

*This Statutory Instrument has been made in consequence of a defect in [SI 2019/473](#) and is being issued free of charge to all known recipients of that Statutory Instrument.*

*Draft Regulations laid before Parliament under paragraph 1(1) of Schedule 7 to the European Union (Withdrawal) Act 2018, for approval by resolution of each House of Parliament.*

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## DRAFT STATUTORY INSTRUMENTS

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**2019 No.000**

# **EXITING THE EUROPEAN UNION ENVIRONMENTAL PROTECTION WILDLIFE**

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

*Made* - - - -

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*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 of Schedule 7 to, the European Union (Withdrawal) Act 2018<sup>(1)</sup>.

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.

### **Citation and commencement**

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

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

**2.** In regulation 12 of the Environment and Wildlife (Legislative Functions) (EU Exit) Regulations 2019<sup>(2)</sup>—

- (a) in paragraph (5), for “writing, and published,” in each place it occurs, substitute “regulations made”;
- (b) in paragraph (10), in the inserted text, after Article 18(2)(b), insert—

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(1) 2018 c. 16.

(2) [S.I. 2019/473](#).

“(ba) Article 7(1);  
(bb) Article 7(2);  
(bc) Article 7(3);”.

Date

*Name*  
Parliamentary Under Secretary of State  
Department for Environment, Food and Rural  
Affairs

## 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) (“the 2018 Act”), in order to address failures of retained EU law to operate effectively and other deficiencies (in particular under section 8(2)(a), (b), and (g) of the 2018 Act) arising from the withdrawal of the United Kingdom from the European Union.

They amend regulation 12 of the Environment and Wildlife (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/473).

The amendments made by regulation 2(a) provide that European Commission functions of making instruments of a legislative character under Article 7(1) to (3) of Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein are exercisable by the Secretary of State in regulations. The amendments made by regulation 2(b) provide for a statutory instrument containing such regulations to be subject to annulment in pursuance of a resolution of either House of Parliament.

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