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DRAFT STATUTORY INSTRUMENTS

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**2019 No.**

**The International Waste Shipments  
(Amendment) (EU Exit) Regulations 2019**

**PART 5**

Amendments to retained direct EU legislation

**Amendments to Article 1**

**46.**—(1) Article 1 is amended as follows.

(2) For paragraph 2 substitute—

“**2.** This Regulation shall apply to shipments of waste—

- (a) exported from the United Kingdom to a third country, with or without transit through another third country (see Titles 2 and 4, read together);
- (b) imported into the United Kingdom from a third country, with or without transit through another third country (see Titles 2 and 5, read together);
- (c) from one third country to another with transit through the United Kingdom (see Titles 2 and 6, read together);
- (d) from one place in the United Kingdom to another with transit through a third country (see Articles 31 and 32).”.

(3) In paragraph 3—

(a) in point (e)—

- (i) for the words from “the waste” to “[Directive 2006/12/EC](#)” substitute “decommissioned explosives, waste waters or mining waste (see paragraph 6)”;
- (ii) for “Community legislation” substitute “retained EU law”;

(b) in point (f), for “Community” substitute “United Kingdom”;

(c) in point (g)—

- (i) in the first sentence omit “into the Community”;
- (ii) for the second sentence substitute—

“In such cases, the competent authority of destination and the competent authority of transit in the United Kingdom shall be informed in advance concerning the shipment and its destination;”;

(d) in point (h), for the words from “Directive” to the end substitute—

“—

- (i) [Directive 2009/31/EC](#)(1) as amended from time to time; or

- (ii) Chapter 3 of Part 1 of the Energy Act 2008<sup>(2)</sup> and any other legislation which, immediately before exit day, implemented [Directive 2009/31/EC](#);
- (e) in point (i), for the words from “flying” to “under” substitute “falling within”.
- (4) In paragraph 4, for “Community”, in both places it occurs, substitute “United Kingdom”.
- (5) Omit paragraph 5.
- (6) At the end insert—
  - “6. In paragraph 3(e), ‘decommissioned explosives, waste waters or mining waste’ means the waste referred to in paragraph 1(e) or 2(a) or (d) of Article 2 of [Directive 2008/98/EC](#)”.

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(2) [2008 c. 32](#).

(3) OJ No. L 312, 22.11.2008, p. 3.