



Environment (Wales) Act 2016

2016 anaw 3

PART 3

CHARGES FOR CARRIER BAGS

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—
 - (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—

Status: This is the original version (as it was originally enacted).

- (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.