatever price is specified in regulations as being the minimum unit price for the purposes of this Act, expressed in pounds sterling' and insert '£0.50, the minimum unit price for the purposes of this Act'.

Adran 1, tudalen 1, llinell 9, hepgorer 'pa bris bynnag a bennir mewn rheoliadau fel yr isafbris uned at ddibenion y Ddeddf hon, a fynegir mewn punnoedd sterling' a mewnosoder '£0.50, yr isafbris uned at ddibenion y Ddeddf hon'.



Bil Iechyd y Cyhoedd (Isafbris am Alcohol) (Cymru) - Rhestr o Welliannau wedi'u didoli
Public Health (Minimum Price for Alcohol) (Wales) Bill - Marshalled list of Amendments

2

Angela Burns

2

Section 1, page 1, after line 12, insert –

- ‘() Regulations may make provision to change the minimum unit price, expressed in pounds sterling.’.

Adran 1, tudalen 1, ar ôl llinell 12, mewnosoder –

- ‘() Caiff rheoliadau wneud darpariaeth i newid yr isafbris uned, a fynegir mewn punnoedd sterling.’.

Angela Burns

3

Section 1, page 1, line 19, leave out ‘(specified minimum unit price) to be’ and insert ‘, the minimum unit price of’.

Adran 1, tudalen 1, llinell 19, hepgorer ‘(yr isafbris uned penodedig) yn’ a mewnosoder ‘yn cyfateb i isafbris uned o’.

Rhun ap Iorwerth

15

Section 1, page 1, after line 20, insert –

- ‘(4) Before making regulations under subsection (1) the Welsh Ministers must –

- (a) commission independent research and a modelling assessment in relation to the price;
- (b) report to the National Assembly for Wales on the independent research and modelling assessment.’.

Adran 1, tudalen 1, ar ôl llinell 20, mewnosoder –

- ‘(4) Cyn gwneud rheoliadau o dan is-adran (1) rhaid i Weinidogion Cymru –

- (a) comisiynu gwaith ymchwil annibynnol ac asesiad modelu mewn perthynas â’r pris;
- (b) cyflwyno adroddiad i Gynulliad Cenedlaethol Cymru ar y gwaith ymchwil annibynnol a’r asesiad modelu.’.

Angela Burns

4

Page 1, after line 20, insert a new section –

[] Procedure for regulations under section 1

- (1) Before making regulations under section 1, the Welsh Ministers must carry out the following steps.
- (2) The Welsh Ministers must consult –
 - (a) such persons as appear to them likely to be affected by the regulations,



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- (b) such organisations as appear to them to represent the interests of persons likely to be affected by the regulations,
 - (c) the relevant committee of the National Assembly for Wales with remit for the physical and mental health and well-being of the people of Wales, and
 - (d) such other persons as they consider appropriate,
- on the proposed draft regulations.
- (3) The Welsh Ministers must –
- (a) allow those persons a period of at least 12 weeks to submit comments on the proposed draft regulations,
 - (b) consider any comments submitted within that period, and
 - (c) publish a summary of those comments.
- (4) The Welsh Ministers must lay a draft of the regulations before the National Assembly for Wales.
- (5) Draft regulations laid under subsection (4) –
- (a) must be accompanied by a statement of the Welsh Ministers giving details of any differences between the draft regulations consulted on under subsection (2) and the draft regulations laid under subsection (4), and
 - (b) may not be approved by a resolution of the National Assembly for Wales in accordance with section 26(2) until after the expiry of the period of 60 days beginning with the day on which the draft regulations are laid.’.

