
STATUTORY INSTRUMENTS

2019 No. 473

**EXITING THE EUROPEAN UNION
ENVIRONMENTAL PROTECTION
WILDLIFE**

The Environment and Wildlife (Legislative
Functions) (EU Exit) Regulations 2019

Made - - - - 26th February 2019

Coming into force in accordance with regulation 1

The Secretary of State makes these Regulations in exercise of the powers conferred by section 8(1) of, and paragraph 21(b) of Schedule 7 to, the European Union (Withdrawal) Act 2018^{M1}.

In accordance with paragraph 1(1) of Schedule 7 to that Act, a draft of this instrument has been laid before Parliament and approved by a resolution of each House of Parliament.

Marginal Citations

M1 2018 c. 16.

PART 1 **U.K.**

Introduction

Citation and commencement **U.K.**

1. These Regulations may be cited as the Environment and Wildlife (Legislative Functions) (EU Exit) Regulations 2019 and come into force on exit day.

Commencement Information

II Reg. 1 in force at 31.12.2020 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1

*Status: This version of this Instrument contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the The Environment and Wildlife (Legislative Functions) (EU Exit) Regulations 2019. (See end of Document for details)*

PART 2 U.K.

Amendments to retained direct EU legislation on the environment

PROSPECTIVE

Regulation (EC) No 850/2004 of the European Parliament and of the Council on persistent organic pollutants U.K.

^{F1}2.

Textual Amendments

F1 Reg. 2 omitted (31.12.2020 immediately before IP completion day) by virtue of [The Persistent Organic Pollutants \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1358\)](#), regs. 2(1), 30

Council Regulation (EC) No 2173/2005 on the establishment of a FLEGT licensing scheme for imports of timber into the European Community U.K.

3.—(1) Council Regulation (EC) No 2173/2005 on the establishment of a FLEGT licensing scheme for imports of timber into the European Community is amended as follows.

(2) In Article 4(2)—

(a) in the first subparagraph—

(i) for “Commission” substitute “ Secretary of State ”;

(ii) for the words from “adopt” to the end substitute “ by regulations approve any such scheme ”;

(b) in the second subparagraph, for “Commission” substitute “ Secretary of State ”.

(3) For Article 5(9) substitute—

“9. The Secretary of State may, by regulations, make provision—

(a) for the information to be produced in a licence,

(b) for the form of such a licence, and

(c) in relation to the acceptance and verification of licences, including in relation to the inspection of shipments ^{M2}.”.

(4) In Article 10—

(a) for paragraph 1 substitute—

“1. The Secretary of State may, by regulations, insert an Annex 1 into this Regulation listing the partner countries and their designated licensing authorities.”;

(b) in paragraphs 2 and 3—

(i) in the first sentence, for the words from “Commission” to “11a to” substitute “ Secretary of State may, by regulations, ”;

(ii) in the second sentence, for “In adopting those amendments, the Commission” substitute “ When making regulations under this paragraph, the Secretary of State ”.

- (5) Omit Article 11.
- (6) For Article 11a substitute—

“Article 11a

- 1. Regulations made under this Regulation are to be made by statutory instrument.
- 2. A statutory instrument containing regulations made under this Regulation is subject to annulment in pursuance of a resolution of either House of Parliament.
- 3. Such regulations may—
 - (a) contain consequential, incidental, supplementary, transitional or saving provision (including provision amending, repealing or revoking enactments (which has the meaning given by section 20(1) of the European Union (Withdrawal) Act 2018));
 - (b) make different provision for different purposes.”.

Commencement Information

- I2** Reg. 3 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1

Marginal Citations

- M2** Equivalent provision is set out in Commission Regulation (EC) No 1024/2008 laying down detailed measures for the implementation of Council Regulation (EC) No 2173/2005 on the establishment of a FLEGT licensing scheme for imports of timber into the European Community.

Regulation (EC) No 166/2006 of the European Parliament and of the Council concerning the establishment of a European Pollutant Release and Transfer Register **U.K.**

4.—(1) Regulation (EC) No 166/2006 of the European Parliament and of the Council concerning the establishment of a European Pollutant Release and Transfer Register is amended as follows.

