The Environmental Permitting (England and Wales) (Amendment) Regulations 2016

Made - - - - ***
Laid before Parliament ***
Laid before the National Assembly for Wales ***
Coming into force - - 13th May 2016

The Secretary of State, in relation to England, and the Welsh Ministers, in relation to Wales, make these Regulations in exercise of the powers conferred by sections 2 and 7(9)(a) of, and Schedule 1 to, the Pollution Prevention and Control Act 1999(a).

The Secretary of State, in relation to England, and the Welsh Ministers, in relation to Wales, have in accordance with section 2(4) of that Act consulted—
(a) the Environment Agency;
(b) the Natural Resources Body for Wales;
(c) such bodies or persons appearing to them to be representative of the interests of local government, industry, agriculture and small businesses as they consider appropriate; and
(d) such other bodies or persons as they consider appropriate.

Citation and commencement

1. These Regulations may be cited as the Environmental Permitting (England and Wales) (Amendment) Regulations 2016 and come into force on 13th May 2016.

Amendment of the Environmental Permitting (England and Wales) Regulations 2010

2. The Environmental Permitting (England and Wales) Regulations 2010(b) are amended in accordance with regulations 3 and 4.

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(a) 1999 c. 24. Section 2 was amended by the Water Act 2014 (c. 21), section 62(13) and by S.I. 2013/755. Functions of the Secretary of State under or in relation to section 2, so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales, except in relation to offshore oil and gas exploration and exploitation, by the National Assembly for Wales (Transfer of Functions) Order 2005 (S.I. 2005/1958), article 3(1). Functions of the National Assembly for Wales were transferred to the Welsh Ministers by the Government of Wales Act 2006 (c. 32), Schedule 11, paragraph 30. Schedule 1 was amended by the Waste and Emissions Trading Act 2003 (c. 33), section 38, the Clean Neighbourhoods and Environment Act 2005 (c. 16), section 105(1) and S.I. 2005/925, 2011/1043, 2012/2788 and 2015/664.

(b) S.I. 2010/675, amended by S.I. 2011/2933; there are other amending instruments but none is relevant.
Amendment of Part 2 of Schedule 1

3.—(1) In Schedule 1, Part 2 (Part 2 activities)(a) is amended as follows.


Amendment of Part 2 of Schedule 18

4. In Schedule 18, in Part 2 (PVR II)(c), for paragraph 2 substitute—

“Interpretation


Name
Parliamentary Under Secretary of State
Date
Department for Environment, Food and Rural Affairs

Name
Minister for Natural Resources
Date
One of the Welsh Ministers

EXPLANATORY NOTE
(This note is not part of the Order)


An Impact Assessment of the effect that this instrument will have on the costs of business, the voluntary sector and the public sector is available from the Better Regulation Programme, Department for Environment, Food and Rural Affairs, 17 Smith Square, London SW1P 3JR and is published with the Explanatory Memorandum alongside the instrument on www.legislation.gov.uk.

(a) As amended by S.I. 2011/2933.
(c) Schedule 18 was substituted by S.I. 2011/2933.