
DRAFT STATUTORY INSTRUMENTS

2019 No.

The Environment and Wildlife (Legislative Functions) (EU Exit) Regulations 2019

PART 2

Amendments to retained direct EU legislation on the environment

Regulation (EC) No 1013/2006 of the European Parliament and of the Council on shipments of waste

5.—(1) Regulation (EC) No 1013/2006 of the European Parliament and of the Council on shipments of waste is amended as follows.

(2) In Article 26(4), for the second subparagraph substitute—

“5. The Secretary of State may, if the condition in paragraph 6 is met, make regulations setting out the technical and organisational requirements for the practical implementation of electronic data interchange for the submission of documents and information with a view to facilitating the implementation of paragraph 4.

6. The condition is that the Secretary of State—

- (a) has taken into consideration any relevant international standards, and
- (b) is satisfied that the requirements set out in the regulations are in conformity with Regulation (EU) No 910/2014 or provide at least the same level of security as provided for under that Regulation.”.

(3) In Article 36(5)—

- (a) in the first sentence, for “Member State concerned” substitute “competent authority”;
- (b) in the second sentence, for the words from the beginning to “Commission” substitute “The competent authority shall notify any case to the Secretary of State”;
- (c) in the third sentence—
 - (i) for “Commission” substitute “Secretary of State”;
 - (ii) omit “to all Member States and”;
- (d) in the fourth sentence—
 - (i) for “Commission” substitute “Secretary of State”;
 - (ii) for “adapt” substitute “amend”.

(4) In Article 37(2)—

(a) for the first subparagraph substitute—

“The Secretary of State may, by regulations, amend [Commission Regulation \(EC\) No 1418/2007](#) in order to take into account any replies received pursuant to paragraph 1 on or after exit day.”;

- (b) omit the third subparagraph.
- (5) For Article 50(4e) substitute—
 - “4e. The Secretary of State may, by regulations, amend the correlation table in Commission Implementing Regulation (EU) 2016/1245 in order to—
 - (a) reflect changes to the combined nomenclature provided for in [Council Regulation \(EEC\) No 2658/87](#);
 - (b) reflect changes to the entries of waste listed in Annexes 3, 3A, 3B, 4, 4A and 5;
 - (c) include any new waste-related codes of the Harmonised System Nomenclature that the World Customs Organisation may adopt.”
- (6) In Article 58(1)—
 - (a) in the words before point (a), for the words from “Commission” to “Article 58a to” substitute “Secretary of State may, by regulations,”;
 - (b) in point (b), for the words from “agreed” to the end substitute “any amendments made to Commission [Decision 2000/532/EC](#)”.
- (7) For Article 59a substitute—

“Article 59a

Regulations

1. Regulations made under this Regulation are to be made by statutory instrument.
2. A statutory instrument containing regulations made under this Regulation is subject to annulment in pursuance of a resolution of either House of Parliament.
3. Such regulations may—
 - (a) contain consequential, incidental, supplementary, transitional or saving provision (including provision amending, repealing or revoking enactments (which has the meaning given by section 20(1) of the European Union (Withdrawal) Act 2018));
 - (b) make different provision for different purposes.”