UK WITHDRAWAL FROM THE EUROPEAN UNION (CONTINUITY) (SCOTLAND) BILL

AMENDMENTS TO BE MOVED AT STAGE 2

Amendment 1
In section 1, page 2, line 36
Leave out subsection (4)

Amendment 2
In section 3, page 4, line 9
Leave out section 3 and insert —

(1) No regulations may be made under section (1)(1) after the end of the period of 3 years beginning with the day on which section 1(1) comes into force.

(2) The Scottish Ministers may by regulations—
   (a) extend the period mentioned in subsection (7) by a period of up to one year,
   (b) extend any period of extension provided by regulations under this subsection by a further period of up to one year.

(3) The period during which regulations under section (1)(1) may be made may not be extended by regulations so as to last for more than 5 years in total.

Amendment 3
In section 4, page 4, line 20
Leave out subsection (1) and insert –

(1) Regulations which contain provision falling within subsection (2) are subject to super-affirmative procedure (see Schedule (Super-affirmative procedure)).

Amendment 4
In section 4, page 4, line 34
At end insert –

(f) requires a significant change to Scots law or Scottish Government policy.

Amendment 5
In section 4, page 4, line 35
Leave out <the affirmative> and insert <the super-affirmative>
Amendment 6
In section 7, page 5, line 40
Add at end—
<(2) The report in subsection (1) must include
(a) detail concerning the EU regulations, EU tertiary
legislation, EU decisions or EU directives which the Scottish
Ministers have considered but have decided not to align with
under section 1 (1) and
(b) their reasons for that decision.>

Amendment 7
In section 10, page 8, line 24
Leave out subsection (2)

Amendment 8
In section 10, page 8, line 34
Leave out <negative> and insert <affirmative>

Amendment 9
At section 47, page 26, line 7
At end insert –
<Schedule (Super-affirmative procedure)
In the case of regulations under section 1(1) —
(1) Scottish Ministers must consult about their proposals such
persons as they consider appropriate.
(2) For the purposes of a consultation under subsection (1),
the Scottish Ministers must—
(a) lay before the Parliament a document setting out
their proposals,
(b) send a copy of the document to any person to be
consulted under subsection (1); and
(c) have regard to any representations about the
proposals that are made to them.
(d) the Scottish Ministers must not lay before the
Parliament for approval a draft of a Scottish statutory
instrument containing the regulations unless they have
consulted in accordance with paragraph 1; and
(e) where they do lay a draft of such an instrument
before the Parliament for approval, they must do so at
least 60 days before the date on which the regulations
are expected to come into force.
(3) In calculating any period of 60 days for the purposes of
subsection (5)(b), no account is to be taken of any time during
which the Parliament is—
(a) dissolved, or
(b) in recess for more than 4 days.

**Amendment 10**
Schedule 1, page 29, line 7
At end insert –

< ( ) Prior to giving notice under sub-paragraph (1)(c), the Scottish Ministers must consult with the Chair of the Environmental Standards Scotland.>

**Amendment 11**
Schedule 1, page 29, line 15
At end insert –

< ( ) A person shall be considered unable to carry out the member’s functions or unsuitable to continue as a member under subparagraph (2) if the Scottish Ministers are satisfied as regards any of the following matters –

(a) that the member becomes insolvent;

(b) that the member is otherwise unable or unfit to discharge the functions of a member or is unsuitable to continue as a member.>

**Amendment 12**
In schedule 2, page 32, line 37
Leave out lines 37 to 38 and insert –

< (ii) the exercise of functions by the Scottish Public Services Ombudsman, the Commissioner for Ethical Standards in Public Life in Scotland, Audit Scotland, the Scottish Information Commissioner or the UK Committee on Climate Change,>