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Llywodraeth Cymru
Welsh Government

All Members of the Senedd
Senedd Cymru

1 December 2025

**Environment (Principles, Governance and Biodiversity Targets) (Wales) Bill
– Stage 2 Government Amendments**

I am enclosing detail of the Stage 2 Government amendments tabled to the Environment (Principles, Governance and Biodiversity Targets) (Wales) Bill, together with an explanation of their purpose and effect.

Yours sincerely,

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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.

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ENVIRONMENT (PRINCIPLES, GOVERNANCE AND BIODIVERSITY TARGETS) (WALES) BILL – STAGE 2 GOVERNMENT AMENDMENTS

The information below is designed to explain the purpose and effect of the amendments tabled in the name of Huw Irranca-Davies MS on 27 November 2025– **please see link to [“notice of amendments”](#)**.

Adt.	Explanation
3	The purpose of this amendment, together with amendment 5, is to clarify the scope of the policy making duty imposed on the Welsh Ministers. This amendment removes the wording ‘that has, or could have, any effect on the environment’ in section 3(1)(a) so that wording no longer applies to the scope of the duty.
4	This amendment updates the cross-reference, at section 3(2), to the environmental principles and integrating environmental protection statement or revised statement published under section 7, to reflect that following other amendments that statement is now published under section 7, not section 6.
5	This amendment, together with amendment 3, clarifies the scope of the policy making duty imposed on the Welsh Ministers. The effect of this amendment is to add a new subsection, at section 3(4), to provide that the duty does not apply where the policy in question would have no effect or a negligible effect on the environment.
6	This amendment updates the cross-reference, at article 4A(2) (inserted by section 4(2)), to the environmental principles and integrating environmental protection statement or revised statement published under section 7, to reflect that following other amendments that statement is now published under section 7, not section 6.
7	This amendment updates the cross-reference, at section 5(3), to the environmental principles and integrating environmental protection statement or revised statement published under section 7, to reflect that following other amendments that statement is now published under section 7, not section 6.
8	Section 6(1) is amended to remove the words “and publish” as publication and other procedural requirements relating to the environmental principles and integrating environmental protection statement, or revised statement, are now set out in section 7.
9	This amendment omits section 6(5) and (6), which made provision for review of the environmental principles and integrating environmental protection statement, as alternative provision for review of the statement is now made in section 7.
10	Section 7(1) is amended to reorder the text and as there is no longer a need to state at section 7(1) that the requirements to consult certain persons applies to a revised statement as section 7(11) (amendment 13) now makes clear that section 7(1) to (6) and 7(8) to (10) apply in relation to any revised statement.

11	This amendment clarifies that a copy of the environmental principles and integrating environmental protection statement will be laid in draft before Senedd Cymru.
12	<p>This amendment omits the reference to a revised statement from section 7(2)(a) as this is no longer necessary as section 7(11) (amendment 13) states that section 7(1) to (6) and 7(8) to (10) apply in relation to any revised statement.</p> <p>The amendment also makes a consequential amendment to refer to “together with”, instead of “and”.</p>
13	<p>Section 7(3) to (12) makes a series of amendments imposing procedural requirements in connection with the preparation and publication of the environmental principles and integrating environmental protection statement.</p> <p>Subsection (3) provides that if, before the end of the 40-day period, Senedd Cymru makes recommendations in relation to the draft, the Welsh Ministers must lay before the Senedd their response to the recommendations.</p> <p>Subsection (4) requires the Welsh Ministers to prepare a final environmental principles and integrating environmental protection statement and lay it before Senedd Cymru.</p> <p>Subsection (5) prevents the final statement from being laid before the Welsh Ministers lay their response (if subsection (3) applies), or otherwise the end of the 40-day period.</p> <p>Subsection (6) requires the Welsh Ministers to publish the final statement when it is laid before Senedd Cymru.</p> <p>Subsection (7) requires the Welsh Ministers to lay the final statement before the Senedd no later than 31 March 2027, which aligns with the commencement date for the duties set out in sections 3 to 5 (section 44(3)) (amendment 37).</p> <p>Subsection (8) clarifies the meaning of the “40 day” period.</p> <p>Subsection (9) requires the Welsh Ministers to review the statement after each general election and enables the Welsh Ministers to review the statement at any other time. This ensures the statement will be reviewed at least once per Senedd term.</p> <p>Subsection (10) clarifies the meaning of ‘general election’ in subsection (9).</p> <p>Subsection (11) explains that after reviewing the statement, the Welsh Ministers may prepare a revised statement and ensures the procedural arrangements set out in subsections (1) to (6), and (8) to (10) apply to a revised statement. Subsection (7) only applies to the first statement.</p>
14	This amendment requires the OEGW to prepare and publish a document that sets out how representations on compliance with environmental law, how environmental law is implemented and applied and the effectiveness of environmental law, may be made to the OEGW. The document must also set out the OEGWs policy on keeping persons informed about its response and any actions taken.
15	This amendment provides that in conducting a review of a compliance notice, if the High Court considers that a compliance notice ought to not have been served for any reason (i.e. not just where the notice is unreasonable), the Court must order the OEGW to withdraw the notice. The same applies where the Court considers that a specific part of a notice ought to not have been included for any reason.

