
STATUTORY INSTRUMENTS

2019 No. 458

**EXITING THE EUROPEAN UNION
ENVIRONMENTAL PROTECTION**

**The Environment (Amendment
etc.) (EU Exit) Regulations 2019**

Made - - - - 27th February 2019

Coming into force in accordance with regulation 1(1)

The Secretary of State makes these Regulations in exercise of the powers conferred by section 8(1) of, and paragraph 1 of Schedule 4 and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018 ^{M1}.

In accordance with paragraphs 1(1) and 12(1) of Schedule 7 to that Act, a draft of this instrument has been laid before Parliament and approved by a resolution of each House of Parliament.

In accordance with paragraph 3(1) of Schedule 4 to that Act, the Treasury has consented to the making of regulation 3(3)(a)(ii) and (v).

Marginal Citations

M1 2018 c. 16.

PART 1 **U.K.**

Introductory

Citation, commencement, extent and application **U.K.**

1.—(1) These Regulations may be cited as the Environment (Amendment etc.) (EU Exit) Regulations 2019 and come into force on exit day.

(2) [^{F1}Subject to sub-paragraph (2A),] an amendment made by Part 2 has the same extent as the provision amended.

[^{F2}(2A) Regulation 4(3)(b)(iii) extends to England and Wales only.]

(3) An amendment made by Part 3 extends to England and Wales and applies to England only.

(4) Part 4 extends to Great Britain.

(5) A revocation made by Part 5 in respect of retained direct EU legislation in Part 1 of the Schedule extends to the United Kingdom.

(6) A revocation made by Part 5 in respect of subordinate legislation in Part 2 of the Schedule extends to England and Wales and applies to England only.

(7) A revocation made by Part 5 in respect of subordinate legislation in Part 3 of the Schedule has the same extent as the provision revoked.

Textual Amendments

- F1** Words in reg. 1(2) inserted (E.W.) (31.12.2020 immediately before IP completion day) by [The Environment \(Amendment etc.\) \(EU Exit\) \(Amendment\) \(England and Wales\) Regulations 2020 \(S.I. 2020/603\)](#), regs. 1, **2(2)(a)**
- F2** Reg. 1(2A) inserted (E.W.) (31.12.2020 immediately before IP completion day) by [The Environment \(Amendment etc.\) \(EU Exit\) \(Amendment\) \(England and Wales\) Regulations 2020 \(S.I. 2020/603\)](#), regs. 1, **2(2)(b)**

Commencement Information

- I1** Reg. 1 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

PART 2 **E+W+S**

Amendment of primary legislation

The Environmental Protection Act 1990 **E+W+S**

2.—(1) The Environmental Protection Act 1990^{M2} is amended as follows.

(2) In section 7—

- (a) in subsection (2)(b), for “obligations of the United Kingdom under the EU Treaties” substitute “retained EU obligations”;
- (b) for subsection (12)(b) substitute—
“ (b) retained EU law;”.

(3) In section 19(3), omit “the EU Treaties or”.

(4) In section 113(5), for “the implementation of Council Directive [90/220/EEC](#)” substitute “retained EU law which implemented Directive [2001/18/EC](#) of the European Parliament and of the Council^{M3}”.

(5) In section 116(2)—

- (a) after “Secretary of State of” insert “ a function under retained EU law or ”;
- (b) omit “the EU Treaties or”.

(6) Omit section 140(4)(a).

(7) In section 142(2)(a), after “State” insert “ or in the United Kingdom ”.

(8) In section 156—

- (a) in the heading, for “EU and other” substitute “ retained EU obligations and ”;
- (b) in subsection (1)(a), for “EU obligation” substitute “ retained EU obligation ”.

Commencement Information

- I2** Reg. 2 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

Marginal Citations

- M2** [1990 c. 43](#).
M3 OJ No L 106, 17.4.2001, p. 1, as last amended by Commission Directive (EU) 2018/350 (OJ No L 67, 9.3.2018, p. 30).

The Environment Act 1995 **E+W+S**

- 3.—(1) The Environment Act 1995 ^{M4} is amended as follows.
- (2) In section 40 ^{M5}—
- (a) in subsection (2)—
- (i) in the opening words, omit “for the implementation of”;
- (ii) for paragraph (a) substitute—
- “(a) for securing that any retained EU obligation is met, or”;
- (iii) in paragraph (b), at the beginning insert “ for the implementation of”;
- (b) in subsection (4)—
- (i) in the opening words, omit “for the implementation of”;
- (ii) for paragraph (a) substitute—
- “(a) for securing that any retained EU obligation is met, or”;
- (iii) in paragraph (b), at the beginning insert “ for the implementation of”.
- (3) In section 41 ^{M6}—
- (a) in subsection (1)—
- (i) paragraph (c) is omitted (as it applies in relation to England and as it applies in relation to Wales);
- (ii) after paragraph (c) insert—
- “(ca) as a means of recovering costs incurred by it in performing functions conferred by the Hazardous Waste (England and Wales) Regulations 2005, the Agency may require the payment to it of such charges as may from time to time be prescribed;
- (cb) as a means of recovering costs incurred by it in performing functions conferred by the Hazardous Waste (Wales) Regulations 2005, the Natural Resources Body for Wales may require the payment to it of such charges as may from time to time be prescribed;”;
- (iii) in paragraph (f) as it applies to England and Wales, for the words from “regulations made for the purposes of” to “(as amended from time to time)” substitute “ retained EU law which implemented Council Directive 2006/117/Euratom on the supervision and control of shipments of radioactive waste and spent fuel (as it had effect immediately before [^{F3}IP completion day] ”;
- (iv) in paragraph (g), for the words from “regulations made for the purpose of” to “as amended from time to time,” substitute “ retained EU law which implemented Directive [2006/66/EC](#) of the European Parliament and of the Council on batteries

and accumulators and waste batteries and accumulators (as it had effect immediately before [F⁴IP completion day] ”);

(v) after paragraph (k) insert—

“(l) as a means of recovering costs incurred by it in performing functions conferred by Regulation (EC) No 1005/2009 on substances that deplete the ozone layer, the Agency, the Natural Resources Body for Wales or SEPA may require the payment to it of such charges as may from time to time be prescribed;

(m) as a means of recovering costs incurred by it in performing functions conferred by Regulation (EU) No 517/2014 on fluorinated greenhouse gases and repealing Regulation (EC) No 842/2006, the Agency, the Natural Resources Body for Wales or SEPA may require the payment to it of such charges as may from time to time be prescribed;”;

(b) in subsection (2)(g), for “obligations of the United Kingdom under the EU Treaties” substitute “retained EU obligation ”.

