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WELSH STATUTORY INSTRUMENTS

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**2019 No. 247**

**The Environmental Noise (Wales)  
(Amendment) (EU Exit) Regulations 2019**

**Amendment of the Environmental Noise (Wales) Regulations 2006**

- 2.—(1) The Environmental Noise (Wales) Regulations 2006<sup>(1)</sup> are amended as follows.
- (2) In regulation 2—
- (a) in paragraph (2), in the definition of “Directive”, for “as last amended by Commission Directive (EU) 2015/996” substitute “, as it had effect immediately before exit day”; and
- (b) after paragraph (2) insert—
- “(3) 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 Welsh Ministers.”.
- (3) In regulation 4, after paragraph (6) insert—
- “(7) For the purposes of paragraph (2)(a), a reference to Annex I to 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 States” 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 Directive” substitute “relevant retained EU law<sup>(2)</sup>”; and
- (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”; and
- (b) omit paragraph (ii).
- (7) In Schedule 1—
- (a) in paragraph 1—
- (i) the existing text is renumbered as sub-paragraph (1); and
- (ii) after the new sub-paragraph (1), insert—
- “(2) For the purposes of sub-paragraph (1), the reference to paragraphs 1.5, 1.6 and 2.6 of Annex VI of the Directive is to be read with the following modifications—
- (a) in paragraph 1.5, as if the reference in that paragraph to “major roads”, “major railways” and “major airports” as defined in Article 3 of the

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(1) [S.I. 2006/2629 \(W. 225\)](#), amended by [S.I. 2009/47 \(W. 15\)](#).

(2) Relevant retained EU law includes the Environmental Noise (England) Regulations 2006 ([S.I. 2006/2629](#)), the Environmental Noise (Scotland) Regulations 2006 ([S.S.I. 2006/465](#)) and the Environmental Noise Regulations (Northern Ireland) 2006 ([S.R. 2006 No. 387](#)).

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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Directive was to “major road” (“prif ffordd”), “major railway” (“prif reilffordd”) and “major airport” (“prif faes awyr”) as defined in regulation 2(2) of these Regulations; and

(b) in paragraphs 1.6 and 2.6, as if the words from “These data” to the end were omitted.”;

(b) in paragraph 2, after sub-paragraph (2) insert—

“(3) For the purposes of sub-paragraph (1)(a), a reference to Annex IV of the Directive is to be read as if the following were omitted—

(a) in paragraph 4, the first indent;

(b) in paragraph 5, the words from “concerning” to “Commission”; and

(c) paragraph 9.”