

## UK MINISTERS ACTING IN DEVOLVED AREAS

### 014 - [The Persistent Organic Pollutants \(Amendment\) \(EU Exit\) Regulations 2022](#)

*Laid in the UK Parliament: 19 October 2022*

#### Sifting

Subject to sifting in UK Parliament?	No
Procedure:	Draft affirmative
Date of consideration by the House of Commons European Statutory Instruments Committee	N/A
Date of consideration by the House of Lords Secondary Legislation Scrutiny Committee	N/A
Date sifting period ends in UK Parliament	N/A
SICM under SO 30A (because amends primary legislation)	Not required

#### Scrutiny procedure

Outcome of sifting	N/A
Procedure	Draft 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

#### Background

These Regulations are proposed to be made by the UK Government under section 8(1) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018.

#### Summary

Persistent Organic Pollutants (POPs) are toxic chemical substances that break down slowly and can get into the food chain as a result. DDT is an example of a POP.

These Regulations amend the retained Regulation (EU) 2019/1021 of the European Parliament and of the Council on Persistent Organic Pollutants ("the retained POPs Regulation"). When deficiencies in the retained POPs Regulation were corrected in order for it to operate effectively in domestic law after EU Exit, three errors were made. These Regulations correct those three errors by:

1. Removing two functions of the European Commission, and replacing them with functions of the appropriate authority (in Wales, the Welsh Ministers are the appropriate authority).
2. Reinstating a set of exemptions that were omitted in error.
3. Omitting two provisions that are not necessary because they have no legal effect.

These changes will ensure that Great Britain complies with its obligations under the Stockholm Convention, which aims to prohibit, eliminate or restrict the production and use of POPs.

### **Statement by Welsh Government**

Senedd Legal Advisers agree with the statement laid by the Welsh Government dated 20 October 2022 regarding the effect of these Regulations.

### **Intergovernmental Agreement on the European Union (Withdrawal) Bill**

The above summary and the content of the Explanatory Memorandum to these Regulations confirm their effect and the extent to which these Regulations would enact new policy in devolved areas.