



Llywodraeth Cymru
Welsh Government

WRITTEN STATEMENT BY THE WELSH GOVERNMENT

TITLE **The Air Quality (Miscellaneous Amendment and Revocation of Retained Direct EU Legislation) (EU Exit) Regulations 2018**

DATE **27 November 2018**

BY **Julie James AM, Leader of the House and Chief Whip**

The Air Quality (Miscellaneous Amendment and Revocation of Retained Direct EU Legislation) (EU Exit) Regulations 2018

The law which is being amended

The Air Quality (Miscellaneous Amendment and Revocation of Retained Direct EU Legislation) (EU Exit) Regulations 2018

- Directive 2008/50/EC
- Directive 2004/107/EC
- Directive 2004/42/EC

Domestic Legislation

- The Air Quality Standards Regulations 2010
- Volatile Organic Compounds in Paints, Varnishes and Vehicle Refinishing Products Regulations 2012
- the National Emission Ceilings Regulations 2018

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

The protection of air quality falls within competence.

The purpose of the amendments

This SI (negative procedure) will ensure that it continues to operate effectively following withdrawal of the United Kingdom from the European Union (EU). This includes addressing deficiencies, such as references to EU authorities (e.g. the Commission) being replaced with domestic equivalents

The SI and accompanying Explanatory Memorandum, setting out the effect of each amendment is available here: <https://www.gov.uk/eu-withdrawal-act-2018-statutory-instruments/the-air-quality-miscellaneous-amendment-and-revocation-of-retained-direct-eu-legislation-eu-exit-regulations-2018>

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. This is in line with the principles for correcting agreed by the Cabinet Sub-Committee on European Transition in May.