

WASTE (WALES) MEASURE 2010

EXPLANATORY NOTES

INTRODUCTION

1. These Explanatory Notes relate to the Waste (Wales) Measure 2010 as passed by the National Assembly for Wales on 2 November 2010 and approved by Her Majesty in Council on 15 December 2010.
2. The Welsh Assembly Government's Department for Environment, Sustainability and Housing has prepared them in order to assist the reader of the proposed Measure. They do not form part of the draft Measure and have not been endorsed by the National Assembly for Wales.
3. The Explanatory Notes should be read in conjunction with the proposed Measure. They are not, and are not meant to be, a comprehensive description of the Measure. So where a section or part of a section is self-explanatory, no further explanation or comment is provided.
4. The Measure makes provision about—
 - the destination of proceeds from charges for single use carrier bags;
 - targets to be met by local authorities in relation to waste;
 - prohibiting or otherwise regulating the deposit of waste in a landfill;
 - site waste management plans for works involving construction or demolition.
5. The National Assembly's competence to legislate on these topics is found in Matters 6.1, 6.3 and 6.4 contained in Field 6 of Part 1 of Schedule 5 to the [Government of Wales Act 2006 \(c. 32\)](#). These Matters were added to Schedule 5 by the National Assembly for Wales (Legislative Competence) (Environment) Order 2010 and enable the National Assembly to make provision relating to—
 - preventing, reducing, collecting, managing, treating or disposing of waste,
 - protecting or improving the environment in relation to pollution¹, and
 - protecting or improving the environment in relation to nuisances²,
6. The National Assembly's legislative competence under matters 6.1, 6.3 and 6.4 is subject to a number of exceptions, none of which excludes the provision made in this Measure from the legislative competence of the Assembly.

¹ The term "pollution" is the subject of an interpretation provision in Field 6 of Part 1 of Schedule 5 to the Government of Wales Act 2006.

² The term "nuisance" is the subject of an interpretation provision in Field 6 of Part 1 of Schedule 5 to the Government of Wales Act 2006.