



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

2021 asp 4

PART 2

ENVIRONMENT

CHAPTER 3

ENVIRONMENTAL POLICY STRATEGY

47 Environmental policy strategy

- (1) The Scottish Ministers must prepare and publish an environmental policy strategy.
- (2) The strategy must set out—
 - (a) objectives for protecting and improving the environment,
 - (b) policies and proposals for achieving the objectives (or a summary or indication of such policies and proposals), and
 - (c) arrangements for monitoring progress towards achieving the objectives.
- (3) In preparing the strategy the Scottish Ministers must have regard to the desirability of securing that environmental policy—
 - (a) aims at a high level of environmental protection,
 - (b) contributes to sustainable development,
 - (c) contributes to improving the health and wellbeing of Scotland's people,
 - (d) contributes to objectives in policy areas other than environmental policy,
 - (e) integrates environmental policy objectives into the development of policies in other areas,
 - (f) responds to global crises in relation to climate change and biodiversity.
- (4) The strategy may consist of one or more documents (and the reference in subsection (3) to the strategy includes any document forming part of it).

Status: This is the original version (as it was originally enacted).

- (5) The Scottish Ministers may designate one or more documents as forming the strategy or part of the strategy, whether the document or documents was or were prepared before or after this section comes into force (and whether before or after the Bill for this Act was passed).
- (6) In preparing the strategy or any document forming part of it, and before designating any document as forming the strategy or part of the strategy, the Scottish Ministers must consult—
 - (a) such persons as they consider would be likely to be affected by the proposals in the strategy or document,
 - (b) such persons as they consider have appropriate expertise or experience in relation to the matters covered by the strategy or document,
 - (c) such other persons (if any) as they consider appropriate.
- (7) For the purpose of subsection (6), it is immaterial that anything done by way of consultation was done before this section comes into force (whether before or after the Bill for this Act was passed).
- (8) Before publishing the strategy or any document forming part of it, the Scottish Ministers must lay before the Scottish Parliament—
 - (a) a copy of the strategy or document, and
 - (b) a statement setting out—
 - (i) details of the consultation about the strategy or document that was carried out under subsection (6),
 - (ii) a summary of any views expressed in response to the consultation, and
 - (iii) either details of how those views (if any) have been taken into account in preparing the strategy or document or a statement that no views were expressed in response to the consultation or that no account has been taken of views expressed.
- (9) The Scottish Ministers—
 - (a) must from time to time review the strategy, and
 - (b) may revise the strategy or any document forming part of it.
- (10) Subsections (3) and (6) to (8) apply to the preparation and publication of a revised strategy or any document forming part of it as they apply to the preparation and publication of the first strategy or any document forming part of it.
- (11) The Scottish Ministers must, in making policies (including proposals for legislation), have due regard to the strategy.
- (12) The Scottish Ministers must, before the end of each reporting period, lay before the Scottish Parliament a report containing an explanation of progress towards preparation of the strategy.
- (13) The reporting periods are—
 - (a) the period of one year beginning with the day on which this section comes into force,
 - (b) each subsequent period of one year while the duty under subsection (12) has effect.

- (14) The duty under subsection (12) ceases to have effect when a copy of the strategy or any document forming part of it is laid before the Scottish Parliament under subsection (8) provided that consultation in accordance with subsection (6) was carried out in relation to the strategy or document after this section comes into force.
- (15) In this section—
“the environment” and “environmental protection” have the meanings given by section 45,
“making policies” includes developing, adopting and revising policies.