

SCHEDULES

SCHEDULE 2

CORRESPONDING POWERS INVOLVING DEVOLVED AUTHORITIES

PART 2

IMPLEMENTING THE WITHDRAWAL AGREEMENT

Meaning of devolved competence: Part 2

- 17 A provision is within the devolved competence of the Scottish Ministers for the purposes of this Part if—
- (a) it would be within the legislative competence of the Scottish Parliament if it were contained in an Act of that Parliament (ignoring section 29(2)(d) of the Scotland Act 1998 so far as relating to EU law and retained EU law), or
 - (b) it is provision which could be made in other subordinate legislation by the Scottish Ministers, the First Minister or the Lord Advocate acting alone (ignoring section 57(2) of the Scotland Act 1998 so far as relating to EU law and section 57(4) of that Act).