

John Griffiths AC /AM
Gweinidog yr Amgylchedd a Datblygu Cynaliadwy
Minister for Environment and Sustainable Development



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref JG/06363/11

David Melding AM
Chair - Constitutional & Legislative Affairs Committee
Ty Hywel
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12 October 2011

Dea David,

CLA37 - The Single Use Carrier Bags Charge (Wales) (Amendment) Regulations 2011

Thank you for your letter of 27 September regarding the Committee's consideration of the above Statutory Instrument.

I note the Committee's report and the concern that the Regulations were published very close to the implementation date of the policy. The Government acknowledges this and the Committee may wish to note that with the exception of the exemption for record keeping for small businesses and minor technical changes, the Welsh Government published details of the intention to make these regulatory changes in March 2011. Draft guidance that was published at the same time was written as though these changes had already been made to avoid any confusion. The Government is pleased that one of these regulatory changes addresses a concern reported by the Constitutional Affairs Committee in its report on the Draft Regulations in relation to "reasonable costs" now including costs reasonably incurred by a seller before the date on which the Regulations came into force.

The amendment for record keeping for sellers that employ less than 10 FTE on the first day of the reporting year was made in response to credible representations about the level of burden that record-keeping requirements would impose on the small business sector. The Government is pleased that this also addresses concerns raised by the Constitutional Affairs Committee in its report on the Draft Regulations. The Committee was concerned at

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Wedi'i argraffu ar bapur wedi'i ailgylchu (100%)

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the time about the impact on SMEs in relation to the requirement to maintain records and provide them on request to any member of the public. The amendment was widely communicated to our stakeholders and in the media in July 2011.

Best wishes,



John Griffiths AC / AM

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