

**2016 No. 690 (W. 188)**

**ENVIRONMENTAL  
PROTECTION, WALES**

**LICENSING (MARINE),  
WALES**

**MARINE POLLUTION, WALES**

The Marine Licensing (Exempted  
Activities) (Wales) (Amendment)  
Order 2016

**EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order amends the Marine Licensing (Exempted Activities) (Wales) Order 2011 (“the 2011 Order”), which contains a reference to Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3.) (“the Waste Framework Directive”).

The amendment made by article 2 of this Order is necessary in order to implement amendments to the Waste Framework Directive made by Commission Directive (EU) 2015/1127 of 10 July 2015 amending Annex II to Directive 2008/98/EC of the European Parliament and of the Council on waste and repealing certain Directives.

Article 2 of this Order amends the reference to the Waste Framework Directive in the 2011 Order.

The Welsh Ministers’ Code of Practice on the carrying out of regulatory impact assessments for subordinate legislation was considered in relation to this Order. A regulatory impact assessment in relation to Wales has been prepared on the likely costs and benefits of complying with this Order. A copy can be obtained from Welsh Government, Cathays Park, Cardiff CF10 3NQ and is published on [www.gov.wales](http://www.gov.wales).



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**The Marine Licensing (Exempted  
Activities) (Wales) (Amendment)  
Order 2016**

*Made* 28 June 2016

*Laid before the National Assembly  
for Wales* 1 July 2016

*Coming into force* 31 July 2016

The Welsh Ministers are designated<sup>(1)</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>(2)</sup> (“the 1972 Act”) in relation to the prevention, reduction and management of waste<sup>(3)</sup>.

The Welsh Ministers make this Order in exercise of the powers conferred by section 2(2) of the 1972 Act.

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- (1) By virtue of section 59(2) of the Government of Wales Act 2006 (c.32) the Welsh Ministers may exercise the power conferred by section 2(2) of the European Communities Act 1972 (c.68 ) in relation to any matter, or for any purpose, if they have been designated in relation to that matter or for that purpose.
- (2) 1972 c.68. Section 2(2) was amended by section 27(1)(a) of the Legislative and Regulatory Reform Act 2006 (c.51) and by Part 1 of the Schedule to the European Union (Amendment) Act 2008 (c.7).
- (3) S.I. 2010/1552.

### **Title and commencement**

1.—(1) The title of this Order is the Marine Licensing (Exempted Activities) (Wales) (Amendment) Order 2016.

(2) This Order comes into force on 31 July 2016.

### **Amendment of the Marine Licensing (Exempted Activities) (Wales) Order 2011**

2.—(1) The Marine Licensing (Exempted Activities) (Wales) Order 2011(1) is amended as follows.

(2) In article 3 (interpretation), in the definition of “the Waste Framework Directive” (“*y Gyfarwyddeb Fframwaith Gwastraff*”) after “Directive 2008/98/EC of the European Parliament and of the Council on waste” insert “, as last amended by Commission Directive (EU) 2015/1127(2)”.

*Lesley Griffiths*

Cabinet Secretary for Environment and Rural Affairs,  
one of the Welsh Ministers  
28 June 2016

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(1) S.I. 2011/559 (W. 81).

(2) OJ L 184, 11.7.2015, p. 13.