

The Environmental Permitting (England and Wales) (Transitional – National Security) Direction 2008

The Secretary of State, in relation to England, and the Welsh Ministers, in relation to Wales, in exercise of the power conferred by regulation 61(1) and (2) of the Environmental Permitting (England and Wales) Regulations 2007(a), gives the following direction—

Citation, commencement and extent

1.—(1) This direction may be cited as the Environmental Permitting (England and Wales) (Transitional – National Security) Direction 2008.

(2) It comes into force on 6th April 2008.

(3) It extends to England and Wales.

(4) For the purposes of this paragraph, England and Wales have the same meaning as in the Environmental Permitting (England and Wales) Regulations 2007(b) (in this direction, “the 2007 Regulations”).

Interpretation

2.—(1) In this direction “the 2000 Regulations” means the Pollution Prevention and Control (England and Wales) Regulations 2000(c).

(2) Terms used in this direction and in the 2007 Regulations have the meanings given there.

Addressee

3. This direction is given to every regulator exercising functions under the 2007 Regulations.

Exclusion from the public register of information affecting national security

4.—(1) Every regulator must treat a direction given under—

- (a) regulation 30(2) of the 2000 Regulations; or
- (b) section 21(2) of the Environmental Protection Act 1990(d),

as if it had been given under regulation 47(1) of the 2007 Regulations, to the extent that it relates to information which would otherwise be included in a public register.

(2) When interpreting such a direction, a reference to—

- (a) a register maintained under section 20 of the Environmental Protection Act 1990 or under regulation 29 of the 2000 Regulations must be read as a reference to a public register maintained under regulation 46(1) of the 2007 Regulations;
- (b) a prescribed process falling within Schedule 1 to the Environmental Protection (Prescribed Processes and Substances) Regulations 1991(e) must be read as a reference to an activity within Part 1 of Schedule 1 to the 2007 Regulations;

(a) S.I. 2007/3538.

(b) S.I. 2007/3538.

(c) S.I. 2000/1973, amended by S.I. 2001/503, 2002/275, 2002/1559, 2002/1702, 2002/2469, 2002/2688, 2002/2980, 2003/1699, 2003/3296, 2003/3311, 2004/107, 2004/434, 2004/1375, 2004/3276, 2005/894, 2005/1448, 2005/1806 (W. 138), 2005/2773, 2006/2311, 2006/2802 (W. 241), 2007/713, 2007/2325, 2007/2596.

(d) 1990 c. 43.

(e) S.I. 1991/472, amended by 1991/507, 1992/614, 1993/1749, 1993/2405, 1994/1271, 1994/1329, 1995/3247, 1996/2678, 1998/767, 2000/1973.

(c) a Part A(1), Part A(2) or Part B activity must be read as having the meaning given to that term in the 2007 Regulations.

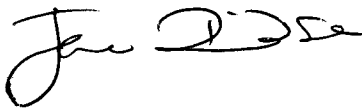
(3) A list of the directions referred to in sub-paragraph (1) is set out in the Schedule.

Authorised by the Secretary of State

[Date]

Department for Environment, Food and Rural Affairs

Authorised by the Welsh Ministers



Minister of Environment, Sustainability and Housing,
one of the Welsh Ministers

[Date]

31/4/08

SCHEDULE

Paragraph 4(2)

Directions to be treated as given under regulation 47(1) of the 2007 Regulations

1. The Environmental Protection (Exercise of Functions) (Portsmouth City Council) Directions 1991.
2. The Environmental Protection (Exclusion of Information from Registers) (Plymouth City Council) Direction 1991.
3. The Environmental Protection (Exercise of Functions) (Salisbury District Council) Directions 1991.
4. The Environmental Protection (Exercise of Functions) (Rochford District Council) Directions 1991.
5. The Environmental Protection (Exercise of Functions) (Cardiff City Council) Directions 1991.
6. The Environmental Protection (Exclusion of Information from Registers) (No.2) Direction 1991.
7. The Environmental Protection (Exclusion of Information from Registers) (No.3) Direction 1991.
8. The Environmental Protection (Exclusion of Information from Registers) (No.3) (Amendment) Direction 1992.
9. The Environmental Protection (Exercise of Functions) (North Cornwall District Council) Direction 1992.
10. The Environmental Protection (Exercise of Functions) (Torridge District Council) Directions 1992.

11. The Environmental Protection (Exercise of Functions) (Scarborough Borough Council) Directions 1992.
12. The Environmental Protection (Exercise of Functions) (Staffordshire Moorlands District Council) Directions 1992.
13. The Environmental Protection (Exercise of Functions) (Taunton Deane Borough Council) Directions 1992.
14. The Environmental Protection (Exclusion of Information from Registers) (No.3) (Amendment No.2) Direction 1992.
15. The Environmental Protection (Exclusion of Information from Registers) (No.4) Direction 1992.
16. The Environmental Protection (Removal from the Register of Specified Information) Directions 1992.
17. The Environmental Protection (Exclusion of Information from Registers) Direction 1993.
18. The Environmental Protection (Exclusion of Information from Registers) Direction 1996.
19. The Environmental Protection (Exclusion of Information from Registers) Direction 1997.
20. The Environmental Protection (Removal and Exclusion of Information from Registers) Direction 1998.
21. The Pollution Prevention and Control (Berkshire) Direction 2007.