



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

2021 asp 4

PART 2

ENVIRONMENT

CHAPTER 2

ENVIRONMENTAL GOVERNANCE

Improvement reports and improvement plans

30 Improvement plan

- (1) Where Environmental Standards Scotland lays a copy of an improvement report before the Scottish Parliament under section 29, the Scottish Ministers must respond to the report by preparing an improvement plan.
- (2) An improvement plan must set out—
 - (a) what the Scottish Ministers propose to do in response to the recommendations in the improvement report, including in particular—
 - (i) the measures that the Scottish Ministers propose to take to implement the recommendations (in full or in part),
 - (ii) the proposed timescale for implementing the recommendations,
 - (iii) the arrangements for reviewing, and reporting on, progress in implementing the recommendations, and
 - (b) if the Scottish Ministers do not intend to implement the recommendations in the improvement report (in full or in part), the reasons for that.
- (3) The Scottish Ministers must lay a copy of the improvement plan before the Scottish Parliament either—
 - (a) before the end of the period of 6 months beginning with the date on which the improvement report was laid before the Parliament, or

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- (b) before the end of the period of 9 months beginning with that date, if the Scottish Ministers consider that it is necessary to consult other persons (or the public more generally) about the plan.
- (4) When laying a copy of the improvement plan before the Scottish Parliament in accordance with subsection (3)(b), the Scottish Ministers must at the same time lay before the Parliament a statement setting out—
- (a) details of the consultation about the plan that was carried out under that subsection,
 - (b) a summary of any views expressed in response to the consultation, and
 - (c) either—
 - (i) details of how those views (if any) have been taken into account in preparing the plan that is laid before the Parliament, or
 - (ii) a statement that no views were expressed in response to the consultation or that no account has been taken of views expressed.
- (5) If, within 40 days of a copy of the improvement plan having been laid before the Scottish Parliament under subsection (3), the Parliament resolves that the plan should not be approved, the Scottish Ministers must—
- (a) review and revise the plan, having regard to any views expressed by the Parliament in relation to the plan, and
 - (b) lay a copy of a revised improvement plan before the Parliament before the end of the period of 3 months beginning with the date on which the Parliament resolved not to approve the plan.
- (6) Subsection (5) applies in relation to any revised improvement plan as it applies in relation to the first improvement plan.
- (7) Once the Scottish Parliament resolves that the improvement plan laid under subsection (3), or any revised improvement plan laid under subsection (5)(b), should be approved, the Scottish Ministers must publish the plan.
- (8) In calculating the period of 40 days mentioned in subsection (5), no account is to be taken of any period during which the Parliament is dissolved or in recess for more than 4 days.

Commencement Information

II S. 30 in force at 1.10.2021 by S.S.I. 2021/304, reg. 2(a)

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