



Llywodraeth Cymru
Welsh Government

WRITTEN STATEMENT BY THE WELSH GOVERNMENT

TITLE Pipe-lines, Petroleum, Electricity Works and Oil Stocking
(Miscellaneous Amendments) (EU Exit) Regulations 2018

DATE 20 November 2018

BY Julie James AM, Leader of the House and Chief Whip

Pipe-lines, Petroleum, Electricity Works and Oil Stocking (Miscellaneous Amendments) (EU Exit) Regulations 2018

The 2018 Regulations contain a number of provisions which fall entirely or in part within devolved competence, these provisions amend the following legislation.

Domestic Legislation

- Hydrocarbons Licensing Directive Regulations 1995;
- Offshore Combustion Installations (Pollution Prevention and Control) Regulations 2013;
- Petroleum Licensing (Applications) Regulations 2015
- Electricity Works (Environmental Impact Assessment)(England and Wales) Regulations 2017

The SIs impact in relation to Wales:

In terms of the SIs impact in Wales, it makes amendments to the following regulations in so far that they relate to technical amendments and exit issues in respect to specific energy sector activities. They will address failures of retained EU law to operate effectively and other deficiencies arising from the UK's exit from the European Union.

Any impact the SI may have on the Assembly's legislative competence and/or the Welsh Ministers' executive competence

The SIs (where relevant) to Wales are within devolved competence, however, in these exceptional circumstances when we are required to consider and correct an unprecedented volume of legislation within a tight timeframe and with finite resources, the Welsh Government's general principal is that it appropriate that we ask the UK Government to legislate on our behalf in a large number of statutory instruments.

The purpose of the amendments

The European Union Withdrawal Act 2018 ('EUWA') will allow EU-derived legislation to be fixed to ensure it operates properly and effectively once the UK has left the EU.

These amendments address deficiencies arising from the exit of the UK from the EU. This instrument amends provisions which will for example, become inappropriate or redundant.

After exit, without amendment the relevant EU law would not operate properly to such an extent that powers to continue carrying out statutory functions could be put in doubt.

This instrument amends the relevant legislation to ensure that existing protections and regulatory frameworks are maintained and continue to work in the same way once the UK has left the EU.

The SI and accompanying Explanatory Memorandums, setting out the effect of each amendment is available here:

<https://www.gov.uk/eu-withdrawal-act-2018-statutory-instruments>

Why consent was given

Consent has been given for the UK Government to make these corrections in relation to, and on behalf of, Wales for reasons of efficiency, expediency and due to the technical nature of the amendments. The amendments have been considered fully; and there is no divergence in policy. These amendments are to ensure that the statute book remains functional following the UK's exit from the EU. This is in line with the principles for correcting agreed by the Cabinet Sub-Committee on European Transition in May.