

REPORT FOUR: February 2025

EU Law Tracker

A Report for the Constitution, Europe, External Affairs and Culture
Committee

Lisa Claire Whitten

EUROPEAN UNION LAW TRACKER

A Report for the Scottish Parliament Constitution, Europe, External
Affairs and Culture Committee

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EXECUTIVE SUMMARY

EU Law Tracker Research Purpose

This is the fourth in a [series of reports](#) commissioned by the Scottish Parliament Constitution, Europe, External Affairs and Culture Committee to support scrutiny by parliamentary committees into the commitment on the part of the Scottish Government (or SG) to align with European Union (EU) law, as appropriate, following and notwithstanding the withdrawal of the United Kingdom (UK) from the EU.

These EU Law Tracker reports – and the detailed EU Law Tracker set out in Annex 1 – are designed to serve as a reference tool for parliamentarians, officials, stakeholders, and the wider public, seeking to better understand the SG alignment commitment as well as its effects on law and policy development in Scotland. In this respect, the information and analysis contained in this issue of the EU Law Tracker complements the Constitution *et al* Committees' previous inquiry into the UK-EU Trade and Cooperation Agreement which [found](#) that: "While the Scottish Government has a policy commitment to align with EU law where appropriate, the impact this has had on businesses, including the extent to which it has facilitated improved trade with the EU, without such agreements with the EU in place, is unclear". This report is also intended to be read in the context of [responses](#) to evidence recently (December 2024) gathered by the Constitution *et al* Committee into the effects of the Scottish Government's Policy to Align with EU Law on stakeholders as well as the (currently draft) SG Annual Report on the use of the European Union (Continuity) (Scotland) Act 2021 'keeping pace' powers which is the first to fully implement a revised approach [intended](#) to "better record and share information regarding the implementation of alignment decisions".

Research Period: This EU Law Tracker documents changes and developments that have taken place between end of August 2024 and the beginning of January 2025.

Account of Legislative Changes in this EU Law Tracker

EU Law Changes

- Of the roughly 250 EU acts that, pre-Brexit, were fully or partially in SG competence, 39 have been repealed, but not all of these have been directly replaced.
- According to this analysis at least 227 secondary EU acts (such as regulations, directives, decisions) are in scope of the SG alignment commitment.
- As part of the normal processes of EU law-making, tertiary (implementing or delegated) acts are frequently adopted which make detailed provisions for the implementation of secondary EU acts.
- Between January 2021 and January 2025 approximately 1394 acts of tertiary EU law have been adopted in relation to EU acts that are in scope of the SG alignment commitment. By definition these tertiary laws make technical or operational provisions for the implementation of the relevant 'parent' act so changes on this level do not tend to alter policy trajectories. On occasion, however, EU tertiary law changes may make changes that result in divergence of technical standards or operational processes that are relevant for Scotland and the SG alignment commitment.
- In the period covered by this EU Law Tracker Report, the EU adopted at least 12 new EU acts that are or may be in scope of the SG alignment commitment.

Scots Law / UK Law Changes

- Of the two acts of primary law passed in Scotland during the reporting period, one can be said to be directly relevant to the SG alignment commitment inasmuch as it makes provisions in an area of policy regulated by the EU.

- Of the 177 statutory instruments passed for Scotland during the research period, at least 15 were identified by this research to be (directly or indirectly) relevant to the SG alignment commitment; of these, at least 6 make changes that do diverge or may result in divergence from EU laws.
- Examples of new or proposed new acts of UK-wide (or GB-wide) primary law as well as statutory instruments passed during the reporting period, featured in this report, implement changes that diverge from EU laws either in whole or in part.

Key Messages from this EU Law Tracker

- **The potential for divergence between Scots law and EU law increases over time as the two legal orders and regulatory regimes continue to develop separately after Brexit.**
- **This report does not document wholesale change in the degree of alignment between Scotland and the EU, but it does contain more examples than in previous issues of the EU Law Tracker of actual and/or new potential instances of divergence between the two parties as a result of legislative changes in both the EU and UK.**
- **Assessing the exact degree of divergence vis-à-vis alignment depends on how this is defined and understood.**
 - This edition of the EU Law Tracker identifies examples of **legislative divergence** between EU law and Scots law; these result from both EU initiated and UK/Scottish initiated changes.
 - EU Initiated:*
 - The adoption of new EU laws that are or may be in scope of the SG alignment commitment.
 - The evolution of secondary EU laws (i.e., regulations, directives, decisions) via tertiary EU law (i.e., implementing and delegated acts) that are in scope of the SG alignment commitment.
 - UK/Scottish Initiated:*
 - The making of statutory instruments and Scottish statutory instruments that make changes in assimilated laws and which diverge from EU rules.
 - The adoption or proposal of new acts of primary UK law that make provisions that diverge from those that apply in the EU.
 - This edition of the EU Law Tracker also identifies examples of **policy alignment** between EU law and Scots law; these are generally the result of changes initiated in Scotland, including via:
 - The adoption of new acts in the Scottish Parliament that provide for 'broad alignment' with the objectives and/or direction of similar or equivalent EU policies.
 - The making of Scottish statutory instruments that give effect to standards and/or approaches that are 'shared' with the EU.
- **Where Scots law initiatives have been stated by the SG to uphold the alignment commitment, this tends to be on the level of policy principles and/or direction of travel**

rather than to be on the level of detailed legal alignment of the kind experienced and practiced in EU Member States and by those outside the EU, but which have an agreed legal arrangement for some degree of alignment with EU law. This is not necessarily unexpected given the terms of the wider UK-EU relationship; however it also means that, even in areas where Scotland is ‘aligning’ with EU policy principles, legal differences and the lack of recognition of any alignment is likely to result in regulatory and trading frictions.

- This accords with the SG response to a CEEAC Committee question regarding policy alignments vs legal alignment which stated:
 - *“The Scottish Government aims to maintain policy alignment wherever possible (for example, insofar as Scotland is able under the devolved settlement and the operation of the Internal Market Act), and legislative alignment where it is meaningful and appropriate to do so. For example there will be times where the outcome of adjusting or introducing new legislation can be achieved more simply and directly by an alteration to policy. Inevitably this means there will be cases where the Scottish Government’s approach to legislation may differ from the EU.”¹*
- **Examples of SG policy alignment with EU principles are unlikely to result in reduced barriers to trade and cooperation between Scotland and the EU; by contrast examples of legislative alignment may mitigate or reduce barriers to trade and cooperation which would otherwise have arisen between Scotland and the EU.**
- **In response to concerns of the CEEAC Committee regarding transparency of decision-making on the EU alignment policy, the SG committed to increase the volume and detail of the information it was providing to the Scottish Parliament on the matter. This issue of the EU Law Tracker report reiterates the value of the significantly extended levels of reporting on the policy to align on the part of the SG. It also identifies improvements in the consistency and quality of SG reporting on Scottish legislative initiatives in line with the SG [agreement](#) with the Scottish Parliament on information sharing related to the EU alignment policy.²**
- **The latest (currently draft) SG Annual Report on the Continuity Act (covering Sept 2023 to Aug 2024) is the first to fully implement the revised more detailed approach to reporting on SG use of the Continuity Act powers, and on the policy to align with EU law more broadly. This SG Report represents the most comprehensive and official account of alignment/divergence with EU law produced by any UK based government or department to date. In this respect the SG revised approach to reporting continues to support transparency, aid legal clarity and assist legislative scrutiny.**
- **This issue of the EU Law Tracker nonetheless also highlights some areas for potential further improvement in SG reporting practices. For example:**
 - Lists provided in Annex C regarding ‘EU Proposals Relevant to Devolved Competence or Having a Devolved Impact’ could usefully be updated to include relevant EU document references (for policy documents, communications etc.) and/or relevant references to

