
STATUTORY INSTRUMENTS

2020 No. 1313

**The Environment (Miscellaneous
Amendments) (EU Exit) Regulations 2020**

PART 3

**Amendment of secondary legislation under the European Union (Withdrawal)
Act 2018 and the European Union (Withdrawal Agreement) Act 2020**

**Amendment of the Air Quality (Miscellaneous Amendment and Revocation of Retained
Direct EU Legislation) (EU Exit) Regulations 2018**

5.—(1) The Air Quality (Miscellaneous Amendment and Revocation of Retained Direct EU Legislation) (EU Exit) Regulations 2018⁽¹⁾ are amended as follows.

(2) In regulation 2—

(a) for paragraph (6)(b) substitute—

“(b) in paragraph 1—

(i) in point (c), after the words “Annex II in” insert “urban”;

(ii) in the first subparagraph—

(aa) for “shall communicate, by electronic means,” substitute “must send”;

(bb) for “Article 7(2)” substitute “Decision (EU) 2019/1741⁽²⁾”;

(b) for paragraph (8)(b) and (c) substitute—

“(b) for paragraph 2 substitute—

“**2.** Appropriate authorities outside England and the competent authority in England must provide, each year, to the Secretary of State a report containing all the data referred to in Article 5(1) and (2) in the format and by the dates set out in Decision (EU) 2019/1741. The reporting date shall be, in any case, no later than 11 months after the end of the reporting year.”;

(c) for paragraph 3 substitute—

“**3.** The Secretary of State must incorporate the data reported by the appropriate authorities outside England and the data provided by the competent authority in England into the United Kingdom PRTR within one month of receiving complete reports provided in accordance with paragraph 2.”;

(c) for paragraph (12)(b) and (c) substitute—

“(b) after the words “of the Council,” insert “in so far as that provision has been transposed into domestic law.”;

(1) S.I. 2018/1407.

(2) EUDN 2019/1741.

- (d) in paragraph (16), for “16, 17,” substitute “18a,”;
 - (e) omit paragraph (18).
- (3) After regulation 24A insert—

“Decision (EU) 2019/2031 establishing best available techniques (BAT) conclusions for the food, drink and milk industries, under [Directive 2010/75/EU](#) of the European Parliament and of the Council

24B.—(1) Decision (EU) 2019/2031 establishing best available techniques (BAT) conclusions for the food, drink and milk industries, under [Directive 2010/75/EU](#) of the European Parliament and of the Council⁽³⁾ is amended as follows.

- (2) For Article 2 substitute—

“Article 2

Application and Interpretation

1. The BAT conclusions referred to in Article 1 apply in the United Kingdom.
2. In this Decision—
 - “BAT conclusions” has the meaning given in Article 2 of [Decision 2012/134/EU](#)⁽⁴⁾ (“[Decision 2012/134/EU](#)”) establishing the best available techniques (BAT) conclusions under [Directive 2010/75/EU](#) of the European Parliament and of the Council on industrial emissions for the manufacture of glass;
 - “best available techniques” has the meaning given in Article 2 of [Decision 2012/134/EU](#).
3. For the purpose of this Decision a reference to a provision of a Directive is to be read as a reference to that provision in so far as it has been transposed into the law of any part of the United Kingdom.”.

Decision (EU) 2019/1713 establishing the format of information to be made available by the Member States for the purposes of reporting on the implementation of Directive (EU) 2015/2193 of the European Parliament and of the Council

24C.—(1) Decision (EU) 2019/1713 establishing the format of information to be made available by the Member States for the purposes of reporting on the implementation of Directive (EU) 2015/2193 of the European Parliament and of the Council⁽⁵⁾ is amended as follows.

- (2) In Article 1—
- (a) in the first paragraph—
 - (i) for “Commission” substitute “appropriate authority”;
 - (ii) for the words from “in accordance with” to “Member States shall” substitute “from medium combustion plants coming within Directive (EU) 2015/2193, the competent authorities must”;
 - (b) for the second paragraph substitute—

“Where a competent authority holds information covered by this Decision, that authority must provide such information to the relevant appropriate authority so that

(3) EUDN 2019/2031.
 (4) EUDN 2012/134.
 (5) EUDN 2019/1713.

the appropriate authority can meet its obligations to prepare a report in accordance with Article 3.”.

- (3) In Article 2, omit the first paragraph.
- (4) After Article 2—
 - (a) insert—

“Article 3

1. An appropriate authority must publish a summary of the information it receives in accordance with this Decision in such a manner as the appropriate authority considers appropriate, which can include indicating where that information is already publicly available.

2. For the purpose of this Decision a reference to a provision of a Directive is to be read as a reference to that provision in so far as it has been transposed into the law of any part of the United Kingdom.

3. In this Decision—

“appropriate authority” means—

- (a) in relation to England, the Secretary of State;
- (b) in relation to Wales, the Welsh Ministers;
- (c) in relation to Scotland, the Scottish Ministers;
- (d) in relation to Northern Ireland, the Department of Agriculture, Environment and Rural Affairs;

“competent authority” means the national authority or authorities, or any other competent body or bodies, designated by the appropriate authority.”;

- (b) omit “This Decision is addressed to the Member States.”.

