
WELSH STATUTORY INSTRUMENTS

2019 No. 244

**The Environmental Damage (Prevention and Remediation)
(Wales) (Amendment) (EU Exit) Regulations 2019**

Amendment of the Environmental Damage (Prevention and Remediation) (Wales) Regulations 2009

2.—(1) The Environmental Damage (Prevention and Remediation) (Wales) Regulations 2009⁽¹⁾ are amended as follows.

(2) In regulation 2, in paragraph (3)(a), at the end insert “, or under retained EU law⁽²⁾ which transposed [Directive 2001/18/EC](#) in relation to Wales.”.

(3) For regulation 3 substitute—

“3.—(1) References in these Regulations to EU instruments are to those instruments as they had effect immediately before exit day.

(2) References to—

- (a) the European Union, or otherwise to the area to which that instrument applies;
- (b) a Member State,

in any EU instrument referred to in these Regulations includes the United Kingdom.”.

(4) In Schedule 1, in paragraph 1(1)(e), for “or European Union-wide” substitute “, national or in their natural range”.

(5) In Schedule 2—

(a) after paragraph 1 insert—

“1A. A reference in this Schedule to an activity being authorised, prohibited, operated or managed pursuant to, or subject to, a permit or registration under an EU Directive includes, after exit day, any activity authorised, prohibited, operated or managed pursuant to, or subject to, a permit or registration under any retained EU law which transposed that Directive.”; and

(b) in paragraph 10, for the words from “European Union” to the end, substitute “European Union, or after exit day into or out of the United Kingdom, requiring an authorisation or prohibited under Regulation [\(EC\) No 1013/2006](#) of the European Parliament and of the Council on shipments of waste.”.

(1) [S.I. 2009/995 \(W. 81\)](#), amended by [S.I. 2011/1043](#); there are other amending instruments but none is relevant.

(2) Retained EU law has the same meaning as in section 6 of the European Union (Withdrawal) Act 2018.