



# UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021

2021 asp 4

## PART 2

### ENVIRONMENT

#### CHAPTER 2

##### ENVIRONMENTAL GOVERNANCE

###### *Functions of Environmental Standards Scotland*

### 20 Functions

- (1) Environmental Standards Scotland's functions are—
- (a) to monitor as it considers appropriate—
    - (i) public authorities' compliance with environmental law,
    - (ii) the effectiveness of environmental law and of how it is implemented and applied,
  - (b) to investigate (either on its own initiative or in response to any representations made to it by another person) any matter concerning—
    - (i) whether a public authority is failing (or has failed) to comply with environmental law,
    - (ii) the effectiveness of environmental law or of how it is (or has been) implemented or applied,
  - (c) to take the steps it considers appropriate to secure—
    - (i) a public authority's compliance with environmental law,
    - (ii) improvement in the effectiveness of environmental law or in how it is implemented or applied, and
  - (d) the additional functions conferred on it by this or any other enactment.
- (2) In exercising its functions, Environmental Standards Scotland may, in particular—

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**Changes to legislation:** There are currently no known outstanding effects for the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021, Section 20. (See end of Document for details)

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- (a) carry out, commission or support any research it considers appropriate,
  - (b) seek any independent and expert advice it considers appropriate,
  - (c) make recommendations in relation to any matter relevant to its functions,
  - (d) consider, assess and review data on the quality of the environment in Scotland,
  - (e) keep under review implementation of any international obligation of the United Kingdom relating to environmental protection,
  - (f) have regard to developments in, and information on the effectiveness of, international environmental protection legislation,
  - (g) collaborate with any other environmental governance body in the United Kingdom, including the Office for Environmental Protection, or such other persons as Environmental Standards Scotland considers appropriate,
  - (h) request information from public authorities about the exercise of their functions under environmental law.
- (3) In exercising its functions, Environmental Standards Scotland must act objectively, impartially, proportionately and transparently.

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**Commencement Information**

**II** S. 20 in force at 1.10.2021 by [S.S.I. 2021/304](#), **reg. 2(a)**

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