

**UK MINISTERS ACTING IN DEVOLVED AREAS**

**11 - The Persistent Organic Pollutants (Amendment) (EU Exit) Regulations 2018**

*Laid in the UK Parliament: 8 November 2018*

**Sifting**

|  |                     |
|--|---------------------|
| Subject to sifting in UK Parliament?   | Yes                 |
| Procedure:   | Proposed negative   |
| Date of consideration by the House of Commons European Statutory Instruments Committee | 20 November 2018    |
| Date of consideration by the House of Lords Secondary Legislation Scrutiny Committee   | 19/20 November 2018 |
| Date sifting period ends in UK Parliament  | 26 November 2018    |
| Written statement under SO 30C:  | Paper 12            |
| SICM under SO 30A (because amends primary legislation)                                 | Not required        |

**Scrutiny procedure**

|  |                         |
|--|-------------------------|
| Outcome of sifting   | Not known               |
| Procedure  | Negative or 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(1) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018.

These Regulations make corrections to ensure that Regulation (EC) No 850/2004 of the European Parliament and of the Council on persistent organic pollutants functions once we leave the EU. This will maintain the operability of regulations which implement the Stockholm Convention through the elimination and restriction of the use of chemicals that have been internationally recognised as toxic, persistent, bio-accumulative and highly mobile.

These Regulations also amend the Persistent Organic Pollutants Regulations 2007 (S.I 2007/3106), to enable those

regulations to continue to operate following the UK's exit from the EU.

Legal Advisers have reviewed the statement laid by the Welsh Government dated 12 November 2018. Legal Advisers agree with the statement laid by the Welsh Government regarding the effect of these Regulations.

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.

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.

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