(4) In section 41A(1) ^{M7}, for paragraph (a) substitute—

“(a) as a means of recovering costs incurred by it in performing functions conferred under or by virtue of—

(i) the Greenhouse Gas Emissions Trading Scheme Regulations 2005 (S.I. 2005/925) ^{M8},

(ii) the Aviation Greenhouse Gas Emissions Trading Scheme Regulations 2010 (S.I. 2010/1996) ^{M9};

(iii) the Greenhouse Gas Emissions Trading Scheme Regulations 2012 (S.I. 2012/3038) ^{M10}”.

(5) In section 56(1) ^{M11}—

(a) in the definition of “environmental licence” in relation to an appropriate agency—

(i) in paragraph (aa)(i), for “regulations made for the purpose of implementing the EU ETS Directive” substitute “ the Greenhouse Gas Emissions Trading Scheme Regulations 2005 (S.I. 2005/925) and the Greenhouse Gas Emissions Trading Scheme Regulations 2012 (S.I. 2012/3038) ”;

(ii) in paragraph (h), for “any provision which gives effect in England and Wales to” substitute “retained EU law which, in England and Wales, implemented ”;

(b) in the definition of “environmental licence” in relation to SEPA, in paragraph (ja), for the words from “or accumulators to” to the end, substitute “ (including accumulators) as defined in regulation 2 of those Regulations, and where those batteries have been collected in accordance with Article 8 of Directive 2006/66/EC of the European Parliament and of the Council on batteries and accumulators ”;

(c) omit the definition of “the EU ETS Directive”.

(6) In section 80(2)—

(a) in the opening words, omit “implementing”;

(b) for paragraph (a) substitute—

“(a) securing that any retained EU obligation is met, or”;

(c) in paragraph (b), at the beginning insert “ the implementation of ”.

(7) In section 85(5)—

(a) in the opening words, omit “for the implementation of”;

- (b) for paragraph (a) substitute—
 - “(a) for securing that any retained EU obligation is met, or”;
- (c) in paragraph (b), at the beginning insert “ for the implementation of ”.
- (8) In section 86(8)—
 - (a) in the opening words, omit “for the implementation of”;
 - (b) for paragraph (a) substitute—
 - “(a) for securing that any retained EU obligation is met, or”;
 - (c) in paragraph (b), at the beginning insert “ for the implementation of ”.
- (9) In section 87(1)(b)—
 - (a) omit “, implementing”;
 - (b) for sub-paragraph (i) substitute—
 - “(i) securing that any retained EU obligation is met, or”;
 - (c) in sub-paragraph (ii), at the beginning insert “ the implementation of any ”.
- (10) In section 93(3)(a), for “obligations of the United Kingdom under the EU Treaties” substitute “ retained EU obligations ”.
- (11) In section 94(2)(a)(i), for “obligations of the United Kingdom under the EU Treaties” substitute “ retained EU obligations ”.
- (12) In section 108(15) ^{M12}—
 - (a) in the definition of “pollution control functions” in relation to the Agency, the Natural Resources Body for Wales or SEPA, for paragraph (m) substitute—
 - “EU-derived domestic legislation (as defined by section 2 of the European Union (Withdrawal) Act 2018) to the extent that it relates to pollution;”;
 - (b) in the definition of “pollution control functions” in relation to a local enforcing authority, for paragraph (c) substitute—
 - “by or under EU-derived domestic legislation (as defined by section 2 of the European Union (Withdrawal) Act 2018) to the extent that it relates to pollution;”.
- (13) In section 111(5) ^{M13}, for the definition of “relevant regulations” substitute—
““relevant regulations” means—
 - (a) the Greenhouse Gas Emissions Trading Scheme Regulations 2005 (S.I. 2005/925);
 - (b) the Aviation Greenhouse Gas Emissions Trading Scheme Regulations 2010 (S.I. 2010/1966);
 - (c) the Greenhouse Gas Emissions Trading Scheme Regulations 2012 (S.I. 2012/3038).”.
- (14) In section 122—
 - (a) for subsection (3) substitute—
 - “(3) Subsections (4) and (5) apply to any direction which is—
 - (a) given to—
 - (i) the Agency or SEPA under any provision of this Act or any other enactment, or
 - (ii) any other body or person under any provision of this Act, and
 - (b) to any extent given—
 - (i) before [^{F5}IP completion day], for the implementation of any obligation of the United Kingdom under the EU Treaties, or

- (ii) for securing that any retained EU obligation is met.”;
- (b) in subsection (4), for the words from “the obligations mentioned” to “continue to be implemented” substitute “ any relevant retained EU obligation continues to be met ”.

Textual Amendments

- F3** Words in [reg. 3\(3\)\(a\)\(iii\)](#) substituted (31.12.2020 immediately before IP completion day) by [The Waste and Environmental Permitting etc. \(Legislative Functions and Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1540\)](#), regs. 1(3), [12\(2\)\(a\)](#)
- F4** Words in [reg. 3\(3\)\(a\)\(iv\)](#) substituted (31.12.2020 immediately before IP completion day) by [The Waste and Environmental Permitting etc. \(Legislative Functions and Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1540\)](#), regs. 1(3), [12\(2\)\(a\)](#)
- F5** Words in [reg. 3\(14\)\(a\)](#) substituted (31.12.2020 immediately before IP completion day) by [The Waste and Environmental Permitting etc. \(Legislative Functions and Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1540\)](#), regs. 1(3), [12\(2\)\(b\)](#)

