

## UK MINISTERS ACTING IN DEVOLVED AREAS

### 167 - The Environment (Miscellaneous Amendments etc.) (EU Exit) Regulations 2020

*Laid in the UK Parliament: 24 September 2020*

#### Sifting

Subject to sifting in UK Parliament?	Yes
Procedure:	Proposed Negative
Date of consideration by the House of Commons European Statutory Instruments Committee	6 October 2020
Date of consideration by the House of Lords Secondary Legislation Scrutiny Committee	6 October 2020
Date sifting period ends in UK Parliament	12 October 2020
Written statement under SO 30C:	Paper 38
SICM under SO 30A (because amends primary legislation)	Not required

#### Scrutiny procedure

Outcome of sifting	Not known
Procedure	Not known
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 2(2) of the European Communities Act 1972, section 8(1) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018 and section 41(1) of the European Union (Withdrawal Agreement) Act 2020.

These Regulations make amendments to environmental laws to address minor errors and to ensure they continue to operate effectively after the end of the implementation period, and also make necessary amendments to directly applicable retained EU law.

In particular, these Regulations:

- Amend the Air Quality Standards Regulations 2010 and the National Emission Ceiling Regulations 2018 to ensure that the legislation implements the relevant EU law as intended;

- Ensure that the Control of Trade in Endangered Species (Miscellaneous Amendments) Regulations 2019 continues to operate effectively;

- Correct errors and update previous EU Exit instruments to ensure that deficiencies in the legislation amended by those instruments are addressed as intended.

Legal Advisers agree with the statement laid by the Welsh Government dated 29 September 2020 regarding the effect of these Regulations.

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.