

DATE: 12 December 2001
TIME: 14.00 - 17.30
VENUE: Committee Room 1, National Assembly, Cardiff Bay
TITLE: Better Regulation Progress Report (For Information)

Purpose of the Paper

1. To inform the Committee of the number of Assembly Subordinate Orders which impacted on business during the period July 1999 to July 2001.

Background

2. Under section 65 of the Government of Wales Act, a Regulatory Appraisal normally needs to be prepared for Assembly general subordinate legislation. The Regulatory Appraisal assesses the likely costs and benefits within Wales of complying with Assembly Orders. If the appraisal reveals that the compliance costs - to business or other interests - of a proposed Order are likely to be significant, then consultation with relevant interests is required.
3. The Regulatory Appraisal procedure is relevant to the wider duties on the Assembly to have regard to the interests of local government and the voluntary sector, to promote sustainable development and equality of opportunity and to consult business in Wales. Thus a regulatory appraisal should consider these issues - and the related Assembly Schemes - both in the assessment of costs and benefits and in the manner in which consultation is carried out
4. Regulatory Appraisal need not be undertaken if in the particular circumstances the relevant Assembly Minister considers it inappropriate or not reasonably practicable. Guidance was issued in July 1999. This has recently been reviewed and a revised version will be issued to all staff shortly.
5. Between July 1999 and July 2001, 317 general SIs were made (i.e. excluding SIs made for purely technical reasons). Of these 38 impacted on business. Regulatory Appraisals were considered necessary for 18. Details are at Annex 1.

Action for the Committee

6. The Committee is asked to note the information on the number of Statutory Instruments

that have impacted on business over the two years to July 2001.

7. Further updates will be provided to the Committee on an annual basis.

LOCAL GOVERNMENT (EXCLUDING HOUSING)

Type	SI Number	Title	Teitl	Regulatory Appraisal	Impact on business
General	2001/2222(W.160)	The Central Rating List (Wales) (Amendment) Regulations 2001	Rheoliadau Rhestr Arderthu Canolog (Cymru) (Diwygio) 2001	No	Amends company names on central list
General	2000/352 (W.10)	The BG plc (Rateable Value) (Wales) Order 2000	Gorchymyn BG plc (Gwerth Ardrethol) (Cymru) 2000	No	BG rates bill in 2000-01 will rise by 11% to £13.2m
General	2000/1097(W.75)	The Valuation for Rating (Plant and Machinery) (Wales) Regulations 2000	Rheoliadau Prisio ar gyfer Ardrethu (Peiriannau a Pheirianwaith) (Cymru) 2000	No	Energy efficient businesses given rate relief
General	1999/3453(W.50)	The Central Rating List (Wales) Regulations	Rheoliadau Rhestr Ardrethu Canolog (Cymru) 1999	No	Establishes companies on a central rating list
General	2000/792 (W.29)	The Non-Domestic Rating (Alteration of Lists and Appeals) (Amendment) (Wales) Regulations 2000	Rheoliadau Ardrethu Annomestig (Newid Rhestr ac Apelau) (Diwygio) (Cymru) 2000	No	More transparent appeals system
General	2000/299(W. 6)	The Water Undertakers (Rateable Values) (Wales) Order 2000	Gorchymyn Ymgwymerwyr Dwr (Gwerthoedd Ardrethol) (Cymru) 2000	No	Overall rates burden on the industry in Wales will increase by 1% to £15.
General	1999/3454(W.51)	The Non-Domestic Rating (Chargeable Amounts) (Wales) Regulations 1999	Rheoliadau Ardrethu Annomestig (Symiau y Gellir eu Codi) (Cymru) 1999	No	phased rises and reductions in business rates after revaluation
General	2001/1076 (W.52)	The Community Charges, Council Tax and Non- Domestic Rating (Enforcement) (Magistrates' Courts) (Wales) Regulations 2001	Rheoliadu Taliadau Cymunedol, Y Dreth Gyngor ac Ardrethu Annomestig (Gorfodi) (Llysoedd Ynadon) (Cymru) 2001	No	Renamed stipendiary magistrate as district judge
General	2000/555 (W. 22)	The Railtrack plc (Rateable Value) (Wales) Order 2000	Gorchymyn Railtrack plc (Gwerth Ardrethol) (Cymru) 2000	No	Set rateable value after revaluation
General	2000/948 (W.41)	The Docks and Harbours (Rateable Values) (Wales) Order 2000	Gorchymyn Dociau a Harbyrau (Gwerthoedd Ardrethol) (Cymru) 2000	No	Set rateable values for docks

