

SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 4800 GIBRALTAR Thursday 24th December 2020

LEGAL NOTICE NO. 531 OF 2020.

EUROPEAN UNION (WITHDRAWAL) ACT 2019

WASTE (MISCELLANEOUS AMENDMENTS) (EU EXIT) REGULATIONS 2020

In exercise of the powers conferred on him by section 11 of the European Union (Withdrawal) Act 2019, the Minister has made these Regulations-

Title.

1. These Regulations may be cited as the Waste (Miscellaneous Amendments) (EU Exit) Regulations 2020.

Commencement.

2. These Regulations come into operation on 1 January 2021.

Amendment of Public Health Act.

3.(1) The Public Health Act is amended in accordance with the provisions of this regulation.

(2) In section 192A(1)-

- (a) in the definition “the Batteries Directive” for “as amended from time to time” substitute “as it had effect immediately before 1 January 2021”;
- (b) in the definition “the Directive” for “as the same may be amended from time to time” substitute “as it had effect immediately before 1 January 2021”.

(3) In section 192B(3)(g) for “European Union legislation” substitute “retained EU law”.

(4) In section 192BA-

- (a) in subsection (2) for “Where criteria has not been developed by the European Union pursuant to Article 6(2) of the Directive, the Government may by Order-” substitute “The government may by order-”;
- (b) delete subsection (3).”.

(5) In section 192C(3)(c) delete subparagraph (i).

- (6) In section 192DA delete subsection (5).
- (7) In section 192JC(1) for “submitted to the European Commission” substitute “compiled”.
- (8) In section 192JD-
- (a) in subsection (1) delete “to Member States and to third countries”;
 - (b) in subsection (2) for “out of the European Union” substitute “from Gibraltar”;
 - (c) delete subsection (3).
- (9) In section 192KA-
- (a) in subsection (8) delete “and where he does so, he must ensure that the Commission is informed in accordance with Article 37(1) of the Directive”;
 - (b) in subsection (8A) delete “and where he does so pursuant to paragraph (a), he must ensure that the Commission is informed in accordance with Article 37(1) of the Directive”.
- (10) In section 192M(1B)(b) for “European Union legislation” substitute “retained EU law”.
- (11) Delete section 192U.
- (12) In section 192W(1)-
- (a) for “European Union” substitute “retained EU law”;
 - (b) delete “and without prejudice to the generality of the foregoing such rules may include provision in respect of any amendments to the Directive”.
- (13) Delete section 192X.
- (14) Delete section 192Y.

Environment (Waste) Regulations 2007.

4.(1) The Environment (Waste) Regulations 2007 are amended in accordance with the provisions of this regulation.

- (2) In regulation 2-
- (a) in subregulation (1)-
 - (i) for the definition “disposal” substitute-

““disposal” means any operation which is not recovery even where the operation has as a secondary consequence the reclamation of substances or energy, Schedule 12 to the Public Health Act sets out a non-exhaustive list of disposal operations;”,

- (ii) in the definition “the Batteries Directive” at the end insert “as it had effect immediately before 1 January 2021”,
- (iii) in the definition “the WEE Directive” for the words “amended from time to time” substitute “as it had effect immediately before 1 January 2021”.

(3) After subregulation (2) insert-

“(3) In these Regulations a reference to the Waste Directive is a reference to Directive 2008/98/EC of the European Parliament and of the Council on waste and repealing certain Directives as last amended by Directive (EU) 2018/851 and as read in accordance with regulation 2A.”.

(4) After regulation 2 insert-

“2ZA.(1) For the purposes of these Regulations, the Waste Directive is to be read in accordance with this regulation.

(2) Article 3(20) is to be read as if for “Article 2(11) of Directive 96/61/EC” there were substituted “Article 3(10) of the Industrial Emissions Directive”.

(3) Article 5 is to be read as if-

(a) in paragraph 1, “Member States shall take appropriate measures to ensure that” were omitted;

(b) after paragraph 1 there were inserted-

“1A. Any decision as to whether a substance or object is a by-product must be made-

(a) in accordance with any regulations setting out detailed criteria on the application of the conditions in paragraph 1 to specific substances or objects; and

(b) having regard to any guidance published by the Minister for the purposes of this Article.”;

(c) paragraphs 2 and 3 were omitted.

