



# Environment (Wales) Act 2016

## 2016 anaw 3

### ENVIRONMENT (WALES) ACT 2016

#### PART 1

#### SUSTAINABLE MANAGEMENT OF NATURAL RESOURCES

##### *Introduction*

- 1 Purpose of this Part
- 2 Natural resources
- 3 Sustainable management of natural resources
- 4 Principles of sustainable management of natural resources

##### *General duties of public authorities*

- 5 General purpose of Natural Resources Body for Wales
- 6 Biodiversity and resilience of ecosystems duty
- 7 Biodiversity lists and duty to take steps to maintain and enhance biodiversity

##### *State of natural resources report*

- 8 Duty to prepare and publish state of natural resources report

##### *National natural resources policy*

- 9 Duty to prepare, publish and implement national natural resources policy

##### *Area-based implementation of the national policy*

- 10 Meaning of public body in sections 11 to 15
- 11 Area statements
- 12 Welsh Ministers' directions to implement area statements
- 13 Guidance about implementing area statements

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- 14 Duty of public bodies to provide information or other assistance to NRW
- 15 Duty of NRW to provide information or other assistance to public bodies

#### *Land management agreements*

- 16 Power to enter into land management agreements
- 17 Effect on successors in title of certain land management agreements
- 18 Application of Schedule 2 to the Forestry Act 1967 to land management agreements
- 19 Effect of agreements on dedication of highway and grant of easement
- 20 Transitional provisions
- 21 Crown land

#### *Experimental schemes*

- 22 Power to suspend statutory requirements for experimental schemes
- 23 Power of NRW to conduct experimental schemes etc.

#### *General*

- 24 Power to amend periods for the preparation and publication of documents
- 25 Regulations under this Part
- 26 General interpretation of this Part
- 27 Minor and consequential provision

### **PART 2**

## CLIMATE CHANGE

#### *Introduction*

- 28 Purpose of this Part

#### *Emissions targets and carbon budgets: main duties of the Welsh Ministers*

- 29 The 2050 emissions target
- 30 Interim emissions targets
- 31 Carbon budgets
- 32 Emissions targets and carbon budgets: principles

#### *Targets and budgets: scope and main concepts*

- 33 The net Welsh emissions account
- 34 Net Welsh emissions
- 35 Welsh emissions from international aviation and shipping
- 36 Carbon units
- 37 Greenhouse gases
- 38 The baseline

#### *Compliance with carbon budgets: reports and statements by the Welsh Ministers*

- 39 Proposals and policies for meeting carbon budget
- 40 Carrying amounts from one budgetary period to another
- 41 Final statement for budgetary period

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- 42 Proposals and policies where carbon budget not met

*Compliance with emissions targets: statements by the Welsh Ministers*

- 43 Statements for interim target years and 2050

*Functions of advisory body: reports and advice*

- 44 Advisory body  
45 Progress reports  
46 Duty of advisory body to provide advice and assistance  
47 Guidance to advisory body

*Regulations: procedure and advice*

- 48 Regulations: procedure  
49 Requirement to obtain advice about proposals to make regulations  
50 Advice about proposed regulations relating to targets and budgets

*Measurement and interpretation*

- 51 Measurement of emissions  
52 International carbon reporting practice  
53 General interpretation of this Part

### **PART 3**

#### **CHARGES FOR CARRIER BAGS**

*Regulations about charges for carrier bags*

- 54 Meaning of “carrier bag”  
55 Requirement to charge  
56 Sellers of goods  
57 Application of proceeds

*Administration and enforcement*

- 58 Administration  
59 Record-keeping and publication of records  
60 Enforcement  
61 Civil sanctions

*General*

- 62 Regulations under this Part  
63 General interpretation of this Part  
64 Minor and consequential amendments and repeals

### **PART 4**

#### **COLLECTION AND DISPOSAL OF WASTE**

*Separate collection etc. of waste*

- 65 Requirements relating to separate collection etc. of waste

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### *Disposal of waste*

- 66 Prohibition on disposal of food waste to sewer
- 67 Power to prohibit or regulate disposal of waste by incineration

