



# Environment (Wales) Act 2016

2016 anaw 3

## PART 3

### CHARGES FOR CARRIER BAGS

PROSPECTIVE

#### *Administration and enforcement*

#### **58 Administration**

- (1) Carrier bag regulations may appoint a person (an “administrator”) to administer provision made by the regulations.
- (2) More than one person may be appointed as administrator.
- (3) The regulations may confer powers, or impose duties, on an administrator
- (4) The provision that may be made by virtue of subsection (3) includes provision—
  - (a) making modifications to any enactment applying to the administrator, or
  - (b) for any such enactment to apply, with or without modifications, for the purposes of the regulations.
- (5) References in this Part to an administrator include a person appointed by an administrator.

#### **59 Record-keeping and publication of records**

- (1) Carrier bag regulations may require records to be kept relating to charges made by sellers of goods for carrier bags (whether or not the charges are required by the regulations).
- (2) The regulations may require—

*Status: This version of this cross heading contains provisions that are prospective.*

*Changes to legislation: Environment (Wales) Act 2016, Cross Heading: Administration and enforcement is up to date with all changes known to be in force on or before 25 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (a) the records, or such other information as may be specified, to be published at such times and in such manner as may be specified;
  - (b) the records, or such other information as may be specified, to be supplied on request and in such manner as may be specified to—
    - (i) the Welsh Ministers,
    - (ii) an administrator, or
    - (iii) members of the public.
- (3) The regulations may (for example) require the publication or supply of records or information relating to any of the following—
- (a) the amount received by a seller of goods by way of charges for carrier bags (whether in accordance with the regulations or otherwise);
  - (b) the seller's gross or net proceeds of the charge;
  - (c) the uses to which the net proceeds of the charge have been put.
- (4) Carrier bag regulations may also require the publication or supply of records or information relating to the amount that a person has received from a seller by way of net proceeds of the charge to be applied to charitable purposes.

## **60 Enforcement**

- (1) Carrier bag regulations may confer or impose powers or duties on an administrator to enforce provision made by the regulations.
- (2) The regulations may (for example) confer powers on an administrator to—
  - (a) require the production of documents or the provision of information, or
  - (b) question a seller of goods or officers or employees of a seller.
- (3) The regulations may also confer powers on an administrator to question a person the administrator reasonably believes has received any net proceeds of the charge or officers or employees of such a person.
- (4) Carrier bag regulations that confer a power within subsection (2) must contain provision for ensuring that the power is exercised by an administrator only where the administrator reasonably believes there has been a failure to comply with a requirement of the regulations.

## **61 Civil sanctions**

Schedule 1 makes provision about civil sanctions.

**Status:**

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**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 6(10)(d) substituted by [S.I. 2024/706 reg. 22\(a\)](#)
- s. 6(10)(d) substituted by [S.I. 2024/706 reg. 22\(b\)](#)