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STATUTORY INSTRUMENTS

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**2018 No. 1227**

**ENVIRONMENTAL PROTECTION,  
ENGLAND AND WALES**

**The Environmental Protection (Miscellaneous  
Amendments) (England and Wales) Regulations 2018**

*Made* - - - - *22nd November*  
*2018*

*Laid before Parliament* *26th November 2018*

*Laid before the National* *22nd November*  
*Assembly for Wales* - - *2018*

*Coming into force in accordance with regulation 2*

The Secretary of State makes these Regulations in relation to the transfer of household waste in England in exercise of the powers conferred by section 2(2) of the European Communities Act 1972<sup>(1)</sup>.

The Secretary of State and the Welsh Ministers make these Regulations—

- (a) in relation to the regulation of waste operations and radioactive substances activities, in exercise of the powers conferred by sections 2 and 7(9) of, and Schedule 1 to, the Pollution Prevention and Control Act 1999<sup>(2)</sup>; and
- (b) in relation to the regulation of flood risk activities, in exercise of the powers conferred by section 61(1) of, and paragraphs 3 and 14 of Schedule 8 to, the Water Act 2014<sup>(3)</sup>.

The Secretary of State has been designated for the purposes of section 2(2) of the European Communities Act 1972 in relation to the environment<sup>(4)</sup>.

In accordance with section 2(4) of the Pollution Prevention and Control Act 1999 and section 61(5) of the Water Act 2014, the Secretary of State and the Welsh Ministers have consulted—

- (a) the Environment Agency;

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(1) 1972 c. 68; section 2(2) was amended by section 27(1)(a) of the Legislative and Regulatory Reform Act 2006 (c. 51) and by Part 1 of the Schedule to the European Union (Amendment) Act 2008 (c. 7).

(2) 1999 c. 24; section 2 was amended by section 62(13) of the Water Act 2014 (c. 21) and by S.I. 2013/755 (W.90). Schedule 1 has been amended as follows: paragraphs 3 and 20 were amended by S.I. 2011/1043; paragraph 9A was inserted by, and paragraph 24 amended by, S.I. 2005/925 and paragraph 9A was further amended by S.I. 2012/2788; paragraph 21A was inserted by section 38 of the Waste and Emissions Trading Act 2003 (c. 33), and paragraph 25 was amended by section 105(1) of the Clean Neighbourhoods and Environment Act 2005 (c. 16) and by S.I. 2015/664. Functions of the Secretary of State, so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales by virtue of article 3(1) of the National Assembly for Wales (Transfer of Functions) Order 2005 (S.I. 2005/1958). Functions of the National Assembly for Wales were transferred to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).

(3) 2014 c. 21, to which there are amendments not relevant to these Regulations.

(4) S.I. 2008/301.

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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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- (b) the Natural Resources Body for Wales;
- (c) such bodies or persons appearing to them to be representative of the interests of local government, industry, agriculture and small business as they consider appropriate; and
- (d) such other bodies or persons as they consider appropriate.