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STATUTORY RULES OF NORTHERN IRELAND

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**2020 No. 300**

**The Planning (Environmental Assessments  
and Technical Miscellaneous Amendments)  
(EU Exit) Regulations (Northern Ireland) 2020**

**PART 2**

**Amendments to Secondary Legislation**

**Amendments to the Planning (Hazardous Substances) (No. 2) Regulations (Northern Ireland) 2015**

2.—(1) The Planning (Hazardous Substances) (No. 2) Regulations (Northern Ireland) 2015(1) are amended as follows.

(2) In regulation 2(2) in the definition of “CLP Regulation” at the end insert “as it had effect immediately before IP completion day.”

(3) In regulation 4(7)(a) after “pursuant to” substitute “ Article 13(1) of Regulation (EU) 2017/852(2) of the European Parliament and of the Council of 17 May 2017 on mercury, as it had effect immediately before IP completion day;”.

**Amendments to the Planning (Management of Waste from Extractive Industries) Regulations (Northern Ireland) 2015**

3. In the Planning (Management of Waste from Extractive Industries) Regulations (Northern Ireland) 2015(3), in regulation 2(2) omit the definitions, “[Directive 67/548/EEC](#)” and “[Directive 99/45/EC](#)”.

**Amendments to the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2015**

4. In the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2015(4), in regulation 2(2) after the definition of “the Directive” insert—

““[Directive 2008/98/EC](#)” means [Directive 2008/98/EC](#) of the European Parliament and of the Council of 19 November 2008 on waste(5) as it had effect immediately before IP completion day;

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(1) [S.R. 2015 No.344](#)

(2) O.J. No. L137, 24.5.2017, p.1-21

(3) [S.R. 2015 No.85](#)

(4) [S.R. 2015 No.74](#)

(5) O.J. No. L312, 22.11.08, p.3

“[Directive 2009/31/EC](#)” means [Directive 2009/31/EC](#) of the European Parliament and of the Council of 23 April 2009 on the geological storage of carbon dioxide<sup>(6)</sup> as it had effect immediately before IP completion day;”.

#### **Amendments to the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017**

5.—(1) The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017<sup>(7)</sup> are amended as follows.

(2) In regulation 2(2) after the definition of “the Directive” insert—

““[Directive 2008/98/EC](#)” means [Directive 2008/98/EC](#) of the European Parliament and of the Council of 19 November 2008 on waste as it had effect immediately before IP completion day;

“[Directive 2009/31/EC](#)” means [Directive 2009/31/EC](#) of the European Parliament and of the Council of 23 April 2009 on the geological storage of carbon dioxide as it had effect immediately before IP completion day;”.

(3) In Schedule 4, in paragraph 8 after “Council Directive 2009/71/Euratom” insert “as it had effect immediately before IP completion day”.

#### **Amendments to the Planning (Environmental Assessments and Miscellaneous Amendments) (EU Exit) (Northern Ireland) Regulations 2018**

6.—(1) The Planning (Environmental Assessments and Miscellaneous Amendments) (EU Exit) (Northern Ireland) Regulations 2018<sup>(8)</sup> are amended as follows.

(2) In regulation 1(3) after “9(3)(b)” substitute “and 9(3)(c) come into force immediately before IP completion day.”

(3) In regulation 6(2)(a) in the definition of “best available techniques” for “Article 3(12)” substitute “Article 3(10)”.

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(6) O.J. No. L140, 5.6.2009, p.114

(7) S.R. 2017 No.83

(8) S.I. 2018/1235