
DRAFT STATUTORY INSTRUMENTS

2019 No.

The Environment (Legislative Functions
from Directives) (EU Exit) Regulations 2019

PART 6

Water quality

CHAPTER 9

Retention of functions from the Sewage Sludge Directive

Power to make provision about the criteria for testing of sludge and agricultural soil

45.—(1) The appropriate authority may, by regulations, for the purposes of retained EU law which implemented the Annexes to the Sewage Sludge Directive, make provision about—

- (a) the limit values in sludge and in soil on which sludge is used or on which its use is considered;
- (b) sludge analysis and information relating to sludge analysis;
- (c) analysis of soil on which sludge is used or on which its use is considered;
- (d) reference methods for sampling and analysis of sludge and soil on which it is used.

(2) But regulations under paragraph (1) must not make provision which corresponds to or which has the effect of amending provision corresponding to—

- (a) the parameters and values listed in Annexes 1A, 1B and 1C to the Sewage Sludge Directive;
- (b) any factors likely to affect the evaluation of those values;
- (c) the parameters for analysis referred to in Annexes 2A and 2B to the Sewage Sludge Directive.

(3) The provision which may be made under paragraph (1) includes—

- (a) requiring a reference to the Annexes to the Sewage Sludge Directive (or a reference which encompasses those Annexes) to be read as a reference to those Annexes with modifications;
- (b) amending provision which corresponds to that made by the Annexes to the Sewage Sludge Directive.

(4) Regulations under paragraph (1) may amend any subordinate legislation.

(5) The appropriate authority may only exercise the power in paragraph (1) to the extent that the authority considers it is appropriate to do so as a result of scientific and technical progress.