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STATUTORY INSTRUMENTS

2015 No. 934

ENVIRONMENTAL PROTECTION, ENGLAND AND WALES

**The Environmental Permitting (England and Wales)
(Amendment) (No.2) Regulations 2015**

<i>Made</i>	- - - -	<i>26th March 2015</i>
<i>Laid before Parliament</i>		<i>27th March 2015</i>
<i>Coming into force</i>	- -	<i>15th June 2015</i>

The Secretary of State, in relation to England, and the Welsh Ministers, in relation to Wales, have in accordance with section 2(4) of the Pollution Prevention and Control Act 1999(a) consulted—

- (a) the Environment Agency;
- (b) the Natural Resources Body for Wales;
- (c) such bodies or persons appearing to them to be representative of the interests of local government, industry, agriculture and small businesses as they consider appropriate; and
- (d) such other bodies or persons as they consider appropriate.

The Secretary of State, in relation to England, and the Welsh Ministers, in relation to Wales, make these Regulations in exercise of section 2 of, and Schedule 1 to, that Act(b).

Citation and commencement

1.—(1) These Regulations may be cited as the Environmental Permitting (England and Wales) (Amendment) (No.2) Regulations 2015 and come into force on 15th June 2015.

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- (a) 1999 c.24. There are amendments to Schedule 1, but none is relevant to these Regulations. Functions of the Secretary of State under or in relation to section 2, so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales, by article 3 (except in relation to offshore oil and gas exploration and exploitation) of the National Assembly for Wales (Transfer of Functions) Order 2005 (S.I. 2005/1958). Those functions were subsequently transferred to the Welsh Ministers by section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c.32). Section 2(4) was amended by paragraphs 394 and 395(1) and (3) of Part 1 of Schedule 2 to the Natural Resources Body for Wales (Functions) Order 2013 (2013/755 W. 90).
- (b) Section 2 was amended by section 62(13) of the Water Act 2014 (c.21). Schedule 1 has been amended as follows: paragraphs 3 and 20 were amended by S.I. 2011/1043; paragraph 9A was inserted by, and paragraph 24 amended by, S.I. 2005/925 and paragraph 9A was further amended by S.I. 2012/2788; paragraph 21A was inserted by section 38 of the Waste and Emissions Trading Act 2003 (c.33), and paragraph 25 was amended by section 105(1) of the Clean Neighbourhoods and Environment Act 2005 (c.16).

Amendment of the Environmental Permitting (England and Wales) Regulations 2010

2. Schedule 8A (efficiency in heating and cooling energy: energy efficiency directive) to the Environmental Permitting (England and Wales) Regulations 2010^(a) is amended as follows—

(a) before paragraph 11 insert the following heading—

“**Thresholds**”; and

(b) in the opening words of paragraph 11, after “Paragraphs 7 to 10” insert “and 12 to 15”.

24th March 2015

Dan Rogerson
Parliamentary Under Secretary of State
Department for Environment, Food and Rural Affairs

26th March 2015

Carl Sargeant
Minister for Natural Resources
One of the Welsh Ministers

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations correct an error in the Environmental Permitting (England and Wales) Regulations 2010 (S.I. 2010/675) relating to the application of the exemption to installations in paragraph 11 of Schedule 8A to those Regulations, which was inserted by the Environmental Permitting (England and Wales) (Amendment) Regulations 2015 (S.I. 2015/918).

An impact assessment has not been done for this instrument as no impact on business, the voluntary sector or the public sector is foreseen.

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^(a) S.I. 2010/675, amended by SI 2015/918; there are other amending instruments but none is relevant.

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