

UK MINISTERS ACTING IN DEVOLVED AREAS

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

Laid in the UK Parliament: 5 December 2018

Sifting

Subject to sifting in UK Parliament?	No
Procedure:	Affirmative
Date of consideration by the House of Commons European Statutory Instruments Committee	NA
Date of consideration by the House of Lords Secondary Legislation Scrutiny Committee	NA
Date sifting period ends in UK Parliament	NA
Written statement under SO 30C:	Paper 24
SICM under SO 30A (because amends primary legislation)	Paper 25

Scrutiny procedure

Outcome of sifting	NA
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

Commentary

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

These Regulation ensure that cross-cutting, environmental laws in the United Kingdom function legally after the exit from the European Union.

It does this in three ways:

- (1) by amending cross-cutting, environmental Acts;
 - (2) by amending cross-cutting, environmental statutory instruments;
- and
- (3) by preventing some EU environmental Regulations and Decisions, which are out-of-date
or will have no further function once we have left the EU, being brought into UK law by
the automatic operation of the EU (Withdrawal) Act 2018 ("EUWA 2018"); together with

domestic designation orders as regards England and Wales which are redundant in the light of the amendments to Acts elsewhere in the instrument.

Legal Advisers make the following comments in relation to the Welsh Government's statement dated 10 December 2018 regarding the effect of these Regulations:

The Welsh Government's statement incorrectly refers to these Regulations as being the Environment (Amendment etc.) (EU Exit) Regulations 2018, when in fact they are actually the Environment (Amendment etc.) (EU Exit) Regulations 2019.

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

Legal Advisers have not identified any legal reason to seek a consent motion under Standing Order 30A.10 in relation to these Regulations.