(4) Article 6 is to be read as if-

- (a) in paragraph 1, “Member States shall take appropriate measures to ensure that” were omitted;
 - (b) after paragraph 1 there were inserted-
 - “1A. Any decision as to whether a substance or object has ceased to be waste must be made-
 - (a) in accordance with any regulations or retained direct EU legislation setting out detailed criteria on the application of the conditions in paragraph 1 to specific types of waste; and
 - (b) having regard to any guidance published by the Minister for the purposes of this Article.”;
 - (c) in paragraph 2-
 - (i) the first subparagraph were omitted;
 - (ii) in the second subparagraph, for “Those detailed criteria” there were substituted “Any detailed criteria set out in guidance as referred to in paragraph 1A”;
 - (iii) the third and fourth subparagraphs were omitted;
 - (d) paragraph 3 were omitted;
 - (e) in paragraph 4-
 - (i) in the first subparagraph-
 - (aa) in the first sentence, for the words from the beginning to “Member State”, there were substituted “Where criteria have not been set out as referred to in paragraph 1A(a), the Minister”;
 - (bb) the second sentence were omitted;
 - (ii) in the second subparagraph-
 - (aa) for “Member States” there were substituted “The Minister”;
 - (bb) “by competent authorities” were omitted.”;
- (5) Article 7 is to be read as if-
- (a) before paragraph 1 there were inserted-

- “A1. In this Article, the “list of waste” means the list contained in the Annex to Commission Decision 2000/532/EC, as that list has effect in Gibraltar.”;
- (b) in paragraph 1-
- (i) the first and second sentences were omitted;
- (ii) for the third sentence there were substituted “The list of waste shall, except as provided in Commission Decision 2000/532/EC, be binding as regards determination of the waste which is to be considered as hazardous waste or as non-hazardous waste.”;
- (c) paragraphs 2, 3, 6 and 7 were omitted.”;
- (6) Article 23 is to be read as if in paragraph 5, “or Community” were omitted.
- (7) Annex 3 is to read as if, in entry HP 9, in the second sentence, “in the Member States” were omitted.
- (8) Article 25 is to be read as if paragraph 3 were omitted.
- (9) In subregulation (3), “the Industrial Emissions Directive” means Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions (integrated pollution prevention and control), read in accordance with subregulations (10) and (11).
- (10) Article 3 of the Industrial Emissions Directive is to be read as if-
- (a) in point (1)(a), for the words from “Article 1” to the end there were substituted “Article 4(78) of the Basic Safety Standards Directive”;
- (b) in point (10)(b), for “Member State in question” there were substituted “Gibraltar”;
- (c) in point (37), for the words from “of the European” to the end there were substituted “, read with Articles 5 and 6 of that Directive”.
- (11) Annex 1 is to be read as if-
- (a) in the words before point 1, the second paragraph were omitted;
- (b) in point 5.3-
- (i) in point (a), in the words before point (i), for “Council Directive 91/271/EEC of 21 May 1991 concerning urban waste-water treatment” there were substituted “the urban waste water treatment legislation”,

- (ii) in point (b), in the words before point (i), for “Directive 91/271/EEC” there were substituted “the urban waste water treatment legislation”;
 - (c) in point 5.4, the reference to Council Directive 1999/31/EC of 26 April 1999 on the landfill of waste were a reference to the Landfill Directive;
 - (d) in point 6.9, for “Directive 2009/31/EC” there were substituted “the Environment (Geological Storage of Carbon Dioxide) Regulations 2011”;
 - (e) in point 6.11, for “Directive 91/271/EEC” there were substituted “the urban waste water treatment legislation”.
- (12) In subregulation (11)(b) and (e), “the urban waste water treatment legislation” means the Public Health (Urban Waste Water Collection and Treatment) Regulations 1999.
- (13) In subregulation (11)(c), “the Landfill Directive” means Council Directive 1999/31/EC on the landfill of waste, as last amended by Council Directive (EU) 2018/850, and read as if in Article 2-
- (a) in point (a) “‘waste’,” were omitted; and
 - (b) after point (a) there were inserted-
 - “(aa) “waste” means anything that-
 - (i) is waste within the meaning of Article 3(1) of Directive 2008/98/EC, as read with Articles 5 and 6 of that Directive, and
 - (ii) is not excluded from the scope of that Directive by Article 2(1), (2) or (3) of that Directive;”.
- (5) Immediately after the heading to Part II and before regulation 2A insert-
- “Modification of the WEEE Directive.**
- 2ZB.(1) For the purposes of this Part, the WEEE Directive is to be read in accordance with this regulation.
- (2) A reference to one or more member States or the competent authorities in a provision imposing an obligation or conferring a discretion on a member State, member States or competent authority is to be read as a reference to the Minister or appropriate authority which, immediately before 1 January 2021, was responsible for Gibraltar’s compliance with that obligation or able to exercise that discretion.

