
STATUTORY INSTRUMENTS

2019 No. 188

**EXITING THE EUROPEAN UNION
ENVIRONMENTAL PROTECTION
HEALTH AND SAFETY, ENGLAND AND WALES
WASTE**

**The Waste (Miscellaneous Amendments)
(EU Exit) (No. 2) Regulations 2019**

<i>Sift requirements satisfied</i>	<i>16th January 2019</i>
<i>Made - - - -</i>	<i>31st January 2019</i>
<i>Laid before Parliament</i>	<i>7th February 2019</i>
<i>Coming into force in accordance with regulation 1(2)</i>	

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

- (a) in relation to Part 1, the powers mentioned in paragraphs (b) and (c);
- (b) in relation to Part 2, section 2(2) of the European Communities Act 1972⁽¹⁾;
- (c) in relation to the remainder of the Regulations, section 8(1) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018⁽²⁾.

The Secretary of State is a Minister designated for the purposes of section 2(2) of the European Communities Act 1972 in relation to—

- (a) batteries and accumulators⁽³⁾;
- (b) matters relating to the prevention and recovery of waste electrical and electronic equipment⁽⁴⁾;

(1) 1972 c. 68. Section 2(2) was amended by the Legislative and Regulatory Reform Act 2006 (c. 51), section 27(1)(a) and the European Union (Amendment) Act 2008 (c. 7), the Schedule, Part 1. It is prospectively repealed by the European Union (Withdrawal) Act 2018 (c. 16), section 1 from exit day (see section 20 of that Act). Under section 57(1) of the Scotland Act 1998 (c. 46), despite the transfer to Scottish Ministers of functions in relation to implementing obligations under EU law in relation to devolved matters, the Secretary of State retains power to exercise such functions as regards Scotland. Under paragraph 5 of Schedule 3 to the Government of Wales Act 2006 (c. 32), despite the transfer to the Welsh Ministers of functions in relation to implementing obligations under EU law in relation to devolved matters, the Secretary of State retains power to exercise such functions as regards Wales.

(2) 2018 c. 16.

(3) S.I. 2007/3471, to which there are amendments not relevant to these Regulations.

(4) S.I. 2004/706, to which there are amendments not relevant to these Regulations.

- (c) matters relating to the prevention of waste from vehicles and forms of recovery of end-of-life vehicles and their components⁽⁵⁾;
- (d) measures relating to the prevention, reduction and elimination of pollution caused by waste⁽⁶⁾;
- (e) measures relating to the prevention, reduction and elimination of pollution caused by waste and the management of packaging and packaging waste⁽⁷⁾.

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.

⁽⁵⁾ [S.I. 2001/3495](#), to which there are amendments not relevant to these Regulations.

⁽⁶⁾ [S.I. 1992/2870](#), to which there are amendments not relevant to these Regulations.

⁽⁷⁾ [S.I. 1996/266](#), to which there are amendments not relevant to these Regulations.