

GUERNSEY STATUTORY INSTRUMENT

2022 No. 86

**The Environmental Pollution (Prescribed Operations)  
(Exemptions) (Amendment) Regulations, 2022**

<i>Made</i>	28 <sup>th</sup> November, 2022
<i>Coming into operation</i>	28 <sup>th</sup> November, 2022
<i>Laid before the States</i>	, 202

**THE DIRECTOR FOR ENVIRONMENTAL HEALTH AND POLLUTION REGULATION**, in exercise of the powers conferred on him by section 3 of the Environmental Pollution (Waste Control and Disposal) Ordinance, 2010<sup>a</sup>, as applied by section 2 of the Environmental Pollution (Water Pollution) Ordinance, 2022<sup>b</sup>, and section 72 of the Environmental Pollution (Guernsey) Law, 2004<sup>c</sup> and of all other powers enabling him in that behalf, hereby makes the following Regulations:-

**Amendment of the 2019 Regulations.**

1. (1) The Environmental Pollution (Prescribed Operations) (Exemptions) Regulations, 2019<sup>d</sup> are amended as follows.

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<sup>a</sup> Ordinance No. XVIII of 2010. This enactment has been amended.

<sup>b</sup> Approved by the States in October, 2022.

<sup>c</sup> Order in Council No. XIII of 2004. This enactment has been amended.

<sup>d</sup> G.S.I. No. 117 of 2019.

(2) In regulation 2 (exemption from requirement to hold a licence for operations regulated under FEPA) –

(a) renumber regulation 2(1) as "2.",

(b) after the renumbered regulation 2(a), delete "and" and insert –

"(ab) discharges, falling within section 1(1) of the Environmental Pollution (Water Pollution) Ordinance, 2022, for which a licence is required under FEPA, and".

**Citation and commencement.**

2. These Regulations may be cited as the Environmental Pollution (Prescribed Operations) (Exemptions) (Amendment) Regulations, 2022 and shall come into force on the 28<sup>th</sup> November, 2022.

Dated this 28<sup>th</sup> day of November, 2022



TOBIN COOK

Director of Environmental Health and Pollution Regulation

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## EXPLANATORY NOTE

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

These Regulations amend regulation 2 of the Environmental Pollution (Prescribed Operations) (Exemptions) Regulations, 2019 which provides an exemption from the requirement, under the Environmental Pollution (Guernsey) Law, 2004, to hold a licence for certain operations already required to be licensed or which are exempt from licensing under the Food and Environment Protection Act 1985 as extended to the Bailiwick of Guernsey.

Regulation 1 extends the current exemption to discharges into water required to be licensed under section 1 of the Environmental Pollution (Water Pollution) Ordinance, 2022 which are also licensed under the Food and Environment Protection Act 1985 ("**FEPA**") as extended to Guernsey. The current exemption also already excludes operations which are exempt from the licensing requirement under FEPA. This is to avoid the need for regulation under two regimes.

These Regulations come into force on the 28<sup>th</sup> day of November, 2022.

