

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: MA/HIDCC/2595/25

Mike Hedges MS Chair,
Legislation, Justice and Constitution Committee
Senedd Cymru
SeneddLJC@senedd.wales

3 November 2025

Dear Mike,

The Control of Mercury (Amendment) Regulations 2025

I wish to inform the Legislation, Justice and Constitution Committee of my intention to consent to the UK Government making and laying the Control of Mercury (Amendment) Regulations 2025 (“the 2025 Regulations”).

The 2025 Regulations intersect with devolved policy and will apply in relation to Wales. They will be made by the Secretary of State for Environment, Food and Rural Affairs in exercise of the powers conferred by Article 20(1) of Regulation (EU) 2017/852 of the European Parliament and of the Council of 17 May 2017 on mercury (EUR 2017/852) (“the Mercury Regulation”) as substituted by The Control of Mercury (Amendment) (EU Exit) Regulations 2020.

The 2025 Regulations will apply in relation to England, Scotland and Wales and pursuant to Article 21(3) are subject to the negative procedure. They are to be laid before Parliament on 2 December 2025 and will come into force on 23 December 2025.

Article 21(8) of the Mercury Regulation means that that the Secretary of State may not make the 2025 Regulations, being regulations to be made under Article 20(1) of the Mercury Regulation in relation to Wales, without the consent of the Welsh Ministers. Accordingly, Baroness Hayman of Ullock wrote to me on the 14 October 2025, requesting the Welsh Ministers’ consent to the 2025 Regulations. A similar request for consent has been sent to Scottish Ministers. I plan to provide my formal consent to Baroness Hayman of Ullock on 10 November 2025, unless the committee raises any concerns before that date.

Summary of the 2025 Regulations

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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.

The 2025 Regulations amend Part A of Annex 2 of the Mercury Regulation, to align UK law with recent decisions from the Minamata Convention on Mercury (COP-4 and COP-5), reflecting international commitments.

The 2025 Regulations update Annex 2 by introducing new entries and phase-out dates for specific mercury-containing products. These include very high accuracy capacitance and loss measurement bridges, as well as high frequency radio switches and relays used in monitoring and control instruments, with a maximum mercury content of 20 mg per item, except for those used in research and development.

The 2025 Regulations also address compact fluorescent lamps (CFLs) for general lighting purposes, specifying various wattage categories and deadlines for prohibition. Additionally, linear fluorescent lamps (LFLs) and non-linear fluorescent lamps (NFLs) are covered, with particular phosphor types and phase-out deadlines. Further provisions apply to cold cathode fluorescent lamps (CCFLs) and external electrode fluorescent lamps (EEFLs) for electronic displays not previously regulated. The 2025 regulations extend to strain gauges for use in plethysmographs, melt pressure transducers, transmitters, and sensors (with exceptions for high precision measurement), as well as mercury vacuum pumps, tyre balancers and wheel weights, photographic film and paper, and propellant for satellites and spacecraft.

Each product category is assigned a specific date by which its use is prohibited, mostly between 2025 and 2027.

Welsh Government Position

The Welsh Government's general principle is that the law relating to devolved matters should be made and amended in Wales. In certain circumstances, where there is a clear rationale for doing so, there are benefits working collaboratively with the UK Government.

On this occasion, I consider it appropriate for the substance of the UK Government amendments to apply to Wales, as timely implementation will ensure compliance with our international obligations under the Minamata Convention on Mercury. I consider that legislating separately for Wales would not be the most appropriate way to give effect to the necessary changes.

It is anticipated that the 2025 Regulations will be made on 2 December 2025 and they will come into force on 23 December 2025.

Yours sincerely,



Huw Irranca-Davies AS/MS

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