Commencement Information

- I3** Reg. 3 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

Marginal Citations

- M4** [1995 c. 25](#).
- M5** Section 40(2) and (4) was amended by [S.I. 2011/1043](#).
- M6** In section 41, subsection (1)(c) was amended for England and Wales by [S.I. 2005/894](#), 2005/1806, 2011/988, 2013/755, 2018/942; subsection (1)(f) was amended for England and Wales by [S.I. 2008/3087](#), 2013/755; subsection (1)(g) was amended by [S.I. 2009/890](#), 2011/2911, 2013/755; subsection (1)(k) was inserted by [S.I. 2017/1200](#); subsection (2)(g) was amended for Scotland by [S.S.I. 2003/235](#) and [S.I. 2011/1043](#).
- M7** Section 41A(1) was inserted by [S.I. 2005/925](#) and amended by [S.I. 2012/2788](#), 2013/1821 and 3135.
- M8** [S.I. 2005/925](#), revoked with savings by [S.I. 2012/3038](#).
- M9** [S.I. 2010/1996](#), revoked with savings by [S.I. 2012/3038](#).
- M10** [S.I. 2012/3038](#), to which there are amendments not relevant to these Regulations.
- M11** Section 56(1) was amended by [S.I. 2011/988](#), 2012/2788, 2013/755, 2016/475 and [S.S.I. 2009/247](#); there are other amending instruments but none is relevant.
- M12** Section 108(15) was amended by [S.I. 2013/755](#); there are other amending instruments but none is relevant.
- M13** Section 111(5) was amended by [S.I. 2012/2788](#); there are other amending instruments but none is relevant.

The Pollution Prevention and Control Act 1999 **E+W+S**

- 4.—(1) Schedule 1 to the Pollution Prevention and Control Act 1999 ^{M14} is amended as follows.
- (2) For paragraph 3(b) substitute—
- “(b) directions given for the purposes of the implementation of—
- (i) any retained EU obligations, or
- (ii) any obligations under an international agreement to which the United Kingdom is a party;”.
- (3) In paragraph 20—
- (a) for sub-paragraph (1)(b) substitute—

- “(b) any provision (not being provision within any of paragraphs 1 to 19 or paragraph (a) above) that might be made by an Act of Parliament in connection with the relevant directives, other than provision—
- (i) imposing or increasing taxation;
 - (ii) taking effect from a date earlier than that of the making of the instrument containing the provision;
 - (iii) conferring any power to legislate by means of orders, rules, regulations or other subordinate instrument, other than rules of procedure for any court or tribunal.”.
- (b) in sub-paragraph (2)—
- (i) omit paragraph (c);
 - (ii) [F6 after paragraph (c) insert—
- “(d) Council Directive [87/217/EEC](#) on the prevention and reduction of environmental pollution by asbestos ^{M15};
 - (e) European Parliament and Council Directive [94/63/EC](#) on the control of volatile organic compound (VOC) emissions resulting from the storage of petrol and its distribution from terminals to service stations ^{M16};
 - (f) Council Directive [1999/31/EC](#) on the landfill of waste ^{M17}, as last amended by Directive 2011/97/EU ^{M18};
 - (g) Directive [2000/53/EC](#) of the European Parliament and of the Council on end-of life vehicles ^{M19}, as last amended by Directive (EU) 2017/2096 ^{M20};
 - (h) Directive [2000/60/EC](#) of the European Parliament and of the Council establishing a framework for Community action in the field of water policy ^{M21};
 - (i) Directive [2001/81/EC](#) of the European Parliament and of the Council on national emission ceilings for certain atmospheric pollutants ^{M22};
 - (j) Directive [2003/35/EC](#) of the European Parliament and of the Council providing for public participation in respect of the drawing up of certain plans and programmes relating to the environment ^{M23};
 - (k) Directive [2006/21/EC](#) of the European Parliament and of the Council on the management of waste from extractive industries ^{M24};
 - (l) Directive [2006/66/EC](#) of the European Parliament and of the Council on batteries and accumulators and waste batteries and accumulators ^{M25}, as last amended by Directive 2013/56/EU ^{M26};
 - (m) Directive [2006/118/EC](#) of the European Parliament and of the Council on the protection of groundwater against pollution and deterioration ^{M27};
 - (n) Directive [2008/98/EC](#) of the European Parliament and of the Council on waste ^{M28}, as last amended by Regulation (EU) 2017/997 ^{M29};
 - (o) Directive [2009/31/EC](#) of the European Parliament and of the Council on the geological storage of carbon dioxide ^{M30};
 - (p) Directive [2009/126/EC](#) of the European Parliament and of the Council on Stage II petrol vapour recovery during refuelling of motor vehicles at service stations ^{M31};

- (q) Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions (integrated pollution prevention and control) ^{M32};
- (r) Directive 2012/19/EU of the European Parliament and of the Council on waste electrical and electronic equipment (WEEE) ^{M33}, as it had effect immediately before 4th July 2018;
- (s) Directive 2012/27/EU of the European Parliament and of the Council on energy efficiency ^{M34};
- (t) Council Directive 2013/59/Euratom laying down basic safety standards for protection against the dangers arising from exposure to ionising radiation ^{M35};
- (u) 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 ^{M36}.”.]

[^{F7}(iii) after paragraph (c) insert—

- “(d) Council [Directive 87/217/EEC](#) on the prevention and reduction of environmental pollution by asbestos;
- (e) Council [Directive 91/271/EEC](#) concerning urban waste water treatment;
- (f) Council [Directive 91/676/EEC](#) concerning the protection of waters against pollution caused by nitrates from agricultural sources;
- (g) European Parliament and Council [Directive 94/62/EC](#) on packaging and packaging waste;
- (h) European Parliament and Council [Directive 94/63/EC](#) on the control of volatile organic compound (VOC) emissions resulting from the storage of petrol and its distribution from terminals to service stations;
- (i) Council [Directive 96/59/EC](#) on the disposal of polychlorinated biphenyls and polychlorinated terphenyls (PCB/PCT);
- (j) Council [Directive 1999/31/EC](#) on the landfill of waste;
- (k) [Directive 2000/14/EC](#) of the European Parliament and of the Council on the approximation of the laws of the Member States relating to the noise emission in the environment by equipment for use outdoors;
- (l) [Directive 2000/53/EC](#) of the European Parliament and of the Council on end-of life vehicles;
- (m) [Directive 2000/60/EC](#) of the European Parliament and of the Council establishing a framework for Community action in the field of water policy;
- (n) [Directive 2002/49/EC](#) of the European Parliament and of the Council relating to the assessment and management of environmental noise;
- (o) [Directive 2003/35/EC](#) of the European Parliament and of the Council providing for public participation in respect of the drawing up of certain plans and programmes relating to the environment;
- (p) [Directive 2004/35/CE](#) of the European Parliament and of the Council on environmental liability with regard to the prevention and remedying of environmental damage;

