
STATUTORY INSTRUMENTS

2018 No. 369

**ENVIRONMENTAL PROTECTION,
ENGLAND AND WALES
WASTE, ENGLAND AND WALES**

The Waste Enforcement (England and Wales) Regulations 2018

*Made - - - - 8th March 2018
Coming into force in accordance with regulation 1(2)
and (3)*

The Secretary of State, in relation to England, and the Welsh Ministers, in relation to Wales, make these Regulations in exercise of the powers conferred by section 2(1), (2) and (3) of, and paragraph 20 of Schedule 1 to, the Pollution Prevention and Control Act 1999 (“the Act”)(1).

The Secretary of State and the Welsh Ministers have, in accordance with section 2(4) of the Act, consulted—

- (a) the Environment Agency,
- (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 businesses as they consider appropriate, and
- (d) such other bodies or persons as they consider appropriate.

A draft of this instrument has been approved by a resolution of each House of Parliament and by the National Assembly for Wales pursuant to section 2(8) and (9)(d) and (e) of the Act(2).

(1) 1999 c. 24; section 2 was amended by the Water Act 2014 (c. 21), section 62(13) and S.I. 2013/755 (W. 90). Functions of the Secretary of State under or in relation to section 2, so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales, except in relation to offshore oil and gas exploration and exploitation, by the National Assembly for Wales (Transfer of Functions) Order 2005 (S.I. 2005/1958), article 3(1). Functions of the National Assembly for Wales were transferred to the Welsh Ministers by the Government of Wales Act 2006 (c. 32), Schedule 11, paragraph 30. Paragraph 20 of Schedule 1 was amended by S.I. 2011/1043.

(2) By virtue of paragraph 33(2) and (6)(a) of Schedule 11 to the Government of Wales Act 2006, section 2(8) has effect in relation to the exercise of the powers conferred by section 2 of the Pollution Prevention and Control Act 1999 by the Welsh Ministers as if the reference to each House of Parliament included a reference to the Assembly.