	The effect is that the requirement on the Court to order the OEGW to withdraw a notice doesn't just apply where the Court considers the notice to be unreasonable; it also applies where the Court considers that the notice ought to not have been served for any other reason.
16	The purpose of this amendment is to insert a signpost to section 183A (protection of prohibitions and restrictions etc on processing: relevant enactments) of the Data Protection Act 2018. Section 183A was inserted by the Data (Use and Access) Act 2025 and came into force on 20.08.2025. The effect of that section is that in the absence of express provision to the contrary, all provisions about processing personal data enacted in other legislation after that date, including in this Bill, are subject to the general requirements in the main data protection legislation.
17	Omits the word "But" at the beginning of section 24(3) of the Bill as introduced.
18	This amendment omits provisions which are obsolete due to the enactment of section 183A of the Data Protection Act 2018 [as set out above].
19	This amendment places a requirement on the Welsh Ministers to consult with the OEGW and any other persons they consider appropriate if they propose to make regulations which provide that a devolved provision is, or is not, within the definition of environmental law for the purposes of Part 2 of the Bill.
20	<p>Note: <i>Unless otherwise stated, references to sections in the amendments to Part 3 of the Bill are references to sections of the Environment (Wales) Act 2016 as amended by the as-introduced Bill.</i></p> <p>The purpose of this amendment to section 6B(3) is to broaden the circumstances where the Welsh Ministers must have regard to the list of living organism and types of habitats that are of principal importance for the purpose of maintaining and enhancing biodiversity published under section 7. The Welsh Ministers must have regard to the section 7 list when considering whether a target would contribute to any of the three matters listed under section 6B(2), namely, (a) increasing the abundance of native species, (b) enhancing the resilience of ecosystems, or (c) increasing genetic diversity.</p>
21	This amendment reduces the timeframe in section 6C(5) within which the Welsh Ministers must lay draft regulations before the Senedd setting targets in the priority areas. That timeframe is reduced from three years after Royal Assent to two years.
22	This amendment to section 6D exempts provision in regulations that only revokes a target that has been met from the target-setting process in subsections (1) to (3). The target to be revoked will have been subject to that target-setting process when it was set and it is not necessary for the same target-setting process to apply to provision that only revokes a target that has been met. However, the target-setting process will still apply to provision in regulations that revokes a target that has not been met.
23	<p>This amendment to section 6G(3) is to grant a power for, and impose a duty in certain circumstances upon, the Welsh Ministers to review the effectiveness of all current targets (those in force and not yet met) for the purpose of determining whether setting further targets would be more effective in contributing to halting and reversing the decline in biodiversity ("a review").</p> <p>The effect of this amendment is that the Welsh Ministers may complete a review whenever they choose to do so. However, the Welsh Ministers must complete a review if (a) any target set under section 6B has not been met by its specified date, and (b) if 10 years have passed since the most</p>