- (q) [Directive 2005/64/EC](#) of the European Parliament and of the Council on the type-approval of motor vehicles with regard to their reusability, recyclability and recoverability;
- (r) [Directive 2006/7/EC](#) of the European Parliament and of the Council concerning the management of bathing water quality;
- (s) [Directive 2006/21/EC](#) of the European Parliament and of the Council on the management of waste from extractive industries;
- (t) [Directive 2006/66/EC](#) of the European Parliament and of the Council on batteries and accumulators and waste batteries and accumulators;
- (u) [Directive 2006/118/EC](#) of the European Parliament and of the Council on the protection of groundwater against pollution and deterioration;
- (v) [Directive 2008/50/EC](#) of the European Parliament and of the Council on ambient air quality and cleaner air for Europe;
- (w) [Directive 2008/98/EC](#) of the European Parliament and of the Council on waste;
- (x) [Directive 2008/105/EC](#) of the European Parliament and of the Council on environmental quality standards in the field of water policy;
- (y) [Directive 2009/31/EC](#) of the European Parliament and of the Council on the geological storage of carbon dioxide;
- (z) Commission [Directive 2009/90/EC](#) laying down, pursuant to [Directive 2000/60/EC](#) of the European Parliament and of the Council, technical specifications for chemical analysis and monitoring of water status;
- (aa) [Directive 2009/126/EC](#) of the European Parliament and of the Council on Stage II petrol vapour recovery during refuelling of motor vehicles at service stations;
- (bb) [Directive 2010/75/EU](#) of the European Parliament and of the Council on industrial emissions (integrated pollution prevention and control) (Recast);
- (cc) [Directive 2012/19/EU](#) of the European Parliament and of the Council on waste electrical and electronic equipment (WEEE) (recast);
- (dd) [Directive 2012/27/EU](#) of the European Parliament and of the Council on energy efficiency;
- (ee) Council Directive 2013/59/Euratom laying down basic safety standards for protection against the dangers arising from exposure to ionising radiation;
- (ff) Commission Directive (EU) 2015/996 establishing common noise assessment methods according to [Directive 2002/49/EC](#) of the European Parliament and of the Council;
- (gg) [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;
- (hh) Directive (EU) 2016/2284 of the European Parliament and of the Council on the reduction of national emissions of certain atmospheric pollutants; and

- (ii) Directive (EU) 2019/904 of the European Parliament and of the Council on the reduction of the impact of certain plastic products on the environment”]
- (c) after sub-paragraph (2) insert—
- “(2A) In sub-paragraph (1)(b)(iii), the reference to provision conferring any power to legislate does not include provision—
- (a) amending or extending a power to legislate conferred other than under this paragraph;
- (b) giving directions as to matters of administration.”.

Textual Amendments

- F6** Reg. 4(3)(b)(ii) revoked (E.W.) (31.12.2020 immediately before IP completion day) by [The Environment \(Amendment etc.\) \(EU Exit\) \(Amendment\) \(England and Wales\) Regulations 2020 \(S.I. 2020/603\)](#), regs. 1, **2(3)(a)**
- F7** Reg. 4(3)(b)(iii) inserted (E.W.) (31.12.2020 immediately before IP completion day) by [The Environment \(Amendment etc.\) \(EU Exit\) \(Amendment\) \(England and Wales\) Regulations 2020 \(S.I. 2020/603\)](#), regs. 1, **2(3)(b)**

Commencement Information

- I4** Reg. 4 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

Marginal Citations

- M14** [1999 c. 24.](#)
- M15** OJ No L 85, 28.3.1987, p. 40, as last amended by Decision (EU) 2018/853 (OJ No L 150, 14.6.2018, p. 155).
- M16** OJ No L 365, 31.12.1994, p. 24, as last amended by Decision (EU) 2018/853 (OJ No L 150, 14.6.2018, p. 155).
- M17** OJ No L 182, 16.7.1999, p. 1.
- M18** OJ No L 328, 10.12.2011, p. 49.
- M19** OJ No L 269, 21.10.2000, p. 34.
- M20** OJ No L 299, 16.11.2017, p. 24.
- M21** OJ No L 327, 22.12.2000, p. 1, as last amended by Directive 2014/101/EU (OJ No L 311, 31.10.2014, p. 32).
- M22** OJ No L 309, 27.11.2001, p. 22, as last amended by Directive (EU) 2016/2284 (OJ No L 344, 17.12.2016, p. 1).
- M23** OJ No L 156, 25.6.2003, p. 17, as last amended by Directive (EU) 2016/2284 (OJ No L 344, 17.12.2016, p. 1).
- M24** OJ No L 102, 11.4.2006, p. 15, as amended by Regulation (EC) No 596/2009 (OJ No L 188, 18.7.2009, p. 14).
- M25** OJ No L 266, 26.9.2006, p. 1.
- M26** OJ No L 329, 10.12.2013, p. 5.
- M27** OJ No L 372, 27.12.2006, p. 19, as amended by Directive 2014/80/EU (OJ No L 182, 21.6.2014, p. 52).
- M28** OJ No L 312, 22.11.2008, p. 3.
- M29** OJ No L 150, 14.6.2017, p. 1.
- M30** OJ No L 140, 5.6.2009, p. 114, as last amended by Decision (EU) 2018/853 (OJ No L 150, 14.6.2018, p. 155).
- M31** OJ No L 285, 31.10.2009, p. 36, as amended by Directive 2014/99/EU (OJ No L 304, 23.10.2014, p. 89).

- M32** OJ No L 334, 17.12.2010, p. 17, as corrected by Corrigendum to Directive 2010/75/EU (OJ No L 158, 19.6.2012, p. 25).
- M33** OJ No L 197, 24.7.2012, p. 38.
- M34** OJ No L 315, 14.11.2012, p. 1, as last amended by Directive (EU) 2018/844 (OJ No L 156, 19.6.2018, p. 75).
- M35** OJ No L 13, 17.1.2014, p. 1, as corrected by Corrigendum to Directive 2013/59/Euratom (OJ No L 72, 17.3.2016, p. 69).
- M36** OJ No L 313, 28.11.2015, p. 1.

PART 3 **E+W**

Amendment of subordinate legislation

The Contaminated Land (England) Regulations 2006 **E+W**

5.—(1) Regulation 3 of the Contaminated Land (England) Regulations 2006 ^{M37} is amended as follows.

