

2018 No. 487

ENVIRONMENTAL PROTECTION

**The Pollution Prevention and Control (Designation of the
Medium Combustion Plant Directive) (Offshore) Order 2018**

Made - - - - *16th April 2018*

Coming into force in accordance with article 1(1)

The Secretary of State, in exercise of the powers conferred by section 7(9)(a) and (b) of, and paragraph 20(2)(c) of Schedule 1 to, the Pollution Prevention and Control Act 1999(a), makes the following Order:

Citation, commencement and application

1.—(1) This Order may be cited as the Pollution Prevention and Control (Designation of the Medium Combustion Plant Directive) (Offshore) Order 2018 and comes into force on the day after the day on which it is made.

(2) This Order applies to—

- (a) the sea adjacent to England from the low water mark to the landward baseline of the United Kingdom territorial sea,
- (b) the United Kingdom territorial sea adjacent to—
 - (i) England,
 - (ii) Northern Ireland,
 - (iii) Scotland, except that part which extends seaward for 3 nautical miles from the landward baseline, and
 - (iv) Wales, except that part which extends seaward for 3 nautical miles from the landward baseline, and

(c) the sea in any designated area within the meaning of the Continental Shelf Act 1964(b), including the places above the sea and the bed and subsoil of the sea.

(3) In paragraph (2), a reference to a baseline is a reference to a baseline established by any Order in Council under section 1(1)(b) of the Territorial Sea Act 1987(c).

Designation

2. Directive 2015/2193/EU of the European Parliament and of the Council on the limitation of emissions of certain pollutants into the air from medium combustion plants(d) is designated for

(a) 1999 c.24. Paragraph 20(2)(c) was amended by S.I. 2011/1043.
(b) 1964 c.29. Amendments to the Act are not relevant to this instrument.
(c) 1987 c.49. The existing baselines were established by S.I. 2014/1353.
(d) OJ No L 313, 28.11.2015, p 1-19.

the purposes of paragraph 20(1)(b) of Schedule 1 to the Pollution Prevention and Control Act 1999.

Claire Perry
Minister of State

16th April 2018

Department for Business, Energy and Industrial Strategy

EXPLANATORY NOTE

(This note is not part of the Order)

This Order designates Directive 2015/2193/EU of the European Parliament and of the Council on the limitation of emissions of certain pollutants into the air from medium combustion plants (“the Directive”) as a relevant directive for the purposes of paragraph 20(1)(b) of Schedule 1 to the Pollution Prevention and Control Act 1999 (c.24)(“the Act”).

The effect of designation is that regulations may be made under section 2 of the Act (to regulate, prevent and control activities which are capable of causing environmental pollution) which make provision which corresponds or is similar to any provision made, or capable of being made, under section 2(2) of the European Communities Act 1972 (c.68) in connection with the Directive.

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

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