General	2000/1163(W.91)	The Electricity Supply Industry (Rateable Values) (Wales) Order 2000	Gorchymyn y Diwydiant Cyflenwi Trydan (Gwerthoedd Ardrethol) (Cymru) 2000	No	Set rateable values for electricity supply companies
General	1999/3439(W.47)	The Non-Domestic Rating Contributions (Wales) (Amendment) Regulations 1999	ARDRETHU A PHRISIO, CYMRU, Rheoliadau Cyfraniadau Arderthu Annomestig (Cymru) (Diwygio) 1999	No	setting of NDR multiplier/poundage
General	2000/3383 (W.221)	The Non-Domestic Rating (Telecommunications Apparatus) (Wales) Regulations 2000	Rheoliadau Arderthu Annomestig (Offer Telathrebu) (Cymru) 2000	No	Sharing of mast sites promoted.
General	2000/793(W30)	The Non-Domestic Rating (Demand Notices) (Amendment) (Wales) Regulations 2000	Rheoliadau Ardrethu Annomestig (Hysbysiadau Hawlio) (Diwygio) (Cymru) 2000	No	Specified more information for rate demands
General	2001/2275 (W.165)	The Commission for Local Administration in Wales and Local Commissioner in Wales (Functions and Expenses) Regulations 2001	Rheoliadau'r Comisiwn Dros Weinyddu Lleol yng Nghymru (Swyddogaethau a Threuliau) 2001	No	Yes

Housing

Type	SI Number	Title	Teitl	Regulatory Appraisal	Impact on business
General	2000/1039 (W.68)	The Home Energy Efficiency Scheme (Amendment) (Wales) Regulations 2000	Rheoliadau'r Cynllun Effeithlonrwydd Ynni Cartref (Diwygio) (Cymru) 2000	Yes	Yes

RURAL AFFAIRS

Type	SI Number	Title	Teitl	Regulatory Appraisal	Impact on business
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General	2000/1075(W.69)	The Sea Fishing (Enforcement of Community Control Measures) (Wales) Order 2000	Gorchymyn Pysgota Mor (Gorfodi Mesurau Rheoli'r Gymuned) (Cymru) 2000	Yes	Cost implications to industry, satellite monitoring is the best way to secure effective control of fishing activities throughout the EU. Alternative options were considered and the industry consulted.
General	2000/1078(W.71)	The Sea Fishing (Enforcement of Community Satellite Monitoring Measures) (Wales) Order 2000	Gorchymyn Pysgota Mor (Gorfodi Mesurau Cymunedol ar gyfer Monitro a Lloeren) (Cymru) 2000	Yes	Cost implications to industry, satellite monitoring is the best way to secure effective control of fishing activities throughout the EU. Alternative options were considered and the industry consulted.
General	2000/976 (W.46)	The Sea Fishing (Enforcement of Measures for the Recovery of the Stock of Cod) (Irish Sea) (Wales) Order 2000	Gorchymyn Pysgota Mor (Gorfodi Mesurau ar gyfer Adfer y Stoc Penfreision) (Mor Iwerddon) (Cymru) 2000	Yes	For a short period fishermen had their opportunities for Cod reduced
General	2000/2335 (W.152)	The Sheep and Goats Identification (Wales) Regulations 2000	Rheoliadau Adnabod Defaid a Geifr (Cymru) 2000	Yes	Made necessary the purchase of tags to identify their animals
General	1999/3337(W.45)	The Tir Gofal and Organic Farming (Amendment) (Wales) Regulations 1999	Rheoliadau Tir Gofal a Ffermio Organig (Diwygio) (Cymru) 1999	No	Minor technical amendments only
General	2000/972 (W.42)	The Dairy Produce Quotas (Amendment) (Wales) Regulations 2000	Rheoliadau Cwotau Cynhyrchion Llaeth (Diwygio) (Cymru) 2000	Yes	Provides business with greater flexibility
General	2000/719 (W.26)	The Seeds (Fees) (Amendment) (Wales) Regulations 2000	Rheoliadau Hadau (Ffioedd) (Diwygio) (Cymru) 2000	No	Put in to statute the fees the industry would expect to pay

