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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations are made in exercise of the powers conferred by section 8(1) of the European Union (Withdrawal) Act 2018 (c. 16) in order to address failures of retained EU law to operate effectively and other deficiencies (in particular under section 8(2)(a), (d) and (g)) arising from the withdrawal of the UK from the European Union.

Regulation 2 corrects two errors in the Environment, Food and Rural Affairs (Environmental Impact Assessment) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/25).

Regulation 3 makes amendments to the Environmental Permitting (England and Wales) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/39) as a result of amendments made to the Medical Devices Regulations 2002 (S.I. 2002/618) by the Medical Devices (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/791). It updates the definitions of “medical device”, “in vitro diagnostic medical device” and “active implantable medical device” which are part of new Schedule 1A to the Environmental Permitting (England and Wales) Regulations 2016 (S.I. 2016/1154).

Regulation 4 amends the Waste (Miscellaneous Amendments) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/188). Paragraph (2) inserts two additional amendments into regulation 33 of the End-of-Life Vehicles Regulations 2003 (S.I. 2003/2635). Paragraphs (3), (4)(a) and (5) correct four errors. Paragraph (4)(b) inserts an additional amendment into paragraph 4 of Part 1 of Schedule 1 to the Waste (England and Wales) Regulations 2011 (S.I. 2011/988).

Regulation 5 corrects an error in the Waste (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/620).

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private or voluntary sector is foreseen.

**Changes to legislation:**

There are currently no known outstanding effects for the The Environment and Rural Affairs (Amendment) (EU Exit) Regulations 2019.