

This draft Order supersedes the draft of the same title which was laid before the Scottish Parliament on 3 November 2020 and published on 4 November 2020 (ISBN 978-0-11-104708-8). It is being issued free of charge to all known recipients of that draft Order.

Draft Regulations laid before the Scottish Parliament under paragraph 2(2) of schedule 2 of the European Communities Act 1972 and paragraph 1(1) and (3) of schedule 2 of the European Union (Withdrawal) Act 2018, for approval by resolution of the Scottish Parliament.

DRAFT SCOTTISH STATUTORY INSTRUMENTS

2020 No.

**EXITING THE EUROPEAN UNION
ENVIRONMENTAL PROTECTION**

**The Invasive Non-native Species (EU Exit)
(Scotland) (Amendment etc.) Regulations 2020**

*Made - - - - 2020
Coming into force in accordance with regulation 1*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 2(2) and paragraph 1A of schedule 2 of the European Communities Act 1972⁽¹⁾ (“the 1972 Act”) and paragraph 1(1) and (3) of schedule 2 of the European Union (Withdrawal) Act 2018⁽²⁾ (“the 2018 Act”), and all other powers enabling them to do so.

In accordance with paragraph 2(2) of schedule 2 of the 1972 Act and paragraph 1(6) of schedule 7 of the 2018 Act a draft of this instrument has been laid before and approved by resolution of the Scottish Parliament.

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- (1) 1972 c.68 Section 2(2) was amended by paragraph 15(3) of schedule 8 of the Scotland Act 1998 (c.46) (“the 1998 Act”) (which was amended by section 27(4) of the Legislative and Regulatory Reform Act 2006 (c.51) (“the 2006 Act”). Section 2(2) was also amended by section 27(1)(a) of the 2006 Act and by section 3(3) and Part 1 of the schedule of the European Union (Amendment) Act 2008 (c.7) (“the 2008 Act”). The functions conferred upon the Minister of the Crown under section 2(2), insofar as exercisable within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the 1998 Act. Paragraph 1A of schedule 2 was inserted by section 28 of the 2006 Act and was relevantly amended by Part 1 of the schedule of the 2008 Act. Section 2(2) and paragraph 1A of schedule 2 were repealed by section 1 of the European Union (Withdrawal) Act 2018 (c.16) (“the 2018 Act”) from exit day (see section 20 of the 2018 Act). The use of section 2(2) is preserved by section 1A of the 2018 Act until IP completion day (see section 1A(5) of the 2018 Act).
- (2) 2018 c.16.