
DRAFT STATUTORY INSTRUMENTS

2020 No.

The Waste and Environmental Permitting etc. (Legislative Functions and Amendment etc.) (EU Exit) Regulations 2020

PART 2

Retention of legislative functions: list of waste

Interpretation

2.—(1) In this Part—

“the Waste Framework Directive” means [Directive 2008/98/EC](#) of the European Parliament and of the Council on waste⁽¹⁾, as last amended by Directive (EU) 2018/851⁽²⁾, and read in accordance with paragraph (2);

“the appropriate authority” has the meaning given in paragraphs (3) and (4);

“hazardous waste” and “non-hazardous waste” have the meanings given in Article 3(2) and (2a) of the Waste Framework Directive;

“waste” has the meaning given in Article 3(1) of the Waste Framework Directive.

(2) For the purposes of this Part, the Waste Framework Directive is to be read as if, in Annex 3, in entry HP 9, in the second sentence, “in the Member States” were omitted.

(3) “The appropriate authority” means—

- (a) for regulations applying in relation to England, the Secretary of State;
- (b) for regulations applying in relation to Wales, the Welsh Ministers;
- (c) for regulations applying in relation to Scotland, the Scottish Ministers;
- (d) for regulations applying in relation to Northern Ireland, the Department of Agriculture, Environment and Rural Affairs.

(4) But the appropriate authority is the Secretary of State if consent is given by—

- (a) for regulations applying in relation to Wales, the Welsh Ministers;
- (b) for regulations applying in relation to Scotland, the Scottish Ministers;
- (c) for regulations applying in relation to Northern Ireland, the Department of Agriculture, Environment and Rural Affairs.

(1) OJ No L 312, 22.11.2008, p. 3.
(2) OJ No L 150, 14.6.2018, p. 109.