

## SCHEDULE 1

Regulation 2

### Amendments of primary legislation

#### **The Prescription and Limitation (Scotland) Act 1973**

- 1.—(1) The Prescription and Limitation (Scotland) Act 1973(1) is amended as follows.
- (2) In section 23A(5)—
  - (a) in the definition of “the Rome I Regulation”, for “retained direct EU” substitute “assimilated direct”,
  - (b) in the definition of “the Rome II Regulation”, for “retained direct EU” substitute “assimilated direct”.

#### **The Roads (Scotland) Act 1984**

2. In paragraph 6 of schedule 1A of the Roads (Scotland) Act 1984(2), for “retained EU” substitute “assimilated”.

#### **The Freedom of Information (Scotland) Act 2002**

- 3.—(1) The Freedom of Information (Scotland) Act 2002(3) is amended as follows.
- (2) In section 26(b), for “EU” substitute “assimilated”,
- (3) In section 45(2)(c)(ii) for “EU” substitute “assimilated”.

#### **The Water Environment and Water Services (Scotland) Act 2003**

- 4.—(1) The Water Environment and Water Services (Scotland) Act 2003(4) is amended as follows.
- (2) In Part 1 of schedule 5—
  - (a) in paragraph 1(1)(b), for “retained EU” substitute “assimilated”,
  - (b) in paragraph 2(a), for “retained EU” substitute “assimilated”,
  - (c) in paragraph 4(b), for “retained EU” substitute “assimilated”,
  - (d) in paragraph 4(c), for “retained EU” substitute “assimilated”,
  - (e) in paragraph 5(b), for “retained EU” substitute “assimilated”,
  - (f) in paragraph 7(a), for “retained EU” substitute “assimilated”,
  - (g) in paragraph 7(b), for “retained EU” substitute “assimilated”,
  - (h) in paragraph 11(a)(i), for “retained EU” substitute “assimilated”,
  - (i) in paragraph 11(a)(ii), for “retained EU” substitute “assimilated”,
  - (j) in paragraph 11(b)(i), for “retained EU” substitute “assimilated”,
  - (k) in paragraph 12(a)(i), for “retained EU” substitute “assimilated”,
  - (l) in paragraph 12(a)(ii), for “retained EU” substitute “assimilated”,
  - (m) in paragraph 12(a)(iii)(A), for “retained EU” substitute “assimilated”,
  - (n) in paragraph 12(a)(iii)(B), for “retained EU” substitute “assimilated”,

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(1) 1973 c. 52, relevantly amended by S.S.I. 2019/834.

(2) 1984 c. 54, relevantly amended by S.S.I. 2019/415.

(3) 2002 asp 13, relevantly amended by S.I. 2011/1043.

(4) 2003 asp 3, relevantly amended by S.S.I. 2019/26.

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

- (o) in paragraph 13(d), for “retained EU” substitute “assimilated”,
  - (p) in paragraph 13(e), for “retained EU” substitute “assimilated”,
  - (q) in paragraph 15, for “retained EU” substitute “assimilated”,
  - (r) in the italic heading before paragraph 16, for “retained EU” substitute “assimilated”,
  - (s) in paragraph 16, for “retained EU” substitute “assimilated”.
- (3) In Part 2 of schedule 5—
- (a) in paragraph 17(1)(b), for “retained EU” substitute “assimilated”,
  - (b) in paragraph 23(b)(ii), for “retained EU” substitute “assimilated”,
  - (c) in the italic heading before paragraph 24, for “retained EU” substitute “assimilated”,
  - (d) in paragraph 24, for “retained EU” substitute “assimilated”.
- (4) In Part 3 of schedule 5—
- (a) in paragraph 27(b), for “retained EU” substitute “assimilated”.
  - (b) in the italic heading before paragraph 30, for “retained EU” substitute “assimilated”,
  - (c) in paragraph 30, for “retained EU” substitute “assimilated”.

