

SL(6)739 – The Waste Separation Requirements (Wales) (Amendment) Regulations 2026

Background and Purpose

The Waste Separation Requirements (Wales) Regulations 2023 (“the 2023 Regulations”) came into force on 6 April 2024 and include, amongst others, a statutory duty on occupiers of non-domestic premises in Wales (including businesses, the public sector and third sector) to present unsold small waste electrical and electronic equipment (“sWEEE”) separately for collection and onward recycling.

The Waste Separation Requirements (Wales) (Amendment) Regulations 2026 (“these Regulations”) will amend the 2023 Regulations to require all non-domestic premises to keep their sWEEE (not just unsold sWEEE) separate from all other waste streams and arrange for it to be collected by a licensed waste carrier or take it to a suitable drop-off location for recycling. It will create a corresponding obligation on waste collectors that collect sWEEE to do so separately from other materials, not to subsequently mix sWEEE and to send it for recycling.

Procedure

Senedd approval procedure.

The Welsh Ministers have laid a draft of the Regulations before the Senedd. The Welsh Ministers cannot make the Regulations unless the Senedd approves the draft Regulations.

Technical Scrutiny

No points are identified for reporting under Standing Order 21.2 in respect of this instrument.

Merits Scrutiny

The following point is identified for reporting under Standing Order 21.3 in respect of this instrument.

1. Standing Order 21.3(ii) – that it is of political or legal importance or gives rise to issues of public policy likely to be of interest to the Senedd.

The Explanatory Memorandum provides that a draft of the revised “Separate Collection of Waste Materials for Recycling – A Code of Practice for Wales” has been laid for information purposes. Furthermore, a written statement published by the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs, dated 27 January 2026, states that the final version of the revised Code of Practice will be published and laid before the Senedd after the making of these Regulations.



Welsh Government response

A Welsh Government response is not required.

Legal Advisers

Legislation, Justice and Constitution Committee

3 February 2026



Senedd Cymru

Pwyllgor Deddfwriaeth, Cyfiawnder a'r Cyfansoddiad

—

Welsh Parliament

Legislation, Justice and Constitution Committee