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STATUTORY INSTRUMENTS

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**2018 No. 644**

**The Welsh Ministers (Transfer of Functions) Order 2018**

**Pollution Prevention and Control Act 1999**

**36.**—(1) The functions of the Secretary of State under section 2 (regulation of polluting activities) of the Pollution Prevention and Control Act 1999<sup>(1)</sup> in relation to offshore oil and gas exploration and exploitation, so far as they are exercisable in relation to Wales, are transferred to the Welsh Ministers.

(2) It is directed that in so far as any of the functions mentioned in paragraph (1) are exercisable in relation to a cross-border body, but which by their nature are not functions which can be specifically exercised in relation to Wales, such functions are exercisable by the Welsh Ministers in relation to that body concurrently with the Secretary of State.

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(1) [1999 c. 24](#); section 2 was amended by section 62(13) of the Water Act [2014 \(c. 21\)](#) and article 4(1) of, and paragraphs 394 and 395 of Part 1 of Schedule 2 to, [S.I. 2013/755](#). The functions of the Secretary of State, so far as they are exercisable in relation to Wales and do not consist of functions relating to offshore oil and gas exploration and exploitation, were transferred to the Welsh Ministers by [S.I. 2005/1958](#).