

**Constitutional and Legislative Affairs Committee Draft Report
CLA(4)-03-13 Paper 4**

**CLA205 - Environmental Permitting (England and Wales) (Amendment) Regulations
2013**

These composite Regulations amend the Environmental Permitting (England and Wales) Regulations 2010 in order to transpose Directive 2010/75/EU on industrial emissions (integrated pollution prevention and control). The Directive is a recast, streamlining seven existing Directives into one. As a consequence of transposition, there will be stricter limits for air pollution, although there will be some flexibility to extend deadlines for power plants or to waive the rules for other installations in special cases, subject to certain conditions being met. The Regulations aim to improve health and environmental protection, while making the rules clearer and easier to implement.

Procedure: Affirmative

Technical Scrutiny

Under Standing Order 21.2 the Assembly is invited to pay special attention to the following instrument:-

1. These Regulations have not been made bilingually.

[21.2(ix) – that it is not made or to be made in both English and Welsh].

The Welsh Government state in paragraph 2 of the explanatory memorandum that “this is a composite statutory instrument which applies to Wales and England only and is subject to the affirmative procedure in the National Assembly for Wales and in both Houses of Parliament. As with the 2010 Regulations, it is not considered practicable for this statutory instrument to be made bilingually.”

Merits Scrutiny

Under Standing Order 21.3 the Assembly is invited to pay special attention to the following instrument:-

1. The transposition deadline for implementing Directive 2010/75/EU for Member States is 7th January 2013. These Regulations are not due to go to Plenary until 29th January 2013. By the time these Regulations are debated and possibly approved (these Regulations come into force on the seventh day after the day on which they are made) they would have missed the transposition deadline.

Legal Advisers

Constitutional and Legislative Affairs Committee

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Government response to follow