

AGRICULTURE (RETAINED EU LAW AND DATA) (SCOTLAND) BILL

AMENDMENTS TO BE MOVED AT STAGE 2

In section 2, page 2, line 22	Leave out <negative> and insert <affirmative>
In section 2, page 2, line 22	At end insert – <() Before laying a draft of a Scottish statutory instrument containing regulations under subsection (1) before the Scottish Parliament, the Scottish Ministers must consult such persons as they consider appropriate.>
In section 2, page 2, line 22	At end insert – <() Before making regulations under subsection (1), the Scottish Ministers must consult such persons as they consider appropriate.>
In section 3, page 2, line 33	After <any> and insert <appropriate>
In section 3, page 2, line 35	At end insert – <() Before laying a draft of a Scottish statutory instrument containing regulations under subsection (1) before the Scottish Parliament, the Scottish Ministers must consult such persons as they consider appropriate.>
In section 4, page 3, line 8	At end insert – <() Before laying a draft of a Scottish statutory instrument containing regulations under subsection (1) before the Scottish Parliament, the Scottish Ministers must consult such persons as they consider appropriate.>
In section 5, page 3, line 36	Leave out <negative> and insert <affirmative>

In section 5, page 3, line 36

At end insert –
<() Before laying a draft of a Scottish statutory instrument containing regulations under subsection (1) before the Scottish Parliament, the Scottish Ministers must consult such persons as they consider appropriate.>

In section 5, page 3, line 36

At end insert –
<() Before making regulations under subsection (1), the Scottish Ministers must consult such persons as they consider appropriate.>

In section 6, page 4, line 21

Leave out <negative> and insert <affirmative>

In section 6, page 4, line 21

At end insert –
<() Before laying a draft of a Scottish statutory instrument containing regulations under subsection (1) before the Scottish Parliament, the Scottish Ministers must consult such persons as they consider appropriate.>

In section 6, page 4, line 21

At end insert –
<() Before making regulations under subsection (1), the Scottish Ministers must consult such persons as they consider appropriate.>

In section 8, page 6, line 6

Leave out line 6 and insert –
<() Regulations under this section that include provision about enforcement, including in particular provision–
(a) about the provision of information,
(b) conferring powers of entry,
(c) conferring powers of inspection, search and seizure,

- (d) conferring powers to restrict the movement of anything,
 - (e) about keeping records,
 - (f) imposing monetary penalties,
 - (g) creating offences,
 - (h) about appeals,
 - (i) conferring functions, including functions involving the exercise of a discretion, on a person,
- are subject to the affirmative procedure.

() Otherwise, regulations under this section are subject to the negative procedure.>

In section 8, page 6, line 7

Leave out lines 7 - 9 and insert –

<() Before—

(a) laying a draft of a Scottish statutory instrument containing regulations under subsection (1) to which subsection () applies before the Scottish Parliament, or

(b) making regulations under subsection (1) to which subsection () applies,

the Scottish Ministers must consult such persons as they consider are representative of the interests of persons likely to be affected by the regulations as they consider appropriate.>

In section 10, page 7, line 9

Leave out line 9 and insert –

<() Regulations under this section that include provision about enforcement, including in particular provision—

(a) about the provision of information,

(b) conferring powers of entry,

(c) conferring powers of inspection, search and seizure,

(d) conferring powers to restrict the movement of anything,

(e) about keeping records,

(f) imposing monetary penalties,

- (g) creating offences,
 - (h) about appeals,
 - (i) conferring functions, including functions involving the exercise of a discretion, on a person,
- are subject to the affirmative procedure.

() Otherwise, regulations under this section are subject to the negative procedure.>

In section 10, page 7, line 10

Leave out lines 10 - 12 and insert –

<() Before—

(a) laying a draft of a Scottish statutory instrument containing regulations under subsection (1) to which subsection () applies before the Scottish Parliament, or

(b) making regulations under subsection (1) to which subsection () applies,

the Scottish Ministers must consult such persons as they consider are representative of the interests of persons likely to be affected by the regulations as they consider appropriate.>

In section 12, page 8, line 35

At end insert –

<() Before laying a draft of a Scottish statutory instrument containing regulations under subsection (10) before the Scottish Parliament, the Scottish Ministers must consult such persons as they consider appropriate.>

In section 16, page 10, line 11

After <risks> in the second place it occurs insert <risks to animal or human health>

In section 19, page 12, line 27

Before section 20 insert –

<() **Expiry of powers relating to CAP**

(1) Sections 2 – 6 expire on 1 May 2026.

(2) When, by virtue of subsection (1), sections 2 – 6 expire, the Scottish Ministers may by regulations repeal—

(a) this section, and

(b) sections 2 – 6.

(3) The Scottish Ministers may by regulations make transitional, transitory or saving provision in connection with the expiry under subsection (1) of any provision of this Act.

(4) Regulations under subsection (2) are subject to the negative procedure.