

Constitutional and Legislative Affairs Committee Draft Report CLA

Title: The Control of Waste (Dealing with Seized Property)(England and Wales) Regulations 2015

These Regulations strengthen existing powers for local authorities and Natural Resources Wales (and the Environment Agency in England) to seize vehicles suspected of involvement in fly-tipping and waste crime. They set out what an authority must do to ensure the safe custody and determine the rightful owner of any seized vehicle or other property, the circumstances in which an authority must return any vehicle or seized property to its rightful owner and the circumstances, in which it can sell, destroy or otherwise dispose of seized property. They also revoke the Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations 1991 (S.I. 1991/1624).

Procedure: Negative

Technical Scrutiny

The following point is identified for reporting under Standing Order 21.2 in respect of this instrument.

1. These Regulations have not been made bilingually. Paragraph 2 of the Explanatory Memorandum explains (amongst other matters) that “this composite SI will apply to Wales and England [and] subordinate legislation made by the Welsh Ministers concurrently with Ministers of the UK Government and which is subject to UK Parliamentary [scrutiny] will be made in English only.” [Standing Order 21.2(ix) – not made bilingually]

Merits Scrutiny

No points are identified for reporting under Standing Order 21.3 in respect of this statement.

Legal Advisers

Constitutional and Legislative Affairs Committee
March 2015

Government Response

These composite Regulations will apply to England and Wales and are subject to negative resolution procedure in the National Assembly for Wales and in both Houses of the UK Parliament. Because the Regulations will be subject to UK Parliamentary scrutiny, it is not considered reasonably practicable for this instrument to be made or laid bilingually.