

Agenda – Legislation, Justice and Constitution Committee

Meeting Venue:	For further information contact:
Video conference via Zoom	P Gareth Williams
Meeting date: 11 November 2024	Committee Clerk
Meeting time: 13.30	0300 200 6565
	SeneddLJC@senedd.wales

Remote

Public meeting

(13.30 – 13.50)

1 Introduction, apologies, substitutions and declarations of interest
(13.30)

**2 Instruments that raise issues to be reported to the Senedd under
Standing Order 21.2 or 21.3**
(13.30 – 13.35)

Made Negative Resolution Instruments

**2.1 SL(6)538 – The Nutrition and Health Claims (Wales) (Amendment) Regulations
2024**

(Pages 1 – 3)

[Regulations](#)

[Explanatory Memorandum](#)

Attached Documents:

LJC(6)–32–24 – Paper 1 – Draft report

**2.2 SL(6)542 – The National Health Service (General Medical Services Contracts)
(Prescription of Drugs Etc.) (Wales) (Amendment) (No. 2) Regulations 2024**

(Pages 4 – 6)



[Regulations](#)

[Explanatory Memorandum](#)

Attached Documents:

LJC(6)-32-24 – Paper 2 – Draft report

Affirmative Resolution Instruments

- 2.3 SL(6)539 – The Greenhouse Gas Emissions Trading Scheme (Amendment)
(No. 2) Order 2024**

(Pages 7 – 8)

[Order](#)

[Explanatory Memorandum](#)

Attached Documents:

LJC(6)-32-24 – Paper 3 – Draft report

- 3 Instruments that raise issues to be reported to the Senedd under
Standing Order 21.2 or 21.3 – previously considered
(13.35 – 13.40)**

- 4 Inter-Institutional Relations Agreement
(13.40 – 13.45)**

- 4.1 Correspondence from the Deputy First Minister and Cabinet Secretary for
Climate Change and Rural Affairs: The Sea Fisheries (Amendment) (No 2)
Regulations 2024**

(Page 9)

Attached Documents:

LJC(6)-32-24 – Paper 4 – Letter from the Deputy First Minister and Cabinet
Secretary for Climate Change and Rural Affairs, 5 November 2024

- 4.2 Correspondence from the Welsh Government: Inter-Ministerial Group
meetings**

(Page 10)

Attached Documents:

LJC(6)-32-24 – Paper 5 – Letter from the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs: The Inter-Ministerial Group for Environment, Food and Rural Affairs, 7 November 2024

5 Papers to note

(13.45 – 13.50)

5.1 Written Statement by the Minister for Culture, Skills and Social Partnership and the Counsel General and Minister for Delivery: The Historic Environment (Wales) Act 2023

(Pages 11 – 12)

Attached Documents:

LJC(6)-32-24 – Paper 6 – Written Statement by the Minister for Culture, Skills and Social Partnership and the Counsel General and Minister for Delivery, 4 November 2024

5.2 Written Statement by the Minister for Mental Health and Wellbeing: The Tobacco and Vapes Bill

(Pages 13 – 14)

Attached Documents:

LJC(6)-32-24 – Paper 7 – Written Statement by the Minister for Mental Health and Wellbeing, 5 November 2024

5.3 Correspondence from the Finance Committee to the Counsel General and Minister for Delivery: Legislation (Procedure, Publication and Repeals) (Wales) Bill

(Pages 15 – 16)

Attached Documents:

LJC(6)-32-24 – Paper 8 – Letter from the Finance Committee to the Counsel General and Minister for Delivery, 5 November 2024

6 Motion under Standing Order 17.42 to resolve to exclude the public from the remainder of the meeting

(13.50)

Private meeting

(13.50 – 14.00)

7 Welsh Government Draft Budget 2025–26 – Approach to scrutiny

(13.50 – 13.55)

(Pages 17 – 19)

Attached Documents:

LJC(6)–32–24 – Paper 9 – Draft letter

8 Legislative Consent Memorandum on the Passenger Railway Services (Public Ownership) Bill

(13.55 – 14.00)

SL(6)538 – The Nutrition and Health Claims (Wales) (Amendment) Regulations 2024

Background and Purpose

The Nutrition and Health Claims (Wales) Regulations 2007 (“the 2007 Regulations”) provide for the execution and enforcement of specified provisions of Regulation (EC) No 1924/2006 of the European Parliament and of the Council of 20 December 2006 on nutrition and health claims made on foods (“Regulation 1924/2006”). Regulation 1924/2006 is assimilated direct legislation.