- (2) In Article 8(3)—
 - (a) in the first subparagraph—
 - (i) for “Commission” substitute “ appropriate authority ”;
 - (ii) for “measures to initiate” substitute “ the appropriate authority may, by regulations, make provision for the purpose of this Regulation regarding ”;
 - (iii) omit “shall be taken”;
 - (b) omit the second subparagraph.
- (3) In Article 9(4)—
 - (a) in the first sentence—
 - (i) for “Commission may adopt guidelines for” substitute “ appropriate authority may, by regulations, make provision in respect of ”;
 - (ii) for the words “in accordance” to the end substitute “ for the purpose of this Regulation ”;

- (b) in the second sentence—
 - (i) for “guidelines shall” substitute “ regulations must ”;
 - (ii) omit “, and shall be consistent with other Community legislation”.
- (4) In Article 18—
 - (a) in the first paragraph, in the words before point (a), for “Commission shall” substitute “ Secretary of State may, by regulations, ”;
 - (b) omit the second paragraph.
- (5) For Article 19 substitute—

*“Article 19
Regulations*

1. Regulations made by the Secretary of State or the Welsh Ministers under this Regulation are to be made by statutory instrument.
2. For regulations made by the Scottish Ministers under this Regulation, see section 27 of the Interpretation and Legislative Reform (Scotland) Act 2010.
3. Any power of the Department of Agriculture, Environment and Rural Affairs to make regulations under this Regulation is exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979.
4. A statutory instrument containing regulations made by the Secretary of State under this Regulation is subject to annulment in pursuance of a resolution of either House of Parliament.
5. A statutory instrument containing regulations made by the Welsh Ministers under this Regulation is subject to annulment in pursuance of a resolution of the National Assembly for Wales.
6. Regulations made by the Scottish Ministers under this Regulation are subject to the negative procedure (see section 28 of the Interpretation and Legislative Reform (Scotland) Act 2010).
7. Regulations made by the Department of Agriculture, Environment and Rural Affairs under this Regulation are subject to negative resolution within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954 as if they were a statutory instrument within the meaning of that Act.
8. Such regulations may—
 - (a) contain consequential, incidental, supplementary, transitional or saving provision (including provision amending, repealing or revoking enactments (which has the meaning given by section 20(1) of the European Union (Withdrawal) Act 2018));

(b) make different provision for different purposes.

9. For the purposes of regulations made under Article 8(3) or 9(4), the Secretary of State is the appropriate authority 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.

10. The Secretary of State may only make regulations for the purposes of Article 18 in relation to the whole of the United Kingdom.

11. The Secretary of State may not make regulations in accordance with paragraph 10 without the consent of—

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

12. Where any of the parties mentioned in paragraph 11(a) to (c) requests that the Secretary of State make regulations under this Regulation, the Secretary of State must have regard to that request.”.

Commencement Information

I3 Reg. 4 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1

Regulation (EC) No 1013/2006 of the European Parliament and of the Council on shipments of waste **U.K.**

5.—(1) Regulation (EC) No 1013/2006 of the European Parliament and of the Council on shipments of waste is amended as follows.

(2) In Article 26(4), for the second subparagraph substitute—

“5. The Secretary of State may, if the condition in paragraph 6 is met, make regulations setting out the technical and organisational requirements for the practical implementation of electronic data interchange for the submission of documents and information with a view to facilitating the implementation of paragraph 4.

6. The condition is that the Secretary of State—

- (a) has taken into consideration any relevant international standards, and

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- (b) is satisfied that the requirements set out in the regulations are in conformity with Regulation (EU) No 910/2014 or provide at least the same level of security as provided for under that Regulation.”.
- (3) In Article 36(5)—
- (a) in the first sentence, for “Member State concerned” substitute “competent authority”;
 - (b) in the second sentence, for the words from the beginning to “Commission” substitute “The competent authority shall notify any case to the Secretary of State”;
 - (c) in the third sentence—
 - (i) for “Commission” substitute “Secretary of State”;
 - (ii) omit “to all Member States and”;
 - (d) in the fourth sentence—
 - (i) for “Commission” substitute “Secretary of State”;
 - (ii) for “adapt” substitute “amend”.
- (4) In Article 37(2)—
- (a) for the first subparagraph substitute—

“The Secretary of State may, by regulations, amend Commission Regulation (EC) No 1418/2007 in order to take into account any replies received pursuant to paragraph 1 on or after exit day.”;
 - (b) omit the third subparagraph.
- (5) For Article 50(4e) substitute—
- “4e. The Secretary of State may, by regulations, amend the correlation table in Commission Implementing Regulation (EU) 2016/1245 in order to—
- (a) reflect changes to the combined nomenclature provided for in Council Regulation (EEC) No 2658/87;
 - (b) reflect changes to the entries of waste listed in Annexes 3, 3A, 3B, 4, 4A and 5;
 - (c) include any new waste-related codes of the Harmonised System Nomenclature that the World Customs Organisation may adopt.”.
- (6) In Article 58(1)—
- (a) in the words before point (a), for the words from “Commission” to “Article 58a to” substitute “Secretary of State may, by regulations,”;
 - (b) in point (b), for the words from “agreed” to the end substitute “any amendments made to Commission Decision 2000/532/EC”.
- (7) For Article 59a substitute—

*“Article 59a
Regulations*

1. Regulations made under this Regulation are to be made by statutory instrument.
2. A statutory instrument containing regulations made under this Regulation is subject to annulment in pursuance of a resolution of either House of Parliament.

