

SL(5)227 – The Hazardous Waste (Miscellaneous Amendments) (Wales) Regulations 2018

Background and Purpose

These Regulations amend legislation which refers to Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives.

The amendments made by these Regulations are necessary in order to implement Council Regulation (EU) 2017/997 of 8 June 2017 amending Annex III to Directive 2008/98/EC of the European Parliament and of the Council as regards the hazardous property HP 14 'Ecotoxic'.

Procedure

Negative.

Technical Scrutiny

No points are identified for reporting under Standing Order 21.2 in respect of this instrument.

Merits Scrutiny

No points are identified for reporting under Standing Order 21.3 in respect of this instrument.

Implications arising from exiting the European Union

These Regulations implement and enforce EU obligations in respect of hazardous waste and are necessary to update the EU method for classifying waste as 'ecotoxic'. Therefore, these Regulations will form part of retained EU law after exit day.

The Intergovernmental Agreement on the European Union (Withdrawal) Bill and the Establishment of Common Frameworks states that "environmental quality - chemicals" is a policy area likely to be subject to clause 15 regulations under the EU (Withdrawal) Bill. Therefore, the law covered by these Regulations is likely to be an area of EU law that is frozen while common frameworks are put in place.

Government Response

No government response is required.

Legal Advisers

Constitutional and Legislative Affairs Committee

14 June 2018

