
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are the first commencement regulations made under the Environment Act 2021 (c. 30) (“the Act”).

Regulation 2 of these Regulations brings into force on 17th November 2021 section 22 of the Act and Schedule 1 which establish the Office for Environmental Protection (“OEP”) as a body corporate. Regulation 2 also brings into force on the same day: section 23 which defines the OEP’s principal objective when exercising its functions and provides that the OEP must prepare a strategy that sets out how it intends to exercise its functions; section 24 which sets out the process by which the OEP must publish, revise or review the strategy and how it must consult on it; and section 26 which sets out that the OEP and the Committee on Climate Change must prepare a memorandum of understanding which sets out how the OEP and the Committee intend to co-operate.

Regulation 2 also brings into force on the same day sections which define the meaning of certain terms used in Part 1 of the Act: section 44 (meaning of “natural environment”), section 45 (meaning of “environmental protection”); section 46 (meaning of “environmental law”); and section 47, which provides for the interpretation of further terms.

An impact assessment has not been published for these Regulations as they have no impact on costs to business, the public or voluntary sectors independent of the provision these Regulations bring into force. A full impact assessment has been published in relation to the Act and copies can be obtained from the website of the Department for Environment, Food and Rural Affairs at www.gov.uk/defra or from the Department for Environment, Food and Rural Affairs at 2 Marsham Street, London, SW1P 4DF, United Kingdom.