3. Such regulations may—
 - (a) contain consequential, incidental, supplementary, transitional or saving provision (including provision amending, repealing or revoking enactments (which has the meaning given by section 20(1) of the European Union (Withdrawal) Act 2018));
 - (b) make different provision for different purposes.”.

Commencement Information

- I4** Reg. 5 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1

Regulation (EU) No 995/2010 of the European Parliament and of the Council laying down the obligations of operators who place timber and timber products on the market **U.K.**

6.—(1) Regulation (EU) No 995/2010 of the European Parliament and of the Council laying down the obligations of operators who place timber and timber products on the market is amended as follows.

- (2) In Article 1, for “internal” substitute “ UK ”.
- (3) In Article 6—
 - (a) in paragraph 1(b), in the second subparagraph, after “including” insert “ the following criteria (referred to in this Article as the “specified criteria”) ”;
 - (b) for paragraph 3 substitute—

“3. The Secretary of State may, by regulations, amend the list of specified criteria in this Article to add further risk assessment criteria that the Secretary of State considers necessary for the purposes of ensuring the effectiveness of the due diligence system.”;

- (c) after paragraph 3 insert—

“4. Before exercising the power in paragraph 3 to make regulations, the Secretary of State must take into account:

- (a) market developments; and
- (b) experience gained in the operation of this Regulation.”.

- (4) For Articles 14 and 15 substitute—

“Article 14

Amendments to the Annex

1. The Secretary of State may make regulations amending and supplementing the list of timber and timber products set out in the Annex.
2. In making regulations under paragraph 1 the Secretary of State must have regard to—
 - (a) the experience gained in the operation of this Regulation;

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- (b) developments with regard to technical characteristics, end users and production processes of timber and timber products; and
- (c) the need to ensure that such regulations do not create a disproportionate burden on operators.

Article 15
Regulations

1. Regulations made under this Regulation are to be made by statutory instrument.
2. A statutory instrument containing regulations made under this Regulation is subject to annulment in pursuance of a resolution of either House of Parliament.
3. Such regulations may—
 - (a) contain consequential, incidental, supplementary, transitional or saving provision (including provision amending, repealing or revoking enactments (which has the meaning given by section 20(1) of the European Union (Withdrawal) Act 2018)); and
 - (b) make different provision for different purposes.”.

Commencement Information

I5 Reg. 6 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1

Regulation (EU) No 511/2014 of the European Parliament and of the Council on compliance measures for users from the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization in the Union **U.K.**

7.—(1) Regulation (EU) No 511/2014 of the European Parliament and of the Council on compliance measures for users from the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization in the Union is amended as follows.

- (2) In Article 5(5)—
 - (a) in the first sentence, for “Commission shall adopt implementing acts to” substitute “Secretary of State may, by regulations, ”;
 - (b) omit the second sentence.
- (3) In Article 7(6)—
 - (a) in the first sentence, for “Commission shall adopt implementing acts to” substitute “Secretary of State may, by regulations, ”;
 - (b) in the second sentence, for “In those implementing acts, the Commission shall” substitute “When making regulations under this paragraph, the Secretary of State must ”;
 - (c) omit the third sentence.
- (4) In Article 8(7)—
 - (a) in the first sentence, for “Commission shall adopt implementing acts to” substitute “Secretary of State may, by regulations, ”;

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Changes to legislation: There are currently no known outstanding effects for the The Environment and Wildlife (Legislative Functions) (EU Exit) Regulations 2019. (See end of Document for details)

- (b) omit the second sentence.
- (5) For Article 14 substitute—

*“Article 14
Regulations*

1. Regulations made under this Regulation are to be made by statutory instrument.
2. A statutory instrument containing regulations made under this Regulation is subject to annulment in pursuance of a resolution of either House of Parliament.
3. Such regulations may—
 - (a) contain consequential, incidental, supplementary, transitional or saving provision (including provision amending, repealing or revoking enactments (which has the meaning given by section 20(1) of the European Union (Withdrawal) Act 2018));
 - (b) make different provision for different purposes.”.

