

*Draft Regulations laid before Parliament and the National Assembly for Wales under section 2(8) and (9)(d) of the Pollution Prevention and Control Act 1999 for approval by resolution of each House of Parliament and of the Assembly.*

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DRAFT STATUTORY INSTRUMENTS

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**2018 No. 0000**

**ENVIRONMENTAL PROTECTION,  
ENGLAND AND WALES**

**The Environmental Permitting (England  
and Wales) (Amendment) Regulations 2018**

*Made* - - - - *[date] 2018*

*Coming into force in accordance with regulation 1*

The Secretary of State and the Welsh Ministers make these Regulations in exercise of the powers conferred by sections 2 and 7(9) of, and Schedule 1 to, the Pollution Prevention and Control Act 1999 (“the 1999 Act”)(1).

In accordance with section 2(4) of the 1999 Act, the Secretary of State and the Welsh Ministers have 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) of the 1999 Act(2).

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(1) 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).

(2) The reference in section 2(8) to approval by each House of Parliament has effect in relation to exercise of functions by the Welsh Ministers as if it were a reference to approval by the National Assembly for Wales by virtue of paragraph 33 of Schedule 11 to the Government of Wales Act 2006.