



Llywodraeth Cymru
Welsh Government

WRITTEN STATEMENT BY THE WELSH GOVERNMENT

TITLE **The Air Quality (Legislative Functions) (Amendment) Regulations 2021**

DATE **24 March 2021**

BY **Rebecca Evans MS, Minister for Finance and Trefnydd**

SI laid in Parliament, which amends secondary legislation in a devolved area

The Air Quality (Legislative Functions) (Amendment) Regulations 2021

The 2021 Regulations amend Regulation (EC) No 166/2006 of the European Parliament and of the Council concerning the establishment of a European Pollutant Release and Transfer Register (“the PRTR Regulation”)

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

There is no impact on the Senedd’s legislative competence. Under the Environment and Wildlife (Legislative Functions) (EU Exit) Regulations 2019, functions of the EU Commission are transferred to Welsh Ministers for areas within competence. Alternatively, the 2021 Regulations provide for these functions to be exercised by the Secretary of State in relation to Wales, but only with the consent of the Welsh Ministers.

The purpose of the amendments

The purpose of the 2021 Regulations is to amend retained direct European Union (EU) law relating to air quality to correct deficiencies and to ensure that it continue to operate effectively.

The 2021 Regulations and accompanying Explanatory Memorandum, setting out the detail of the provenance, purpose and effect of the amendments is available here:

<https://www.legislation.gov.uk/ukdsi/2021/9780348220414>

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