

National Assembly for Wales

Constitutional and Legislative Affairs Committee

CLA698 - The Bathing Water (Amendment) (Wales) Regulations 2016

Background and Purpose

These Regulations amend Part 2 of Schedule 2 (surface waters in Wales) to the Bathing Water Regulations 2013 (“the Regulations”), which lists the waters identified by the Welsh Ministers as bathing waters in Wales. Regulation 2 of these Regulations adds Aberdyfi Rural Beach to the list of identified bathing waters in the Regulations.

Procedure

Negative

Technical Scrutiny

No points are identified for reporting under Standing Order 21.2 in respect of this instrument.

Merits Scrutiny

The following point is identified for reporting under Standing Order 21.3 in respect of this instrument.

When section 2(2) of the European Communities Act 1972 is used as the authority for the making of regulations, Welsh Ministers may choose the Assembly procedure to be used. In this case the negative procedure was chosen. As these Regulations insert one beach into a long list of beaches that are bathing waters, this is considered to be an appropriate use of the negative procedure.

[That it gives rise to an issue of public policy likely to be of interest to the Assembly – Standing Order 21.3(ii)]

Committee Consideration

The Committee considered the instrument at its meeting on 14 March 2016 and reports to the Assembly in line with the Merits point above.