¹ ‘The Scottish Government’s Policy of EU Alignment – Annual Reports 2024’ (2024, October 31) *parliament.scot* Available: <https://www.parliament.scot/-/media/files/committees/constitution-europe-external-affairs-and-culture-committee/eu-alignment-annual-reports--31-october-2024.pdf> (Accessed 25 January 2025)

² ‘Statement of Policy by the Scottish Ministers in Exercise of the Power in Section 1 of the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021’ (2022, May 10) *parliament.scot* Available: <https://www.parliament.scot/-/media/files/committees/constitution-europe-external-affairs-and-culture-committee/correspondence/2022/eu-alignment.pdf> (Accessed 12 February 2025)

- entries in the Official Journal (for new EU acts or finalised proposals) – this would help parliamentarians and interested stakeholders to cross-read the content of SG Annual Reports with relevant ongoing developments in the EU.
- Information provided by the SG appears to prioritise new EU proposals and initiatives over updates and revisions of established EU acts. While understandable, this approach also creates the possibility of changes to established EU acts which are or may be relevant to the SG alignment commitment being missed.
 - The difference between policy alignment and legislative alignment could be made more clear in the information provided by the SG in Policy Notes accompanying SSIs.
- **Notwithstanding the changed political landscapes in both the EU and the UK following recent elections, it is still the case that, across a range of policy areas there is potential for divergence by default if Scotland does not (continue to) actively pursue the same policy objectives as the EU in areas within its devolved competence and therefore potentially in scope of the alignment commitment.**

Initiatives being pursued at a UK-wide or GB-wide level are likely to, at least on occasion, sit in tension with the Scottish Government’s commitment to alignment and force a choice between aligning with other regions of the UK and aligning with the EU legal acquis albeit without formal recognition by the EU of any such alignment in the case of the latter.

- **If achieved, any new UK-wide agreement with the EU on sanitary and phytosanitary (SPS) and veterinary issues or any other area can be expected to make fulfilment of the SG alignment policy easier because (contingent on specifics) any such agreement will likely involve some degree of alignment between relevant areas of UK law and EU law.**
- **The domestic implementation of a new UK-wide agreement with the EU may result in centralisation of policy areas within its scope. Opportunities for the Scottish Parliament to scrutinise the implementation of any such agreement, or the development of related legislation, may be diminished unless existing scrutiny processes are reviewed and/or new scrutiny processes developed.**

Recommendations for the Constitution *et al* and Subject Committees

- Where case studies included in this EU Law Tracker report highlight specific examples of actual or potential divergence, Subject Committees may wish to seek an update from the Scottish Government. Such initiatives may include:
 - The Rural Affairs and Islands Committee may wish to seek further information from the SG on its potential pursuit of alignment with the EU on organics products and labelling of organic products in view of the coming into force of the Organic Production Regulation (EU) 2018/848 in January 2022 and the approximately 82 implementing and delegated EU acts adopted by the EU under the OP Regulation since the end of the UK Transition Period. The Committee may also want to seek SG views on the effect of relevant provisions of the TCA on equivalence of standards regarding organics between the EU and UK and the implications for any SG alignment decision.
 - The Net Zero, Energy and Transport Committee may wish to seek more information or request updates from the SG on its consideration of alignment with Regulation (EU) 2024/216 which amends Regulation (EU) 2019/1009 in respect to the digital labelling of EU fertilising products which has been identified as ‘for future consideration’ in the most recent draft SG Annual Report.

- The Net Zero, Energy and Transport Committee may wish to seek further information from the SG regarding its consideration of alignment with Regulation (EU) 2024/1781 establishing a framework for the setting of ecodesign and sustainable products; the most recent draft SG Annual Report identified the ecodesign and sustainable products regulation (ESPR) as one of those EU acts 'for future consideration' regarding alignment.
 - The Net Zero, Energy and Transport Committee may wish to seek an update from the SG regarding its consideration of alignment in respect to Regulation (EU) 2024/3110 on construction products which it identified as 'under consideration'.
 - The Net Zero, Energy and Transport Committee may wish to seek an update from the SG regarding progress on securing alignment with Regulation (EU) 2024/1991 on Nature Restoration which has been identified as one of those EU acts with which Scotland will align.
 - The Net Zero, Energy and Transport Committee may wish to seek an update from the SG regarding its consideration of aligning with the new Directive (EU) 2024/1785 on industrial emissions and landfill waste which the SG has identified as being 'under consideration' for alignment.
- In view of new EU laws adopted during the research period covered by this EU Law Tracker, Subject Committees may wish to seek an update from the Scottish Government in relation to specific new acts. Such initiatives may include:
- The Economy and Fair Work Committee may wish to seek an update from the SG regarding its consideration of alignment in respect to Decision (EU) 2024/2829 to amend Directive 2007/2/EC regarding certain reporting requirements for infrastructures for spatial information.
 - The Net Zero, Energy and Transport Committee may wish to seek an update from the SG regarding its consideration of alignment in respect to Regulation (EU) 2024/3024 as regards introducing new environmental economic account modules.
 - The Net Zero, Energy and Transport Committee may wish to seek an update from the SG regarding its consideration of alignment in respect to Directive (EU) 2024/3019 concerning urban wastewater treatment (recast).
 - The Equalities, Human Rights and Civil Justice Committee may wish to seek an update from the SG regarding its plans to consider alignment in future in respect to Directive (EU) 2024/2841 establishing the European Disability Card and the European Parking Card for persons with disabilities.
 - The Net Zero, Energy and Transport Committee may wish to seek an update from the SG regarding its plans to consider alignment in future in respect to Directive (EU) 2024/3100 on compliance with flag State requirements.
 - The Net Zero, Energy and Transport Committee may wish to seek an update from the SG regarding its plans to consider alignment in future in respect to Directive (EU) 2024/3099 on port state control.
 - The Net Zero, Energy and Transport Committee may wish to seek an update from the SG regarding its plans to consider alignment in future in respect to Directive (EU) 2024/3237 on facilitation of cross-border exchanges of information on road-safety-related traffic offences.
 - The Economy and Fair Work Committee may wish to seek the SG view on the new EU act in respect to Directive (EU) 2024/2847 on horizontal cybersecurity requirements for products with digital elements (the 'Cyber Resilience Act').
 - The Net Zero, Energy and Transport Committee may wish to seek the SG view on the new EU act in respect to Directive (EU) 2024/3101 on ship-source pollution and on the introduction of administrative penalties for infringements.
 - The Rural Affairs and Islands Committee may wish to seek the SG view on the new EU act in respect to Regulation (EU) 2024/3115 on multiannual survey programmes, notifications concerning the presence of regulated non-quarantine pests, temporary derogations from import prohibitions and special import requirements for high-risk plants, plant products and other objects, the establishment of procedures for the listing of high-risk plants, the content of phytosanitary certificates and the use of plant passports, and as regards certain reporting requirements for demarcated areas and surveys of pests.
 - The Net Zero, Energy and Transport Committee may wish to seek the SG view on the new EU act in respect to Regulation (EU) 2024/2881 on ambient air quality and cleaner air for Europe (recast).

