

## SCHEDULE 1

### CHARGES FOR CARRIER BAGS: CIVIL SANCTIONS

#### *Suspension*

- 17 (1) Where carrier bag regulations confer power on an administrator to impose a civil sanction in relation to a breach of the regulations, the Welsh Ministers may direct the administrator—
- (a) where the power is power to impose a fixed monetary penalty, not to serve any further notice of intent referred to in paragraph 3(1)(a) in relation to a breach of that kind, and
  - (b) where the power is power to impose a discretionary requirement, not to serve any further notice of intent referred to in paragraph 5(1)(a) in relation to a breach of that kind.
- (2) The Welsh Ministers may only give a direction under sub-paragraph (1) in relation to a breach of carrier bag regulations if they are satisfied that the administrator has failed on more than one occasion—
- (a) to comply with any duty imposed on it under or by virtue of this Schedule in relation to a breach of that kind,
  - (b) to act in accordance with the guidance it has published in relation to a breach of that kind (in particular, the guidance published under paragraph 13), or
  - (c) to act in accordance with the principles referred to in paragraph 15 or with other principles of best practice in relation to the enforcement of a breach of that kind.
- (3) The Welsh Ministers may by direction revoke a direction given by them under sub-paragraph (1) if they are satisfied that the administrator has taken the appropriate steps to remedy the failure to which that direction related.
- (4) Before giving a direction under sub-paragraph (1) or (3), the Welsh Ministers must consult—
- (a) the administrator, and
  - (b) such other persons as they consider appropriate.
- (5) Where the Welsh Ministers give a direction under this paragraph, they must lay a copy of the direction before the National Assembly for Wales.
- (6) The administrator must take steps to bring a direction under this paragraph to the attention of other persons likely to be affected by it; and must do so in such manner (if any) as the Welsh Ministers may require.