

UK MINISTERS ACTING IN DEVOLVED AREAS

212 - The International Waste Shipments (Amendment) (EU Exit) Regulations 2021

Laid in the UK Parliament: 17 December 2020

Sifting

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| Subject to sifting in UK Parliament? | No |
| Procedure: | Affirmative |
| Date of consideration by the House of Commons European Statutory Instruments Committee | N/A |
| Date of consideration by the House of Lords Secondary Legislation Scrutiny Committee | N/A |
| Date sifting period ends in UK Parliament | N/A |
| SICM under SO 30A (because amends primary legislation) | Not required |

Scrutiny procedure

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| Outcome of sifting | N/A |
| Procedure | Affirmative |
| Date of consideration by the Joint Committee on Statutory Instruments | Not known |
| Date of consideration by the House of Commons Statutory Instruments Committee | Not known |
| Date of consideration by the House of Lords Secondary Legislation Scrutiny Committee | Not known |

Background

These Regulations are proposed to be made by the UK Government pursuant to sections 8(1) and 8C(1) of, and paragraph 21 of Schedule 7 to the European Union (Withdrawal) Act 2018.

Summary

The purpose of the International Waste Shipments (Amendment) (EU Exit) Regulations (“the 2021 Regulations”) is to make the necessary corrections to the retained legislation to implement controls on movements of waste from Great Britain to Northern Ireland. The amendments are required to enable the continued operability of retained EU law under the European Union (Withdrawal) Act 2018, in the field of environmental protection in relation to the transboundary movement of waste, following the UK’s exit from the EU.

The 2021 Regulations amend the following legislation:

Domestic Secondary Legislation

- The Transfrontier Shipment of Waste Regulations 2007.

EU Legislation

- Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste (the “Waste Shipments Regulation”); and
- Commission Regulation (EC) No 1418/2007 of 29 November 2007 concerning the export for recovery of certain waste listed in Annex III or IIIA to the Waste Regulations to certain countries to which the Organisation for Economic Cooperation and Development decision on the control of transboundary movements of wastes does not apply.

The operability changes and other consequential amendments made by the 2021 Regulations will establish regulatory and administrative controls on the movement of waste from Great Britain to Northern Ireland which are necessary to give effect to the Ireland/ Northern Ireland Protocol.

Statement by Welsh Government

Legal Advisers agree with the statement laid by the Welsh Government dated 30 December 2020 regarding the effect of these Regulations.

Intergovernmental Agreement on the European Union (Withdrawal) Bill

The above summary and the content of the Explanatory Memorandum to these Regulations confirm their effect.

Legal Advisers do not consider that any significant issues arise under paragraph 8 of the Memorandum on the European Union (Withdrawal) Bill and the Establishment of Common Frameworks in relation to these Regulations.