



Llywodraeth Cymru  
Welsh Government

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## **WRITTEN STATEMENT BY THE WELSH GOVERNMENT**

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<b>TITLE</b>	<b>The Persistent Organic Pollutants (Amendment) (EU Exit) Regulations 2018</b>
<b>DATE</b>	<b>12 November 2018</b>
<b>BY</b>	<b>Julie James AM, Leader of the House and Chief Whip</b>

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

**The [retained EU] Law which is being amended**

#### **EU Directly Applicable Legislation**

- Regulation (EC) No 850/2004 of the European Parliament and of the Council

#### **Domestic Legislation**

- Persistent Organic Pollutants Regulations 2007/3106 which enforces the EU regulation in the UK.

#### **Any impact the SI may have on the Assembly's legislative competence and/or the Welsh Ministers' executive competence**

The SIs relating to Persistent Organic Pollutants are within devolved competence. However, in these exceptional circumstances when we are required to consider and correct an unprecedented volume of legislation within a tight timeframe and with finite resources, the Welsh Government's general principle is that it is appropriate that in the particular circumstance of exiting the EU, the UK Government can legislate on our behalf in a large number of statutory instruments.

#### **The purpose of the amendments**

The Persistent Organic Pollutants (EU Exit) Regulations 2018 are to be introduced by Department for Environment Food and Rural Affairs (DEFRA) and are all negative procedure SIs.

The purpose of the **Persistent Organic Pollutants (EU Exit) Regulations 2018** are to ensure that the statute book remains functional following the UK's exit from the EU. The purpose of the amendments is to maintain the operability of regulations, which implement the Stockholm Convention through the elimination and restriction of the use of chemicals, which have been internationally recognised as toxic, persistent, bio-accumulative and highly mobile. The amendments are necessary to ensure the current regime can continue to function after exit day.

The international requirements will continue post membership of the EU, it is necessary to ensure the domestic regime is compliant with international obligations, which requires amendments to both domestic and EU directly applicable legislation to maintain compliance.

**Why consent was given**

Consent has been given for the UK Government to make these corrections in relation to, and on behalf of, Wales for reasons of efficiency, expediency and due to the technical nature of the amendments. The amendments have been considered fully; and there is no divergence in policy. These amendments are to ensure that the statute book remains functional following the UK's exit from the EU.

The SIs and accompanying Explanatory Memorandums, setting out the effect of each amendment is available here: <https://www.gov.uk/eu-withdrawal-act-2018-statutory-instruments>