Tudalen 1, ar ôl llinell 20, mewnosoder adran newydd –

[1] Y weithdrefn ar gyfer rheoliadau o dan adran 1

- (1) Cyn gwneud rheoliadau o dan adran 1, rhaid i Weinidogion Cymru gymryd y camau a ganlyn.
- (2) Rhaid i Weinidogion Cymru ymgynghori ar y rheoliadau drafft arfaethedig â'r canlynol –
 - (a) unrhyw bersonau y mae'n ymddangos iddynt fod y rheoliadau yn debygol o effeithio arnynt,
 - (b) unrhyw sefydliadau y mae'n ymddangos iddynt eu bod yn cynrychioli buddiannau personau y mae'r rheoliadau yn debygol o effeithio arnynt,
 - (c) y pwyllgor perthnasol yng Nghynulliad Cenedlaethol Cymru y mae ei gylch gorchwyl yn cynnwys iechyd corfforol a meddyliol a llesiant pobl Cymru, a
 - (d) unrhyw bersonau eraill y maent yn ystyried eu bod yn briodol.
- (3) Rhaid i Weinidogion Cymru –
 - (a) rhoi cyfnod o 12 wythnos o leiaf i'r personau hynny gyflwyno sylwadau ar y rheoliadau drafft arfaethedig,
 - (b) ystyried unrhyw sylwadau a gyflwynir o fewn y cyfnod hwnnw, ac
 - (c) cyhoeddi crynodeb o'r sylwadau hynny.



- (4) Rhaid i Weinidogion Cymru osod drafft o'r rheoliadau gerbron Cynulliad Cenedlaethol Cymru.
- (5) O ran y rheoliadau drafft a osodir o dan is-adran (4) —
 - (a) rhaid iddynt fynd gyda datganiad gan Weinidogion Cymru yn rhoi manylion unrhyw wahaniaethau rhwng y rheoliadau drafft yr ymgynghorwyd arnynt o dan is-adran (2) a'r rheoliadau drafft a osodir o dan is-adran (4), a
 - (b) ni chaniateir iddynt gael eu cymeradwyo drwy benderfyniad gan Gynulliad Cenedlaethol Cymru yn unol ag adran 26(2) tan ar ôl i'r cyfnod o 60 o ddiwrnodau, yn dechrau â'r diwrnod y gosodir y rheoliadau drafft, ddod i ben.'.

Rhun ap Iorwerth

16

Page 1, after line 20, insert a new section —

[] Procedure for regulations under section 1

- (1) Before making regulations under section 1, the Welsh Ministers must carry out the following steps.
- (2) The Welsh Ministers must consult —
 - (a) alcohol retailers,
 - (b) local authorities,
 - (c) such organisations as appear to them to represent the pub industry,
 - (d) organisations who appear to them to represent the interests of persons affected by the harms caused by substance misuse, and
 - (e) such other persons and organisations as they consider appropriate,on the proposed draft regulations.
- (3) The Welsh Ministers must —
 - (a) allow those persons a period of at least 12 weeks to submit comments on the proposed draft regulations,
 - (b) consider any comments submitted within that period, and
 - (c) publish a summary of those comments.
- (4) The Welsh Ministers must lay a draft of the regulations before the National Assembly for Wales.
- (5) Draft regulations laid under subsection (4) —
 - (a) must be accompanied by a statement of the Welsh Ministers giving details of any differences between the draft regulations consulted on under subsection (2) and the draft regulations laid under subsection (4), and
 - (b) may not be approved by a resolution of the National Assembly for Wales in accordance with section 26(2) until after the expiry of the period of 60 days beginning with the day on which the draft regulations are laid.'.



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Tudalen 1, ar ôl llinell 20, mewnosoder adran newydd –

[] Y weithdrefn ar gyfer rheoliadau o dan adran 1

- (1) Cyn gwneud rheoliadau o dan adran 1, rhaid i Weinidogion Cymru gymryd y camau a ganlyn.
- (2) Rhaid i Weinidogion Cymru ymgynghori ar y rheoliadau drafft arfaethedig â'r canlynol –
 - (a) manwerthwyr alcohol,
 - (b) awdurdodau lleol,
 - (c) unrhyw sefydliadau y mae'n ymddangos iddynt eu bod yn cynrychioli'r diwydiant tafarndai,
 - (d) sefydliadau y mae'n ymddangos iddynt eu bod yn cynrychioli buddiannau personau yr effeithir arnynt gan y niwed a achosir gan gamddefnyddio sylweddau, a
 - (e) unrhyw bersonau eraill y maent yn ystyried eu bod yn briodol.
- (3) Rhaid i Weinidogion Cymru –
 - (a) rhoi cyfnod o 12 wythnos o leiaf i'r personau hynny gyflwyno sylwadau ar y rheoliadau drafft arfaethedig,
 - (b) ystyried unrhyw sylwadau a gyflwynir o fewn y cyfnod hwnnw, ac
 - (c) cyhoeddi crynodeb o'r sylwadau hynny.
- (4) Rhaid i Weinidogion Cymru osod drafft o'r rheoliadau gerbron Cynulliad Cenedlaethol Cymru.
- (5) O ran y rheoliadau drafft a osodir o dan is-adran (4) –
 - (a) rhaid iddynt fynd gyda datganiad gan Weinidogion Cymru yn rhoi manylion unrhyw wahaniaethau rhwng y rheoliadau drafft yr ymgynghorwyd arnynt o dan is-adran (2) a'r rheoliadau drafft a osodir o dan is-adran (4), a
 - (b) ni chaniateir iddynt gael eu cymeradwyo drwy benderfyniad gan Gynulliad Cenedlaethol Cymru yn unol ag adran 26(2) tan ar ôl i'r cyfnod o 60 o ddiwrnodau, yn dechrau â'r diwrnod y gosodir y rheoliadau drafft, ddod i ben.'.

