
DRAFT STATUTORY INSTRUMENTS

2019 No.

**The Waste (Miscellaneous Amendments)
(EU Exit) Regulations 2019**

PART 4

Amendment and revocation of retained direct EU legislation

CHAPTER 2

Decisions

Commission Decision 2001/171/EC establishing the conditions for a derogation for glass packaging in relation to the heavy metal concentration levels established in Directive 94/62/EC on packaging and packaging waste

14.—(1) Commission Decision 2001/171/EC establishing the conditions for a derogation for glass packaging in relation to the heavy metal concentration levels established in Directive 94/62/EC on packaging and packaging waste is amended as follows.

(2) Before Article 1, insert—

“Article 1

1. In this Decision, “Directive 94/62/EC” means European Parliament and Council Directive 94/62/EC on packaging and packaging waste⁽¹⁾, as last amended by Directive (EU) 2015/720 of the European Parliament and of the Council⁽²⁾, and read in accordance with paragraphs 2 to 4.

2. Article 2 is to be read as if—

- (a) in paragraph 1, for “Community” there were substituted “United Kingdom”;
- (b) paragraph 2 were omitted.

3. Article 3 is to be read as if—

- (a) in paragraph 1, the fourth subparagraph were omitted;
- (b) in paragraph 2, for “Directive 75/442/EEC” there were substituted “Article 3(1) of the Waste Framework Directive, as read with Articles 5 and 6 of that Directive”.

4. In paragraph 3(b), the “Waste Framework Directive” means Directive 2008/98/EC of the European Parliament and of the Council on waste, as last amended by Council Regulation (EU) 2017/997, and read in accordance with paragraphs 5 and 6.

5. Article 5 is to be read as if paragraph 2 were omitted.

6. Article 6 is to be read as if—

(1) OJ No L 365, 31.12.1994, p 10.

(2) OJ No L 115, 6.5.2015, p 11.

- (a) paragraphs 1 to 3 were omitted;
 - (b) in paragraph 4—
 - (i) in the first sentence, for the words from “Where criteria” to “Member States” there were substituted “Except where waste ceases to be waste in accordance with Council Regulation (EU) No 333/2011, [Commission Regulation \(EU\) No 1179/2012](#) or [Commission Regulation \(EU\) No 715/2013](#), the appropriate agency”;
 - (ii) the second sentence were omitted.
7. In paragraph 6(b)(i), “appropriate agency” means—
- (a) in relation to England, the Environment Agency;
 - (b) in relation to Wales, the Natural Resources Body for Wales;
 - (c) in relation to Scotland, the Scottish Environment Protection Agency;
 - (d) in relation to Northern Ireland, the Department of Agriculture, Environment and Rural Affairs.”.
- (3) In Article 1, omit the words from “, and aims” to the end.
- (4) In Article 3, omit “established in Article 11 of [Directive 94/62/EC](#)”.
- (5) In Article 5—
- (a) in the first paragraph, in the words before the first indent, in the first sentence, omit “in the Member States”;
 - (b) in the second paragraph—
 - (i) for “European Union” substitute “United Kingdom”;
 - (ii) omit “Community”.
- (6) Omit Article 7.