Regulation 1924/2006 regulates the use of nutrition and health claims in the labelling, presentation or advertising of food. The 2007 Regulations provide that it is a criminal offence to contravene the specified provisions of Regulation 1924/2006. The 2007 Regulations also apply various provisions of the Food Safety Act 1990 (“the 1990 Act”) for the purposes of the 2007 Regulations.

The Nutrition and Health Claims (Wales) (Amendment) Regulations 2024 (“the Regulations”) amend the 2007 Regulations to make changes to the enforcement regime. This includes the application of modified provisions of the 1990 Act to the Regulations, in particular to introduce an improvement notice regime alongside the existing criminal sanctions.

Procedure

Negative

The Regulations were made by the Welsh Ministers before they were laid before the Senedd. The Senedd can annul the Regulations within 40 days (excluding any days when the Senedd is: (i) dissolved, or (ii) in recess for more than four days) of the date they were laid before the Senedd.

Technical Scrutiny

The following six points are identified for reporting under Standing Order 21.2 in respect of this instrument.

1. Standing Order 21.2(v) – that for any particular reason its form or meaning needs further explanation.

The preamble to the Regulations cites article 9 of “*the Regulation of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety*”. This Regulation should be cited as “***Regulation (EC) No 178/2002*** of the European Parliament and of the Council of 28 January 2002...” (emphasis added).



The Welsh Government is asked to explain why the full title was not cited and why identifying information has instead been included in the footnote, which is not an operative part of the instrument.

2. Standing Order 21.2(v) – that for any particular reason its form or meaning needs further explanation.

Regulation 2(2) inserts a definition of the term “specified provision of the Regulation” into regulation 2(1) of the 2007 Regulations. Existing regulation 2(1) of the 2007 Regulations also contains a definition of the term “the Regulation”.

The terms are also used in paragraphs 1 and 2 of the Schedule, inserted into the 2007 Regulations by regulation 2(6), which modify provisions of the 1990 Act. However the terms have not been given a meaning in the modified text of the 1990 Act.

The Welsh Government is asked to explain why these terms have not been inserted as new definitions in the modified text of the 1990 Act.

3. Standing Order 21.2(vi) – that its drafting appears to be defective or it fails to fulfil statutory requirements.

Regulation 2(6) inserts a new Schedule into the 2007 Regulations modifying provisions of the 1990 Act. Paragraph 3 of the Schedule requires that section 35 be read as if a new subsection (1B) were inserted “after subsection (1A)”. However there is no subsection (1A) in section 35 of the 1990 Act as it applies in relation to Wales. There is a subsection (1A) in section 35 of the 1990 Act as it applies in relation to Scotland.

As such it appears that the location of the modification is not correctly described and the numbering of “(1B)” is incorrect.

4. Standing Order 21.2(v) – that for any particular reason its form or meaning needs further explanation.

Paragraph 4 of the Schedule inserted by regulation 2(6) provides that the heading to section 37 of the 1990 Act is to be read as if the words “or sheriff” were omitted. Paragraphs 5 to 7 then modify the text of subsections (1), (5) and (6) of section 37 to, among other things, remove references to the sheriff. However subsection (4) of section 37 also contains reference to the sheriff which has not been omitted or modified.

The Welsh Government is asked to explain why the reference to the sheriff in section 37(4) of the 1990 Act has not been modified.

5. Standing Order 21.2(v) – that for any particular reason its form or meaning needs further explanation.

Paragraph 5 of the Schedule inserted by regulation 2(6) modifies subsection (1) of section 37 of the 1990 Act. The effect of that modification is that there are no longer three paragraphs



within that subsection. However subsection (2) of section 37 contains reference to “subsection (1)(c)” and has not been modified.

The Welsh Government is asked why reference to subsection (1)(c) remains in section 37(2).

6. Standing Order 21.2(vi) – that its drafting appears to be defective or it fails to fulfil statutory requirements.

Paragraph 5 of the new Schedule inserted by regulation 2(6) modifies section 37(1) of the 1990 Act so that any person who is person aggrieved by a decision of “an unauthorised officer of an enforcement authority” to serve an improvement notice may appeal to the magistrates’ court. This modification does not appear to have any effect because an improvement notice is served by an “**authorised** officer” of an enforcement authority (emphasis added).