- (3) A reference to a term in the Directive which is defined in regulation 2A is to be read as if it had the meaning given in regulation 2.
- (4) Article 3 is to be read as if paragraphs 1(e), (f) and (l) and (2) were omitted.
- (5) Article 5(2)(e) is to be read as if “and Union” were omitted.
- (6) Article 8 is to be read as if-
 - (a) paragraph 4 were omitted;
 - (b) in paragraph 5, the second to fifth subparagraphs were omitted.
- (7) Article 9 is to be read as if-
 - (a) in paragraphs 1 and 2, for “Directive 2008/98/EC” there were substituted “the Waste Directive”;
 - (b) in paragraph 3, for the words “Article 11” there were substituted “Parts 2 and 3 of Schedule 2A to the Environment (Waste) Regulations 2007”;
 - (c) after paragraph 3, there were inserted-
 - “4. In paragraph 3, “permit” means a permit issued under regulation 6A of the Environment (Waste) Regulations 2007”.
- (8) Article 11 is to be read as if paragraphs 3 and 6 were omitted.
- (9) Annex 7 is to be read as if, in paragraph 1-
 - (a) in the first subparagraph-
 - (i) in the first indent, for the words from “Council Directive 96/59/EC” to the end there were substituted “the relevant PCB legislation”;
 - (ii) in the thirteenth indent, for the words from “Commission Directive 97/69/ EC” to the end there were substituted “Regulation (EC) No 1272/2008 of the European Parliament and of the Council on classification, labelling and packaging of substances and mixtures”;
 - (iii) in the fourteenth indent, for the words from “Article 3” to the end there were substituted “Annex 7 to the Basic Safety Standards Directive”;
 - (b) in the second subparagraph, for “Directive 2008/98/EC” there were substituted “the Waste Directive”.

- (10) Annex 8 is to be read as if, in paragraph 1, in the words before the first indent, the words from “(without prejudice” to “landfill of waste)” were omitted.
- (11) In subregulation (9)(a)(i), the “relevant PCB legislation” means the Environmental Protection (Disposal of Dangerous Substances) Act, 2000.

Meaning of “the Basic Safety Standards Directive” and “the Industrial Emissions Directive”.

- 2ZC.(1) In regulation 2ZB(9)(a)(iii) and this regulation, “the Basic Safety Standards Directive” means Council Directive 2013/59/Euratom laying down basic safety standards for protection against the dangers arising from exposure to ionising radiation, read in accordance with subregulations (2) to (4).
- (2) A reference to one or more member States or a competent authority in a provision imposing an obligation or conferring a discretion on a member State, member States or competent authority is to be read as a reference to the Minister or appropriate authority which, immediately before exit day, was responsible for Gibraltar’s compliance with that obligation or able to exercise that discretion.
- (3) Article 4(79) is to be read as if “under the legislative and regulatory framework of the Member State” there were substituted “in Gibraltar”.
- (4) Annex 7 is to be read as if, in section 2-
- (a) in points (c) and (d), “Community” were omitted;
 - (b) in point (e), in the second sentence, for “Article 75” there were substituted “regulation 16F of the Ionising Radiation Regulations 2004”.
- (6) In regulation 2A(1)-
- (a) delete the definition “disposal”;
 - (b) delete the definition “Member State”;
 - (c) in the definition “placing on the market” for “within the territory of a Member State” substitute “in Gibraltar”;
 - (d) in the definition “producer” omit the words “within the meaning of Directive 97/7/EC of the European Parliament and of the Council of 20 May 1997 on the protection of consumers in respect of distance contracts”;
 - (e) in the definition “waste electrical and electronic equipment” for “Directive 2008/98/EC” substitute “the Waste Directive as read with Articles 5 and 6 of that Directive”.

(7) In regulation 3(6) for “European Union legislation” substitute “retained EU law”.