- (2) The existing paragraph is renumbered as paragraph (1).
- (3) In paragraph (1) as renumbered, for sub-paragraph (b)(ii) (but not the final “or”) substitute—
“(ii) for controlled waters that are designated as shellfish water protected areas or bathing waters, those waters do not meet the environmental objectives that apply to them;”.
- (4) After paragraph (1) as renumbered insert—
“(2) In this regulation—
“the Northumbria WFD Regulations” means the Water Environment (Water Framework Directive) (Northumbria River Basin District) Regulations 2003 ^{M38};
“the Solway Tweed WFD Regulations” means the Water Environment (Water Framework Directive) (Solway Tweed River Basin District) Regulations 2004 ^{M39};
“the WFD Regulations” means the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 ^{M40};
“a bathing water” has the same meaning as in the Bathing Water Regulations 2013 ^{M41};
“environmental objectives”—
(a) in relation to the Solway Tweed River Basin District, means the objectives as defined in regulation 2 of the Solway Tweed WFD Regulations;
(b) in relation to the Northumbria River Basin District, means the objectives referred to in the WFD Regulations as applied and modified by regulation 5 of the Northumbria WFD Regulations;
(c) in relation to any other river basin district within the meaning of the WFD Regulations, has the same meaning as in those Regulations;
“shellfish water protected area”—
(a) in relation to the Solway Tweed River Basin District, has the meaning given by regulation 2(1) of the Solway Tweed WFD Regulations;
(b) in relation to the Northumbria River Basin District, means a body of water designated under regulation 9 of the WFD Regulations, as applied by regulation 5 of the Northumbria WFD Regulations;

- (c) in relation to any other river basin district within the meaning of the WFD Regulations, means a body of water designated under regulation 9 of those Regulations.”.

Commencement Information

- I5** Reg. 5 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(1)

Marginal Citations

- M37** S.I. 2006/1380, amended by S.I. 2012/263 and 2018/575; there are other amending instruments but none is relevant.
M38 S.I. 2003/3245, amended by S.I. 2016/139, 2017/407.
M39 S.I. 2004/99, amended by S.I. 2016/139; there are other amending instruments but none is relevant.
M40 S.I. 2017/407, to which there are amendments not relevant to these regulations.
M41 S.I. 2013/1675, amended by S.I. 2018/575; there are other amending instruments but none is relevant.

The Environmental Noise (England) Regulations 2006 **E+W**

- 6.—(1) The Environmental Noise (England) Regulations 2006^{M42} are amended as follows.
- (2) In regulation 2—
- (a) in paragraph (3), for “as amended from time to time” substitute “ as it had effect immediately before [^{F8}IP completion day]”;
- (b) at the end insert—
- “(4) For the purposes of these Regulations, the Directive is to be read as if a reference to one or more member States were a reference to the Secretary of State.”.
- (3) In regulation 4, after paragraph (2) insert—
- “(2A) For the purposes of paragraph (2)(a), a reference to Annex 1 of the Directive is to be read as if, in paragraph 1, in the fourth indent that begins “the day is 12 hours”, the words from “The Member” to the end were omitted.”.
- (4) For regulation 15(1)(a) substitute—
- “(a) aim to prevent and reduce environmental noise where necessary and particularly where exposure levels can induce harmful effects on human health;
- (aa) aim to preserve environmental noise quality where it is good;”.
- (5) In regulation 22—
- (a) in paragraph (2)(b), for the words “the Directive” substitute “ relevant retained EU law^{M43} ”;
- (b) in paragraph (3), for “Article 4 of the Directive” substitute “ the relevant retained EU law ”.
- (6) In regulation 26(4)(b)—
- (a) in paragraph (i) omit “; or”;
- (b) omit paragraph (ii).
- (7) In Schedule 1—
- (a) in paragraph 1—
- (i) the existing text is renumbered as sub-paragraph (1);
- (ii) at the end insert—

- “(2) For the purposes of sub-paragraph (1), the reference to paragraphs 1.5, 1.6 and 2.6 of Annex 6 of the Directive is to be read with the following modifications—
- (a) in paragraphs 1.5 and 1.6, as if the reference in those paragraphs to “major roads”, “major railways” and “major airports” as defined in Article 3 of the Directive were to “major road”, “major railway” and “major airport” as defined in regulation 2(2) of these Regulations;
 - (b) in paragraphs 1.6 and 2.6, as if the words from “These data” to “Article 11(1).” were omitted.”;
- (b) in paragraph 2, at the end insert—
- “(3) Further, in applying paragraph (1)(a) the following provisions of Annex 4 of the Directive are to be ignored—
- (a) in paragraph 4, the first indent;
 - (b) in paragraph 5, the words from “concerning” to “Commission”;
 - (c) paragraph 9.”.

Textual Amendments

- F8** Words in [reg. 6\(2\)\(a\)](#) substituted (31.12.2020 immediately before IP completion day) by [The Waste and Environmental Permitting etc. \(Legislative Functions and Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1540\)](#), regs. 1(3), **12(3)**

Commencement Information

- I6** Reg. 6 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

Marginal Citations

- M42** [S.I. 2006/2238](#), amended by [S.I. 2010/340](#), 2018/1089; there are other amending instruments but none is relevant.
- M43** Relevant retained EU law includes the Environmental Noise (Wales) Regulations 2006 ([S.I. 2006/2629 \(W. 225\)](#)), the [Environmental Noise \(Scotland\) Regulations 2006 \(S.S.I. 2006/465\)](#) and the Environmental Noise Regulations (Northern Ireland) 2006 ([S.R. 2006 No. 387](#)).

The Environmental Damage (Prevention and Remediation) (England) Regulations 2015 **E** **+W**

7.—(1) The Environmental Damage (Prevention and Remediation) (England) Regulations 2015^{M44} are amended as follows.

(2) For regulation 3 substitute—

“3.—(1) For the purposes of these Regulations, a reference in any EU instrument referred to in these Regulations—

- (a) to the “European Union” or otherwise to the area to which that instrument applies is to be taken to include the United Kingdom;
- (b) to a “Member State” is to be taken to include the United Kingdom.”.

(3) In Schedule 1, in paragraph 1(e), for “or in the European Union as a whole” substitute “, national or in their natural range”.

