

Julie James MS
Minister for Climate Change

6 March 2023

Dear Julie

The Packaging Waste (Data Collection and Reporting) (Wales) Regulations 2023

At our meeting this week we considered your letters dated 1 March 2023 and 14 February 2023 in relation to The Packaging Waste (Data Collection and Reporting) (Wales) Regulations 2023 (the Regulations).

We note that these Regulations replace a version laid before the Senedd on 24 January 2023, which were subsequently withdrawn before they were formally considered and reported on by my Committee. We also note that the Regulations fall under the scope of the Resources and Waste Common Framework.

We welcome your letter of 1 March drawing our attention to errors that you have identified in the Regulations. However despite this transparency our overriding concern is that, once again¹, the Welsh Government appears to be inviting the Senedd to approve regulations with known defects.

We also understand from Senedd Commission lawyers currently reviewing the Regulations for the purpose of informing our draft report that multiple technical reporting points may arise from our consideration.

Given that you have already identified errors in the Regulations, and while we have yet to formally consider the Regulations (which we will do at our meeting on 13 March, ahead of the debate on the

¹ See The Trade in Animals and Related Products (Amendment and Legislative Functions) and Animal Health (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2022 and The Food and Feed (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2022.

Regulations currently scheduled to take place on 14 March), I would invite you to evaluate whether you should proceed with the Regulations in their current state.

I am copying this letter to the Llywydd in her capacity as Chair of the Business Committee, and to the Counsel General.

Yours sincerely,

Huw Irranca-Davies

Huw Irranca-Davies
Chair