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STATUTORY INSTRUMENTS

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**2019 No. 458**

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

**PART 2**

Amendment of primary legislation

**The Pollution Prevention and Control Act 1999**

- 4.—(1) Schedule 1 to the Pollution Prevention and Control Act 1999 <sup>M1</sup> 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) <sup>F1</sup>after paragraph (c) insert—
- “(d) Council Directive [87/217/EEC](#) on the prevention and reduction of environmental pollution by asbestos <sup>M2</sup>;
- (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 <sup>M3</sup>;
- (f) Council Directive [1999/31/EC](#) on the landfill of waste <sup>M4</sup>, as last amended by Directive 2011/97/EU <sup>M5</sup>;

- (g) Directive [2000/53/EC](#) of the European Parliament and of the Council on end-of life vehicles <sup>M6</sup>, as last amended by Directive (EU) 2017/2096 <sup>M7</sup>;
- (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 <sup>M8</sup>;
- (i) Directive [2001/81/EC](#) of the European Parliament and of the Council on national emission ceilings for certain atmospheric pollutants <sup>M9</sup>;
- (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 <sup>M10</sup>;
- (k) Directive [2006/21/EC](#) of the European Parliament and of the Council on the management of waste from extractive industries <sup>M11</sup>;
- (l) Directive [2006/66/EC](#) of the European Parliament and of the Council on batteries and accumulators and waste batteries and accumulators <sup>M12</sup>, as last amended by Directive 2013/56/EU <sup>M13</sup>;
- (m) Directive [2006/118/EC](#) of the European Parliament and of the Council on the protection of groundwater against pollution and deterioration <sup>M14</sup>;
- (n) Directive [2008/98/EC](#) of the European Parliament and of the Council on waste <sup>M15</sup>, as last amended by Regulation (EU) 2017/997 <sup>M16</sup>;
- (o) Directive [2009/31/EC](#) of the European Parliament and of the Council on the geological storage of carbon dioxide <sup>M17</sup>;
- (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 <sup>M18</sup>;
- (q) Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions (integrated pollution prevention and control) <sup>M19</sup>;
- (r) Directive 2012/19/EU of the European Parliament and of the Council on waste electrical and electronic equipment (WEEE) <sup>M20</sup>, 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 <sup>M21</sup>;
- (t) Council Directive 2013/59/Euratom laying down basic safety standards for protection against the dangers arising from exposure to ionising radiation <sup>M22</sup>;
- (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 <sup>M23</sup>.’.]

[<sup>F2</sup>(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.”.

- F1** [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)**
- F2** [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)**

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**Commencement Information**

- II** 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)

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**Marginal Citations**

- M1** [1999 c. 24.](#)
- M2** 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).

- M3** 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).
- M4** OJ No L 182, 16.7.1999, p. 1.
- M5** OJ No L 328, 10.12.2011, p. 49.
- M6** OJ No L 269, 21.10.2000, p. 34.
- M7** OJ No L 299, 16.11.2017, p. 24.
- M8** 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).
- M9** 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).
- M10** 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).
- M11** 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).
- M12** OJ No L 266, 26.9.2006, p. 1.
- M13** OJ No L 329, 10.12.2013, p. 5.
- M14** 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).
- M15** OJ No L 312, 22.11.2008, p. 3.
- M16** OJ No L 150, 14.6.2017, p. 1.
- M17** 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).
- M18** 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).
- M19** 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).
- M20** OJ No L 197, 24.7.2012, p. 38.
- M21** 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).
- M22** 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).
- M23** OJ No L 313, 28.11.2015, p. 1.

**Changes to legislation:**

There are currently no known outstanding effects for the The Environment (Amendment etc.) (EU Exit) Regulations 2019, Section 4.