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WELSH STATUTORY INSTRUMENTS

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**2020 No. 414 (W. 89)**

**ENVIRONMENTAL PROTECTION, WALES**

**The Single Use Carrier Bags Charge  
(Wales) (Amendment) Regulations 2020**

*Made* - - - - at 12.45 p.m on 8  
*April 2020*  
*Laid before the National* at 5.30 p.m on 8  
*Assembly for Wales* - - *April 2020*  
*Coming into force in accordance with regulation 1(2)*

The Welsh Ministers, in exercise of the powers conferred by sections 77(1) and (2) and 90(3) of, and paragraph 1 of Schedule 6 to, the Climate Change Act 2008(1) make the following Regulations.

**Title and commencement**

1.—(1) The title of these Regulations is the Single Use Carrier Bags Charge (Wales) (Amendment) Regulations 2020.

(2) They come into force on the day after the day on which they are made.

**Amendment of the Single Use Carrier Bags Charge (Wales) Regulations 2010**

2. The Single Use Carrier Bags Charge (Wales) Regulations 2010(2) are amended in accordance with regulation 3.

**Amendment of Schedule 1**

3. In Schedule 1, in paragraph 1—

(a) in sub-paragraph (1), at the end insert—

“(p) subject to sub-paragraph (1A), bags intended to be used solely for the purpose of carrying goods purchased—

(i) for delivery as part of a grocery delivery service; or

(ii) for collection as part of a service that provides for collection of groceries.”;

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(1) [2008 c.27](#). By virtue of section 77(3)(b) of the Climate Change Act 2008, the Welsh Ministers are the relevant national authority for the purpose of making regulations under Schedule 6 to that Act. There are amendments to section 77 and Schedule 6 that are not relevant to these Regulations.

(2) [S.I. 2010/2880 \(W. 238\)](#), amended by [S.I. 2011/2184 \(W. 236\)](#); there are other amendments not relevant to these Regulations.

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*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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(b) after sub-paragraph (1) insert—

“(1A) Bags falling within paragraph (p) of sub-paragraph (1) are exempted from the charge under regulation 6 only until midnight on 8 July 2020.”

*Hannah Blythyn*

Deputy Minister for Housing and Local  
Government under authority of Minister for  
Housing and Local Government, one of the  
Welsh Ministers

At 12.45 p.m on 8 April 2020

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations are made under powers in the Climate Change Act 2008 and make amendments to the Single Use Carrier Bags Charge (Wales) Regulations 2010 (S.I. 2010/2880 (W. 238)) (“the 2010 Regulations”).

The 2010 Regulations, subject to certain exemptions, require sellers of goods who supply single use carrier bags for the purpose of allowing those goods to be carried away or delivered, to make a charge for each such bag supplied.

Regulation 3 of these Regulations, amends Schedule 1 (Exemptions), to the 2010 Regulations, by inserting a new provision to exempt bags used to carry goods purchased for delivery as part of a grocery delivery service, or for collection as part of a service that provides for collection of groceries, from the charge. The operation of the new exemption is made subject to a three month time limit.

The purpose of the temporary exemption is to increase efficiency of delivery systems, and to mitigate as far as possible, the risk of transmission of the COVID-19 virus (coronavirus), through delivery and collection systems, by the use of single use carrier bags to carry goods.

The emergency nature of the instrument means it has not been possible to prepare a Business and Regulatory Impact Assessment. The needs of business and, in particular, the retail sector have, however, closely informed the preparation of these Regulations.