

SL(5)457 – The Public Health (Minimum Price for Alcohol) (Minimum Unit Price) (Wales) Regulations 2019

Background and Purpose

These Regulations specify that the minimum unit price for the purposes of Section 1 of the Public Health (Minimum Price for Alcohol) (Wales) Act 2018 (“the 2018 Act”) is £0.50.

The 2018 Act makes provision about the minimum price for which alcohol is to be supplied by alcohol retailers from qualifying premises in Wales to a person in Wales and establishes a local authority led enforcement regime.

Section 1 of the 2018 Act sets out the formula which is to be applied in calculating the applicable minimum price for this purpose. That formula is $M \times S \times V$.

M is the minimum unit price which is specified in regulations; S is the strength of the alcohol, expressed as a cardinal number (so for instance if the strength is 5%, the relevant cardinal number will be 5); and V is the volume of the alcohol in litres.

Procedure

Affirmative.

Technical Scrutiny

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

Merits Scrutiny

The following merits points are 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 Assembly

These Regulations set the minimum unit price of alcohol at 50p in Wales for the first time and for the purposes of the minimum pricing regime introduced by the 2018 Act.

A 12 week consultation on the preferred level of the minimum unit price and the draft regulations was undertaken by the Welsh Government as required by Article 9 of the Regulation (EC) No 178/2002 of the European Parliament and of the Council.

The Explanatory Memorandum provides a detailed Regulatory Impact Assessment (pages 7-42) that details the options and consideration of the impacts of specifying different levels of a minimum unit price by the Welsh Government.

Implications arising from exiting the European Union

No implications are identified for reporting under Standing Order 21.3 in respect of this instrument.



Government Response

A government response is not required.

Legal Advisers

Constitutional and Legislative Affairs Committee

17 October 2019

