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WELSH STATUTORY INSTRUMENTS

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**2018 No. 724 (W. 141)**

**ENVIRONMENTAL PROTECTION, WALES  
LICENSING (MARINE), WALES  
MARINE POLLUTION, WALES**

**The Marine Licensing (Exempted Activities)  
(Wales) (Amendment) Order 2018**

<i>Made</i>	- - - -	<i>11th June 2018</i>
<i>Laid before the National Assembly for Wales</i>	- -	<i>14th June 2018</i>
<i>Coming into force</i>	- -	<i>5th July 2018</i>

The Welsh Ministers are designated<sup>(1)</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>(2)</sup> in relation to the prevention, reduction and management of waste<sup>(3)</sup>.

The Welsh Ministers make this Order in exercise of the powers conferred by section 2(2) of that Act.

**Title and commencement**

1.—(1) The title of this Order is the Marine Licensing (Exempted Activities) (Wales) (Amendment) Order 2018.

(2) This Order comes into force on 5 July 2018.

**Amendment of the Marine Licensing (Exempted Activities) (Wales) Order 2011**

2.—(1) The Marine Licensing (Exempted Activities) (Wales) Order 2011<sup>(4)</sup> is amended as follows.

(2) In article 3 (interpretation), in the definition of “the Waste Framework Directive” (“*y Gyfarwydddeb Fframwaith Gwastraff*”), for “as last amended by Commission Directive (EU) 2015/1127”, substitute “as last amended by Council Regulation (EU) 2017/997<sup>(5)</sup>”.

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- (1) By virtue of section 59(2) of the Government of Wales Act 2006 (c. 32) the Welsh Ministers may exercise the power conferred by section 2(2) of the European Communities Act 1972 (c. 68) in relation to any matter, or for any purpose, if they have been designated in relation to that matter or for that purpose.
- (2) 1972 c. 68. Section 2(2) was amended by section 27(1)(a) of the Legislative and Regulatory Reform Act 2006 (c. 51) and section 3 of, and Part 1 of the Schedule to the European Union (Amendment) Act 2008 (c. 7).
- (3) S.I. 2010/1552.
- (4) S.I. 2011/559 (W. 81), amended by S.I. 2016/690 (W. 188).
- (5) OJ No. L 150, 14.6.2017, p. 1.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## Revocation

3. The Marine Licensing (Exempted Activities) (Wales) (Amendment) Order 2016(6) is revoked.

11th June 2018

*Lesley Griffiths*  
Cabinet Secretary for Energy, Planning and  
Rural Affairs, one of the Welsh Ministers

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## EXPLANATORY NOTE

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

This Order amends the Marine Licensing (Exempted Activities) (Wales) Order 2011 (“the 2011 Order”), which refers to [Directive 2008/98/EC](#) of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJNo. L 312, 22.11.2008, p. 3) (“the Waste Framework Directive”).

The Waste Framework Directive was amended by Council Regulation (EU) 2017/997 of 8 June 2017 amending Annex III to [Directive 2008/98/EC](#) of the European Parliament and of the Council as regards the hazardous property HP 14 ‘Ecotoxic’ (OJ No. L 150, 14.6.2017, p. 1).

Article 2 of this Order amends the definition of the Waste Framework Directive in article 3 of the 2011 Order to refer to that Directive as last amended by Council Regulation (EU) 2017/997.

Article 3 revokes the Marine Licensing (Exempted Activities) (Wales) (Amendment) Order 2016.

The Welsh Ministers’ Code of Practice on the carrying out of regulatory impact assessments for subordinate legislation was considered in relation to this Order. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with this Order.