

Draft Regulations laid before Parliament and the National Assembly for Wales for approval by resolution of each of them. Approval is required by section 2(8) and (9)(d) and (e) of the Pollution Prevention and Control Act 1999.

DRAFT STATUTORY INSTRUMENTS

2007 No. [XXXX]

**ENVIRONMENTAL PROTECTION,
ENGLAND AND WALES**

**The Environmental Permitting
(England and Wales) Regulations 2007**

Made - - - - *****
Coming into force - - *6th April 2008*

These Regulations are made in exercise of the powers conferred by section 2 of, and Schedule 1 to, the Pollution Prevention and Control Act 1999(1).

The Secretary of State, in relation to England, and the National Assembly for Wales, in relation to Wales, have in accordance with section 2(4) of that Act consulted(2)—

- (a) the Environment Agency;
- (b) such bodies or persons appearing to them to be representative of the interests of local government, industry, agriculture and small businesses respectively as they consider appropriate; and
- (c) such other bodies or persons as they consider appropriate.

A draft of this instrument has been approved by a resolution of each House of Parliament and by the National Assembly for Wales pursuant to section 2(8) and (9)(d) and (e) of that Act(3).

Accordingly, the Secretary of State, in relation to England, and the Welsh Ministers, in relation to Wales, make the following Regulations—

(1) 1999 c. 24. Functions of the Secretary of State under section 2 (except in relation to offshore oil and gas exploration and exploitation), so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales by article 3 of S.I.2005/1958. Those functions were then transferred to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006, c. 32.

(2) The requirement in that section to consult the bodies and persons mentioned was transferred from the National Assembly for Wales to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006, c. 32. The consultation carried out by the National Assembly for Wales has effect as if it were carried out by the Welsh Ministers by virtue of paragraph 39(3) of that Schedule to that Act.

(3) The reference in section 2(8) to approval by each House of Parliament has effect in relation to exercise of functions by the Welsh Ministers as if it were a reference to approval by the National Assembly for Wales by virtue of paragraph 33 of Schedule 11 to the Government of Wales Act 2006, c. 32.