(4) In Schedule 2—

- (a) after paragraph 1 insert—

“Interpretation

1A. A reference in this Schedule to an activity being authorised, prohibited or managed pursuant to, or subject to a permit or registration under, a Directive includes, after [F9IP completion day], any activity authorised, prohibited or managed pursuant to, or subject to a permit or registration under, any retained EU law which transposed that Directive.”;

- (b) in paragraph 10, after “the Community” insert “ or into or out of the United Kingdom ”.

Textual Amendments

F9 Words in [reg. 7\(4\)\(a\)](#) substituted (31.12.2020 immediately before IP completion day) by [The Waste and Environmental Permitting etc. \(Legislative Functions and Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1540\)](#), regs. 1(3), **12(4)**

Commencement Information

I7 Reg. 7 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

Marginal Citations

M44 [S.I. 2015/810](#), as amended by [S.I. 2017/1177](#).

PART 4 **E+W+S**

Savings

Savings **E+W+S**

8.—(1) The amendments made by regulation 3(2), (7) and (8) to sections 40(2)(a), 85(5)(a) and 86(8)(a) of the Environment Act 1995 do not affect the validity, after [F10IP completion day], of any direction given under those sections which has effect immediately before [F10IP completion day], and such a direction may be—

- (a) varied so as to make any provision that could be made in a direction given under the relevant section after [F10IP completion day], or
- (b) revoked.

(2) The power to vary or revoke such a direction is subject to section 122(4) and (5) of the Environment Act 1995.

(3) The amendment made by regulation 3(9) to section 87(1)(b)(i) of the Environment Act 1995 does not affect the validity, after [F11IP completion day], of any regulations made under that section which have effect immediately before [F11IP completion day].

Textual Amendments

F10 Words in [reg. 8\(1\)](#) substituted (31.12.2020 immediately before IP completion day) by [The Waste and Environmental Permitting etc. \(Legislative Functions and Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1540\)](#), regs. 1(3), **12(5)**

F11 Words in reg. 8(3) substituted (31.12.2020 immediately before IP completion day) by [The Waste and Environmental Permitting etc. \(Legislative Functions and Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1540\)](#), regs. 1(3), **12(5)**

Commencement Information

I8 Reg. 8 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

PART 5 **U.K.**

Revocations

Revocations **U.K.**

9. The following instruments are revoked—

- (a) the retained direct EU legislation referred to in Part 1 of the Schedule;
- (b) the subordinate legislation referred to in Parts 2 and 3 of the Schedule.

Commencement Information

I9 Reg. 9 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

Department for Environment, Food and Rural
Affairs

Thérèse Coffey
Parliamentary Under Secretary of State

We consent

Paul Maynard
Rebecca Harris
Two of the Lords Commissioners of Her
Majesty's Treasury

SCHEDULE **U.K.**

Regulation 9

Revocations

PART 1 **U.K.**

Retained direct EU legislation

Regulations **U.K.**

1. Regulation (EC) No 1221/2009 of the European Parliament and of the Council on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS).

Commencement Information

I10 Sch. para. 1 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(1)

2. Regulation (EC) No 66/2010 of the European Parliament and of the Council on the EU Ecolabel.

Commencement Information

I11 Sch. para. 2 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(1)

3. Commission Regulation (EU) No 782/2013 amending Annex III to Regulation (EU) No 66/2010 of the European Parliament and of the Council on the EU Ecolabel.

Commencement Information

I12 Sch. para. 3 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(1)

4. Commission Regulation (EU) 2017/1505 amending Annexes I, II and III to Regulation (EC) No 1221/2009 of the European Parliament and of the Council on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS).

Commencement Information

I13 Sch. para. 4 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(1)

5. Commission Regulation (EU) 2017/1941 amending Annex II to Regulation (EC) No 66/2010 of the European Parliament and of the Council on the EU Ecolabel.

Commencement Information

I14 Sch. para. 5 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(1)

Decisions **U.K.**

6. Decision No [2179/98/EC](#) of the European Parliament and of the Council on the review of the European Community programme of policy and action in relation to the environment and sustainable development ‘Towards sustainability’.

Commencement Information

I15 Sch. para. 6 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

7. Commission Decision 2010/709/EU establishing the European Union Ecolabelling Board.

Commencement Information

I16 Sch. para. 7 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

8. Commission Decision 2011/330/EU on establishing the ecological criteria for the award of the EU Ecolabel for notebook computers.

Commencement Information

I17 Sch. para. 8 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

9. Commission Decision 2011/333/EU on establishing the ecological criteria for the award of the EU Ecolabel for copying and graphic paper.

Commencement Information

I18 Sch. para. 9 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

10. Commission Decision 2011/337/EU on establishing the ecological criteria for the award of the EU Ecolabel for personal computers.

Commencement Information

I19 Sch. para. 10 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

11. Commission Decision 2011/381/EU on establishing the ecological criteria for the award of the EU Ecolabel to lubricants.

Commencement Information

I20 Sch. para. 11 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

12. Commission Decision 2011/740/EU amending Decisions [2006/799/EC](#), [2007/64/EC](#), [2007/506/EC](#), [2007/742/EC](#), [2009/543/EC](#) and [2009/544/EC](#) in order to prolong the validity of the ecological criteria for the award of the EU Ecolabel to certain products.

Commencement Information

I21 Sch. para. 12 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

13. Commission Decision 2011/832/EU concerning a guide on EU corporate registration, third country and global registration under Regulation (EC) No 1221/2009 of the European Parliament and of the Council on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS).

Commencement Information

I22 Sch. para. 13 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

14. Commission Decision 2012/448/EU establishing the ecological criteria for the award of the EU Ecolabel for newsprint paper.

Commencement Information

I23 Sch. para. 14 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

15. Commission Decision 2012/481/EU establishing the ecological criteria for the award of the EU Ecolabel for printed paper.

Commencement Information

I24 Sch. para. 15 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

16. Commission Decision 2013/131/EU establishing the user's guide setting out the steps needed to participate in EMAS, under Regulation (EC) No 1221/2009 of the European Parliament and of the Council on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS).

Commencement Information

I25 Sch. para. 16 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

17. Commission Decision 2013/135/EU amending Decisions [2007/506/EC](#) and [2007/742/EC](#) in order to prolong the validity of the ecological criteria for the award of the EU Ecolabel to certain products.

