



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

2021 asp 4

## PART 1

### ALIGNMENT WITH EU LAW

#### **6 Policy statement on the section 1(1) power**

- (1) The Scottish Ministers must publish, in such manner as they consider appropriate, a statement of their policy on—
  - (a) the approach to be taken,
  - (b) the factors to be taken into account, and
  - (c) the process to be followed,when considering whether to use the power under section 1(1).
- (2) The Scottish Ministers may from time to time revise the policy statement and publish the revised policy statement.
- (3) Where the Scottish Ministers make a statement referred to in subsection (9) of section 9, by virtue of paragraph (c) of that subsection, they must as soon as reasonably practicable after making the statement—
  - (a) review the policy statement, and
  - (b) either—
    - (i) revise the policy statement and publish the revised policy statement, or
    - (ii) lay before the Scottish Parliament a document explaining why, in the Scottish Ministers' opinion, it is not necessary to revise the policy statement.
- (4) In this Part, references to a policy statement under this section include references to the policy statement as revised from time to time.
- (5) It is not necessary for a policy statement to have been published under this section before the power under section 1(1) may be used.