	recently completed review. If no review has been completed before the end of 2041, then the Welsh Ministers must complete a review.
24	This amendment is consequential to the new review process amendments made to section 6G(3) to (6) amendment 23. The effect of this amendment is that the Welsh Ministers must obtain expert advice for all reviews completed under section 6G (and to publish a summary of the same).
25	This amendment is consequential to the new review process amendments introduced to section 6G(3) to (6) amendment 23. The effect of this amendment is that the Welsh Ministers must lay before the Senedd, and publish, a statement noting the conclusions of all reviews completed under section 6G.
26	This amendment is consequential to the new review process amendments introduced to section 6G(3) to (6) amendment 23. The effect is that the requirements of this subsection only apply when a review has been carried out under section 6G(1) or (2), which is a review of a single target either at the Welsh Ministers’ discretion or where it appears to the Welsh Ministers that the target will not be met or may no longer be appropriate.
27	The purpose of this amendment is to impose a duty on the Welsh Ministers to set further targets beyond the priority area targets required by section 6C. The effect of this amendment is that, where a review under section 6G(3), (4) or (5) concludes that further targets should be set, the Welsh Ministers must lay a draft of regulations setting such targets before the Senedd before the end of two years from the date that review statement was published.
28	The purpose of this amendment to section 6H is to allow the Welsh Ministers to revoke a target that has already been met. The effect of this amendment is to disapply the restrictions in section 6H from provision in regulations that only revoke a target that has been met. As the target would have been met, there is no need to restrict the Welsh Ministers’ power to revoke it, for example, if they wished to do so for the purpose of removing superseded or no longer relevant legislation from the statute book. However, the restrictions in section 6H will still apply to provision in regulations that revoke a target that has not been met.
29	This amendment to section 6I(3) reduces the time period within which the Welsh Ministers must lay a statement before the Senedd explaining why a target has not been met—and what actions the Welsh Ministers intend to take—from twelve months to six months.
30	This amendment to section 25(4) provides that regulations whose only substantive effect is to revoke targets that have been met will be subject to the negative procedure. If regulations under section 6B contain any provision that goes beyond only revoking a target that has been met, then those regulations will be subject to the affirmative procedure under section 25(3).
31	This amendment to section 6(6B) (renumbered in consequence of amendment 30) requires the Welsh Ministers to set out in their section 6 plan what action they propose to take to contribute to fulfilling the 2050 vision of the Global Biodiversity Framework. In addition, this amendment requires the Welsh Ministers’ section 6 plan to specify the proposals and policies covering the areas of responsibility of each of the Welsh Ministers.
32	This amendment to section 6(6B) places a duty on the Welsh Ministers to set out in their section 6 plan how they intend to maintain a target’s specified standard once it has been met. The effect of this amendment is that the Welsh Ministers must set out the actions required to maintain those standards to prevent regression once a target has been met.

	<p>This amendment also requires the Welsh Ministers to set out in their section 6 plan what action they propose to take to comply with their duty to promote the awareness of biodiversity.</p> <p>In addition, this amendment inserts a new section 6(6C) that provides a definition of the “Global Biodiversity Framework”, which is consequential to amendment 31.</p>
33	<p>The effect of this amendment is that if regulations are made under the provision to be inserted by amendment 40, they are to be subject to the Senedd approval procedure.</p>
34	<p>This amendment updates the cross-reference, in the definition of “environmental principles and integrating environmental protection statement” at section 42, to the statement published under section 7, to reflect that following other amendments that statement is now published under section 7, not section 6.</p>
35	<p>Section 44(2) is amended so that sections 6 and 7 (other than section 7(1(c))) will come into force two months following Royal Assent, instead of six months after Royal Assent. It remains the case that section 7(1)(c) will be commenced by order of the Welsh Ministers (section 44(4)).</p>
36	<p>This amendment is consequential on amendment 49; it amends section 44(2)(f) of the Bill as introduced to update the cross-references to the relevant paragraphs in Schedule 4.</p>
37	<p>Section 44(3) is amended to provide for sections 3 to 5 to come into force on 31 March 2027. This revised timescale accounts for the additional requirements associated with the Senedd procedures set out in section 7 (amendment 13).</p> <p>Provision is also made to omit the references to sections 6 and 7(1)(a), (b) and (d), (2) and (3), which are now commenced pursuant to section 44(2) (amendment 35).</p>
38	<p>This amendment to section 44(4) of the Bill as introduced makes clear that the Welsh Ministers’ power to make an order to bring the Bill’s provisions about the OEGW’s substantive functions into force is subject to the first subsection that will be inserted by amendment 38 if accepted. That subsection provides that if the Bill’s provisions about the OEGW’s substantive functions have not come into force by order by the end of the period specified in that subsection, they come into force automatically.</p> <p>The combined effect of amendments 38 and 39 is that while the Welsh Ministers retain the power to make an order to bring the provisions about the OEGW’s substantive functions into force, the power is limited by the fact that the provisions will come into force automatically at the end of a specified period if no such order has taken effect by then.</p>
39	<p>This amendment brings into force the Bill’s provisions about the OEGW’s substantive functions 24 months after Royal Assent if they have not already been commenced by order. See also amendment 40 which would, if accepted, enable the Welsh Ministers to make regulations to vary the 24-month period (but they may not specify a period longer than 48 months after Royal Assent).</p>
40	<p>This amendment inserts provision enabling the Welsh Ministers to make regulations to substitute a different period for the one for the time being specified in the provision to be inserted by amendment 39. If accepted, amendment 39 will specify a 24-month period. The regulations will be subject to the Senedd approval procedure if amendment 19 is accepted, and may not specify a period longer than 48 months after the Bill receives Royal Assent.</p>