Commencement Information

I26 Sch. para. 17 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

18. Commission Decision 2013/250/EU establishing the ecological criteria for the award of the EU Ecolabel for sanitary tapware.

Commencement Information

I27 Sch. para. 18 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

19. Commission Decision 2013/295/EU amending Decisions [2006/799/EC](#), [2007/64/EC](#), [2009/300/EC](#), [2009/543/EC](#), [2009/544/EC](#), [2009/563/EC](#), [2009/564/EC](#), [2009/567/EC](#), [2009/568/EC](#), [2009/578/EC](#), [2009/598/EC](#), [2009/607/EC](#), [2009/894/EC](#), [2009/967/EC](#), [2010/18/EC](#) and [2011/331/EU](#) in order to prolong the validity of the ecological criteria for the award of the EU Ecolabel to certain products.

Commencement Information

I28 Sch. para. 19 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

20. Commission Decision 2013/641/EU establishing the ecological criteria for the award of the EU Ecolabel for flushing toilets and urinals.

Commencement Information

I29 Sch. para. 20 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

21. Commission Decision 2013/806/EU establishing the ecological criteria for the award of the EU Ecolabel for imaging equipment.

Commencement Information

I30 Sch. para. 21 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

22. Decision No 1386/2013/EU of the European Parliament and of the Council on a General Union Environment Action Programme to 2020 ‘Living well, within the limits of our planet’.

Commencement Information

I31 Sch. para. 22 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

23. Commission Decision 2014/256/EU establishing the ecological criteria for the award of the EU Ecolabel for converted paper products.

Commencement Information

I32 Sch. para. 23 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

24. Commission Decision 2014/312/EU establishing the ecological criteria for the award of the EU Ecolabel for indoor and outdoor paints and varnishes.

Commencement Information

I33 Sch. para. 24 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

25. Commission Decision 2014/314/EU establishing the criteria for the award of the EU Ecolabel for water-based heaters.

Commencement Information

I34 Sch. para. 25 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

26. Commission Decision 2014/336/EU amending Decisions [2006/799/EC](#), [2007/64/EC](#), [2009/300/EC](#), [2009/894/EC](#), 2011/330/EU, 2011/331/EU and 2011/337/EU in order to prolong the validity of the ecological criteria for the award of the EU Ecolabel to certain products.

Commencement Information

I35 Sch. para. 26 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

27. Commission Decision 2014/345/EU amending Decision 2012/481/EU establishing the ecological criteria for the award of the EU Ecolabel for printed paper.

Commencement Information

I36 Sch. para. 27 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

28. Commission Decision 2014/350/EU establishing the ecological criteria for the award of the EU Ecolabel for textile products.

Commencement Information

I37 Sch. para. 28 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

29. Commission Decision 2014/391/EU establishing the ecological criteria for the award of the EU Ecolabel for bed mattresses.

Commencement Information

I38 Sch. para. 29 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

30. Commission Decision 2014/763/EU establishing the ecological criteria for the award of the EU Ecolabel for absorbent hygiene products.

Commencement Information

I39 Sch. para. 30 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

31. Commission Decision 2014/893/EU establishing the ecological criteria for the award of the EU Ecolabel for rinse-off cosmetic products.

Commencement Information

I40 Sch. para. 31 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

32. Commission Decision (EU) 2015/801 on reference document on best environmental management practice, sector environmental performance indicators and benchmarks of excellence for the retail trade sector under Regulation (EC) No 1221/2009 of the European Parliament and of the Council on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS).

Commencement Information

I41 Sch. para. 32 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

33. Commission Decision (EU) 2015/877 amending Decisions [2009/568/EC](#), 2011/333/EU, 2011/381/EU, 2012/448/EU and 2012/481/EU in order to prolong the validity of the ecological criteria for the award of the EU Ecolabel to certain products.

Commencement Information

I42 Sch. para. 33 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

34. Commission Decision (EU) 2015/886 amending Decision 2014/312/EU establishing the ecological criteria for the award of the EU Ecolabel for indoor and outdoor paints and varnishes.

Commencement Information

I43 Sch. para. 34 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

35. Commission Decision (EU) 2015/2099 establishing the ecological criteria for the award of the EU Ecolabel for growing media, soil improvers and mulch.

Commencement Information

I44 Sch. para. 35 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

36. Commission Decision (EU) 2016/397 amending Decision 2014/312/EU establishing the ecological criteria for the award of the EU Ecolabel for indoor and outdoor paints and varnishes.

Commencement Information

I45 Sch. para. 36 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

37. Commission Decision (EU) 2016/611 on the reference document on best environmental management practice, sector environmental performance indicators and benchmarks of excellence for the tourism sector under Regulation (EC) No 1221/2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS).

Commencement Information

I46 Sch. para. 37 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

38. Commission Decision (EU) 2016/1332 establishing the ecological criteria for the award of the EU Ecolabel for furniture.

Commencement Information

I47 Sch. para. 38 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

39. Commission Decision (EU) 2016/1371 establishing the ecological criteria for the award of the EU Ecolabel for personal, notebook and tablet computers.

Commencement Information

I48 Sch. para. 39 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

40. Commission Decision (EU) 2017/175 on establishing EU Ecolabel criteria for tourist accommodation.

Commencement Information

I49 Sch. para. 40 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

41. Commission Decision (EU) 2017/176 on establishing EU Ecolabel criteria for wood-, cork- and bamboo-based floor coverings.

Commencement Information

I50 Sch. para. 41 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

42. Commission Decision (EU) 2017/1214 establishing the EU Ecolabel criteria for hand dishwashing detergents.

Commencement Information

I51 Sch. para. 42 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

43. Commission Decision (EU) 2017/1215 establishing the EU Ecolabel criteria for industrial and institutional dishwasher detergents.

Commencement Information

I52 Sch. para. 43 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

44. Commission Decision (EU) 2017/1216 establishing the EU Ecolabel criteria for dishwasher detergents.

Commencement Information

I53 Sch. para. 44 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

45. Commission Decision (EU) 2017/1217 establishing the EU Ecolabel criteria for hard surface cleaning products.

Commencement Information

I54 Sch. para. 45 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

46. Commission Decision (EU) 2017/1218 establishing the EU Ecolabel criteria for laundry detergents.

Commencement Information

I55 Sch. para. 46 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

47. Commission Decision (EU) 2017/1219 establishing the EU Ecolabel criteria for industrial and institutional laundry detergents.

