

Subordinate Legislation Committee

(SLC(3) 13-07)

SLC75

Subordinate Legislation Committee Report

Under Standing Order 15.2 the Assembly is invited to pay special attention to the following instrument.

Title: The Materials and Articles in Contact with Food (Wales) Regulations 2007

These Regulations revoke the Materials and Articles in Contact with Food (Wales) Regulations 2005 and re-enact or re-enact with amendments provisions contained in those Regulations. These Regulations provide for the enforcement of Regulation (EC) No. 1935/2004 on materials and articles intended to come into contact with food. They also provide for the enforcement of Regulation (EC) No. 2023/2006 on good manufacturing practice for materials and articles intended to come into contact with food and implement Commission Directive 2007/42/EC relating to materials and articles made of regenerated cellulose film intended to come into contact with foodstuffs. **Procedure: Negative** 1. The Regulations contain examples of gender specific language in regulations 19(3)(c) ("him") and 19(4) ("his" [Standing Order 15.2(viii)]) 2. Regulation 19 (and 20) also includes a number of examples of the use of "will" in relation to the role of the authorised officer. If the intention is that he is required to take these steps, the appropriate verb is "must". If it is a simple narrative of the process to be used, it is not appropriate matter to be included in legislation. [Standing Order 15.2(v)] The Government has indicated that it accepts that the above mentioned reporting points and has indicated that it intends to incorporate these amendments when the Regulations are next amended.

Legal Advisers

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