Commencement Information

- I6** Reg. 7 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1

PROSPECTIVE

Regulation EU 2017/852 of the European Parliament and of the Council on mercury **U.K.**

F28.

Textual Amendments

- F2** Reg. 8 omitted (31.12.2020 immediately before IP completion day) by virtue of [The Control of Mercury \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1620\)](#), regs. 2(1), **39**

PART 3 **U.K.**

Other provision in relation to the environment

Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions (integrated pollution prevention and control) (Recast) Power to make decisions on BAT conclusions for the purposes of Directive 2010/75/EU **U.K.**

9.—(1) An appropriate authority may, by regulations, make provision specifying BAT conclusions for the purposes of provisions that have transposed Directive 2010/75/EU of the

European Parliament and of the Council on industrial emissions (integrated pollution prevention and control) (Recast)^{M3} into domestic law.

(2) Regulations made by the Secretary of State or the Welsh Ministers under this Part are to be made by statutory instrument.

(3) For regulations made by the Scottish Ministers under this Part, see section 27 of the Interpretation and Legislative Reform (Scotland) Act 2010.

(4) Any power of the Department of Agriculture, Environment and Rural Affairs to make regulations under this Part is exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979.

(5) A statutory instrument containing regulations made by the Secretary of State under this Part is subject to annulment in pursuance of a resolution of either House of Parliament.

(6) A statutory instrument containing regulations made by the Welsh Ministers under this Part is subject to annulment in pursuance of a resolution of the National Assembly for Wales.

(7) Regulations made by the Scottish Ministers under this Part are subject to the negative procedure (see section 28 of the Interpretation and Legislative Reform (Scotland) Act 2010).

(8) Regulations made by the Department of Agriculture, Environment and Rural Affairs under this Part are subject to negative resolution within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954 as if they were a statutory instrument within the meaning of that Act.

(9) Such regulations may—

(a) contain consequential, incidental, supplementary, transitional or saving provision (including provision amending, repealing or revoking enactments (which has the meaning given by section 20(1) of the European Union (Withdrawal) Act 2018));

(b) make different provision for different purposes.

(10) Before making any regulations under this Part, an appropriate authority must consult—

(a) such bodies or persons as appear to the appropriate authority to be representative of the interests likely to be substantially affected by the regulations;

(b) such other bodies or persons as the appropriate authority may consider appropriate.

(11) In this Part, “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.

(12) 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.

(13) In this Part, “BAT conclusions” means a document laying down the conclusions on best available techniques, their description, information to assess their applicability, the emission levels associated with the best available techniques, associated monitoring, associated consumption levels and, where appropriate, relevant site remediation measures.

(14) In relation to paragraph (13) and this paragraph—

“available techniques” means those developed on a scale which allows implementation in the relevant industrial sector, under economically and technically viable conditions, taking into consideration the costs and advantages, whether or not the techniques are used or produced inside the United Kingdom, as long as they are reasonably accessible;

“best” means most effective in achieving a high general level of protection of the environment as a whole;

“best available techniques” means the most effective and advanced stage in the development of activities and their methods of operation which indicates the practical suitability of particular techniques for providing the basis for emission limit values and other permit conditions designed to prevent and, where that is not practicable, to reduce emissions and the impact on the environment as a whole.

“emission levels associated with the best available techniques” means the range of emission levels obtained under normal operating conditions using a best available technique or a combination of best available techniques, as described in BAT conclusions, expressed as an average over a given period of time, under specified reference conditions;

“emission limit value” means the mass, expressed in terms of certain specific parameters, concentration and/or level of an emission, which may not be exceeded during one or more periods of time;

“techniques” includes both the technology used and the way in which the installation is designed, built, maintained, operated and decommissioned.

Commencement Information

I7 Reg. 9 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1

Marginal Citations

M3 OJ No L 334, 17.12.2010, p 17, as corrected by a corrigendum (OJ No L 158, 19.6.2012, p 25).

PART 4 **U.K.**

Amendments to retained direct EU legislation on wildlife

Council Regulation (EEC) No 3254/91 prohibiting the use of leghold traps in the Community and the introduction into the Community of pelts and manufactured goods of certain wild animal species originating in countries which catch them by means of leghold traps or trapping methods which do not meet international humane trapping standards **U.K.**

10.—(1) Council Regulation (EEC) No 3254/91 prohibiting the use of leghold traps in the Community and the introduction into the Community of pelts and manufactured goods of certain wild animal species originating in countries which catch them by means of leghold traps or trapping methods which do not meet international humane trapping standards is amended as follows.