1. INTRODUCTION

1.1 Research Purpose

This report is the fourth in a series of EU Law Tracker Reports commissioned by the Scottish Parliament Constitution, Europe, External Affairs and Culture Committee to support scrutiny by parliamentary committees of the commitment on the part of the Scottish Government (or SG) to continue to align with European Union (EU) law, as appropriate, following and notwithstanding the withdrawal of the United Kingdom (UK) from the EU.³

The purpose of the EU Law Tracker Reports, and the research that underpins them, is to provide ongoing analysis of EU law and policy developments in areas that were (pre-Brexit) or would be (but for Brexit) devolved to Scotland and are therefore potentially in scope of the SG alignment commitment. The content of these Reports draws on and progresses an initial research project for the Constitution, Europe, External Affairs and Culture Committee⁴ that set a baseline for the possible scope and implications of the SG alignment commitment in EU law terms.⁴ Building on the baseline research, this fourth EU Law Tracker report presents analysis of developments in EU legislation that are relevant to the SG alignment commitment and which have taken place since the third EU Law Tracker report was published; this report therefore covers developments between the end of August 2024 and the start of January 2025. As the Report sets out (see Section 2) to get a comprehensive picture of the extent and nature of the implementation of the SG alignment commitment, it is necessary to not only track EU law developments but also Scots law and relevant UK law developments. For this reason, this Report also reviews and discusses changes in the domestic setting that are or may be relevant to the alignment commitment; given the commissioned scope of this research is focused on the evolution of EU law, those sections on domestic law changes ought to therefore be read as indicative rather than necessarily exhaustive.

The Report content is underpinned by systematic tracking of developments of relevant EU law instruments (listed in Annex 1), draft/new EU law instruments (listed in Annex 2), Scottish law instruments and UK law instruments (see Section 2), however, much of the presentation of findings is centred around a series of case studies (see Section 3). These case studies are used to demonstrate the different types of EU law change that have occurred, which are relevant to the SG alignment commitment, and how these can interact with Scots/UK law developments across a range of different settings. A full record of developments in (established/proposed) EU law instruments relevant to the SG alignment commitment is included in the Report Annexes.

³ See The Scottish Parliament (2023) 'EU Law Tracker: Report One' *parliament.scot* Available: <https://www.parliament.scot/-/media/files/committees/constitution-europe-external-affairs-and-culture-committee/law-tracker-eu.pdf> (Accessed 11 September 2024) and The Scottish Parliament (2024) 'EU Law Tracker: Report Two' *parliament.scot* Available: <https://www.parliament.scot/-/media/files/committees/constitution-europe-external-affairs-and-culture-committee/eulawtrackerreport-2.pdf> (Accessed 11 September 2024)

⁴ Whitten, L. C. (2022) 'Alignment with European Union Law: A Report for the Constitution, Europe, External Affairs and Culture Committee' *parliament.scot* Available: <https://www.parliament.scot/-/media/files/committees/constitution-europe-external-affairs-and-culture-committee/research-by-dr-whitten-on-alignment-with-eu-law.pdf> (Accessed 11 September 2024)

1.2 Commitment to Alignment in Scottish Law

Following UK withdrawal from the EU there is no longer a requirement for the UK to apply or follow EU law or policy. In Scotland, however, the Scottish Government indicated that “where appropriate” Scots Law would “keep up with future developments in EU law” either through new legislative initiatives or by making changes in EU-derived laws that continue to operate in Scotland which correspond to those being made at EU level.⁵

There are several different legislative options for securing the Scottish Government policy of alignment with EU law. Provisions could be introduced in primary legislation with the express purpose of aligning with an existing or new act of EU law. Alternatively, secondary legislation could be made in Scotland to give effect to the stated policy of EU alignment, where powers exist to do so.

Alongside the potential for normal legislative processes to be used in pursuit of alignment with EU law and policy in Scotland, specific provisions were made in the *UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021* (hereafter the ‘EU Continuity Act 2021’ or ‘2021 Act’) to empower Scottish Ministers to give effect to the stated policy to stay aligned with EU law where appropriate.⁶ While this report provides a high-level overview of all relevant developments in EU law as well as in Scots Law and (as appropriate) in wider UK law, in setting out the legal context, the following subsections focus in particular on the EU Continuity Act 2021.

1.2.1 The Continuity Act and Keeping Pace Powers

The EU Continuity Act 2021 grants Scottish Ministers discretionary powers to make provisions that ‘correspond’ to EU law, by regulations (s1(1)). While there is no obligation on Scottish Ministers to exercise their ‘keeping pace’ powers, because these are linked to any EU act that ‘has effect in EU law after IP completion day [i.e., 31 December 2020]’, they are potentially very broad in scope. In effect, section 1 of the 2021 Act bestows discretionary powers to Scottish Ministers to make regulations in any area of policy which previously or in future was/is covered by EU law and which is in the scope of devolved competence in Scotland, either now or in future.

There are a small number of restrictions on the otherwise broad ‘keeping pace’ powers. These restrictions are set out in section 3 of the EU Continuity Act 2021 and result in an inability to make regulations that: impose or increase taxation; make retrospective provisions; create a criminal offence; establish a Scottish public authority; remove protections on judicial independence; confer functions on public authorities not in-keeping with their established purposes; or modify protected law acts, namely the Scotland Act 1998 or the Equality Act(s) of

⁵ The Scottish Government’s stated aim in ‘keeping pace’ is to ensure “Scotland can then continue to benefit from developments in EU laws and standards” and thereby through the ‘keeping pace’ policy to “send a strong signal to the EU that Scotland continues to uphold the EU’s core values” on the premise that this “could help to ease an independent Scotland’s application for membership as an independent country” – Scottish Government (2020) ‘Protecting Scotland, Renewing Scotland: The Government’s Programme for Scotland 2020-2021’ *gov.scot* Available: <https://www.gov.scot/publications/protecting-scotland-renewing-scotland-governments-programme-scotland-2020-2021/pages/9/> (Accessed 11 Sept 2024).

