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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2019 No.**

**The INSPIRE (EU Exit) (Scotland)  
(Amendment) Regulations 2019**

**PART 3**

Amendments to subordinate legislation to address deficiencies arising from the withdrawal of the United Kingdom from the European Union

**Substitution of regulation 15 (enforcement and monitoring)**

**10.** For regulation 15 substitute—

**“Coordination, monitoring and reporting**

**15.—**(1) The Scottish Ministers must, for the purposes of ensuring compliance with these Regulations, ensure that appropriate structures and mechanisms are put in place for coordinating, across the different levels of government, the contributions of all persons with an interest in infrastructures for spatial information.

(2) In performing the function described in paragraph (1), the Scottish Ministers must coordinate the contributions of, in particular, users, producers, added-value service providers and coordinating bodies, concerning the identification of relevant data sets, user needs, the provision of information on existing practices and the provision of feedback on the implementation of these Regulations and the Implementing Rules.

(3) The Scottish Ministers must—

- (a) ensure that Scottish public authorities and third parties comply with these Regulations and the Implementing Rules,
- (b) monitor the implementation and use of the infrastructure for spatial information for the purposes of these Regulations, and make the findings available to the public in accordance with Commission [Decision 2009/442/EC](#) implementing [Directive 2007/2/EC](#) of the European Parliament and of the Council as regards monitoring and reporting (“Commission [Decision 2009/442/EC](#)”), and
- (c) issue guidance to Scottish public authorities and third parties which are responsible for spatial data sets or spatial data services about the implementation of these Regulations.

(4) Guidance issued under paragraph (3)(c) must include provision relating to the internal complaints procedure which Scottish public authorities and third parties are required to establish under regulation 14.

(5) In performing their functions under these Regulations, Scottish public authorities and third parties must have regard to guidance issued under paragraph (3)(c).

(6) Scottish public authorities and third parties must provide such information to the Scottish Ministers as the Scottish Ministers may require in order to perform the functions described in paragraphs (1) to (3).

(7) In this regulation—

- (a) “Implementing Rules” means the requirements of the Metadata Regulation, Commission [Decision 2009/442/EC](#), [Commission Regulation \(EC\) No 976/2009](#) implementing [Directive 2007/2/EC](#) of the European Parliament and of the Council as regards the Network Services, and Commission Regulation (EU) 1089/2010,
- (b) “infrastructure for spatial information” means metadata, spatial data sets and spatial data services; network services and technologies; agreements on sharing, access and use; and coordination and monitoring mechanisms, processes and procedures, established, operated or made available in accordance with, and for the purposes of, these Regulations and the Implementing Rules.”.