41	<p>This amendment provides that the OEGW’s review committee must include at least one co-opted member (rather than being required to include two such members as was the case under paragraph 10 of Schedule 1 to the Bill as introduced).</p>
42	<p>This amendment works with amendments 43 and 44 to provide the list of potential co-opted members to the review committee should be held and published by the OEGW and not the Welsh Ministers</p> <p>The combined effect of these amendments is that the OEGW will hold the list from which they must appoint an independent member to the review committee, not the Welsh Ministers, and that the OEGW may not include persons on its list unless it considers they have experience of, and capability in environmental law and policy, environmental science, and/or investigatory and enforcement proceedings.</p>
43	<p>This amendment works with amendments 42 and 44 to provide the list of potential co-opted members for the review committee should be held and published by the OEGW and not the Welsh Ministers.</p> <p>The combined effect of these amendments is that the OEGW will hold the list from which they must appoint an independent member to the review committee, not the Welsh Ministers, and that the OEGW may not include persons on its list unless it considers they have experience of, and capability in environmental law and policy, environmental science, and/or investigatory and enforcement proceedings.</p>
44	<p>This amendment, working with amendments 42 and 43, provides the OEGW, not the Welsh Ministers, must not include people on the list of potential co-opted members without the experience/expertise listed.</p> <p>The combined effect of these amendments is that the OEGW will hold the list from which they must appoint an independent member to the review committee, not the Welsh Ministers, and that the OEGW may not include persons on its list unless it considers they have experience of, and capability in environmental law and policy, environmental science, and/or investigatory and enforcement proceedings.</p>
45	<p>This amendment requires the OEGW to set out in its strategy how it intends to exercise its functions in a way that seeks to avoid overlap with the exercise of functions by any other persons whose functions appear to the OEGW to be capable of overlapping with the OEGW’s functions.</p>
46	<p>This amendment removes from Schedule 2 some of the requirements for the OEGW’s strategy to set out certain matters in relation to making representations to the OEGW. Instead, provision about making representations to the OEGW will be included in the provision to be inserted by amendment 14 if accepted. Amendments 46, 47 and 48 are all consequential on amendment 14.</p>
47	<p>This amendment updates the wording of paragraph 1(2)(c) of Schedule 2 to the Bill as introduced, as a result of the omission made by amendment 46 if accepted. Amendments 46, 47 and 48 are all consequential on amendment 14.</p>
48	<p>This amendment removes the requirement for the OEGW’s strategy to set out how persons will be kept informed about their representations, as this is now included as part of the provision inserted by amendment 14 if accepted.</p> <p>Amendments 46, 47 and 48 are all consequential on amendment 14.</p>

49

This amendment will insert two additional consequential amendments in Schedule 4 to the Bill as introduced. The first will list the OEGW in section 148 of the Government of Wales Act 2006 so that its records will be classed as “Welsh public records”. The second will list the OEGW in Schedule 6 to the Welsh Language (Wales) Measure 2011 to the effect that it will be liable to be required to comply with service delivery standards, policy making standards, operational standards and record keeping standards under that Measure.