⁶ *UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021* asp 4 Available: <https://www.legislation.gov.uk/asp/2021/4/contents> (Accessed 11 Sept 2024)

2006 and 2010. Outside of this discrete list, the ‘keeping pace’ powers of Scottish Ministers under section 1(1) are limited (only) in accordance with devolved competence and the scope of current and/or future EU law.

Although potentially wide-ranging in terms of policy scope, section 1(1) powers are time limited. Under section 4 of the 2021 Act, the ‘keeping pace’ powers are due to end on 29 March 2027 so just over seven years after UK withdrawal from the EU and six years after the Transition Period ended. The relevant period could however be extended up to 29 March 2031 if regulations to this effect are passed in the Scottish Parliament by affirmative procedure. If the Scottish Government wanted to further extend these powers to give effect to their EU law alignment commitment after 2031, new primary legislation would be necessary.

The open-ended nature of powers granted under section 1(1) notwithstanding, section 2 of the EU Continuity Act 2021 provides a lens through which those discretionary powers are to be read. According to section 2, the ‘purpose’ of keeping pace powers granted in section 1(1) is to ‘contribute towards maintaining and advancing standards in relation to’ the following areas:

Environmental Protection
Animal Health and Welfare
Plant Health
Equality, Non-Discrimination, and Human Rights
Social Protection

This list is important and ought to be read as a guide to the purpose intended by drafters of the broad regulation-making section 1(1) powers. Additionally, there is a ‘due regard’ requirement, introduced in section 2(2), that affirms such a reading in that Scottish Ministers exercising powers under section 1(1) are obligated to “have due regard to the purpose referred to in section [2](1)” where the five policy areas are listed. Efforts to monitor or scrutinise the extent to which the Scottish Government has exercised or fulfilled its alignment commitment ought therefore to account for EU and (to a lesser but important degree) UK policy developments in the areas listed in section 2(1) of the 2021 Act. The EU Law Tracker case studies set out in this report (see section 3), and the systematic analysis that underpins them (see Annex 1), accounts for relevant changes in all five of the section 2(1) 2021 Act policy areas.

Notwithstanding the importance of the purposive lens provided by section 2(1) of the EU Continuity Act 2021 for the exercise of ‘keeping pace’ powers granted under its section 1(1), the potential scope of these powers also goes beyond the five areas named – this fact is demonstrated in both the policy case studies and the full record of relevant EU law changes.

1.2.2 Scottish Government Reporting Commitments

Under section 10 of the EU Continuity Act 2021 the Scottish Government are obliged to provide annual reports detailing: how the ‘keeping pace’ powers have been used; how any use has contributed towards maintaining and advancing standards related to the five section 2(1) policy areas; any consideration of the use of the section 1(1) powers that has taken place; and/or how they intend to use the ‘keeping pace’ power in the next reporting period. To date, three such reports have been published; the first two reports stated that Scottish Ministers did not make use

of the section 1(1) powers during the relevant reporting period, while the third report detailed Scottish Ministers' use of section 1(1) powers on one occasion, to keep pace with EU law changes related to the quality of water for human consumption (see section 2.2.1). The (currently draft) fourth SG alignment report states that the Scottish Ministers did not make use of the section 1(1) powers but intends to do so in relation to two regulations to be passed in the upcoming reporting period (see Section 2.2.1).

In response to Constitution, Europe, External Affairs and Culture Committee concerns that there was not sufficient transparency with regards to the Scottish Ministers' decision-making process on EU alignment, the Scottish Government [committed to increasing the information provided to Parliament](#) and the public to understand how the alignment commitment is being applied. Ministers agreed to provide additional annual reporting to sit alongside the existing Continuity Act reporting processes, to provide information including—

- how alignment has been considered in respect of legislation made in the Scottish Parliament over the reporting year;
- an assessment of EU legislation made over the reporting year that may be relevant to the commitment to align; and
- where Scotland's policy priorities in respect of the EU lie in the coming year.

The Constitution *et al* Committee subsequently [welcomed](#) the “significantly extended levels of reporting on the policy to align” from the Scottish Government. Similar to previous reports in the series, this EU Law Tracker report incorporates analysis of relevant information published by the Scottish Government on its alignment policy, including that provided according to the new approach which has been implemented since September 2023, the fourth (draft) SG annual report featured in this edition of the EU Law Tracker is therefore the first to fully reflect the new approach.

1.3 Commitment to Alignment in EU Law Terms

A good starting point for mapping the policy scope of the Scottish Government's alignment commitment is to consider any EU law instruments that were fully or partially within devolved competence in Scotland prior to the UK's withdrawal from the EU. In doing so this section draws the Baseline Research Report (see Section 1.1) which found that, on 31 December 2020, at least 243 instruments of EU law were potentially within the scope of the Scottish Government's alignment commitment.⁷ Moreover that policy areas potentially in-scope extended beyond the five listed in section 2(1) of the 2021 Act to also include food standards, chemicals, economy and trade, police and judicial cooperation, public health, and transport.

⁷ Analysis is based on analysis of UKG Frameworks Analysis produced as part of the Common Frameworks process – for details see the Baseline Research Report (n2) and Cabinet Office (2021) 'Frameworks Analysis 2021: Breakdown of areas previously governed by EU law that intersect with devolved competence in Scotland, Wales and Northern Ireland', [gov.uk](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1031808/UK_Common_Frameworks_Analysis_2021.pdf) Available: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1031808/UK_Common_Frameworks_Analysis_2021.pdf (Accessed 11 Sept 2024).

Of the 243 initial instruments of relevant EU law, 128 are fully in Scottish Government competence and responsibility for 115 is ‘mixed’ between the UK government and devolved government in Scotland.

Table 1: Summary of the Potential Legislative Scope of the ‘Keeping Pace’ Power in EU Law Terms.

Policy Area	EU Instruments*	Competence	
		Mixed	Devolved
Environmental Protection	42	24	18
Animal Health and Welfare	46	10	36
Plant Health	17	3	14
Equality, Non-Discrimination, and Human Rights	7	1	6
Social Protection	4	4	0
Food Standards	30	27	3
Chemicals	7	4	3
Economy & Trade	6	5	1
Police & Judicial Cooperation	57	27	30
Public Health	15	3	12
Transport	12	7	5
		115	128
Total	243*		

*As of 31st December 2020, for changes since see Annex I.

Before considering the substance of changes that have taken place in EU law that are relevant to the Scottish Government’s alignment commitment, it is necessary to contextualise the kinds of changes documented in the EU Law Tracker by summarising the main types of change that can occur as part of the ordinary legislative procedures of the EU.