Merits Scrutiny

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

7. 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.

Paragraph 3.1 of the Explanatory Memorandum makes reference to “Retained EU Law” and “retained EU Regulations”. From 1 January 2024 such legislation should be referred to as “assimilated law” in accordance with section 5 of the Retained EU Law (Revocation and Reform) Act 2023.

Welsh Government response

A Welsh Government response is required to the technical reporting points.

Legal Advisers

Legislation, Justice and Constitution Committee

6 November 2024



Agenda Item 2.2

SL(6)542 – The National Health Service (General Medical Services Contracts) (Prescription of Drugs Etc.) (Wales) (Amendment) (No. 2) Regulations 2024

Background and Purpose

These Regulations amend the National Health Service (General Medical Services Contracts) (Prescription of Drugs Etc.) (Wales) Regulations 2004 (the “principal Regulations”), which make provisions as to the drugs, medicines or other substances that may be ordered under certain circumstances for patients in the provision of medical services under a general medical services contract (“GMS contract”) within the meaning of section 42 of the National Health Service (Wales) Act 2006.

The National Health Service (General Medical Services Contracts) (Prescription of Drugs Etc.) (Wales) (Amendment) Regulations 2024 (the “2024 Regulations”) made in July 2024 amended the principal Regulations. They placed restrictions on the prescribing of gonadotrophin releasing hormone (GnRH) analogues by general medical practitioners in Wales when used to suppress puberty as part of treating gender incongruence or gender dysphoria in children and young people under 18 years of age.

These Regulations extend these restrictions beyond treatment provided by a general medical practitioner to treatment provided under a GMS contract. This will capture prescribers such as an independent nurse prescriber or an independent pharmacist prescriber who is prescribing under a GMS contract. The Explanatory Note explains that this *“change recognises the increase in the use of independent prescribers (including medical and non-medical prescribers) in GMS settings and makes clear that the restrictions apply to any person prescribing under a general medical services contract including prescribing by independent prescribers.”*

Procedure

Negative

The Regulations were made by the Welsh Ministers before they were laid before the Senedd. The Senedd can annul the Regulations within 40 days (excluding any days when the Senedd is: (i) dissolved, or (ii) in recess for more than four days) of the date they were laid before the Senedd.

Technical Scrutiny

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



1. Standing Order 21.2(v) - that for any particular reason its form or meaning needs further explanation

Regulation 2(3)(b) of these Regulations omits the definition of a “*general medical practitioner*”, which was previously inserted by the 2024 Regulations, from Schedule 2 to the principal Regulations. This follows on from the amendment to column 2, paragraph (2), in the entry for “GnRH analogue”, by regulation 2(3)(a) of these Regulations, which removes the reference to a “*general medical practitioner*” in that entry.

However, it is noted that the table in Schedule 2 to the principal Regulations makes several other references to “*general medical practitioners*” in the entries relating to “Oseltamivir (Tamiflu)” and “Zanamivir (Relenza)”. As a result of the amendment made by regulation 2(3)(b), those references will no longer have a defined meaning.

The Welsh Government is asked to clarify the interpretation of “*general medical practitioners*” in Schedule 2 to the principal Regulations, following the amendment made by regulation 2(3)(b).

Merits Scrutiny

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

2. 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 2024 Regulations adopted a definition of a “*general medical practitioner*” as a medical practitioner whose name is included in the General Practitioner Register kept by the General Medical Council under section 2 of the Medical Act 1983 (the “1983 Act”). This definition was inserted into Schedule 2 to the principal Regulations.

The Committee considered and [reported](#) on the 2024 Regulations on 16 July 2024. It reported on a lack of clarity concerning that definition by noting that the General Practitioner Register was maintained under section 34C, rather than section 2, of the 1983 Act. The Welsh Government’s [response](#) to the Committee’s report accepted the lack of clarity and explained that the provision would be made clearer “*at the next available opportunity, and within the next 12 months*”. In a [letter](#) to the Cabinet Secretary for Health and Social Care on 24 September 2024, the Committee expressed disappointment that this lack of clarity would remain on the statute book for up to another 12 months.