(5) In the Annex, in the Note before Part 1, for “Member States” substitute “competent authorities”.

Decision (EU) 2019/1741 establishing the format and frequency of data to be made available by the Member States for the purposes of reporting under Regulation (EC) No 166/2006 of the European Parliament and of the Council concerning the establishment of a European Pollutant and Release Transfer Register

24D.—(1) Decision (EU) 2019/1741 establishing the format and frequency of data to be made available by the Member States for the purposes of reporting under Regulation (EC) No 166/2006 of the European Parliament and of the Council concerning the establishment of a European Pollutant and Release Transfer Register(6) is amended as follows.

- (2) In Article 1—
 - (i) in the first paragraph—
 - (aa) for “Member States shall” substitute “Appropriate authorities outside England and the competent authority in England must”;
 - (bb) from the words “, using the specific” to the end substitute “to the Secretary of the State in accordance with this Decision”.
 - (ii) in the second paragraph, for “2019” substitute “2020”;

(6) EUDN 2019/1741.

(iii) in the third and fourth paragraphs, for “Commission” substitute “Secretary of State”.

(3) In Article 2—

(i) in the first paragraph—

(aa) for “E-PRTR” substitute “United Kingdom-PRTR”;

(bb) from the words “Member States, the” to “European Environment Agency” substitute “appropriate authorities”.

(4) After Article 2, insert—

“Article 3

1. For the purpose of this Decision a reference to a provision of a Directive is to be read as a reference to that provision in so far as it has been transposed into the law of any part of the United Kingdom.

2. In this Decision—

“appropriate authority” means—

(a) in relation to England, the Secretary of State;

(b) in relation to Wales, the Welsh Ministers;

(c) in relation to Scotland, the Scottish Ministers;

(d) in relation to Northern Ireland, the Department of Agriculture, Environment and Rural Affairs;

“competent authority” means the national authority or authorities, or any other competent body or bodies, designated by the appropriate authority.”.

(4) Omit “This Decision is addressed to the Member States”.

(5) In the Annex—

(a) in the heading, for “Member States” substitute “appropriate authorities outside England or the competent authority in England”;

(b) in the Note before the table—

(i) for “Member States” substitute “The appropriate authorities outside England or the competent authority in England”;

(ii) for “Commission” substitute “Secretary of State”;

(c) at each place that it occurs (including in footnote (h)), for “E-PRTR” substitute “UK-PRTR”;

(d) in the table—

(i) in footnote (g) —

(aa) omit the first sentence;

(bb) for “Commission” substitute “Secretary of State”;

(ii) in footnote (h) omit “EU”.

Decision (EU) 2020/2009 establishing the best available techniques (BAT) conclusions, under Directive 2010/75/EU on industrial emissions, for surface treatment using organic solvents including preservation of wood and wood products with chemicals

24E.—(1) Decision (EU) 2020/2009 establishing the best available techniques (BAT) conclusions, under [Directive 2010/75/EU](#) on industrial emissions, for surface treatment using

organic solvents including preservation of wood and wood products with chemicals⁽⁷⁾ is amended as follows.

(2) For Article 2 substitute—

“Article 2

Application and Interpretation

1. The BAT conclusions referred to in Article 1 apply in the United Kingdom.

2. In this Decision—

“BAT conclusions” has the meaning given in Article 2 of [Decision 2012/134/EU](#)⁽⁸⁾ (“[Decision 2012/134/EU](#)”) establishing the best available techniques (BAT) conclusions under [Directive 2010/75/EU](#) of the European Parliament and of the Council on industrial emissions for the manufacture of glass;

“best available techniques” has the meaning given in Article 2 of [Decision 2012/134/EU](#).

3. For the purpose of this Decision a reference to a provision of a Directive is to be read as a reference to that provision in so far as it has been transposed into the law of any part of the United Kingdom.”.”.

Amendment of the REACH etc. (Amendment etc.) (EU Exit) Regulations 2019

6.—(1) The REACH etc. (Amendment etc.) (EU Exit) Regulations 2019⁽⁹⁾ are amended as follows.

(2) In the Schedules, for “exit day”, in each place it occurs, substitute “IP completion day”.

(3) In Schedule 2—

(a) for “post-exit”, in each place it occurs, except in the title of inserted Article 127P, substitute “post-IP completion”;

(b) for “pre-exit”, in each place it occurs, substitute “pre-IP completion”;

(c) in inserted Article 127P—

(i) in the title, for “Periods before exit and post-exit” substitute “Post-IP completion periods”;

(ii) omit paragraph (5).

⁽⁷⁾ EUDN 2020/4050.

⁽⁸⁾ EUDN 2012/134.

⁽⁹⁾ [S.I. 2019/758](#), amended by [S.I. 2019/858](#) and [2019/1144](#).