Commencement Information

I56 Sch. para. 47 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

48. Commission Decision (EU) 2017/1392 amending Decision 2014/350/EU establishing the ecological criteria for the award of the EU Ecolabel for textile products.

Commencement Information

I57 Sch. para. 48 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

49. Commission Decision (EU) 2017/1508 on the reference document on best environmental management practice, sector environmental performance indicators and benchmarks of excellence for the food and beverage manufacturing sector under Regulation (EC) No 1221/2009 of the European Parliament and of the Council on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS).

Commencement Information

I58 Sch. para. 49 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

50. Commission Decision (EU) 2017/1525 amending Decision 2014/256/EU in order to prolong the validity of the ecological criteria for the award of the EU Ecolabel to converted paper products.

Commencement Information

I59 Sch. para. 50 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

51. Commission Decision (EU) 2017/2076 amending Decision [2009/607/EC](#) as regards the period of validity of the ecological criteria for the award of the EU Ecolabel to hard coverings.

Commencement Information

I60 Sch. para. 51 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

52. Commission Decision (EU) 2017/2285 of 6 December 2017 amending the user's guide setting out the steps needed to participate in EMAS, under Regulation (EC) No 1221/2009 of the European Parliament and of the Council on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS).

Commencement Information

I61 Sch. para. 52 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

53. Commission Implementing Decision (EU) 2017/2286 on the recognition of the requirements of the Eco-Lighthouse environmental management system as complying with the corresponding requirements of the eco-management and audit scheme (EMAS) in accordance with Article 45 of Regulation (EC) No 1221/2009 of the European Parliament and of the Council on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS).

Commencement Information

I62 Sch. para. 53 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(1)

54. Commission Decision (EU) 2018/59 amending Decision 2009/300/EC as regards the content, and period of validity, of the ecological criteria for the award of the EU Eco-label to televisions.

Commencement Information

I63 Sch. para. 54 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(1)

55. Commission Decision (EU) 2018/666 amending Decision 2014/312/EU as regards the period of validity of the ecological criteria for the award of the EU Ecolabel for indoor and outdoor paints and varnishes.

Commencement Information

I64 Sch. para. 55 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(1)

56. Commission Decision (EU) 2018/680 establishing EU Ecolabel criteria for indoor cleaning services.

Commencement Information

I65 Sch. para. 56 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(1)

57. Commission Decision (EU) 2018/813 on the sectoral reference document on best environmental management practices, sector environmental performance indicators and benchmarks of excellence for the agriculture sector under Regulation (EC) No 1221/2009 of the European Parliament and of the Council on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS).

Commencement Information

I66 Sch. para. 57 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(1)

58. Commission Decision (EU) 2018/993 amending Decisions (EU) 2017/1214, (EU) 2017/1215, (EU) 2017/1216, (EU) 2017/1218 and (EU) 2017/1219 as regards the duration of the transitional period.

Commencement Information

I67 Sch. para. 58 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

PART 2 **E+W**

Subordinate legislation (England)

59. The Pollution Prevention and Control (Designation of Directives) (England and Wales) Order 2013 ^{M45}.

Commencement Information

I68 Sch. para. 59 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

Marginal Citations

M45 [S.I. 2013/123](#).

60. The Pollution Prevention and Control (Designation of Energy Efficiency Directive) (England and Wales) Order 2015 ^{M46}.

Commencement Information

I69 Sch. para. 60 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

Marginal Citations

M46 [S.I. 2015/816](#).

61. The Pollution Prevention and Control (Designation of Directives) (England and Wales) Order 2015 ^{M47}.

Commencement Information

I70 Sch. para. 61 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

Marginal Citations

M47 [S.I. 2015/1352](#).

62. The Pollution Prevention and Control (Designation) (England and Wales) Order 2016 ^{M48}.

Commencement Information

I71 Sch. para. 62 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

Marginal Citations

M48 S.I. 2016/150.

63. The Pollution Prevention and Control (Designation of Waste Directive) (England and Wales) Order 2016 ^{M49}.

Commencement Information

I72 Sch. para. 63 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(1)

Marginal Citations

M49 S.I. 2016/398.

64. The Pollution Prevention and Control (Designation of Directives) (England and Wales) Order 2017 ^{M50}.

Commencement Information

I73 Sch. para. 64 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(1)

Marginal Citations

M50 S.I. 2017/1248.

[^{F12}**64A.** The Pollution Prevention and Control (Designation of Directives) (England and Wales) Order 2019.]

Textual Amendments

F12 Sch. para. 64A inserted (31.12.2020 immediately before IP completion day) by *The Environment (Amendment etc.) (EU Exit) (Amendment) (England and Wales) Regulations 2020* (S.I. 2020/603), regs. 1, **2(4)**

Commencement Information

I74 Sch. para. 64A in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(1)

PART 3 U.K.

Subordinate legislation (offshore)

65. The Pollution Prevention and Control (Designation of the Industrial Emissions Directive) (Offshore) Order 2013 ^{M51}.

Commencement Information

I75 Sch. para. 65 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(1)

Changes to legislation: There are currently no known outstanding effects for the The Environment (Amendment etc.) (EU Exit) Regulations 2019. (See end of Document for details)

Marginal Citations

M51 [S.I. 2013/669](#).

66. The Pollution Prevention and Control (Designation of the Medium Combustion Plant Directive) (Offshore) Order 2018 ^{M52}.

Commencement Information

I76 Sch. para. 66 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)

Marginal Citations

M52 [S.I. 2018/487](#).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers conferred by section 8(1) of 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) and (g) of that Act) arising from the withdrawal of the United Kingdom from the European Union.

Part 2 makes amendments to primary legislation concerning the environment.

Part 3 makes amendments to subordinate legislation concerning the environment.

Part 4 makes saving provisions in respect of amendments made to the Environment Act 1995 (c. 25) in Part 2.

Part 5 and the Schedule contain revocations. Part 1 of the Schedule revokes certain retained direct EU legislation concerning the environment. Parts 2 and 3 of the Schedule revoke subordinate legislation in consequence of amendments made to the Pollution Prevention and Control Act 1999 (c. 24) in Part 2 of the Regulations.

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

Changes to legislation:

There are currently no known outstanding effects for the The Environment (Amendment etc.) (EU Exit) Regulations 2019.