The policy intention behind these Regulations is to extend the restrictions on the prescription of puberty blockers beyond general medical practitioners. This policy change was set out in the Cabinet Secretary’s [response](#) to the Committee on 7 October 2024 and further detail is provided in the Explanatory Memorandum to these Regulations.



As a consequence, the definition of a “*general medical practitioner*” that was inserted into Schedule 2 to the principal Regulations by the 2024 Regulations is omitted by regulation 2(3)(b) of these Regulations.

Welsh Government response

A Welsh Government response is required in relation to reporting point 1.

Legal Advisers

Legislation, Justice and Constitution Committee

5 November 2024



Senedd Cymru

Pwyllgor Deddfwriaeth, Cyfiawnder a'r Cyfansoddiad

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Welsh Parliament

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Legislation, Justice and Constitution Committee

SL(6)539 – The Greenhouse Gas Emissions Trading Scheme (Amendment) (No.2) Order 2024

Background and Purpose

The UK Emissions Trading Scheme (“ETS”) was established by the Greenhouse Gas Emissions Trading Scheme Order 2020 as a UK-wide greenhouse gas emissions trading scheme, to encourage cost-effective emissions reductions from the power, industry, and aviation sectors. It was designed jointly by the four governments in the United Kingdom. It contributes to the UK’s emissions reduction targets and net zero goal, as well as the emissions reduction pathway in Wales.

In 2022, the Authority consulted on “Developing the UK Emissions Trading Scheme (UK ETS)”. The Authority Response to the consultation contained several time-critical commitments which were implemented through the Greenhouse Gas Emissions Trading Scheme (Amendment) (No. 3) Order 2022 and The Greenhouse Gas Emissions Trading Scheme (Amendment) (No. 2) Order 2023 (both GB-only) and through the UK Government legislated Greenhouse Gas Emissions Trading Scheme Auctioning (Amendment) Regulations 2023. These were temporary solutions required due to the absence of a sitting Northern Ireland Assembly.

The proposed amendments to be made by this Order now incorporate these into the ETS legislation on a 4-nation basis. The amendments made by the Order also include similar commitments to expand the coverage of emissions and improvements to the enforcement provisions of the scheme.

This Order expands and amends the ETS in the following ways:

- It expands the scope of the scheme to include process emissions from CO₂ venting from the upstream oil and gas sector;
- It introduces a new enforcement notice called a deficit notice and introduces a new civil penalty as well as changing existing civil penalties to ensure consistency;
- It expands the scope of the UK ETS aviation activity to include flights from Northern Ireland to Switzerland; and
- It extends the Greenhouse Gases ETS to Northern Ireland.

Procedure

Draft Affirmative.

A draft of the Order has been laid before Senedd Cymru, the United Kingdom Parliament, the Northern Ireland Assembly and the Scottish Parliament. The draft must be approved by each of those legislatures before it can be made by His Majesty.



Technical Scrutiny

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

1. Standing Order 21.2(ix) – that it is not made or to be made in both English and Welsh

We note that the draft Order in Council was laid by His Majesty before each of the four legislatures in the United Kingdom, and is therefore in English only.

Merits Scrutiny

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

Welsh Government response

A Welsh Government response is not required.

Legal Advisers

Legislation, Justice and Constitution Committee

6 November 2024



Senedd Cymru

Pwyllgor Deddfwriaeth, Cyfiawnder a'r Cyfansoddiad

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Welsh Parliament

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Legislation, Justice and Constitution Committee

Huw Irranca-Davies AS/MS
Y Dirprwy Brif Weinidog ac Ysgrifennydd y Cabinet dros Newid
Hinsawdd a Materion Gwledig
Deputy First Minister and Cabinet Secretary for Climate Change
and Rural Affairs

Ein cyf/Our ref MA-HIDCCRA-5473-24

Llywodraeth Cymru
Welsh Government

Mike Hedges, MS
Chair, Legislation, Justice and Constitution Committee
Cc: Counsel General and Minister for Delivery

5 November 2024

Dear Mike,

Further to my letter of 22 August, I can confirm I have given consent to the Secretary of State for Environment, Food and Rural Affairs exercising a concurrent subordinate legislation-making power in a devolved area in relation to Wales.

The Sea Fisheries (Amendment) (No 2) Regulations 2024 were laid on the 16 October and the SI is subject to the negative procedure.

A written statement informing the Senedd can be viewed at the following link.