Angela Burns

5

Section 5, page 3, line 27, leave out '(specified minimum unit price) to be' and insert ', the minimum unit price of'.

Adran 5, tudalen 3, llinell 31, hepgorer '(yr isafbris uned penodedig) yn' a mewnosoder 'yn cyfateb i isafbris uned o'.



Angela Burns

6

Section 6, page 4, line 4, leave out '(specified minimum unit price) to be' and insert ', the minimum unit price of'.

Adran 6, tudalen 4, llinell 4, hepgorer '(yr isafbris uned penodedig) yn' a mewnosoder 'yn cyfateb i isafbris uned o'.

Angela Burns

7

Section 6, page 4, line 17, leave out '(specified minimum unit price) to be' and insert ', the minimum unit price of'.

Adran 6, tudalen 4, llinell 17, hepgorer '(yr isafbris uned penodedig) yn' a mewnosoder 'yn cyfateb i isafbris uned o'.

Rhun ap Iorwerth

17

Page 4, after line 33, insert a new section –

[] **Alcohol sales: charitable contribution by alcohol retailers**

- (1) The Welsh Ministers must make provision by regulations that require alcohol retailers to pay a proportion of the applicable minimum unit price (as specified in regulations made under section 1) for the supply of alcohol, to an independent body.
- (2) Regulations must make further provision under subsection (1) for the –
 - (a) appointment of an independent body;
 - (b) setting of the proportion;
 - (c) arrangements in relation to the collection of sums by an independent body (this includes making provision to the effect that such sums are not paid to the Welsh Consolidated Fund);
 - (d) application and distribution of the sums collected by an independent body to specified charitable purposes;
 - (e) requirement for records of alcohol sales to be kept by alcohol retailers.
- (3) Regulations may, among other things, make provision –
 - (a) for enforcement;
 - (b) that require the Welsh Ministers to issue guidance to alcohol retailers about compliance with the regulations.
- (4) The purposes that may be specified under subsection (2)(d) are limited to charitable purposes relating to –
 - (a) tackling alcohol related harm;
 - (b) alcohol misuse support, treatment and preventative services.



- (5) Before making regulations under this section, the Welsh Ministers must consult—
- (a) such persons as appear to them likely to be affected by the regulations,
 - (b) such organisations as appear to them to represent the interests of persons likely to be affected by the regulations, and
 - (c) such other persons as they consider appropriate.’.

