



# European Union (Withdrawal) Act 2018

## 2018 CHAPTER 16

### *Financial and other matters*

#### **16 Maintenance of environmental principles etc.**

- (1) The Secretary of State must, within the period of six months beginning with the day on which this Act is passed, publish a draft Bill consisting of—
  - (a) a set of environmental principles,
  - (b) a duty on the Secretary of State to publish a statement of policy in relation to the application and interpretation of those principles in connection with the making and development of policies by Ministers of the Crown,
  - (c) a duty which ensures that Ministers of the Crown must have regard, in circumstances provided for by or under the Bill, to the statement mentioned in paragraph (b),
  - (d) provisions for the establishment of a public authority with functions for taking, in circumstances provided for by or under the Bill, proportionate enforcement action (including legal proceedings if necessary) where the authority considers that a Minister of the Crown is not complying with environmental law (as it is defined in the Bill), and
  - (e) such other provisions as the Secretary of State considers appropriate.
- (2) The set of environmental principles mentioned in subsection (1)(a) must (however worded) consist of—
  - (a) the precautionary principle so far as relating to the environment,
  - (b) the principle of preventative action to avert environmental damage,
  - (c) the principle that environmental damage should as a priority be rectified at source,
  - (d) the polluter pays principle,
  - (e) the principle of sustainable development,
  - (f) the principle that environmental protection requirements must be integrated into the definition and implementation of policies and activities,
  - (g) public access to environmental information,
  - (h) public participation in environmental decision-making, and

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*Status: This is the original version (as it was originally enacted).*

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- (i) access to justice in relation to environmental matters.