[WS-LD16760 - Written Statement by the Welsh Government: The Sea Fisheries \(Amendment\) \(No2\) Regulations 2024](#)

I am copying this letter to the Counsel General and Minister for Delivery and writing in similar terms to the Chair of the Economy, Trade and Rural Affairs Committee.

Yours sincerely,



Huw Irranca-Davies AS/MS
Ysgrifennydd y Cabinet dros Newid Hinsawdd a Materion Gwledig
Cabinet Secretary for Climate Change & Rural Affairs

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Agenda Item 4.2

Huw Irranca-Davies AS/MS

Y Dirprwy Brif Weinidog ac Ysgrifennydd y Cabinet dros
Newid Hinsawdd a Materion Gwledig
Deputy First Minister and Cabinet Secretary for Climate
Change and Rural Affairs



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref: HIDCC/PO/0318/24

Mike Hedges MS
Chair
Legislation, Justice and Constitution Committee
Welsh Parliament
Cardiff Bay
Cardiff
CF99 1SN

7 November 2024

Dear Mike,

I am writing in accordance with the inter-institutional relations agreement to let you know that the Inter-Ministerial Group for Environment, Food and Rural Affairs will be held on 18 November.

I will be representing the Welsh Government. The meeting is expected to focus on the UK Government Budget and funding allocations, the IMG's work programme, circular economy, borders, and labour shortages in the agriculture and food sector. I will update you on discussions, and a communique will be issued, after the meeting.

I have also copied this letter to the Climate Change, Environment and Infrastructure Committee and the Economy, Trade and Rural Affairs committee.

Yours sincerely,

Huw Irranca-Davies AS/MS

Y Dirprwy Brif Weinidog ac Ysgrifennydd y Cabinet dros Newid Hinsawdd
a Materion Gwledig
Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

**WRITTEN STATEMENT
BY
THE WELSH GOVERNMENT**

TITLE	The Historic Environment (Wales) Act 2023 and Supporting Regulations
DATE	04 November 2024
BY	Jack Sargeant MS, Minister for Culture, Skills and Social Partnership Julie James MS, Counsel General and Minister for Delivery

The [Historic Environment \(Wales\) Act 2023](#) ('the 2023 Act') comes into full effect today, along with the suite of regulations necessary to support it.

Wales now has the most up-to-date historic environment legislation amongst the UK nations. Made in Wales for Wales alone, the 2023 Act is free of confusing references to other UK jurisdictions and, for the first time, it provides law for the historic environment that is completely bilingual in Welsh and English. The old legislation that provided the framework for the management and protection of the historic environment — principally the Ancient Monuments and Archaeological Areas Act 1979 and the Planning (Listed Buildings and Conservation Areas) Act 1990 — is, from today, effectively replaced in relation to Wales. Owners of scheduled monuments and listed buildings, legal advisors, heritage consultants, conservation officers and anyone else interested in Wales' rich archaeological and built heritage can turn to the 2023 Act and its supporting regulations for historic environment law that is logically structured, consistent and expressed, as far as possible, in plain, everyday language. While the new legislation makes it much easier for everyone to find, understand and apply the law, it makes no changes to the operation of the current management and protection regimes for the Welsh historic environment.

The full commencement of the legislation marks two significant milestones in the history of the modern Welsh law book. The 2023 Act itself represents the culmination of the Welsh Government's first consolidation project in the ambitious programme to improve the accessibility of Welsh law set out in [The Future of Welsh Law](#). Consolidation is one of our most effective methods for bringing order and clarity to an area of law, particularly if legislation has become convoluted and confusing through repeated amendments in multiple jurisdictions. Consolidation brings together existing legislation on a subject, modernises the form and drafting of the law and restates it bilingually for Wales alone. The result is a single, coherent Act that makes it easier for users to find the law that they need and to understand

and apply it. While it may change the organisation and presentation of the legislation, a guiding principle of consolidation is that does not change policy or alter the effect of the law.

The 2023 Act and its substantive supporting regulations all expressly state that they are 'part of a code of law relating to the historic environment of Wales'. They therefore constitute the first code of law produced under the accessibility programme. Codification provides the means to maintain the structure and integrity of the law once it has been brought to order through consolidation or reform. Giving an Act the status of a code is intended to discourage the enactment of separate pieces of primary legislation on a subject. The intention is that future Senedd Acts are enacted and maintained so that users of the legislation will be able to find as much of the law affecting a particular topic as possible by reading a single Senedd Act and any subordinate legislation made under it. When a proposal is made to change the law, that change should be made by amending the codified Act, unless there is a very good reason to make new legislation that will sit alongside it.

