
STATUTORY INSTRUMENTS

2019 No. 1272

**EXITING THE EUROPEAN UNION
CONSTITUTIONAL LAW
DEVOLUTION, SCOTLAND**

The Fisheries, Aquaculture and Marine
(Functions Exercisable in or as Regards Scotland)
(Amendment) (EU Exit) (No. 2) Regulations 2019

<i>Sift requirements satisfied</i>	<i>9th September 2019</i>
	<i>23rd September</i>
<i>Made</i> - - - -	<i>2019</i>
<i>Laid before Parliament</i>	<i>24th September 2019</i>
<i>Coming into force in accordance with regulation 1</i>	

The Secretary of State, in exercise of the powers conferred by section 8(1) of the European Union (Withdrawal) Act 2018⁽¹⁾, makes the following Regulations.

The requirements of paragraph 3(2) of Schedule 7 to that Act (relating to the appropriate Parliamentary procedure for these Regulations) have been satisfied.

Citation and commencement

1.—(1) These Regulations may be cited as the Fisheries, Aquaculture and Marine (Functions Exercisable in or as Regards Scotland) (Amendment) (EU Exit) (No. 2) Regulations 2019.

(2) Subject to paragraph (3), these Regulations come into force immediately before exit day.

(3) Regulations 2 and 3 come into force on exit day.

Scotland Act 1998 (Functions Exercisable in or as Regards Scotland) Order 1999

2.—(1) The Scotland Act 1998 (Functions Exercisable in or as Regards Scotland) Order 1999⁽²⁾ is amended as follows.

(2) In article 5, for “EU law” in both places it occurs, substitute “retained EU law”.

(1) 2018 c. 16.

(2) S.I. 1999/1748, amended by S.I. 2011/1043; there are other amending instruments but none is relevant.

(3) In article 7, for “EU law” substitute “retained EU law”.

Scotland Act 1998 (Modification of Functions) Order 1999

3.—(1) The Scotland Act 1998 (Modifications of Functions) Order 1999⁽³⁾ is amended as follows.

(2) In article 5, for “EU law” in both places it occurs, substitute “retained EU law”.

(3) In article 6(c), for “EU law” substitute “retained EU law”.

Revocation of the Fisheries, Aquaculture and Marine (Functions Exercisable in or as Regards Scotland) (Amendment) (EU Exit) Regulations 2019

4. The Fisheries, Aquaculture and Marine (Functions Exercisable in or as Regards Scotland) (Amendment) (EU Exit) Regulations 2019⁽⁴⁾ are revoked.

George Eustice
Minister of State
Department for Environment, Food and Rural
Affairs

23rd September 2019

⁽³⁾ S.I. 1999/1756, amended by S.I. 2011/1043.

⁽⁴⁾ S.I. 2019/728.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers conferred by the European Union (Withdrawal) Act 2018 (c. 16) (in particular under section 8(2)(g)) in order to address failures of retained EU law to operate effectively and other deficiencies arising from the withdrawal of the United Kingdom from the European Union.

These Regulations revoke and replace the Fisheries, Aquaculture and Marine (Functions Exercisable in or as Regards Scotland) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/728) (“the original Regulations”). These Regulations make the same amendments to Orders made under the Scotland Act 1998 in relation to sea fisheries, aquaculture and marine management as the original Regulations.

These Regulations are being made to ensure there is no doubt in relation to compliance with the requirements of paragraph 3(2) of Schedule 7 to the European Union (Withdrawal) Act 2018, which requires certain statutory instruments to be considered by Parliamentary committees in draft form for a recommendation as to the appropriate Parliamentary procedure. The original Regulations are being revoked before they were due to come into force.

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private or voluntary sector is foreseen.