#### **The Environmental Assessment (Scotland) Act 2005**

- 5.—(1) The Environmental Assessment (Scotland) Act 2005(5) is amended as follows.
- (2) In section 5(3)(b), for “retained EU” substitute “assimilated”.
  - (3) In the heading before section 13, for “retained EU” substitute “assimilated”.
  - (4) In section 13(1), for “retained EU” substitute “assimilated”.
  - (5) In section 13(2), for “retained EU” substitute “assimilated”.
  - (6) In section 14(4), for “retained EU” substitute “assimilated”.
  - (7) In schedule 2, paragraph 1(e), for “retained EU” substitute “assimilated”.
  - (8) In schedule 3, paragraph 4, for “retained EU” substitute “assimilated”.

#### **The Animal Health and Welfare (Scotland) Act 2006**

6. In schedule 1 of the Animal Health and Welfare (Scotland) Act 2006(6)—
- (a) in the italic heading before paragraph 1, for “retained EU” substitute “assimilated”,
  - (b) in paragraph 1(1), for “retained EU” substitute “assimilated”.

#### **The Flood Risk Management (Scotland) Act 2009**

- 7.—(1) The Flood Risk Management (Scotland) Act 2009(7) is amended as follows.
- (2) In section 6A(2)(b), for “retained EU” substitute “assimilated”.
  - (3) In section 6A(7)(a), for “retained EU” substitute “assimilated”.
  - (4) In section 23(2)(d)(vi), for “retained EU” substitute “assimilated”.
  - (5) In section 51(1), for “retained EU” substitute “assimilated”.
  - (6) In Part 1 of schedule 1, in paragraph 4—
    - (a) in sub-paragraph (a) for “retained EU” substitute “assimilated”,

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(5) 2005 asp 15, relevantly amended by S.S.I. 2019/178.

(6) 2006 asp 11, relevantly amended by S.S.I. 2019/34.

(7) 2009 asp 6, relevantly amended by S.S.I. 2022/138.

- (b) in sub-paragraph (b) for “retained EU” substitute “assimilated”,
- (c) in sub-paragraph (c) for “retained EU” substitute “assimilated”,
- (d) in sub-paragraph (d) for “retained EU” substitute “assimilated”.

### **The Marine (Scotland) Act 2010**

**8.** In section 79(5) of the Marine (Scotland) Act 2010<sup>(8)</sup>, for “retained EU” substitute “assimilated”.

### **The Aquaculture and Fisheries (Scotland) Act 2013**

**9.**—(1) The Aquaculture and Fisheries (Scotland) Act 2013<sup>(9)</sup> is amended as follows.

(2) In section 53(1), in paragraph (b) of the definition of “sea fisheries legislation”, for “retained EU” in both places where it occurs substitute “assimilated”.

(3) In section 59(8)(b)—

- (a) for “retained direct EU” substitute “assimilated direct”,
- (b) for “retained EU” in both places where it occurs substitute “assimilated”.

(4) In section 63—

- (a) before the definition of “British sea-fishery officer”, insert—
  - ““assimilated restriction” means a restriction that—
  - (a) was created or arose by or under the EU Treaties before IP completion day, and
  - (b) forms part of assimilated law,as modified from time to time,,”,
- (b) repeal the definition of “retained EU restriction”.

### **The Agriculture (Retained EU Law and Data) (Scotland) Act 2020**

**10.** In the heading before Part 1 of the Agriculture (Retained EU Law and Data) (Scotland) Act 2020<sup>(10)</sup>, for “retained EU” substitute “assimilated”.

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

**11.**—(1) The UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021<sup>(11)</sup> is amended as follows.

- (2) In section 1(1)(a)(iv), for “retained EU” substitute “assimilated”.
- (3) In section 9(2)(d), for “retained EU” substitute “assimilated”.

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<sup>(8)</sup> 2010 asp 5, relevantly amended by S.S.I. 2019/55.

<sup>(9)</sup> 2013 asp 7, relevantly amended by S.S.I. 2019/24.

<sup>(10)</sup> 2020 asp 17.

<sup>(11)</sup> 2021 asp 4.