

Draft Regulations laid before Senedd Cymru under section 174(4) and (5)(l) of the Local Government and Elections (Wales) Act 2021, for approval by resolution of Senedd Cymru.

DRAFT WELSH STATUTORY
INSTRUMENTS

2021 No. (W.)

**ENVIRONMENTAL
PROTECTION, WALES**

**LOCAL GOVERNMENT,
WALES**

**The Environment (Wales) Act 2016
(Public Authorities subject to the
Biodiversity and Resilience of
Ecosystems Duty) Regulations
2021**

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend section 6 of the Environment (Wales) Act 2016 (anaw 3) to include corporate joint committees within the definition of “public authority” in subsection (9) of that section, so that corporate joint committees are subject to the biodiversity and resilience of ecosystems duty (“the biodiversity duty”). As a result of these Regulations, corporate joint committees will be required to consider the Nature Recovery Action Plan for Wales when making decisions.

Corporate joint committees are bodies established by regulations made under Part 5 of the Local Government and Elections (Wales) Act 2021 (asc 1) (“the Act”).

These Regulations are connected with regulations which established certain corporate joint committees under Part 5 of the Act. The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to the regulations which establish corporate joint committees and connected orders and regulations. As a result, a

regulatory impact assessment has been prepared. A copy can be obtained from the Local Government Strategic Finance Division, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

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Made

Coming into force

3 December 2021

The Welsh Ministers make these Regulations in exercise of the powers conferred on them by sections 84(2)(a) and 174 of the Local Government and Elections (Wales) Act 2021(1).

A draft of this instrument has been laid before, and approved by a resolution of, Senedd Cymru in accordance with section 174(4) and (5)(l) of that Act.

Title and coming into force

1.—(1) The title of these Regulations is the Environment (Wales) Act 2016 (Public Authorities subject to the Biodiversity and Resilience of Ecosystems Duty) Regulations 2021.

(1) 2021 asc 1.

(2) These Regulations come into force on 3 December 2021.

Amendment of section 6 of the Environment (Wales) Act 2016

2.—(1) Section 6 of the Environment (Wales) Act 2016⁽¹⁾ is amended as follows.

(2) In subsection (9), in the definition of “public authority”, in paragraph (e), after “local authority” insert “, a corporate joint committee”.

(3) In subsection (10), at the appropriate place insert—

““corporate joint committee” (*“cyd-bwyllgor corfforedig”*) means a corporate joint committee established by regulations made under Part 5 of the Local Government and Elections (Wales) Act 2021 (asc 1);”.

Name

Minister for Finance and Local Government, one of the Welsh Ministers

Date

(1) 2016 anaw 3. Section 6 was amended by paragraph 46(a)(i) and (ii) of Part 1 of Schedule 9 to the Local Government and Elections (Wales) Act 2021.