EU law falls into three broad categories – primary, secondary, and tertiary – and different kinds of EU legislative instrument can be made or apply in each of these. Primary EU law is that contained in its treaties. The EU treaties lay down the EU’s objectives, the rules for its institutions, its decision-making procedures, and define the relationship between the EU and its Member States. Changes in primary EU law do not often take place because any amendments to the EU treaties need to be negotiated and agreed by all EU countries unanimously, then ratified by Member States according to their own constitutional requirements which, in some cases, involves holding referenda. Secondary EU law is passed to achieve the objectives and principles set out in the EU treaties. There are five kinds of secondary EU law instrument – regulations, directives, decisions, recommendations, and opinions – each of these has a different standing and different procedures associated with their development or amendment, these are summarised in Table 2.

The third category is EU tertiary law wherein there are two main types – delegated acts and implementing acts – both of these are legally binding. Similar to the way in which secondary legislation in the UK/Scotland can be made by government ministers according to powers granted them to do so in primary acts of UK/Scots Law, tertiary legislation in the EU can be adopted by the European Commission according to powers granted it to do so in a related instrument of secondary EU law (either a regulation, directive, or decision). The purpose of EU

tertiary legislation is to set conditions or to define detailed measures for the implementation of a related 'parent act' of secondary EU law.

Table 2: Categories and Types of EU Legal Acts, and Procedures for Amendment

Category	Types	Legal Effect	Amendment Procedures
Primary	EU Treaties	Legally Binding	Negotiated by Heads of State and ratified by Member States (according to national constitutional requirements)
Secondary	Regulations	Binding	Passed by Ordinary/Special Legislative Procedures of the EU
	Directives	Binding (subject to national transposition)	
	Decisions	Binding	
	Recommendations	Non-Binding	
	Opinions	Non-Binding	
Tertiary	Implementing Acts	Binding	Passed by European Commission according to powers granted in acts of secondary EU law
	Delegated Acts	Binding	

A grounding in the different types of EU legislation and the way they interact is the essential backdrop against which to assess how the Scottish Government's alignment commitment operates in practice. In this regard, the relationship between secondary and tertiary EU legislation is particularly pertinent. When the UK was an EU Member State, changes via tertiary EU law to secondary EU law applied in the UK automatically. Amendments of this nature are made very often in the course of ordinary EU legislative procedures. To demonstrate, in 2024, the EU passed 1779 implementing or delegated acts of tertiary EU law.⁸ Changes brought in via tertiary law acts are generally technical or procedural and they are always within the scope of the objectives of the 'parent' act of secondary law, nonetheless sometimes EU implementing law changes are substantive in policy terms and, as indicated in the examples included in this EU Law Tracker report (see Section 3), many are also relevant to the Scottish Government alignment commitment.

1.4 Report Structure

The rest of this report is structured as follows.

Section Two provides a high-level overview of the immediate policy context against which the assessment of the exercise of the Scottish Government's alignment commitment that follows ought to be understood. To this end Section Two provides a summary of the 2024 European Commission Work Programme as well as highlighting developments in the EU legislative programme that have taken place since the publication of the last EU Tracker Report. Additionally, Section Two also provides a brief summary of the outcome of the European Parliamentary elections and considers the implications for the SG alignment commitment. This is followed by an overview of relevant developments in Scottish Law including an account of Annual Reports made under section 10(1) of the 2021 Act regarding any Scottish Government

⁸ Includes basic and amending delegated acts as well as basic and amending implementing acts. For detail see 'Legal acts – statistics' section on EUR-Lex (2025) 'Legal acts – statistics' *eur-lex.europa.eu* Available: <https://eur-lex.europa.eu/statistics/2024/legislative-acts-statistics.html> (Accessed 10 January 2025)

use or consideration of use of its keeping pace power. Finally, UK-wide developments that are or could be relevant to the alignment commitment are noted and discussed; this section includes discussion of the *Retained EU Law (Revocation and Reform) Act 2023* and its interaction with the SG alignment commitment and also discusses UK government plans to ‘reset’ relations with the EU including through a potential revision of the terms of the UK-EU relationship as laid down in the Trade and Cooperation Agreement.⁹

Section Three presents the main substance of this report. It sets out a series of policy case-studies of instances of divergence and/or alignment between EU law and Scots Law that have taken place during the reporting period of August 2024 and January 2025. The case studies are organised thematically according to the areas of policy impacted, including those five listed in section 2(1) of the EU Continuity Act 2021 to which any exercise of the keeping pace powers on the part of Ministers ought to have ‘due regard’.

Section Four of this report presents a summary of the legal statistics and points of analyses that underpin the preceding policy case studies, and which are detailed in the EU Law Tracker attached/annexed to this report.

⁹ *Retained EU Law (Revocation and Reform) Act 2023* c. 28. Available: <https://www.legislation.gov.uk/ukpga/2023/28/enacted> (accessed 11 Sept 2024)

2. CONTEXT

2.1 Summary of European Union Developments

2.1.1 Summary of European Commission Work Programme

In considering the relevance of proposals in the European Commission (or EC) Work Programme 2024 for the Scottish Government alignment commitment, this EU Law Tracker Report focuses on the 59 'Significant proposals and initiatives to rationalise reporting requirements' listed in Annex II and the 154 'Pending Proposals' set out in Annex III of the EC Work Programme for this year. The rationale for adopting such an approach is that the typical timeline for development of a new EU law act is longer than one year; this means that those proposals contained in the EC Work Programme 2024 that were, at the time of its publication, not yet detailed in a European Commission proposal are not likely to become EU law before the EC Work Programme 2025 is published (expected to be finalised in April 2025).

Results from a cross-reading of the EC Work Programme for 2024 with those EU laws which were pre-Brexit within Scottish competence, either in whole or in part, are detailed in Annex 2 of this Report. Based on this analysis, at least 36 of the 213 Significant/Priority Proposals for new EU laws would replace or make substantial revisions in areas of policy that are or could be in the scope of the Scottish Government alignment commitment with assessment of the latter being based on findings from the Common Frameworks process read together with the SG Annual Reports on alignment.

Examples of proposed new EU law instruments that may be in scope of the SG alignment commitment are included in the EU Law Tracker (see section 3.3) case studies set out in the third section of this report. A detailed record of EU proposals identified as relevant for the alignment commitment is provided in Annex 2 of this report.

2.1.2 Summary of European Parliament Elections and Implications

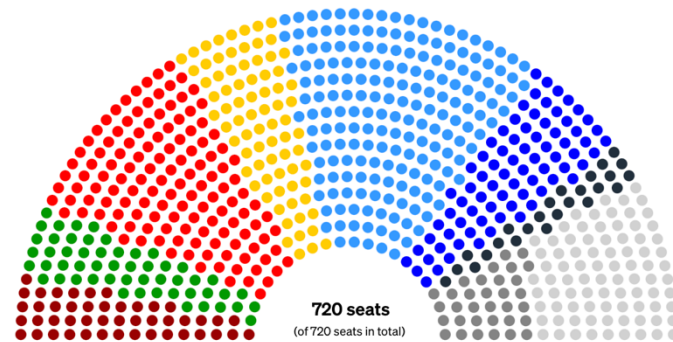
Elections to the European Parliament (EP) took place between 6 and 9 June 2024. The last sitting of the EP in advance of these elections was on 25 April;¹⁰ the newly elected EP sat again on 16 July before rising for the August recess. While the EP was dissolved and prior to the election, the previous European Commission continued to operate; this meant tertiary EU laws were still being made during and notwithstanding the EP election period.