(2) In Article 3—

[^{F3}(a) in paragraph 1, omit the words from “unless the Commission” to the end;]

(b) at the end insert—

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Changes to legislation: There are currently no known outstanding effects for the The Environment and Wildlife (Legislative Functions) (EU Exit) Regulations 2019. (See end of Document for details)

“4. In [^{F4}paragraph 3 and Article 4], “an approved country”, in relation to the pelts of any species (and goods incorporating such pelts), means a country listed in the Annex to the Council Decision in respect of that species.

5. Subject to paragraph 6, the Secretary of State may, by regulations, amend the Annex to the Council Decision by—

- (a) adding an entry;
- (b) amending an entry;
- (c) omitting an entry.

6. The Secretary of State may not add a country to the list of approved countries in the Annex to the Council Decision unless the Secretary of State is satisfied that, in that country—

- (a) there are adequate administrative or legislative provisions in force to prohibit the use of the leghold trap, or
- (b) the trapping methods used for the species specified in Annex 1 meet internationally agreed trapping standards.

7. In this Article, “the Council Decision” means Council Decision [97/602/EC](#) concerning the list referred to in the second subparagraph of Article 3(1) of Regulation [\(EEC\) No 3254/1991](#) and in Article 1(1)(a) of Commission Regulation [\(EC\) No 35/97](#).”.

(3) In Article 4, for the second paragraph substitute—

“The Secretary of State may, by regulations, amend Council Regulation [\(EC\) No 35/97](#) laying down provision on the certification of pelts and goods covered by Regulation [\(EEC\) No 3254/91](#).”.

(4) For Article 5 substitute—

“Article 5

1. Regulations made under this Regulation are to be made by statutory instrument.

2. A statutory instrument containing regulations made under this Regulation is subject to annulment in pursuance of a resolution of either House of Parliament.

3. Such regulations may contain consequential, incidental, supplementary, transitional or saving provision (including provision amending, repealing or revoking enactments (which has the meaning given by section 20(1) of the European Union (Withdrawal) Act 2018)).”.

Textual Amendments

- F3** Reg. 10(2)(a) substituted (31.12.2020 immediately before IP completion day) by [The Animal Welfare and Invasive Non-native Species \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1590\)](#), regs. 1(1)(b)(i), **5(2)(a)**

Status: This version of this Instrument contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the The Environment and Wildlife (Legislative Functions) (EU Exit) Regulations 2019. (See end of Document for details)

F4 Words in reg. 10(2)(b) substituted (31.12.2020 immediately before IP completion day) by [The Animal Welfare and Invasive Non-native Species \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1590\)](#), regs. 1(1)(b)(i), **5(2)(b)**

Commencement Information

I8 Reg. 10 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

Commission Regulation (EC) No 35/97 laying down provisions on the certification of pelts and goods covered by Council Regulation (EEC) No 3254/91 **U.K.**

11. In Article 2 of Commission Regulation (EC) No 35/97 laying down provisions on the certification of pelts and goods covered by Council Regulation (EEC) No 3254/91—

- (a) in paragraph 1, for “shown in the Annex” substitute “ which at the date of importation is for the time being specified by the Secretary of State ”;
- (b) after paragraph 3 insert—

“**4.** The Secretary of State must publish the model forms referred to in paragraph 1 in a manner which the Secretary of State considers appropriate.”.

Commencement Information

I9 Reg. 11 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

PROSPECTIVE

Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein **U.K.**

F5 **12.**

Textual Amendments

F5 Reg. 12 omitted (31.12.2020) by virtue of [The Environment and Wildlife \(Miscellaneous Amendments etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1395\)](#), regs. 1(2), **4**

Department for Environment, Food and Rural
Affairs

Thérèse Coffey
Parliamentary Under Secretary of State

Status: *This version of this Instrument contains provisions that are prospective.*
Changes to legislation: *There are currently no known outstanding effects for the The Environment and Wildlife (Legislative Functions) (EU Exit) Regulations 2019. (See end of Document for details)*

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers conferred by 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), (b), (f) and (g)) arising from the withdrawal of the United Kingdom from the European Union.

They provide for functions of making an instrument of a legislative character exercised by EU entities to be exercisable instead by a public authority in the United Kingdom. These functions are in the fields of the environment and wildlife. The provisions are all amendments to retained direct EU legislation except for regulation 9, which concerns a legislative function in Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions (integrated pollution prevention and control) (Recast) (OJ No L 334, 17.12.2010, p 17).

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

Status:

This version of this Instrument contains provisions that are prospective.

Changes to legislation:

There are currently no known outstanding effects for the The Environment and Wildlife (Legislative Functions) (EU Exit) Regulations 2019.