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SCOTTISH STATUTORY INSTRUMENTS

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**2020 No. 310**

**EXITING THE EUROPEAN UNION  
ELECTRICITY  
ENVIRONMENTAL PROTECTION  
TOWN AND COUNTRY PLANNING**

The Town and Country Planning, Management of  
Extractive Waste and Electricity Works (EU Exit)  
(Scotland) (Miscellaneous Amendments) Regulations 2020

*Made - - - - 2nd October 2020*  
*Laid before the Scottish*  
*Parliament - - - - 6th October 2020*  
*Coming into force in accordance with regulation 1*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by paragraph 1(1) and (3) of schedule 2 of the European Union (Withdrawal) Act 2018<sup>(1)</sup> and all other powers enabling them to do so.

In accordance with paragraph 4 of schedule 2 of the European Union (Withdrawal) Act 2018<sup>(2)</sup>, the Secretary of State has been consulted prior to the making of these Regulations.

**Citation and commencement**

**1.** These Regulations may be cited as the Town and Country Planning, Management of Extractive Waste and Electricity Works (EU Exit) (Scotland) (Miscellaneous Amendments) Regulations 2020 and come into force immediately before IP completion day.

**Amendment of the Town and Country Planning and Electricity Works (EU Exit) (Scotland) (Miscellaneous Amendments) Regulations 2019**

**2.—(1)** The Town and Country Planning and Electricity Works (EU Exit) (Scotland) (Miscellaneous Amendments) Regulations 2019<sup>(3)</sup> are amended as follows.

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<sup>(1)</sup> 2018 c.16.

<sup>(2)</sup> Paragraph 4 was amended by section 27(7)(a) of the European Union (Withdrawal Agreement) Act 2020 (c.1).

<sup>(3)</sup> S.S.I. 2019/80 as will be relevantly amended by S.S.I. 2019/274 which comes into force on IP completion day.

(2) In regulation 1 (citation and commencement), for “7” to the end, substitute “on IP completion day”.

(3) In regulation 2(2)(b) (amendment of the Town and Country Planning (Development Planning) (Scotland) Regulations 2008), for “exit day” substitute “IP completion day”.

(4) In regulation 3(3)(a) and (b) (amendment of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013), in each place it appears, for “exit day” substitute “IP completion day”.

(5) In regulation 4(2)(a) and (b), (9), (10) and (11) (amendment of the Town and Country Planning (Hazardous Substances) (Scotland) Regulations 2015), in each place it appears, for “exit day” substitute “IP completion day”.

(6) In regulation 5(2)(a) and (b), (10)(c), (11)(a), (b) and (c), and (14)(a) (amendment of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017), in each place it appears, for “exit day” substitute “IP completion day”.

(7) In regulation 6(2)(a) and (11)(a) (amendment of the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017), in each place it appears, for “exit day” substitute “IP completion day”.

### **Amendment of the Management of Extractive Waste (EU Exit) (Scotland) (Miscellaneous Amendments) Regulations 2019**

**3.—**(1) The Management of Extractive Waste (EU Exit) (Scotland) (Miscellaneous Amendments) Regulations 2019(4) are amended as follows.

(2) In regulation 8(2)(c), (d), (e) and (g) and (3)(b) (amendment of the management of Extractive Waste (Scotland) Regulations 2010), in each place it appears, for “exit day” substitute “IP completion day”.

### **Amendment of the Town and Country Planning and Electricity Works (EU Exit) (Scotland) (Miscellaneous Amendments) Amendment Regulations 2019**

**4.—**(1) The Town and Country Planning and Electricity Works (EU Exit) (Scotland) (Miscellaneous Amendments) Amendment Regulations 2019(5) are amended as follows.

(2) Omit regulation 2(2) (Amendment of the Town and Country Planning and Electricity Works (EU Exit) (Scotland) (Miscellaneous Amendments) Regulations 2019).

St Andrew’s House,  
Edinburgh  
2nd October 2020

*AILEEN CAMPBELL*  
A member of the Scottish Government

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(4) [S.S.I. 2019/273](#).  
(5) [S.S.I. 2019/274](#).

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## EXPLANATORY NOTE

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

These Regulations are made in exercise of the powers in paragraph 1(1) and (3) of schedule 2 to the European Union (Withdrawal) Act 2018 to correct references to “exit day” in previous EU Exit instruments.

These Regulations make amendments to previous EU Exit legislation in the fields of environmental protection, town and country planning, electricity works, hazardous substances, and the management of extractive waste to correct references to “exit day”.

Regulation 2 amends the Town and Country Planning and Electricity Works (EU Exit) (Scotland) (Miscellaneous Amendments) Regulations 2019. Amendments to the commencement provision ensures that those regulations will come into force on IP completion day. Regulation 2 also corrects out of date references to “exit day” in that instrument.

Regulation 3 amends the Management of Extractive Waste (EU Exit) (Scotland) (Miscellaneous Amendments) Regulations 2019 to correct out of date references to “exit day”.

Regulation 4 amends the Town and Country Planning and Electricity Works (EU Exit) (Scotland) (Miscellaneous Amendments) Amendment Regulations 2019 to ensure that the Town and Country Planning and Electricity Works (EU Exit) (Scotland) (Miscellaneous Amendments) Regulations 2019 come into force on IP completion day.

No Business and Regulatory Impact Assessment has been prepared in relation to these Regulations, as no impact upon business, charities or voluntary bodies is foreseen.