

Lesley Griffiths AM
Cabinet Secretary for Environment and Rural Affairs

23 September 2016

Dear Lesley

The Waste (Meaning of Recovery) (Miscellaneous Amendments) Regulations 2016

Thank you for your letter dated 13 July 2016 regarding the Statutory Instrument Consent Memorandum in relation to the Waste (Meaning of Recovery) (Miscellaneous Amendments) (Wales) Regulations 2016. The Committee discussed your letter at its meeting on 12 September 2016.

On this occasion, we are content that the Welsh Government is not tabling a Statutory Instrument Consent Motion in relation to these Regulations.

We note, however, that the UK Government has used a statutory instrument subject to the negative procedure to amend primary legislation. While this may be permissible under the parent Act, we wish to take this opportunity to re-iterate our predecessor Committee's view that subordinate legislation that permits the amending of primary legislation must be subject to the affirmative procedure at the very least.



This is an important point of principle that you may wish to draw to the attention of the UK Government and which we intend to monitor throughout the Fifth Assembly in relation to Welsh Government Bills. I am copying this letter to the Climate Change, Environment and Rural Affairs Committee and the Leader of the House.

Yours sincerely

Huw Irranca-Davies

Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