The 2023 Act and its supporting regulations — the historic environment code — establish a secure foundation for the future development of accessible and effective law for our nation's unique and precious historic environment.

**WRITTEN STATEMENT
BY
THE WELSH GOVERNMENT**

TITLE **The UK Tobacco and Vapes Bill**

DATE **05 November 2024**

BY **Sarah Murphy MS, Minister for Mental Health and Wellbeing**

Today, the Tobacco and Vapes Bill has been introduced into the UK Parliament. An earlier version of the Bill was introduced by the last UK Government on 20 March, but its progress was halted when Parliament was dissolved on 30 May ahead of the General Election.

Like the previous version, the new Bill seeks to change the age of sale for all tobacco products, cigarette papers and herbal smoking products so anyone born on or after 1 January 2009 will never legally be able to buy these products. It also makes it an offence to purchase these products on behalf of children and changes warning notices in retail premises. The provisions in the Bill will apply to Wales and the wider UK.

The Bill has been strengthened so the restrictions on selling vapes to under 18s now include non-nicotine vapes and other nicotine products. There are also provisions banning the free distribution of vapes for promotion purposes.

The Bill proposes introducing regulation-making powers to restrict flavours, point of sale displays and packaging for vaping products (nicotine and non-nicotine) as well as other consumer nicotine products.

This new version of the Bill has also been strengthened so vapes and other nicotine products can be prevented from being deliberately branded and advertised to children. The Bill introduces a ban on vape vending machines and powers for Welsh Ministers to expand our existing smoke-free restrictions to include vaping and heated tobacco-free products, thereby enabling the creation of vape-free and heated tobacco-free places.

The Bill includes provision for a retail licensing scheme in Wales for the sale of tobacco products, herbal smoking products, cigarette papers, vaping or nicotine products. Other provisions include a ban on oral tobacco products and strengthening of enforcement procedures to include fixed penalty notices for a wider range of offences. There are also provisions to restrict advertising and sponsorship of a wider range of products, including vaping and nicotine products.

If the Bill becomes law, we will work closely with our partners in Wales and across the UK to progress the measures available.

Separate to the UK Tobacco and Vapes Bill – and as part of our efforts to reduce environmental impact and support a circular economy in Wales – we are committed to banning [single-use vapes](#). We will continue to work closely with the UK Government and devolved governments to co-ordinate the coming into force of date on 1 June 2025.

I am committed to taking all measures necessary to address the health impacts of tobacco and am determined to do all we can to prevent young people from using vapes in Wales.

As the Bill makes provision in relation to Wales regarding devolved matters, a legislative consent memorandum will be laid in due course. I look forward to scrutiny of the Bill by Members, and to hearing the views of all our partners during the legislative process.

[Tobacco and Vapes Bill 2024: creating a smoke-free generation and tackling youth vaping](#)

Julie James MS
Counsel General and Minister for Delivery

5 November 2024

Dear Julie,

Legislation (Procedure, Publication and Repeals) (Wales) Bill

The Committee considered the financial implications of the Legislation (Procedure, Publication and Repeals) (Wales) Bill (the Bill) at its meeting on 23 October 2024.

We note that the Regulatory Impact Assessment estimates that the total cost of the Bill over the appraisal period will amount to savings of £49.9k, based on total costs of £45k which will be offset by recurrent cost savings amounting to £94.9k by 2033-34.

To assist its scrutiny of the financial implications of the Bill, the Committee asks you to provide further information in response to the following questions:

- Can you outline the initial costs of the Bill and how confident are you in these estimates?
- The Bill identifies a saving of £11.5k savings per year, how are these savings generated and are you confident the savings can be met each year?
- Will the savings be £11.5k each year as estimated, or is this an average over the period of the Bill? If they do fluctuate what is the yearly breakdown?

We would appreciate a response by **29 November**, to allow the Committee to consider whether to hold an evidence session and to publish a report.

A copy of this letter has been sent to the Chair of the Legislation, Justice and Constitution Committee.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Peredur Owen Griffiths'. The signature is fluid and cursive, with a long horizontal stroke at the end.

Peredur Owen Griffiths MS
Chair, Finance Committee

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.



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