Following, and in view of, the EP election results (summarised in Figure 1) a new European Commission is appointed to reflect the political make-up of the new parliament. On 18 July 2024, the European People's Party (EPP) leader Ursula von der Leyen was re-elected to serve as EC President by the newly elected MEPs. The process of appointing the next European Commission involves the EC President adopting a list of Commissioners-designate based on candidates

¹⁰ European Parliament '2024 Calendar' [europarl.europa.eu](https://www.europarl.europa.eu/cmsdata/277881/EP%20calendar%202024.pdf) Available: <https://www.europarl.europa.eu/cmsdata/277881/EP%20calendar%202024.pdf> (Accessed 10 Sept 2024)

nominated by Member State Governments. Each nominee must then appear before the parliamentary committee responsible for his or her proposed portfolio and Committee members vote on the suitability or otherwise of the candidate. Thereafter, the President alongside the High Representative of the Union for Foreign Affairs and Security Policy together with the other members of the new Commission are subject, as a body, to a vote of consent in the European Parliament. Although designed to ensure a smooth transition between the old and new European Commission, these processes of appointment and confirmation take some time. It is therefore anticipated that the new EC Work Programme will not be finalised until April 2025.

Figure 1: European Parliament 2024 Election Results



Click on a party to form a majority

Group	Seats	Change	Seats %
● European People's Party	188	+12 ▲	26.1 %
● Socialists and Democrats	136	-3 ▼	18.9 %
● Conservatives and Reformists	78	+9 ▲	10.8 %
● Renew	77	-25 ▼	10.7 %
● Greens	53	-18 ▼	7.4 %
● Left	46	+9 ▲	6.4 %
● Europe of Sovereign Nations	25	0	3.5 %
● Nonaligned	33	-29 ▼	4.6 %

Participation: 50.74% (+0.1%)

Source: European Parliament¹¹ and Politico¹²

Regarding draft EU laws that were in process prior to the end of the previous parliament, all plenary votes taken by the EP ahead of the elections on proposals for new EU instruments remain legally valid and continue into the agenda of the newly elected parliament. Incoming MEPs can therefore pick up files where they were and progress these to the relevant next stage in the decision-making process. Any legislation that has not reached the plenary stage (i.e., has only been considered by committees) before EP elections does not have legal validity and therefore falls. There is, however, a provision in the Rules of Procedure of the Parliament that

¹¹ European Parliament (2024) '2024 European election results' *results.elections.europa.eu* Available: <https://results.elections.europa.eu/en/> (Accessed 13 Sept 2024)

¹² Politico (2024) '2024 European election results' *politico.eu* Available: <https://www.politico.eu/europe-poll-of-polls/european-parliament-election/> (Accessed 13 Sept 2024)

allows for any files that would otherwise lapse to be carried forward into the new term if the EP President and leaders of the EP political groupings are in favour of doing so.

From the perspective of Scotland and the SG alignment commitment an important implication of the EP election process and outcome is the *potential* for consistency between the previous cadre of proposals for updating existing and/or introducing new EU laws, and those likely to be included in the EC Work Programme of 2025; this is not however to suggest that all previous proposals for new EU laws will inevitably be carried forward under the new mandate. This is worth noting in view of the SG classification of certain EU proposals as (variously) ‘under consideration’ or ‘for future consideration’ – while some of these have already become EU law, the status or content of those EU proposals that are still progressing through its ordinary legislative processes may change after the publication of the EC Work Programme 2025.

2.1.3 Summary of EU Law Developments

In the period covered by this EU Law Tracker, several acts of secondary EU law were adopted that are or may be in scope of the SG alignment commitment. The table below provides a summary of those EU acts adopted during the reporting period – August 2024 to January 2025 – which explicitly replace and/or amend existing EU acts that are in scope of the SG alignment commitment or which have been identified by the Scottish Government as currently under or for future consideration. The selection below also feature in the analysis of the EC Work Programme 2024 in Annex 2 and some are also detailed in the case studies included in Section 3.

Table 3: Potentially Relevant EU Laws Adopted August 2024 to January 2025

New EU Act	Adopted	Scottish Government Annual Report Statement (where applicable)
Decision (EU) 2024/2829 of the European Parliament and of the Council of 23 October 2024 amending Directive 2007/2/EC as regards certain reporting requirements for infrastructures for spatial information	Oct 2024	Under Consideration [‘GreenData4All’ Initiative]
Directive (EU) 2024/2881 of the European Parliament and of the Council of 23 October 2024 on ambient air quality and cleaner air for Europe (recast)	Oct 2024	No Specific Statement
Regulation (EU) 2024/2847 of the European Parliament and of the Council of 23 October 2024 on horizontal cybersecurity requirements for products with digital elements and amending Regulations (EU) No 168/2013 and (EU) 2019/1020 and Directive (EU) 2020/1828 (Cyber Resilience Act)	Oct 2024	No Specific Statement
Directive (EU) 2024/2841 of the European Parliament and of the Council of 23 October 2024 establishing the European Disability Card and the European Parking Card for persons with disabilities	Oct 2024	For Future Consideration
Directive (EU) 2024/3100 of the European Parliament and of the Council of 27 November 2024 amending Directive 2009/21/EC on compliance with flag State requirements	Nov 2024	For Future Consideration
Directive (EU) 2024/3099 of the European Parliament and of the Council of 27 November 2024 amending Directive 2009/16/EC on port State control	Nov 2024	For Future Consideration
Regulation (EU) 2024/3024 of the European Parliament and of the Council of 27 November 2024 amending Regulation (EU) No 691/2011 as regards introducing new environmental economic account modules	Nov 2024	Under Consideration

Regulation (EU) 2024/3110 of the European Parliament and of the Council of 27 November 2024 laying down harmonised rules for the marketing of construction products and repealing Regulation (EU) No 305/2011	Nov 2024	Under Consideration
Directive (EU) 2024/3101 of the European Parliament and of the Council of 27 November 2024 amending Directive 2005/35/EC as regards ship-source pollution and on the introduction of administrative penalties for infringements	Nov 2024	No Specific Statement
Directive (EU) 2024/3019 of the European Parliament and of the Council of 27 November 2024 concerning urban wastewater treatment (recast)	Nov 2024	Under Consideration
Regulation (EU) 2024/3115 of the European Parliament and of the Council of 27 November 2024 amending Regulation (EU) 2016/2031 as regards multiannual survey programmes, notifications concerning the presence of regulated non-quarantine pests, temporary derogations from import prohibitions and special import requirements and establishment of procedures for granting them, temporary import requirements for high-risk plants, plant products and other objects, the establishment of procedures for the listing of high-risk plants, the content of phytosanitary certificates and the use of plant passports, and as regards certain reporting requirements for demarcated areas and surveys of pests and amending Regulation (EU) 2017/625 as regards certain notifications of non-compliance	Nov 2024	No Specific Statement
Directive (EU) 2024/3237 of the European Parliament and of the Council of 19 December 2024 amending Directive (EU) 2015/413 facilitating cross-border exchange of information on road-safety-related traffic offences	Dec 2024	For Future Consideration