(8) In regulation 3A(1)(a) for “interests of the security of Member States,” substitute “security interests”.

(9) In regulation 5-

(a) in subregulation (2)(e) omit “, including applicable EU standards”;

(b) omit subregulation (3A).

(10) In regulation 5C omit subregulations (6) and (7).

(11) In regulation 6 omit subregulation (6).

(12) In regulation 6B for subregulation (1) substitute-

“(1) The treatment operation may be undertaken outside of Gibraltar provided that the shipment of WEEE is in compliance with the relevant provisions of the Public Health Act, Regulation (EC) No 1013/2006 and Commission Regulation (EC) No 1418/2007.”.

(13) In regulation 7(1)(c) omit the words “for the purposes of Article 11(6) of the WEEE Directive,”.

(14) In regulation 10(a) for the words “European Union” substitute “Gibraltar”.

(15) In regulation 11 omit subregulations (3) and (4).

(16) In regulation 11A-

(a) in subregulation (1)-

(i) for “in a Member State other than” substitute “in”, and

(ii) omit the words “the WEEE Directive or”;

(b) omit subregulation (2).

(17) In regulation 11B-

(a) for subregulation (1) substitute-

“(1) The Competent Authority may cooperate with other authorities responsible for implementing provisions equivalent to the provisions contained in this Part, in particular-

- (a) to establish an adequate flow of information to ensure that producers comply with the provisions of these Regulations or the equivalent provisions; and
 - (b) to exchange information with other authorities and the European Commission to facilitate proper implementation of these Regulations or the equivalent provisions.”;
- (b) In subregulation (2) for “Member” substitute “other”.
- (18) Omit regulation 12.
- (19) In regulation 13-
- (a) in subregulation (1) omit “and the WEEE Directive”;
 - (b) in subregulation (2)-
 - (i) in paragraph (b) after “WEEE” insert “to or”,
 - (ii) in paragraph (c) for “Directive 2008/98/EC” substitute “Part VA of the Public Health Act”;
- (20) In regulation 14C-
- (a) in the definition “appliance” for “Directive 20000222/96/EC” substitute “Article 3(1)(a) of the WEEE Directive”;
 - (b) after the definition “battery pack” insert-

““best available techniques” has the meaning given in Article 2(2), as read with Article 2(3), of Decision 2012/134/EU establishing the best available techniques (BAT) conclusions under Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions for the manufacture of glass;”;
 - (c) in the definition “producer” omit the words “, including by means of distance communication as defined in Directive 97/7/EC of the European Parliament and of the Council of 20 May 1997 on the protection of consumers in respect of distance contracts”;
 - (d) in the definition “waste battery or accumulator for “Directive 2008/98/EC of the European Parliament and of the Council on 19 November 2008 on waste and repealing certain Directives” substitute “the Waste Directive”.
- (21) In regulation 14J delete subregulation (7).

(22) In regulation 14L-

(a) in subregulation (1)(b) for “Community legislation” substitute “retained EU law”;

(b) delete subregulation (4).

(23) In regulation 14O delete subregulation (6).

(24) In regulation 14U-

(a) in subregulation (1) delete paragraph (f);

(b) in subregulation (3) delete “and reported to the European Commission”.

International Waste Shipments (EU Exit) Regulations 2019.

5.(1) The International Waste Shipments (EU Exit) Regulations 2019 are amended in accordance with the provisions of this regulation.

(1) In regulation 2 for “exit day” substitute “1 January 2021”.

(3) For regulation 3(b) substitute-

“(b) for section 98E substitute-

“98E. For shipments of waste within and through Gibraltar, the Government shall be the competent authority of transit.”.

(4) In regulation 3(f) which substitutes section 98I, for subsection (3) of that section substitute-

“(3) Before amending or replacing the Gibraltar Plan, the Government must be satisfied that the change meets the objectives set out in -

(a) Article 4(2)(b) and (d) and (9)(a) of the Basel Convention; and

(b) paragraphs 1 to 3 of Schedule 11B.”.