### *Enforcement*

- 68 Civil sanctions

### *General*

- 69 Regulations
- 70 Minor and consequential amendments and repeals

## **PART 5**

### **FISHERIES FOR SHELLFISH**

#### *Applications for orders relating to fisheries*

- 71 Applications for orders relating to fisheries

#### *Protection of marine environment*

- 72 Requirement to include environmental provisions in orders relating to fisheries
- 73 Power to serve notices for protection of European marine sites
- 74 Power to vary or revoke orders to protect European marine sites
- 75 Supplementary provision

## **PART 6**

### **MARINE LICENSING**

- 76 Advice and assistance in relation to marine licensing
- 77 Fees for monitoring, variation etc. of marine licences
- 78 Further provision about payment of fees
- 79 Appeal against variation etc. of marine licence for non-payment of fee or deposit
- 80 Exceptions from power to delegate licensing authority functions

## **PART 7**

### **MISCELLANEOUS**

#### *Flood and Coastal Erosion Committee*

- 81 Establishment of Flood and Coastal Erosion Committee

#### *Land drainage*

- 82 Repeal of requirements to publish in local newspapers etc.
- 83 Valuation of non-agricultural land for apportionment of drainage expenses
- 84 Power to make provision for appeals against special levies
- 85 Power of entry: compliance with order for cleansing ditches etc.

#### *Byelaws*

- 86 Byelaws made by the Natural Resources Body for Wales

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## PART 8 GENERAL

- 87 Interpretation
- 88 Coming into force
- 89 Short title

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### SCHEDULE 1 — CHARGES FOR CARRIER BAGS: CIVIL SANCTIONS

#### *Civil sanctions*

- 1 (1) Carrier bag regulations may make provision about civil sanctions...

#### *Fixed monetary penalties*

- 2 (1) Carrier bag regulations may confer on an administrator the...

#### *Fixed monetary penalties: procedure*

- 3 (1) Carrier bag regulations that make provision under paragraph 2...

#### *Discretionary requirements*

- 4 (1) Carrier bag regulations may confer on an administrator the...

#### *Discretionary requirements: procedure*

- 5 (1) Carrier bag regulations that make provision under paragraph 4...

#### *Discretionary requirements: enforcement*

- 6 (1) If carrier bag regulations make provision under paragraph 4,...

#### *Combination of sanctions*

- 7 (1) Carrier bag regulations may not make provision under paragraphs...

#### *Monetary penalties*

- 8 (1) If carrier bag regulations confer power on an administrator...

#### *Costs recovery*

- 9 (1) If carrier bag regulations make provision under paragraph 4,...

#### *Appeals*

- 10 (1) Carrier bag regulations may not provide for the making...

#### *Publicity for imposition of civil sanctions*

- 11 (1) Carrier bag regulations may confer on an administrator the...

#### *Persons liable to civil sanctions*

- 12 (1) Carrier bag regulations may make provision about the persons...

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*Guidance about use of powers to impose civil sanctions and recover costs*

- 13 (1) Where carrier bag regulations confer power on an administrator...

*Publication of enforcement action*

- 14 (1) Where carrier bag regulations confer power on an administrator...

*Compliance with regulatory principles*

- 15 Carrier bag regulations may not confer power on an administrator...

*Review*

- 16 (1) The Welsh Ministers must review the operation of any...

*Suspension*

- 17 (1) Where carrier bag regulations confer power on an administrator...

*Payment of penalties into Welsh Consolidated Fund*

- 18 Where pursuant to any provision made under this Schedule an...

*Index of defined terms*

- 19 In this Schedule, the following expressions are defined or otherwise...

SCHEDULE 2 — MINOR AND CONSEQUENTIAL AMENDMENTS AND REPEALS

PART 1 — SUSTAINABLE MANAGEMENT OF NATURAL RESOURCES

*National Parks and Access to the Countryside Act 1949 (c. 97)*

- 1 (1) The National Parks and Access to the Countryside Act...

*Countryside Act 1968 (c. 41)*

- 2 (1) The Countryside Act 1968 is amended as follows.

*Wildlife and Countryside Act 1981 (c. 69)*

- 3 (1) The Wildlife and Countryside Act 1981 is amended as...

*Road Traffic Regulation Act 1984 (c. 27)*

- 4 In section 22(1)(a) of the Road Traffic Regulation Act 1984—...

*Water Industry Act 1991 (c. 56)*

- 5 In section 156(8) of the Water Industry Act 1991, in...

*Environment Act 1995 (c. 25)*

- 6 (1) The Environment Act 1995 is amended as follows.

