

Rebecca Evans AM
Minister for Finance and Trefnydd

31 October 2019

Dear Rebecca

Regulatory impact assessment code for subordinate legislation

We considered The M4 Motorway (Rogiet Toll Plaza, Monmouthshire) (50 MPH Speed Limit) Regulations 2010 (Revocation) Regulations 2019 at our meeting on 21 October 2019. We identified two merits points for reporting under Standing Order 21.3, the first of which highlighted that it was unclear why a regulatory impact assessment has not been produced for these Regulations.

The Welsh Government response to this point stated:

“Regulatory Impact Assessments have not historically been undertaken when the Welsh Ministers have made regulations under section 17 of the Road Traffic Regulation Act 1984 imposing speed limits on lengths of special roads. The reason for this is that such regulations have generally been made for highway safety reasons and have no impact on the costs of business. (...)

Specifically in relation to the Welsh Government’s Regulatory Impact Assessment Code for Subordinate Legislation, the relevant exception to the requirement to undertake an assessment is that the regulations in question involve a routine technical or factual amendment to update regulations that have no major policy effect.”

In noting this response, we became aware of the fact that section 76(3)(a) of the *Government of Wales Act 2006* provides that the Regulatory Impact Assessment (RIA) Code, which was introduced in October 2009, must be kept under review.

We would be grateful if you would confirm whether the RIA Code has been reviewed and, if not, when its review is likely to take place.



Yours sincerely

A handwritten signature in black ink that reads "Mick Antoniw". The signature is written in a cursive style with a horizontal line underneath the name.

Mick Antoniw AM

Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.
We welcome correspondence in Welsh or English.