Tudalen 4, ar ôl llinell 32, mewnosoder adran newydd —

[] Gwerthiannau alcohol: cyfraniad elusennol gan fanwerthwyr alcohol

- (1) Rhaid i Weinidogion Cymru wneud darpariaeth drwy reoliadau sy’n ei gwneud yn ofynnol i fanwerthwyr alcohol dalu cyfran o’r isafbris uned cymwys (fel y’i pennir mewn rheoliadau a wneir o dan adran 1) ar gyfer cyflenwi alcohol i gorff annibynnol.
- (2) Rhaid i reoliadau wneud darpariaeth bellach o dan is-adran (1) ar gyfer y canlynol —
 - (a) penodi corff annibynnol;
 - (b) pennu’r gyfran;
 - (c) trefniadau mewn perthynas â chasglu symiau gan gorff annibynnol (mae hyn yn cynnwys gwneud darpariaeth i’r perwyl nad yw’r cyfryw symiau yn cael eu talu i Gronfa Gyfunol Cymru);
 - (d) cymhwyso a dosbarthu’r symiau a gesglir gan gorff annibynnol at ddibenion elusennol penodedig;
 - (e) ei gwneud yn ofynnol i fanwerthwyr alcohol gadw cofnodion o werthiannau alcohol.
- (3) Caiff rheoliadau, ymhlith pethau eraill, wneud darpariaeth —
 - (a) ar gyfer gorfodi;
 - (b) sy’n ei gwneud yn ofynnol i Weinidogion Cymru ddyroddi canllawiau i fanwerthwyr alcohol ynghylch cydymffurfio â’r rheoliadau.
- (4) Mae’r dibenion y caniateir eu pennu o dan is-adran (2)(d) yn gyfyngedig i ddibenion elusennol sy’n ymwneud â’r canlynol —
 - (a) mynd i’r afael â niwed sy’n gysylltiedig ag alcohol;
 - (b) gwasanaethau cymorth, triniaeth ac ataliol ar gyfer camddefnyddio alcohol.
- (5) Cyn gwneud rheoliadau o dan yr adran hon, rhaid i Weinidogion Cymru ymgynghori â’r canlynol —
 - (a) unrhyw bersonau y mae’n ymddangos iddynt fod y rheoliadau yn debygol o effeithio arnynt;
 - (b) unrhyw sefydliadau y mae’n ymddangos iddynt eu bod yn cynrychioli buddiannau personau y mae’r rheoliadau yn debygol o effeithio arnynt; ac
 - (c) unrhyw bersonau eraill y maent yn ystyried eu bod yn briodol.’.



Angela Burns

8

Page 9, after line 32, insert a new section –

‘Guidance

[] Guidance

- (1) The Welsh Ministers must publish guidance for alcohol retailers about how to comply with this Act.
- (2) The Welsh Ministers may revise guidance published under subsection (1) and must publish the revised guidance.’.

Tudalen 9, ar ôl llinell 35, mewnosoder adran newydd –

‘Canllawiau

[] Canllawiau

- (1) Rhaid i Weinidogion Cymru gyhoeddi canllawiau ar gyfer manwerthwyr alcohol ynghylch sut i gydymffurfio â’r Ddeddf hon.
- (2) Caiff Gweinidogion Cymru ddiwygio canllawiau a gyhoeddir o dan is-adran (1) a rhaid iddynt gyhoeddi’r canllawiau diwygiedig.’.

Rhun ap Iorwerth

18

Page 9, after line 32, insert a new section –

‘Duty to promote

[] Duty to promote awareness of the Act

- (1) The Welsh Ministers must provide information and promote awareness about the effect of provisions of this Act following the commencement of this section to –
 - (a) the public,
 - (b) alcohol retailers, and
 - (c) such other persons and organisations as they consider appropriate.
- (2) The duty under subsection (1) includes an obligation on the Welsh Ministers to provide –
 - (a) an estimate of the financial impact of the Act in relation to –
 - (i) moderate drinkers;
 - (ii) hazardous drinkers;
 - (iii) harmful drinkers;
 - (iv) different categories of alcohol retailers, and
 - (b) information concerning the aim of the Act and the ways that different categories of drinkers can reduce individual alcohol consumption.



(3) In this section –

“moderate drinkers” (“*yfwyr cymedrol*”) means those who drink within the current guidelines;

“hazardous drinkers” (“*yfwyr peryglus*”) means those exceeding the current guidelines, but who drink no more than 35 units per week in the case of women or 50 units per week for men;

“harmful drinkers” (“*yfwyr niweidiol*”) means women who drink more than 35 units per week or men who drink more than 50 units per week.’.

Tudalen 9, ar ôl llinell 35, mewnosoder adran newydd –

‘Dyletswydd i hyrwyddo

[] Dyletswydd i hyrwyddo ymwybyddiaeth o’r Ddeddf

(1) Rhaid i Weinidogion Cymru ddarparu gwybodaeth a hyrwyddo ymwybyddiaeth ynghylch effaith darpariaethau’r Ddeddf hon yn dilyn cychwyn yr adran hon i’r canlynol –

(a) y cyhoedd;

(b) manwerthwyr alcohol; ac

(c) unrhyw bersonau a sefydliadau eraill y maent yn ystyried eu bod yn briodol.

(2) Mae’r ddyletswydd o dan is-adran (1) yn cynnwys rhwymedigaeth ar Weinidogion Cymru i ddarparu –

(a) amcangyfrif o effaith ariannol y Ddeddf mewn perthynas â’r canlynol –

(i) yfwyr cymedrol;

(ii) yfwyr peryglus;

(iii) yfwyr niweidiol;

(iv) categorïau gwahanol o fanwerthwyr alcohol, a

(b) gwybodaeth am nod y Ddeddf a’r ffyrdd y gall categorïau gwahanol o yfwyr leihau lefelau yfed alcohol unigol.

