
STATUTORY INSTRUMENTS

2019 No. 1350

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

PART 3

Environmental noise

Retention of function from [Directive 2002/49/EC](#): power to update in light of scientific and technical progress

16.—(1) The appropriate authority may, by regulations—

- (a) amend any enactment which makes provision corresponding to that made by a relevant provision;
- (b) make provision requiring (whether by amending an enactment, or otherwise) a reference to a relevant provision in any enactment (or a reference which encompasses a relevant provision) to be read as a reference to that provision with modifications.

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

(3) In paragraph (1), “relevant provision” means one of the following provisions of [Directive 2002/49/EC](#) of the European Parliament and of the Council relating to the assessment and management of environmental noise⁽¹⁾—

- (a) point 3 of Annex 1 (supplementary noise indicators);
- (b) Annex 2 (assessment methods for noise indicators).

(4) In this regulation, “appropriate authority” means—

- (a) for regulations applying in relation to England, the Secretary of State;
- (b) for regulations applying in relation to Wales, the Welsh Ministers;
- (c) for regulations applying in relation to Scotland, the Scottish Ministers;
- (d) for regulations applying in relation to Northern Ireland, the Department of Agriculture, Environment and Rural Affairs.

(5) But the appropriate authority is the Secretary of State if consent is given by—

- (a) for regulations applying in relation to Wales, the Welsh Ministers;
- (b) for regulations applying in relation to Scotland, the Scottish Ministers;
- (c) for regulations applying in relation to Northern Ireland, the Department of Agriculture, Environment and Rural Affairs.

⁽¹⁾ OJ No L 189, 18.7.2002, p. 12, as last amended by Commission Directive (EU) 2015/996 (OJ No L 168, 1.7.2015, p. 1).

Status: *This is the original version (as it was originally made).*
