
STATUTORY INSTRUMENTS

2018 No. 1405

**EXITING THE EUROPEAN UNION
ENVIRONMENTAL PROTECTION**

**The Persistent Organic Pollutants
(Amendment) (EU Exit) Regulations 2018**

Sift requirements satisfied *21st November 2018*
Made *- - - -* *18th December 2018*
Laid before Parliament *21st December 2018*
Coming into force in accordance with regulation 2

The Secretary of State makes these Regulations in exercise of the powers conferred by—

- (a) section 2(2) of the European Communities Act 1972 ^{M1};
- (b) section 8(1) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018 ^{M2}.

The Secretary of State has been designated for the purposes of section 2(2) of the European Communities Act 1972 in relation to persistent organic pollutants ^{M3}.

The requirements of paragraph 3(2) of Schedule 7 to the European Union (Withdrawal) Act 2018 (relating to the appropriate Parliamentary procedure for these Regulations) have been satisfied.

Marginal Citations

- M1** 1972 c. 68; [section 2\(2\)](#) was amended by section 27(1)(a) of the [Legislative and Regulatory Reform Act 2006 \(c. 51\)](#) and by Part 1 of the Schedule to the [European Union \(Amendment\) Act 2008 \(c. 7\)](#). The European Communities Act 1972 Act is repealed with effect from exit day by section 1 of the European Union (Withdrawal) Act 2018.
- M2** 2018 c. 16.
- M3** S.I. 2006/608.

Status: This version of this Instrument contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the The Persistent Organic Pollutants (Amendment) (EU Exit) Regulations 2018. (See end of Document for details)

PART 1

Introductory

Citation

1. These Regulations may be cited as the Persistent Organic Pollutants (Amendment) (EU Exit) Regulations 2018.

Commencement Information

I1 Reg. 1 in force at 21.1.2019, see reg. 2(1)

Commencement

2.—(1) This Part and Part 2 come into force on 21st January 2019.

(2) Parts 3 and 4 come into force on exit day.

Commencement Information

I2 Reg. 2 in force at 21.1.2019, see reg. 2(1)

PART 2

Amendments to subordinate legislation under section 2(2) of the ECA 1972

Amendments to POPR 2007

3. The Persistent Organic Pollutants Regulations 2007 ^{M4} are amended in accordance with regulations 4 and 5 (also see Part 3).

Commencement Information

I3 Reg. 3 in force at 21.1.2019, see reg. 2(1)

Marginal Citations

M4 [S.I. 2007/3106](#), amended by [S.I. 2010/675](#), 2012/360, 2013/755 (W. 90), 2016/1154; there are other amending instruments but none is relevant.

Amendment to regulation 3

4. In regulation 3(1)(b), for “the Environment” substitute “ Agriculture, Environment and Rural Affairs ”.

Commencement Information

I4 Reg. 4 in force at 21.1.2019, see reg. 2(1)

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Amendment to regulation 9

5. In regulation 9(2)(b), for “the Environment” substitute “ Agriculture, Environment and Rural Affairs ”.

Commencement Information

I5 Reg. 5 in force at 21.1.2019, see reg. 2(1)

PROSPECTIVE

^{F1}PART 3

Amendments to subordinate legislation under the European Union (Withdrawal) Act 2018

F1 Pt. 3 omitted (31.12.2020 immediately before IP completion day) by virtue of [The Persistent Organic Pollutants \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1358\)](#), regs. 2(1), **29**

Amendments to POPR 2007

^{F1}6.

Amendments to regulation 3

^{F1}7.

Omission of regulation 4

^{F1}8.

PROSPECTIVE

^{F2}PART 4

Amendments to retained direct EU legislation

F2 Pt. 4 omitted (31.12.2020 immediately before IP completion day) by virtue of [The Persistent Organic Pollutants \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1358\)](#), regs. 2(1), **29**

Amendments to EU POP Regulation

^{F2}9.

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Amendments to Article 2

F²10.

Amendments to Article 3

F²11.

Amendments to Article 4

F²12.

Amendments to Article 5

F²13.

Amendments to Article 6

F²14.

Amendments to Article 7

F²15.

Amendments to Article 8

F²16.

Amendments to Article 9

F²17.

Amendments to Article 10

F²18.

Amendment to Article 11

F²19.

Amendments to Article 12

F²20.

Omission of Article 13

F²21.

Omission of Article 15

F²22.

Omission of Articles 18 and 19

F²23.

Omission of text following Article 19

F²24.

Amendments to Annex 1

F²25.

Amendment to Annex 4

F²26.

Amendments to Annex 5

F²27.

Department for Environment, Food and Rural
Affairs

Thérèse Coffey
Parliamentary Under Secretary of State

Status: *This version of this Instrument contains provisions that are prospective.*
Changes to legislation: *There are currently no known outstanding effects for the The Persistent Organic Pollutants (Amendment) (EU Exit) Regulations 2018. (See end of Document for details)*

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers conferred by—

- (a) section 2(2) of the European Communities Act 1972 (c. 68), and
- (b) section 8(1) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018 (c. 16), in order to address failures of retained EU law to operate effectively and other deficiencies (in particular under section 8(2)(a), (b), (c) and (g) which apply to this instrument) arising from the withdrawal of the UK from the European Union.

These Regulations make amendments to legislation in the field of environmental protection and, in particular, amend legislation relating to the regulation of persistent organic pollutants. Parts 2 and 3 amend secondary legislation. Part 4 amends other legislation.

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private or voluntary sector is foreseen.

Status:

This version of this Instrument contains provisions that are prospective.

Changes to legislation:

There are currently no known outstanding effects for the The Persistent Organic Pollutants (Amendment) (EU Exit) Regulations 2018.