(3) Yn yr adran hon –

ystyr “yfwyr cymedrol” (“*moderate drinkers*”) yw pobl sy’n yfed o fewn y canllawiau presennol;

ystyr “yfwyr peryglus” (“*hazardous drinkers*”) yw pobl sy’n yfed mwy na’r hyn a argymhellir yn y canllawiau presennol ond sy’n yfed llai na 35 uned yr wythnos yn achos menywod neu 50 uned yr wythnos i ddynion;

ystyr “yfwyr niweidiol” (“*harmful drinkers*”) yw menywod sy’n yfed mwy na 35 uned yr wythnos neu ddynion sy’n yfed mwy na 50 uned yr wythnos.’.



Angela Burns

9

Section 21, page 9, line 35, leave out ‘, as soon as practicable after the end of the 5 year period, lay before the National Assembly for Wales a report on the operation and effect of this Act during that period’ and insert –

‘lay before the National Assembly for Wales a report on the operation and effect of this Act.

- () The first report under this section must be laid in accordance with subsection (1) at the end of the 2 year period after section 2 comes into force.
- () Subsequent reports must be laid before the National Assembly for Wales on an annual basis.
- () A report must provide an evaluation by the Welsh Ministers of the operation and effect of the minimum unit pricing provisions in relation to:
 - (a) persons whose consumption of alcohol is considered to be hazardous and harmful,
 - (b) specific age groups of persons which are considered by the Welsh Ministers to be at higher risk of harm from alcohol,
 - (c) the impact on alcohol consumption by income group, with reference to the Welsh Index of Multiple Deprivation quintiles,
 - (d) reported incidents of domestic abuse, as defined by section 24 of the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 (anaw 3),
 - (e) alcohol related hospital admissions, including attendances at hospital and accident emergency departments of persons that are associated with the consumption of alcohol,
 - (f) the impact on alcohol support services,
 - (g) the impact on alcohol retailers,
 - (h) the impact on the cross-border trade of alcohol and internet sales of alcohol,
 - (i) the switching from consumption of alcoholic drinks by persons to other forms of legal or illegal substances, and
 - (j) such other characteristics or other matters as the Welsh Ministers consider appropriate.

- () A report must contain any information on which an evaluation is based’.

Adran 21, tudalen 9, llinell 38, hepgorer ‘, cyn gynted ag y bo’n ymarferol ar ôl diwedd y cyfnod 5 mlynedd, osod gerbron Cynulliad Cenedlaethol Cymru adroddiad ar weithrediad ac effaith y Ddeddf hon yn ystod y cyfnod hwnnw’ a mewnosoder –

‘osod gerbron Cynulliad Cenedlaethol Cymru adroddiad ar weithrediad ac effaith y Ddeddf hon.

- () Rhaid gosod yr adroddiad cyntaf o dan yr adran hon yn unol ag is-adran (1) ar ddiwedd y cyfnod o 2 flynedd ar ôl i adran 2 ddod i rym.
- () Rhaid gosod adroddiadau dilynol gerbron Cynulliad Cenedlaethol Cymru yn flynyddol.



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- () Rhaid i adroddiad ddarparu gwerthusiad gan Weinidogion Cymru o weithrediad ac effaith darpariaethau'r isafbris uned mewn perthynas ag:
- (a) personau yr ystyrir bod eu lefelau yfed alcohol yn beryglus ac yn niweidiol,
 - (b) grwpiau oedran penodol o bersonau y mae Gweinidogion Cymru yn ystyried eu bod yn wynebu risg uwch o niwed o alcohol,
 - (c) yr effaith ar lefelau yfed alcohol yn ôl grŵp incwm, gan gyfeirio at gwintellau Mynegai Amddifadedd Lluosog Cymru,
 - (d) achosion o gam-drin domestig y rhoddir gwybod amdanynt, fel y'i diffinnir gan adran 24 o Ddeddf Trais yn erbyn Menywod, Cam-drin Domestig a Thrais Rhywiol (Cymru) 2015 (dccc 3),
 - (e) derbyniadau i'r ysbyty sy'n gysylltiedig ag alcohol, gan gynnwys derbyn personau i'r ysbyty neu i adrannau damweiniau ac achosion brys, a hynny'n gysylltiedig ag yfed alcohol,
 - (f) yr effaith ar wasanaethau cymorth alcohol,
 - (g) yr effaith ar fanwerthwyr alcohol,
 - (h) yr effaith ar fasnachu trawsffiniol o ran alcohol a gwerthu alcohol dros y we,
 - (i) y newid o yfed diodydd alcoholaidd gan bersonau i ddefnyddio mathau eraill o sylweddau cyfreithlon neu anghyfreithlon,
 - (j) unrhyw nodweddion neu faterion eraill y mae Gweinidogion Cymru yn ystyried eu bod yn briodol.
- () Rhaid i adroddiad gynnwys unrhyw wybodaeth y mae'r gwerthusiad yn seiliedig arni'.