(5) For regulation 3(v) substitute-

“(v) in section 98ZB-

(i) in the section heading after the words “for recovery:” insert “EU”,

(ii) in subsection (1)(a) for the words “a non-EU” substitute “an EU”;

(6) For regulation 23 substitute-

“23. In Article 26-

(a) in paragraph 4-

- (i) in the first subparagraph for the words “Directive 1999/93/EC of the European Parliament and of the Council (¹)” substitute “Regulation (EU) No 910/2014 of the European Parliament and of the Council on electronic identification and trust services for electronic transactions in the internal market”
- (ii) delete the second subparagraph;

(b) after paragraph 4 insert -

“5. The Minister may, if the condition in paragraph 6 is met, make regulations setting out the technical and organisational requirements for the practical implementation of electronic data interchange for the submission of documents and information with a view to facilitating the implementation of paragraph 4.

6. The condition is that the Minister-

(a) has taken into consideration any relevant international standards, and

(b) is satisfied that the requirements set out in the regulations are in conformity with Regulation (EU) No 910/2014 or provide at least the same level of security as provided for under that Regulation.”.

(7) After regulation 35(2) insert-

“(2A) In paragraph 2-

(a) for the first subparagraph substitute-

“The Minister may, by regulations, amend Commission Regulation (EC) No 1418/2007 in order to take into account any replies received pursuant to paragraph 1 on or after 1 January 2021.”;

(b) omit the third subparagraph.”.

(8) After regulation 51(7) insert-

“(7A) for paragraph 4e substitute-

“4e. The Minister may, by regulations, amend the correlation table in Commission Implementing Regulation (EU) 2016/1245 in order to-

- (a) reflect changes to the combined nomenclature provided for in Council Regulation (EEC) No 2658/87;
- (b) reflect changes to the entries of waste listed in Annexes 3, 3A, 3B, 4, 4A and 5;
- (c) include any new waste-related codes of the Harmonised System Nomenclature that the World Customs Organisation may adopt.”.

(9) After regulation 57 insert-

“Amendments to Article 58.

(57A) Article 58 is amended as follows-

- (a) for the words “Commission shall be empowered to adopt delegated acts in accordance with Article 58a to” substitute “Minister may, by regulations,”;
- (b) in point (b), for the words from “agreed” to the end substitute “any amendments made to Commission Decision 2000/532/EC”.

Amendment to retained direct EU legislation.

6.(1) Regulation (EC) No 1013/2006 of the European Parliament and of the Council on shipments of waste is amended in accordance with this regulation.

(2) Annex IC is amended as follows-

- (a) in paragraph 25(e), omit “, B3010”;
- (b) in paragraph 25(f)-
 - (i) for “two” substitute “three”,
 - (ii) for “Y46 and Y47” substitute “Y46, Y47 and Y48”.

(3) Annex III is amended as follows-

- (a) in the footnote to the title, for “originates from” substitute “is no longer the same as the list in”;
- (b) in Part 1, omit point (g);

(c) in Part 2, in the Table, omit the entry for GH013.

(4) In Annex IIIA, in paragraph 3, omit points (d) to (f).

(5) Annex IV is amended as follows-

(a) in the footnote to the title, for “originates from” substitute “is no longer the same as the list in”;

(b) in Part 1, after point (d) insert-

“(e) Basel entry A3210 does not apply and entry AC300 in Part II applies instead when appropriate.”;

(c) Part 2 is amended as follows-

(i) in the Table following the heading “Wastes containing principally organic constituents, which may contain metals and inorganic materials”, after the entry for AC270 insert-

“

AC300	Plastic waste, including mixtures of such wastes, containing or contaminated with OECD Decision, Appendix 1 constituents to an extent that it exhibits an OECD Decision, Appendix 2 characteristic
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”;

(ii) in the Table following the heading “Wastes containing principally inorganic constituents, which may contain metals and organic materials”, after the entry for RB020 insert-

