

Julie James AS/MS  
Y Gweinidog Newid Hinsawdd  
Minister for Climate Change



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref  
Ein cyf/Our ref WQ86428

Andrew RT Davies MS  
Member of the Senedd for South Wales Central  
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21<sup>st</sup> November 2022

Dear Andrew RT Davies MS

I am writing in response to your Written Question, “Will the Minister confirm the reasoning for expediting the Environmental Protection (Single-use Plastic) (Wales) Bill?” I apologise for the delay in replying.

When I wrote to the Business Committee on this matter in July, there were two good reasons for the Environmental Protection (Single-use Plastic) (Wales) Bill (“the Bill”) being expedited.

Firstly, there is the environmental protection imperative. We are facing a climate and nature emergency and are committed to taking action to address it. The Bill is a key step in supporting the urgent change needed to reduce the toxic legacy of plastic being passed on to our future generations to deal with.

Much damage has already been done globally and we cannot be complacent about this. It has been vital for us to work at pace to reduce the environmental and health impacts of single use plastic products in Wales. The faster we get these harmful items out of our environment, the better. I am also aware that other countries in the United Kingdom have already banned or plan to ban a number of the products included in the Bill. We need to take action to ensure companies do not take advantage of this situation and dump their unwanted stock onto the market in Wales.

The secondly relates to the Court of Appeal’s request for a legislative context in which to consider the arguments being advanced by the Counsel General in the (then ongoing) application for judicial review of the United Kingdom Internal Market Act 2020 (“UKIMA”). You will be aware from the Counsel General’s Written Statement of 18 August, the Supreme Court rejected our application for permission to appeal the Court of Appeal’s decision that our claim for judicial review of UKIMA was premature.

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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.

However, it left the door open for the substantive arguments to be considered in a future case. The Bill is within competence and is fully enforceable and effective. This is not incompatible with our view the Bill is capable of providing the context which would assist the Court in testing the arguments about UKIMA in a future case. Those two positions are not mutually exclusive.

Expediting the Bill preserves all the options in terms of how that issue may be brought before the Court.

Yours sincerely,



**Julie James AS/MS**

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