Angela Burns

10

Section 21, page 10, line 2, after 'appropriate', insert –

- 'having functions in relation to public health,
- (b) such persons as appear to them to be representative of the interests of alcohol retailers, producers of alcohol, and
 - (c) such other persons as they consider appropriate'.

Adran 21, tudalen 10, llinell 2, ar ôl 'briodol', mewnosoder –

- 'sydd â swyddogaethau mewn perthynas ag iechyd y cyhoedd,
- (b) unrhyw bersonau yr ymddengys iddynt hwy eu bod yn cynrychioli buddiannau manwerthwyr alcohol, cynhyrchwyr alcohol, a
 - (c) unrhyw bersonau eraill y maent yn ystyried eu bod yn briodol'.



Bil Iechyd y Cyhoedd (Isafbris am Alcohol) (Cymru) - Rhestr o Welliannau wedi'u didoli
Public Health (Minimum Price for Alcohol) (Wales) Bill - Marshalled list of Amendments

12

Rhun ap Iorwerth

19

Section 21, page 10, after line 4, insert –

- ‘() A responsible committee of the National Assembly for Wales must consider the report in order to inform the Assembly’s consideration of any regulations made under section 22.’

Adran 21, tudalen 10, ar ôl llinell 4, mewnosoder –

- ‘() Rhaid i un o bwyllgorau cyfrifol Cynulliad Cenedlaethol Cymru drafod yr adroddiad er mwyn bod yn sail i ystyriaeth y Cynulliad o unrhyw reoliadau a wneir o dan adran 22.’

Angela Burns

11

Section 21, page 10, line 5, leave out ‘(1), “the 5 year period” has the meaning given in section 22(4)’ and insert ‘(the first subsection to be inserted by Amendment 9), “the 2 year period” means the period of 2 years beginning with the day on which section 2 comes into force’.

Adran 21, tudalen 10, llinell 5, hepgorer ‘(1), mae i “y cyfnod 5 mlynedd” yr ystyr a roddir yn adran 22(4)’ a mewnosoder ‘(yr is-adran gyntaf sy’n cael ei mewnosod gan Welliant 9), ystyr “y cyfnod o 2 flynedd” yw’r cyfnod o 2 flynedd yn dechrau â’r diwrnod y daw adran 2 i rym’.

Angela Burns

12

Section 22, page 10, after line 11, insert –

- ‘() The Welsh Ministers, when making regulations under subsection (2), must have regard to the latest report laid before the National Assembly for Wales in accordance with section 21.’

Adran 22, tudalen 10, ar ôl llinell 10, mewnosoder –

- ‘() Rhaid i Weinidogion Cymru, wrth wneud rheoliadau o dan is-adran (2), roi sylw i’r adroddiad diweddaraf a osodir gerbron Cynulliad Cenedlaethol Cymru yn unol ag adran 21.’

Rhun ap Iorwerth

20

Section 26, page 12, after line 6, insert –

- ‘() section [new section to be inserted by Amendment 17];’.

Adran 26, tudalen 12, ar ôl llinell 6, mewnosoder –

- ‘() adran [adran newydd sy’n cael ei mewnosod gan Welliant 17];’.



Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales

Bil Iechyd y Cyhoedd (Isafbris am Alcohol) (Cymru) - Rhestr o Welliannau wedi'u didoli
Public Health (Minimum Price for Alcohol) (Wales) Bill - Marshalled list of Amendments

13

Angela Burns

13

Section 26, page 12, after line 9, insert –

- ‘(e) see section [*new section to be inserted by Amendment 4*] for further requirements in relation to the making of regulations under section 1.’.