In view of the adopted of these new EU acts, relevant Scottish Parliament Committees may wish to seek updates from the Scottish Government on:

- Progress regarding the consideration of alignment in respect to Decision (EU) 2024/2829, Regulation (EU) 2024/3024, Regulation (EU) 2024/3110, and Directive (EU) 2024/3019.
- Plans to consider alignment in future in respect to Directive (EU) 2024/2841, Directive (EU) 2024/3100, Directive (EU) 2024/3099, and Directive (EU) 2024/3237.
- The SG view of the new EU act in respect to Directive (EU) 2024/2847, Directive (EU) 2024/3101 and Regulation (EU) 2024/3115.

2.2 Summary of Scottish Law Developments

Under section 10 of the EU Continuity Act 2021 (as set out in Section 1.2.2 above) the Scottish Government is obliged to provide annual reports detailing: how the ‘keeping pace’ powers have been used; how any use has contributed towards maintaining and advancing standards related to the five section 2(1) policy areas; any consideration of the use of the section 1(1) powers that has taken place; and/or how they intend to use the ‘keeping pace’ power in the next reporting period. To date, three such reports have been published.

In response to initial concerns expressed by the Constitution *et al* Committee about the level of information provided regarding Scottish Ministers’ decision-making processes on EU alignment, the Scottish Government committed to provide more detailed information and to publish this alongside the annual reports already required under the 2021 Act. The Constitution *et al* Committee subsequently [welcomed](#) the “significantly extended levels of reporting on the policy to align” from the Scottish Government.

The next subsection incorporates analysis of relevant information published by the Scottish Government on its alignment policy, including that provided according to the new approach which has been fully implemented since September 2023. The most recent SG Annual Report (for 2023/2024) was published in draft form in October 2024, the following subsection considers its contents in detail.

2.2.1 Developments Explicitly Related to the Alignment Commitment

Since the EU Continuity Act 2021 became law, the Scottish Government have published four Annual Reports, as required under section 10 of the legislation, which detail instances of the use of section 1(1) powers as well as considerations of its use, past and future.

A draft of the first report was published in October 2021 with a final version following in May 2022.¹³ This first Annual Report stated that the section 1(1) keeping pace power had not been used during the reporting period nor had there been any consideration given to its use during the reporting period; Scottish Ministers, at the time of reporting, had no plans to make use of the power during the upcoming reporting period.

A draft of the second report was published in October 2022 with a final version following in June 2023.¹⁴ This second Annual Report stated again that the section 1(1) keeping pace power had not been used during the reporting period, however, consideration had been given to its use in relation to certain measures adopted under the EU Energy Performance and Buildings Directive (see 2018/844/EU) regarding, primarily, the installation of Electric Vehicle (EV) charge points in car parks associated with new and existing buildings. The Scottish Government concluded that “a number of factors ...did not support implementation” of the measures “at this time” but resolved to “monitor the growth of EV charging” at specific locations carefully over the next few years with a view to potentially introducing ‘keeping pace’ legislation “at a later date”.¹⁵ Accounting for any intention to use the keeping pace powers in the upcoming reporting period, the second Annual Report also stated that the Scottish Government intends to make provision “in late 2022” under section 1(1) of the 2021 Act to amend the Public Water Supplies (Scotland) Regulations 2014 so to implement certain requirements of the recast EU law version of the Drinking Water Directive ((EU) 2020/2184), replacing Directive 98/83/EC) – this case was included in previous EU Law Tracker reports.¹⁶

¹³ Scottish Government (2022) ‘Report by the Scottish Ministers in Exercise of the Power in Section 1(1) of the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021 for the reporting period 29 March 2021 – 31 August 2021 and the intended future use of the power under section 1(1) in the upcoming reporting period’ 2022, May 10. SG/2022/90. Available: <https://www.parliament.scot/-/media/files/committees/constitution-europe-external-affairs-and-culture-committee/correspondence/2022/eu-alignment--continuity-act--6-may.pdf> (Accessed 25 July 2023)

¹⁴ Scottish Government (2023b) ‘Report by the Scottish Ministers in Exercise of the Power in Section 1(1) of the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021 for the Reporting Period 1 September 2021 – 31 August 2022 and the intended future use of the power under section 1(1) in the upcoming reporting period 1 September 2022 – 31 August 2023’ 2023, June 28. SG/2023/137. Available: <https://www.parliament.scot/-/media/files/committees/constitution-europe-external-affairs-and-culture-committee/correspondence/2023/annual-report-21-22.pdf> (Accessed 11 Sept 2024)

¹⁵ *Ibid.*

¹⁶ See EU Law Tracker: Report Two (n.1)

A draft of the third Annual Report was published in October 2023, a final version was published in February 2024.¹⁷ This third Annual Report stated that the section 1(1) keeping pace power had been used once during the reporting period (in this case from September 2022 to August 2023) with the introduction of the *Public Water Supplies (Scotland) Amendment Regulations 2022* which “partially aligns” with the EU Drinking Water Directive 2022/2184 (Recast) on the quality of water for human consumption.¹⁸ The third Annual Report states that use of the Continuity Act powers in this instance allowed the Scottish Government to align with drinking water standards set by the World Health Organisation and thereby helped protect against harms to human health caused by per-fluoroalkyl substances (PFAS) and endocrine disrupters as well as, through catchment measures to address erosion and restrictions on artificial pollutants, and helped contribute to environmental protection (as defined in section 2(1) of the 2021 Act).¹⁹ Regarding consideration of use of the keeping pace powers, the third Annual Report noted that Scottish Ministers had not considered “any further uses of the Continuity Act as the method by which to align within the reporting period”, however, the SG also provided information setting out its assessment of the relevance or otherwise of the alignment policy to 32 instruments of Scottish secondary legislation passed during the reporting period, and since the “change in information sharing requirements regarding EU alignment between September and October 2023.”²⁰ None of the instruments included in the record of the SG assessment were considered to have direct impact on the alignment policy; regarding one instrument – *The Carer’s Assistance (Carer Support Payment) (Consequential and Miscellaneous Amendments and Transitional Provision) (Scotland) Regulations 2023* – it was noted that “EU regulations on social security coordination” had been “taken into account in the design of these regulations”.²¹ Subsequent Annual Reports will provide similar information – assessment of the relevance of non-Continuity Act Scottish legislation – covering the whole reporting period. Regarding Scottish Ministers’ intention to use the section 1(1) powers in the upcoming reporting period, the third Annual Report outlined a commitment to consult on “proposals for amending *The Town and Country Planning (Scotland) Act 1997* in relation to unauthorised development and the ability to take enforcement action after that time has expired for certain development” – if enacted, this change would be in response to recommendations from the Aarhus Convention Compliance Committee regarding environmental obligations.²²

