

SL(6)706 – The Healthy Eating in Schools (Nutritional Standards and Requirements) (Maintained Primary Schools) (Wales) Regulations 2025

Background and Purpose

These Regulations apply to local authorities and governing bodies that provide food and drink on a school day to pupils at primary schools, whether the food and drink is provided on school premises or not.

These Regulations set out the types of food and drink that must and must not be provided and the frequency with which certain foods must or must not be provided. They also prescribe the energy and nutrient content of average school lunches.

These Regulations amend the Healthy Eating in Schools (Nutritional Standards and Requirements) (Wales) Regulations 2013 so that they will only apply to secondary schools. Once the changes are in force, the 2013 Regulations will set out mandatory nutritional standards and requirements for food and drink provided in secondary schools in Wales.

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 1 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

In the definition of “maintained nursery school” in regulation 2(1), there are references to the terms “nursery school” and “special school”. We note that these terms are not defined in the Regulations and not included in the definitions referred to in regulation 2(6) as being contained in section 20 of the School Standards and Framework Act 1998. The Welsh Government is asked to clarify the meaning of these terms in the context of the Regulations.



Merits Scrutiny

The following 1 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.

While the Regulations set out the requirements and standards for relevant food and drink provision in schools, the Welsh Government is asked to explain how implementation of the Regulations will be monitored and any consequences for non-compliance.

Welsh Government response

A Welsh Government response is required to both reporting points.

Legal Advisers

Legislation, Justice and Constitution Committee

20 January 2026



Senedd Cymru

Pwyllgor Deddfwriaeth, Cyfiawnder a'r Cyfansoddiad

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Welsh Parliament

Legislation, Justice and Constitution Committee