Adran 26, tudalen 12, ar ôl llinell 9, mewnosoder –

- ‘(e) gweler adran [*adran newydd i’w mewnosod gan Welliant 4*] am ofynion pellach mewn perthynas â gwneud rheoliadau o dan adran 1.’.

Rhun ap Iorwerth

21

Section 26, page 12, after line 9, insert –

- ‘(e) see section [*new section to be inserted by Amendment 16*] for further requirements in relation to the making of regulations under section 1.’.

Adran 26, tudalen 12, ar ôl llinell 9, mewnosoder –

- ‘(e) gweler adran [*adran newydd i’w mewnosod gan Welliant 16*] am ofynion pellach mewn perthynas â gwneud rheoliadau o dan adran 1.’.

Angela Burns

14

Section 27, page 13, after line 11, insert –

“harmful drinkers” (“*yfwyr niweidiol*”) means women who drink more than 35 units per week or men who drink more than 50 units per week;

“hazardous drinkers” (“*yfwyr peryglus*”) means those exceeding the current guidelines, but who drink no more than 35 units per week in the case of women or 50 units per week for men;’.

Adran 27, tudalen 13, ar ôl llinell 39, mewnosoder –

‘ystyr “yfwyr niweidiol” (“*harmful drinkers*”) yw menywod sy’n yfed mwy na 35 uned yr wythnos neu ddynion sy’n yfed mwy na 50 uned yr wythnos;

ystyr “yfwyr peryglus” (“*hazardous drinkers*”) yw pobl sy’n yfed mwy na’r hyn a argymhellir yn y canllawiau presennol ond sy’n yfed llai na 35 uned yr wythnos yn achos menywod neu 50 uned yr wythnos i ddynion.’.



GRWPIO GWELLIANNAU GROUPINGS OF AMENDMENTS

Bil Iechyd y Cyhoedd (Isafbris am Alcohol) (Cymru) Public Health (Minimum Price for Alcohol) (Wales) Bill

Cyfnod 2 ar 3 Mai 2018
Stage 2 on 3 May 2018

Mae'r ddogfen hon yn nodi ym mha drefn y caiff y gwelliannau eu trafod ac unrhyw wybodaeth berthnasol yn ymwneud â'r gweithdrefnau sy'n berthnasol i bob grŵp. Nid yw'r rhestr hon yn disodli'r rhestr o welliannau wedi'u didoli, sy'n nodi'r gwelliannau yn y drefn y cânt eu gwaredu. Dylai'r rhestr hon gael ei darllen ar y cyd â'r rhestr o welliannau wedi'u didoli.

This document provides the order in which amendments will be debated and any relevant procedural information relevant to each group. This list does not replace the marshalled list, which sets out the amendments in the order in which they will be disposed of. This list should be read in conjunction with the marshalled list.

1. Isafbris uned
Minimum unit price
1, 2, 3, 5, 6, 7

2. Gweithdrefn ar gyfer rheoliadau o dan adran 1
Procedure for regulations under section 1
15, 4, 16, 13, 21

3. Gwerthiannau alcohol - cyfraniad elusennol
Alcohol sales - charitable contribution
17, 20

4. Canllawiau
Guidance
8



5. Dyletswydd i hyrwyddo ymwybyddiaeth o'r Ddeddf

Duty to promote awareness of the Act

18

6. Adroddiad ar weithrediad ac effaith y Ddeddf

Report on operation & effect of the Act

9, 10, 11, 14

7. Rheoliadau a wneir o dan adran 22

Regulations made under section 22

19, 12



Agenda Item 3.1

Vaughan Gething AC/AM
Ysgrifennydd y Cabinet dros Iechyd a Gwasanaethau
Cymdeithasol
Cabinet Secretary for Health and Social Services



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref MA-P-VG-1281-18

Dr Dai Lloyd
Chair
Health, Social Care and Sport Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

27 April 2018

Dear Dai,

Thank you for your letter of 21 March regarding the Health, Social Care and Sport Committee's one-day inquiry into the All Wales Medical Performers List.

I have noted the Committee's Terms of Reference and that three specific areas were considered. I will take each of these in turn below as set out in your letter to me.

