

RBF June 2018 Environmental Regulation post EU exit



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What Michael Gove Says

... an opportunity for Britain to shape new environmental policies which will better protect the natural world.

set a gold standard for environmental protection.

25 Year Environment Plan, sets out the scale of our future ambitions.

...don't just maintain, but strengthen protection for the environment.

As a baseline the EU (Withdrawal) Bill, will convert existing EU environmental law into UK law.

..create a new, world-leading, independent environmental watchdog to hold government to account on our environmental ambitions and obligations once we have left the EU.


Legislation/negotiations

- Withdrawal Bill
- Retained EU law (draft SIs)
- Implementation period
- Scenarios
- Cross-border issues
- Devolved Admins



Day 1 – what to expect

Aim is ‘regulation as usual’

- Irrespective of outcome of negotiations
- Retention of EU Law  minimal changes in practice
- Assuming SIs will be in place by March 2019
- ‘Administrative’ changes will be minimised and only made once SIs are finalised
- General message is carry on as you are (until advised differently)

BUT.....

Some more complex areas:

- Chemicals and pesticides
- EU ETS
- ODS/F-gas
- International waste shipments (incl. radioactive waste)



These are more sensitive to outcome of negotiations



Beyond Day 1

- Environmental principles and governance
- Implementation period
- Future standard setting (BAT)
- ‘Onshoring’ of regulation



Beyond Day 1

Future of BAT:

- Defra working up options
- Discussions ongoing with UK regulators/Das

Environmental Principles and Governance

- Defra consultation open until 2nd August
- In 3 parts
- 14 fundamental questions

Nothing concrete until after we leave EU

Your thoughts on:

- Risks/opportunities for your business
- Env. Principles and Governance
- What you expect/need from us on Day 1 and beyond?
- Other insights you might have