

NOTIFICATION TO THE SCOTTISH PARLIAMENT

Name of the SI

Renewable Energy, Energy Efficiency and Motor Fuel Emissions (Miscellaneous Amendments) (EU Exit) Regulations 2021

Is the notification Type 1 or Type 2

Type 1

Details of the provisions that Scottish Ministers are being asked to consent to

Scottish Ministers are being asked to consent to the above UK statutory instrument relating to energy efficiency, renewable energy and emissions from motor fuel.

Summary of proposals

The purpose of this statutory instrument is to fix deficiencies in the law following the UK exiting the EU. The SI removes references to the EU being a Member State, removes references to EU, as well as the requirement for the UK to report to the EU and European Commission. This SI relates to the following regulations:

- Article 16 of the Renewable Transport Fuel O Article 16 of the Renewable Transport Fuel Obligation (RTFO) Order 2007;
- Regulations 1(6), 10(3), 11 and 13 of the Promotion of the Use of Energy from Renewable Sources (PUERS) Regulations 2011
- Regulation 25 of the Motor Fuel (Road Vehicle and Mobile Machinery) Greenhouse Gas Emissions Reporting Regulations 2012
- Regulations 3(4) and (5), 4, and 5(b) of the Energy Efficiency (Building Renovation and Reporting) Regulations 2014
- Regulations 2, 3(1), 4(1), 4(3), 4(5) and 9 of the Energy Efficiency (Encouragement, Assessment and Information) Regulations 2014
- Article 16 of the Renewable Transport Fuel Obligation (RTFO) Order 2007;
- Regulations 1(6), 10(3), 11 and 13 of the Promotion of the Use of Energy from Renewable Sources (PUERS) Regulations 2011
- Regulation 25 of the Motor Fuel (Road Vehicle and Mobile Machinery) Greenhouse Gas Emissions Reporting Regulations 2012
- Regulations 3(4) and (5), 4, and 5(b) of the Energy Efficiency (Building Renovation and Reporting) Regulations 2014
- Regulations 2, 3(1), 4(1), 4(3), 4(5) and 9 of the Energy Efficiency (Encouragement, Assessment and Information) Regulations 2014

Does the SI relate to a common framework or other scheme?

No

Summary of stakeholder engagement/consultation

This has not been deemed necessary by officials as the instrument fixes deficiencies in the statute book rather than representing policy change.

A note of other impact assessments, (if available)

No Impact Assessments are necessary to support the proposals for this UK SI, which largely makes minor amendments to fix deficiencies now that the UK has left the EU.

Summary of reasons for Scottish Ministers' proposing to consent to UK Ministers legislation

This legislation is technical in nature to remove UK reporting requirements to the EU, and any references to EU or the UK being a Member State. I am satisfied there is no substantial concern in terms of devolved powers.

Intended laying date of instrument likely to arise

UK Government has indicated that it intends to lay this instrument for sifting on 18 March, however it will not be made for some time after this.

If the Scottish Parliament does not have 28 days to scrutinise Scottish Minister's proposal to consent, why not?

N/A

Information about any time dependency associated with the proposal

We are not aware of any time dependency issues with this proposal

Are there any broader governance issues in relation to this proposal, and how will these be regulated and monitored post-withdrawal?

There are no broader governance issues.

Any significant financial implications?

There is no new significant financial implications for the Scottish Government in this UK SI.