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STATUTORY INSTRUMENTS

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**2019 No. 728**

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

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

|                                                          |                        |
|----------------------------------------------------------|------------------------|
| <i>Sift requirements satisfied</i>                       | <i>19th March 2019</i> |
| <i>Made - - - -</i>                                      | <i>28th March 2019</i> |
| <i>Laid before Parliament</i>                            | <i>29th March 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. These Regulations may be cited as the Fisheries, Aquaculture and Marine (Functions Exercisable in or as Regards Scotland) (Amendment) (EU Exit) Regulations 2019 and come into force on the later of exit day or the 21st day after the day on which they are made.

**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”.

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

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(1) 2018 c. 16.

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

**Scotland Act 1998 (Modification of Functions) Order 1999**

**3.**—(1) The Scotland Act 1998 (Modifications of Functions) Order 1999<sup>(3)</sup> is amended as follows.

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

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

*Robert Goodwill*

Minister of State

Department for Environment, Food and Rural  
Affairs

28th March 2019

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

## **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 make simple amendments to Orders made under the Scotland Act 1998 in relation to sea fisheries, aquaculture and marine management.

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