



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

2021 asp 4

## PART 3

### GENERAL

#### **48 Purpose and effect of this Act**

- (1) The purpose of this Act is to make provision in connection with the withdrawal of the United Kingdom from the EU in consequence of the notification given under section 1 of the European Union (Notification of Withdrawal) Act 2017 (“UK withdrawal”).
- (2) In so far as any provision of this Act, or any provision made under it, would, if it were in effect before the relevant time, be incompatible with EU law, the provision is to have no effect until the relevant time.
- (3) In subsection (2), “the relevant time”, in relation to any provision of this Act or any provision made under it, means the time at which the provision of EU law with which it would be incompatible ceases to have effect in Scots law as a consequence of UK withdrawal.
- (4) For the purposes of this section, “EU law” has the same meaning as in the Scotland Act 1998 (see section 126(9) of that Act).

#### **49 Regulations: supplementary**

- (1) Any power conferred by this Act on the Scottish Ministers to make regulations includes the power to make—
  - (a) different provision for different purposes, and
  - (b) incidental, supplementary, consequential, transitional, transitory or saving provision.
- (2) This section does not apply to regulations under section 51.

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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, PART 3. (See end of Document for details)*

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## **50 Ancillary provision**

- (1) The Scottish Ministers may by regulations make any incidental, supplementary, consequential, transitional, transitory or saving provision they consider necessary for the purposes of, in connection with or for giving full effect to this Act or any provision made under it.
- (2) Regulations under this section may modify any enactment (including this Act).
- (3) Regulations under this section—
  - (a) are subject to the affirmative procedure if they contain provision that adds to, replaces or omits any part of the text of an Act,
  - (b) otherwise are subject to the negative procedure.

## **51 Commencement**

- (1) This Part comes into force on the day after Royal Assent.
- (2) The other provisions of this Act come into force on such day as the Scottish Ministers may by regulations appoint.
- (3) Regulations under this section may—
  - (a) include transitional, transitory or saving provision,
  - (b) make different provision for different purposes.

## **52 Repeal of Part 1 of this Act**

- (1) The Scottish Ministers may by regulations repeal Part 1 of this Act.
- (2) Regulations under subsection (1) are subject to the affirmative procedure.

## **53 Short title**

The short title of this Act is the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021.

**Changes to legislation:**

There are currently no known outstanding effects for the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021, PART 3.