The existence of separate Medical Performers Lists for England and Wales

As you say, amendments have been made to the NHS (Performers Lists) (Wales) Regulations 2004 as recently as March 2016 in order to reduce the administrative burden in applying to be included in a Local Health Board's (LHB) Performers List.

Notwithstanding these amendments and the streamlined application process, there have been calls for more radical change, for example, for a UK Performers List, or an England and Wales Performers List, or a Wales Performers List in order to further reduce bureaucracy. There have also been calls to consider whether doctors currently listed on a performers list in England, Scotland or Northern Ireland may be given the automatic right to work in Wales.

I therefore agreed to an informal ten week consultation period which commenced on 28 November 2017 and closed on 7 February 2018. Seven options were included in the consultation document which included options covering the issues you have highlighted in your letter were raised by stakeholders at the evidence sessions.

Bae Caerdydd • Cardiff Bay
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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

An initial assessment of the 27 responses received has revealed they present a number of differing views and highlight particular difficulties in certain parts of Wales.

My officials will now analyse the responses received together with the evidence presented to the Committee as part of its inquiry. Any future approach will need to balance carefully the potential for removing any barriers for GPs to work in Wales with clinical governance and patient safety issues.

I also note that the NHS Wales Shared Services Partnership has suggested that IT improvements could possibly streamline their processes and this is something that my officials will raise with them.

Ease of access to Medical Performers List registration for GPs returning to Wales

Doctors applying to join the Performers list are required to produce their certification from the competent authority, GMC registration and two clinical referees. Employers have a duty of care to the public to ensure that doctors working in their service are fit to do so, and individual GPs have a duty to ensure they undertake appropriate levels of training / development so their skills remain current.

In 2015 officials considered the arrangements in place to establish whether there were opportunities to relax those requirements whilst maintaining safeguards in relation to patient safety. This resulted in a number of changes to make it easier to assess an individual's skills. These arrangements aimed to make it easier for GPs who have previously worked in Wales to return to practice following a career break or a period of working outside the UK. It also aimed to support doctors who have qualified outside the UK and choose to work in Wales. The package of measures included a more targeted assessment of an individual's skills, to identify those who can safely enter the workforce with minimum support and those who require greater assistance.

As you indicate in your letter, there is work underway to consider whether it would be possible, and appropriate, for GPs who choose to work overseas to be retained on the performers list for up to 5 years and during that period remain part of a UK based appraisal process. This would mean that individuals who returned prior to the expiration of the 5 year period would already be on the performers list and therefore not be subject to the normal application processes. It is important the patient safety aspects of this are fully considered and this work is ongoing. My officials are also considering what additional steps could be taken in this area.

How the Medical Performers List registration process assesses the equivalence of medical training undertaken outside the UK

The Mutual Recognition of Professional Qualifications (MRPQ) Directive 2005/36/EC provides a framework for recognising professional qualifications, in the European Union (EU), and under certain conditions, to the other European Economic Area (EEA) countries and to Switzerland. It seeks to encourage the automatic recognition of qualifications and simplify administrative procedures.

In the UK, statutorily regulated health and social care professionals have to be registered with, and show that they meet the standards of, the relevant regulatory body, in order to practice their profession. The regulators control access to regulated professions, professional and vocational titles and professional activities which require specific qualifications, and are subject to national law. In the case of doctors it is the role of the GMC to ensure individuals have an appropriate qualification to support registration.

This matter is an important part of the wider discussions which are being taken forward by the UK Government as part of the work on the UK withdrawal from the European Union. The Welsh Government has been clear about the value we place in those who choose to come to Wales to contribute to the provision of our health and care systems. We are also clear that a failure to agree equivalent provisions to the MPRQ Directive would do significant damage to our ability to recruit and retain staff within NHS Wales. I am interested to hear about the outcome of the work being undertaken by the GMC in terms of the equivalence agenda between the UK and Australia.

I am grateful to the Committee for undertaking this inquiry and I will keep you updated on any proposed changes to the Performers Lists following an analysis of the responses to the consultation on options.

Yours sincerely

A handwritten signature in black ink, reading 'Vaughan Gething'. The signature is written in a cursive, flowing style.

Vaughan Gething AC/AM

Ysgrifennydd y Cabinet dros Iechyd a Gwasanaethau Cymdeithasol
Cabinet Secretary for Health and Social Services

Agenda Item 5

By virtue of paragraph(s) vi of Standing Order 17.42

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