

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the INSPIRE (Scotland) Regulations 2009 (“the 2009 Regulations”).

The amendments in Part 3 are made in exercise of the powers conferred by paragraph 1(1) and (3) of schedule 2, and paragraph 21 of schedule 7, of the European Union (Withdrawal) Act 2018 in order to address failures of retained EU law to operate effectively and other deficiencies (as described in section 8(2)(a), (b), (d) and (g) of that Act) arising from the withdrawal of the United Kingdom from the European Union. Part 2 also updates a reference in the 2009 Regulations to EU law, in exercise of powers conferred by section 2(2) of the European Communities Act 1972.

The 2009 Regulations implement (in part) [Directive 2007/2/EC](#) of the European Parliament and of the Council establishing an Infrastructure for Spatial Information in the European Community (INSPIRE) (OJ L 108, 25.4.2007, p.1), taking account of Commission Regulation (EU) No 1089/2010 implementing [Directive 2007/2/EC](#) of the European Parliament and of the Council as regards the interoperability of spatial data sets and services (OJ L 323, 8.12.2010, p.11). The Directive and the Commission Regulation both concern the creation and operation of national and EU infrastructures relating to spatial information for the purposes of EU environmental policies and other policies or activities which may have an impact on the environment.

On exit day, references in the 2009 Regulations to provisions of the Directive will no longer be appropriate, whereas the Commission Regulation will form part of the domestic law of the United Kingdom. Part 3 of these Regulations therefore amends the 2009 Regulations so that they refer instead to equivalent provisions which will, on exit day, be inserted into the domestic law version of the Commission Regulation by the INSPIRE (Amendment) (EU Exit) Regulations 2018 ([S.I. 2018/1338](#)). They also fix some other deficiencies in relation to coordination, monitoring and reporting which arising from the withdrawal of the United Kingdom from the European Union.

No business and regulatory impact assessment has been prepared for these Regulations as no impact upon business, charities or voluntary bodies is foreseen.