
EXPLANATORY NOTE

(This note is not part of the Order)

This Order is made under sections 22 and 24 of the Government of Wales Act 1998.

Article 2 contains a statement in the form required by section 5 of the Pollution Prevention and Control Act 1999 (“the 1999 Act”) so that a draft of this Order shall not have to be laid before, and approved by a resolution of, each House of Parliament but instead shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Article 3 provides for the transfer to the National Assembly for Wales of the functions of the Secretary of State under or in relation to section 2 of the 1999 Act and of regulations made under section 2 of that Act. Functions in relation to offshore oil and gas exploration and exploitation are excluded. The transferred functions relate to the regulation of polluting activities pursuant to Council Directive [96/61/EC](#).

Article 4 provides for the exclusion from that transfer of certain property that would otherwise transfer to the National Assembly for Wales under section 23(1) of the Government of Wales Act 1998.