*Countryside and Rights of Way Act 2000 (c. 37)*

- 7 In section 90 of the Countryside and Rights of Way...

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*Planning and Compulsory Purchase Act 2004 (c. 5)*

- 8 (1) The Planning and Compulsory Purchase Act 2004 is amended...

*Natural Environment and Rural Communities Act 2006 (c. 16)*

- 9 (1) The Natural Environment and Rural Communities Act 2006 is...

*Well-being of Future Generations (Wales) Act 2015 (anaw 2)*

- 10 (1) The Well-being of Future Generations (Wales) Act 2015 is...

*Planning (Wales) Act 2015 (anaw 4)*

- 11 In Schedule 2 to the Planning (Wales) Act 2015, omit...  
PART 2 — CHARGES FOR CARRIER BAGS

*Climate Change Act 2008 (c. 27)*

- 12 (1) The Climate Change Act 2008 is amended as follows....

*Waste (Wales) Measure 2010 (nawm 8)*

- 13 (1) The Waste (Wales) Measure 2010 is amended as follows....  
PART 3 — COLLECTION AND DISPOSAL OF WASTE

*Environmental Protection Act 1990 (c. 43)*

- 14 (1) The Environmental Protection Act 1990 is amended as follows....

*Household Waste Recycling Act 2003 (c. 29)*

- 15 In the Household Waste Recycling Act 2003, omit section 2....

*Government of Wales Act 2006 (c. 32)*

- 16 In Schedule 11 to the Government of Wales Act 2006,...

*Waste (Wales) Measure 2010 (nawm 8)*

- 17 (1) The Waste (Wales) Measure 2010 is amended as follows....  
PART 4 — FLOOD AND COASTAL EROSION COMMITTEE

*Public Bodies (Admission to Meetings) Act 1960 (c. 67)*

- 18 In the Schedule to the Public Bodies (Admission to Meetings)...

*Local Government Act 1974 (c. 7)*

- 19 In section 25(1)(d) of the Local Government Act 1974, omit...

*Water Resources Act 1991 (c. 57)*

- 20 (1) The Water Resources Act 1991 is amended as follows....

*Land Drainage Act 1991 (c. 59)*

- 21 In section 1(1)(a) of the Land Drainage Act 1991, after...

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*Environment Act 1995 (c. 25)*

- 22 In section 6 of the Environment Act 1995—

*Freedom of Information Act 2000 (c. 36)*

- 23 In Part 6 of Schedule 1 to the Freedom of...

*Public Services Ombudsman (Wales) Act 2005 (c. 10)*

- 24 In Schedule 3 to the Public Services Ombudsman (Wales) Act...

*Flood and Water Management Act 2010 (c. 29)*

- 25 (1) The Flood and Water Management Act 2010 is amended...

*Public Bodies Act 2011 (c. 24)*

- 26 (1) The Public Bodies Act 2011 is amended as follows....

*Water Act 2014 (c. 21)*

- 27 In Schedule 10 to the Water Act 2014, omit paragraph...  
PART 5 — BYELAWS

*National Parks and Access to the Countryside Act 1949 (c. 97)*

- 28 (1) The National Parks and Access to the Countryside Act...

*Countryside Act 1968 (c. 41)*

- 29 In section 41(7A) of the Countryside Act 1968, for “Council”...

*Local Government Byelaws (Wales) Act 2012 (anaw 2)*

- 30 (1) The Local Government Byelaws (Wales) Act 2012 is amended...



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**Changes and effects yet to be applied to :**

- s. 10(1)(f) words substituted by [2022 asc 1 Sch. 4 para. 36](#)
- s. 77-80 amendments extended to S. and N.I. by [2023 c. 55 s. 232\(8\)](#)
- s. 83(2)(a) substituted by [2021 c. 30 s. 95\(2\)\(a\)](#)
- s. 83(2)(b) words substituted by [2021 c. 30 s. 95\(2\)\(b\)\(i\)](#)
- s. 83(2)(b) words substituted by [2021 c. 30 s. 95\(2\)\(b\)\(ii\)](#)
- s. 83(2)(b) words substituted by [2021 c. 30 s. 95\(2\)\(b\)\(iii\)](#)
- s. 83(3) substituted by [2021 c. 30 s. 95\(3\)](#)