“

Y48	<p>Plastic waste, including mixtures of such waste, with the exception of the following:</p> <p style="padding-left: 40px;">Plastic waste classified under (OECD) entry AC300 in Annex IV, Part 2(a)</p> <p style="padding-left: 40px;">Plastic waste listed below, provided it is destined for recycling/reclamation in an environmentally sound manner and almost free from contamination and other types of wastes:</p> <p style="padding-left: 40px;">—Plastic waste almost exclusively consisting of one nonhalogenated polymer, including but not limited to the following polymers:</p> <ul style="list-style-type: none"> o Polyethylene (PE) o Polypropylene (PP) o Polystyrene (PS)
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	<ul style="list-style-type: none"> o Acrylonitrile butadiene styrene (ABS) o Polyethylene terephthalate (PET) o Polycarbonates (PC) o Polyethers <p>—Plastic waste almost exclusively consisting of one cured resin or condensation product including, but not limited to the following resins:</p> <ul style="list-style-type: none"> o Urea formaldehyde resins o Phenol formaldehyde resins o Melamine formaldehyde resins o Epoxy resins o Alkyd resins <p>—Plastic waste, except post-consumer waste, almost exclusively consisting of one of the following fluorinated polymers:</p> <ul style="list-style-type: none"> o Perfluoroethylene/propylene (FEP) o Perfluoro alkoxyl alkane o Tetrafluoroethylene/per fluoro vinyl ether (PFA) o Tetrafluoroethylene/per fluoro methylvinyl ether (MFA) o Polyvinylfluoride (PVF) o Polyvinylidene fluoride (PVDF) <p>—Mixtures of plastic wastes, consisting of polyethylene (PE), polypropylene (PP) or polyethylene terephthalate (PET), provided they are destined for separate recycling/reclamation of each material and in an environmentally sound manner, and almost free from contamination and other types of wastes</p> <p>In this entry, “recycling/reclamation” means either of the following, as evidenced by contractual or relevant official documentation—</p> <p>(a) the recycling/reclamation of organic substances which are not used as solvents, or</p> <p>(b) if needed, temporary storage limited to one operation, provided that it is followed by the recycling/reclamation of organic substances which are not used as solvents.</p>
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(6) In Part 1 of Annex V is amended as follows-

(a) in List A, in section A3, after the entry for A3200 insert-

“

AC3210	Plastic waste, including mixtures of such wastes, containing or contaminated with Basel Convention, Annex I constituents to an extent that it exhibits a Basel Convention, Annex III characteristic.
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”;

(b) In List B, in section B3, for the entry for B3010 substitute-

“

B3011	<p>Plastic waste listed below, provided it is destined for recycling/reclamation in an environmentally sound manner and almost free from contamination and other types of wastes:</p> <p>—Plastic waste almost exclusively consisting of one nonhalogenated polymer, including but not limited to the following polymers:</p> <ul style="list-style-type: none"> o Polyethylene (PE) o Polypropylene (PP) o Polystyrene (PS) o Acrylonitrile butadiene styrene (ABS) o Polyethylene terephthalate (PET) o Polycarbonates (PC) o Polyethers <p>—Plastic waste almost exclusively consisting of one cured resin or condensation product including, but not limited to the following resins:</p> <ul style="list-style-type: none"> o Urea formaldehyde resins o Phenol formaldehyde resins o Melamine formaldehyde resins o Epoxy resins o Alkyd resins <p>—Plastic waste, except post-consumer waste, almost exclusively consisting of one of the following fluorinated polymers:</p> <ul style="list-style-type: none"> o Perfluoroethylene/propylene (FEP) o Perfluoro alkoxyl alkane o Tetrafluoroethylene/per fluoro vinyl ether (PFA) o Tetrafluoroethylene/per fluoro methylvinyl ether (MFA)
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	<ul style="list-style-type: none">o Polyvinylfluoride (PVF)o Polyvinylidene fluoride (PVDF) <p>—Mixtures of plastic wastes, consisting of polyethylene (PE), polypropylene (PP) or polyethylene terephthalate (PET), provided they are destined for separate recycling/reclamation of each material and in an environmentally sound manner, and almost free from contamination and other types of wastes.</p> <p>In this entry, “recycling/reclamation” means either of the following, as evidenced by contractual or relevant official documentation—</p> <p>(a) the recycling/reclamation of organic substances which are not used as solvents, or</p> <p>(b) if needed, temporary storage limited to one operation, provided that it is followed by the recycling/reclamation of organic substances which are not used as solvents.</p>
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Dated: 24th December 2020.

PROF J CORTES,
Minister with responsibility for the Environment.

EXPLANATORY MEMORANDUM

These Regulations are made in exercise of the powers conferred by the European Union (Withdrawal) Act 2019 in order to address failures of retained EU law to operate effectively and other deficiencies arising from the withdrawal of the United Kingdom and Gibraltar from the European Union. In this regard they also amend Regulation (EC) No 1013/2006.

The regulations amend the Public Health Act, the Environment (Waste) Regulations 2007 and the International Waste Shipments (EU Exit) Regulations 2019.