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Y Gweinidog Newid Hinsawdd
Minister for Climate Change



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref
Ein cyf/Our ref

Llyr Gruffydd MS
Chair of the Climate Change, Environment
and Infrastructure Committee
Senedd
Cardiff Bay
Cardiff
CF99 1SN

20 September 2022

Dear Llyr

The Environmental Protection (Single-use Plastic Products) (Wales) Bill

Since the determination of the Environmental Protection (Single-use Plastic Products) (Wales) Bill, ongoing consideration of some complex technical and legal matters has led us to wish to make some minor (but not insignificant) changes to the Bill.

We have not made these changes to the Bill prior to introduction in order to keep as closely to the timetable as possible, following the period of national mourning after the death of Her Majesty, Queen Elizabeth II. The Bill, as introduced, is the same as the draft Bill we published on 15 August 2022 and which your Committee has been able to undertake initial consultation on.

The purpose of this letter, therefore, is to inform you as early as possible of our intention to propose these amendments at Stage 2. The proposed changes are summarised below:

1. A change to section 1 to clarify that for the purposes of the Bill, adhesives, paint and ink are excluded from the definition of the word “plastic” (as is our intention).
2. A change to section 5 to ensure that the offence “offering to supply” a single-use plastic product cannot be interpreted such as to capture actions that we did not intend to capture. In particular, these changes clarify that this offence may only be committed on premises in Wales. In doing this, we also want to take the opportunity to make it clearer that a person who is outside Wales *would* commit an offence if they “supply” a prohibited single-use plastic product to a consumer who is in Wales (for example through an online or mail order sale).

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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.

3. A change to section 20 (interpretation) to move the substance of the definition of “carrier bag” so that it is listed amongst the other definitions of prohibited products set out in the Schedule.
4. A change to correct a technical issue in the drafting of the first exemption in respect of “straws” (listed in the Table in the Schedule). This simplifies the drafting of the exemption, something that is complicated by the fact that it must refer both to the pharmacy business which sells the straw in law, and to the individual who may carry out the transaction on behalf of the business.

In the interests of transparency, and for your convenience, we attach a draft version of the Bill produced in order to show the amendments we will propose within context (in other words as tracked changes of the draft that has been introduced). We will, of course, produce these proposed amendments in the normal way, together a table showing their purpose and effect, for formal consideration by the Senedd at the appropriate time.

Yours sincerely



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