

2009 No. 1517

**ENVIRONMENTAL PROTECTION, ENGLAND AND
WALES**

**The Pollution Prevention and Control (Designation of
Directives) (England and Wales) Order 2009**

Made - - - - *17th June 2009*

Coming into force - - *19th June 2009*

The Secretary of State, in relation to England, and the Welsh Ministers, in relation to Wales, make this Order in exercise of the powers conferred by paragraph 20(2)(c) of Schedule 1 to the Pollution Prevention and Control Act 1999(a).

Citation, commencement and extent

1.—(1) This Order may be cited as the Pollution Prevention and Control (Designation of Directives) (England and Wales) Order 2009; it extends to England and Wales and comes into force on 19th June 2009.

(2) In this article—

- (a) England and Wales includes the sea adjacent to England and Wales out as far as the seaward boundary of the territorial sea; and
- (b) the sea adjacent to Wales has the same meaning as in section 158 of the Government of Wales Act 2006(b).

Designation

2. The following Directives are designated as relevant directives for the purposes of paragraph 20(2)(c) of Schedule 1 to the Pollution Prevention and Control Act 1999—

- (a) Directive 2000/60/EC of the European Parliament and of the Council (establishing a framework for Community action in the field of water policy(c)), and
- (b) Directive 2006/118/EC of the European Parliament and of the Council (on the protection of groundwater against pollution and deterioration(d)).

(a) 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).

(b) 2006 c.32 (“the Act”); the boundary between the sea adjacent to Wales and that adjacent to England is described by article 6 of and Schedule 3 to the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672). By virtue of paragraph 26 of Schedule 11 to the Act, S.I. 1999/672 continues to have effect.

(c) OJ No L327, 22.12.2000, p. 1 as last amended by Directive 2008/105/EC of the European Parliament and of the Council (OJ No L 348, 24.12.2008, p. 84).

(d) OJ No. L372, 27.12.2006, p. 19.

17th June 2009

Huw Irranca-Davies
Parliamentary Under Secretary of State
Department for Environment, Food and Rural Affairs

17th June 2009

Jane Davidson
Minister for Environment, Sustainability and Housing
One of the Welsh Ministers

EXPLANATORY NOTE

(This note is not part of the Order)

This Order designates Directive 2000/60/EC of the European Parliament and of the Council (establishing a framework for Community action in the field of water policy) and Directive 2006/118/EC of the European Parliament and of the Council (on the protection of groundwater against pollution and deterioration) as relevant directives for the purposes of paragraph 20(2)(c) of Schedule 1 to the Pollution Prevention and Control Act 1999. This Order extends to England and Wales.

A full impact assessment has not been produced for this instrument as no impact on the public, private or voluntary sectors is foreseen.

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