General	2000/1738 (W.121)	The Dairy Products (Hygiene) (Charges) (Amendment) (Wales) Regulations 2000	Rheoliadau Cynhyrchion Llaeth (Hylendid) (Taliadau) (Diwygio) (Cymru) 2000	Functions transferred to the Food Standards Agency		Removed inspection fee
General	2000/3339 (W.217)	The Cattle (Identification of Older Animals) (Wales) Regulations 2000	Rheoliadau Gwartheg (Adnabod Anifeiliaid Hyn) (Cymru) 2000	Yes		The only impact on businesses was the time to notify movements of cattle to the British Cattle Movement Service
General	2000/3123 (W. 201)	The Dairy Produce Quotas (Amendment) (Wales) (No.2) Regulations 2000	Rheoliadau Cwotau Cynhyrchion Llaeth (Diwygio) (Cymru) (Rhif 2) 2000	Yes		Would provide businesses with greater flexibility
General	2000/3294 (W.216)	THE COMMON AGRICULTURAL POLICY SUPPORT SCHEMES (MODULATION) (WALES) REGULATIONS 2000	RHEOLIADAU CYNLLUNIAU CYMORTH Y POLISI AMAETHYDDOL CYFFREDIN (MODWLEIDDIO) (CYMRU) 2000	Yes		Yes

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Type	SI Number	Title	Teitl	Regulatory Appraisal	Impact on business
General	2000/3156 (W.205)	THE SMOKE CONTROL AREAS (AUTHORISED FUELS) (AMENDMENT) (WALES) REGULATIONS 2000	RHEOLIADAU ARDALOEDD RHEOLI MWG (TANWYDDAU AWDURDODEDIG) (DIWYGIO) (CYMRU) 2000	No	Limited to the company listed in the regulations
General	2001/1231 (W.65)	The Smoke Control Areas (Exempted Fireplaces) (Wales) Order 2001	Gorchymyn Ardaloedd Rheoli Mwg (Lleoedd Tan Esmpt) (Cymru) 2001	No	Limited to the company listed in the regulations
General	2000/1940 (W.138)	The Air Quality (Wales) Regulations 2000	Rheoliadau Ansawdd Aer (Cymru) 2000	Yes	Yes
General	2001/2197 (W.157)	The Contaminated Land (Wales) Regulations 2001	Rheoliadau Tir Halogedig (Cymru) 2001	Yes	Yes

PUBLIC HEALTH PROTECTION

Type	SI Number	Title	Teitl	Regulatory Appraisal	Impact on business
General	1999/3464 (W.52)	The Beef Bones (Amendment) (Wales) Regulations 1999	Rheoliadau Esgyrn Cig Eidion (Diwygio) (Cymru) 1999	No	Allowed sale of beef on the bone.

General	2000/1925 (W.134)	The Genetically Modified and Novel Foods (Labelling) (Wales) Regulations 2000	Rheoliadau Bwydydd sydd wedi'u newid yn Enetig a Bwydydd Newydd (Labelu) (Cymru) 2000	Yes	Non-financial
General	2000/1866 (W.125)	The Medical Food (Wales) Regulations 2000	Rheoliadau Bwyd Meddygol (Cymru) 2000	Yes	Yes
General	2000/3341 (W.219)	The Food Safety (General Food Hygiene) (Butcher's Shops) (Amendment) (Wales) Regulations 2000	Rheoliadau Diogelwch Bwyd (Hylendid Bwyd yn Gyffredinol) (Siopau Cigyddion) (Diwygio) (Cymru) 2000	Yes	Yes
General	2001/1303 (w.80)	The Restriction on Pithing (Wales) Regulations 2001	Rheoliadau Cyfyngu Pitho (Cymru) 20001	Yes	Yes
General	2001/2198 (W.158)	The Meat (Enhanced Enforcement Powers) (Wales) Regulations 2001	Rheoliadau Cig (Pwerau Gorfodi Ehangach) (Cymru) 2001	Yes	Yes
General	2001/343 (W.15)	The Feeding Stuffs (Wales) Regulations 2001	Rheoliadau Porthiant (Cymru) 2001	Yes	Yes
General	2001/1302 (W.79)	The Meat (Hygiene and Inspection) (Charges) (Amendment) (Wales) Regulations 2001	Rheoliadau Cig (Hylendid ac Archwilio) (Ffioedd) (Diwygio) (Cymru) 2001	Yes	Yes. A positive benefit in that the regs meant reduced costs for slaughter houses