

Huw Irranca-Davies AS/MS
Y Dirprwy Brif Weinidog ac Ysgrifennydd y Cabinet dros
Newid Hinsawdd a Materion Gwledig
Deputy First Minister and Cabinet Secretary for Climate
Change and Rural Affairs



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref: PO-HIDCC-0130-25

Mike Hedges MS
Chair
Legislation, Justice and Constitution Committee
Welsh Parliament
Cardiff Bay
Cardiff
CF99 1SN

30 April 2025

Dear Mike,

I appreciate the Committee's consideration of my letter dated 7 March 2025 and your subsequent request for an explanation regarding the timing of my communication and the delay in making the Persistent Organic Pollutants (Amendment) Regulations 2024 (renamed to reflect the year in which they were made (2025)) ("the 2024 Regulations").

Firstly, I apologise for the lack of opportunity provided to the Committee for it to express a view before my consent was formally given. This was due to the Statutory Instrument ("SI") being scheduled for laying on the 12 March 2025, requiring Welsh Ministers' consent prior to that date and an urgent request from Defra officials for a decision by 6 March 2025. Although Baroness Hayman of Ullock, Defra's Parliamentary Under-Secretary of State, wrote to me on 8 January 2025 the final SI was not received until February 2025. Understandably, my officials needed time to fully assess and evaluate the SI and its implications, which provide time-limited exemptions for Dechlorane Plus and UV-328 in specific circumstances.

With regard to the delay in making the 2024 Regulations Defra informed us that, following the laying in draft of the 2024 Regulations, it received information from industry manufacturers and retailers indicating the need for further exemptions. Unexpected changes can occur when restrictions impact key sectors in unforeseen ways. Industries are complex and can face new challenges or receive new information that wasn't anticipated which can result in regulations needing adjustments to avoid disrupting operations or economic stability. Such flexibility is crucial for maintaining a balance between regulatory objectives and the practical realities faced by different sectors.

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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.

The sequencing of the two instruments was necessary to ensure there was no gap between the provisions coming into force under the 2024 Regulations and the additional exemptions provided for in the Persistent Organic Pollutants (Amendment) (No. 2) Regulations 2025.

In addition to the above, I would like to inform the Committee of recent communication from Baroness Hayman of Ullock regarding the need for a further SI in this area – The Persistent Organic Pollutants (Amendment) (No. 3) Regulations 2025 (“the No.3 Regulations”).

On 8 April 2025, Baroness Hayman sought Welsh Ministers’ consent for the No. 3 Regulations to apply in relation to Wales. My officials are currently advising me on this matter. If I provide my provisional consent I will update the Committee further as per the standard process set out within the [Inter-Institutional Relations Agreement](#) (“the IIRA”) between Welsh Government and the Senedd.

I hope this explanation provides clarity on the reasons for the timing and delay in making the regulations. Please let me know if you require any further information.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Huw Irranca-Davies', written in a cursive style.

Huw Irranca-Davies AS/MS

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