¹⁷ Scottish Government (2023c) ‘Report by the Scottish Ministers in Exercise of the Power in Section 1(1) of the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021 for the Reporting Period 1 September 2022 – 31 August 2023 and the intended future use of the power under section 1(1) in the upcoming reporting period 1 September 2023 – 31 August 2024’ 2024, February 6. SG/2024/23 Available: <https://www.parliament.scot/-/media/files/committees/constitution-europe-external-affairs-and-culture-committee/eu-alignment--continuity-act--finalised-annual-report-2023--16-jan-24.pdf> (Accessed 11 Sept 2024)

¹⁸ The *Public Water Supplies (Scotland) Amendment Regulations 2022* SSI 2022/387. Available: <https://www.legislation.gov.uk/ssi/2022/387/contents/made> (Accessed 11 Sept 2024); for the EU Drinking Water Directive (Recast) see Directive (EU) 2020/2184 in OJ L435, 23.12.2020 p.1-62. Available: <https://eur-lex.europa.eu/eli/dir/2020/2184/oj> (Accessed 11 Sept 2024)

¹⁹ Scottish Government (2023c) ‘Report by Scottish Ministers’ (n.12): para. 8

²⁰ *Ibid.* Annex B.

²¹ *Ibid.* See also: ‘Policy Note: The Carer’s Assistance (Carer Support Payment) (Consequential and Miscellaneous Amendments and Transitional Provision) (Scotland) Regulations 2023’ SSI 2023/258. *legislation.gov.uk* Available: https://www.legislation.gov.uk/ssi/2023/258/pdfs/ssiipn_20230258_en_001.pdf (Accessed 12 January 2024).

²² *Ibid.* para. 10-11.

The third SG Annual Report included an additional section on ‘EU Law Relevant to Devolved Competence or Having a Devolved Impact’ which provided a list of EU legislation, in progress at the start of “formalised monitoring in July 2023”, and which the SG view as “potentially within devolved competence or having devolved impact”.²³ The stated purpose of including this section is to assist the CEEAC Committee with its deliberations by giving an understanding of the areas of EU legislation the SG is initially considering in scope – the content of the relevant Annex (C) is not exhaustive. Entries listed as not applicable to the alignment commitment are stated to be “either non legislative or where they are in an early stage and cannot yet be assessed” – on this basis the list and assessments provided by the SG can usefully be considered as a snapshot of the SG’s analysis of the situation at the time of the publication of that Annual Report.²⁴

A draft of the fourth SG Annual Report was published in October 2024.²⁵ This fourth Annual Report stated that the section 1(1) keeping pace power had not been used during the reporting period – September 2023 to August 2024 – and that Scottish Ministers had not considered any further uses of the Continuity Act as the method by which to align within the reporting period. Regarding the upcoming reporting period – September 2024 to August 2025 – the draft Annual Report detailed two planned uses of the section 1(1) keeping pace powers, both concern environmental impact assessment obligations in planning procedure: *The Town and Country Planning (Environmental Impact Assessment) (Scotland) (Amendment) Regulations 2024* and *The Masterplan Consent Area Scheme (Environmental Impact Assessment) (Scotland) Regulations 2024* were both named as to be laid under the Continuity Act 2021. In both instances, these new regulations would give effect to statutory requirements that originate from EU Directive 2001/42/EC (the EIA Directive) and which previously would have been made under the ECA 1972. The *Masterplan Consent Area Scheme Regulations* were made in December 2024; the *Town and Country Planning Regulations* have not yet been made.²⁶

Reflecting SG’s revised approach to reporting on the alignment commitment, the latest Annual Report provided substantial additional information on the variety of other means by which the alignment policy was implemented during the relevant reporting period.

A high-level summary of the relevant sections is as follows.

- Regarding Scottish legislation:
 - Of the 14 acts of primary legislation passed in Scotland
 - 2 align with EU legislation
 - 12 are not relevant to the alignment commitment.
 - Of the 10 LCMs published
 - 3 align with EU legislation
 - 1 does not align with EU legislation

²³ *Ibid.* Annex C.

²⁴ *Ibid.*

²⁵ ‘Report by the Scottish Ministers in Exercise of the Power in Section 1(1) of the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021 for the Reporting Period 1 September 2023 – 31 August 2024 and the Intended Future Use of the Power Under Section 1(1) in the Upcoming Reporting Period 1 September 2024 – 31 August 2025’ *parliament.scot* Available: <https://www.parliament.scot/-/media/files/committees/constitution-europe-external-affairs-and-culture-committee/eu-alignment-annual-reports--31-october-2024.pdf> (Accessed 20 January 2025)

²⁶ The Masterplan Consent Area Scheme (Environmental Impact Assessment) (Scotland) Regulations 2024 SSI 2024/366 Available: <https://www.legislation.gov.uk/ssi/2024/366/contents/made>

- 5 are not relevant to the alignment commitment
- 1 is for future consideration
- Of the 261 acts of secondary legislation passed in Scotland
 - 22 align with EU legislation
 - 6 of these achieves partial alignment or alignment of approach or process but not fully on outcomes
 - 239 are not relevant to the alignment commitment
- Regarding UK legislation
 - Of the 38 acts of secondary legislation listed in the annual report
 - 20 align with EU legislation
 - 1 of these achieves partial alignment only
- Regarding EU legislation
 - Of the 198 EU proposals, acts or initiatives listed in the annual report
 - 10 are classified 'yes – alignment with EU'
 - 42 are classified 'under consideration'
 - 87 are classified 'for future consideration'
 - 59 are classified 'no – alignment will not be implemented'

In the SG draft Annual Report section 'EU Proposals Relevant to Devolved Competence or Having A Devolved Impact' the 198 items listed include EU proposals for new secondary acts (regulations and directives), new tertiary acts (implementing and delegated acts) as well as some non-legislative initiatives (for example EC communications and EP resolutions). Such a comprehensive list of those EU (legislative and non-legislative) initiatives that have been reviewed by the SG in the relevant reporting period is very welcome and can be expected to aid transparency and scrutiny for both parliamentarians and stakeholders. To strengthen further the service provided by the SG revised approach to reporting on alignment the terminology used to refer to EU proposals could usefully include relevant EU document references and/or relevant EU Official Journal references. At present, readers of the draft SG Annual Report who are unfamiliar with the relevant colloquial title for a given EU measure may find it difficult to know which EU proposals, legislation or non-legislative initiatives some of the entries are referring to.

2.2.2 Developments not Explicitly Related to the Alignment Commitment

In addition to exercising the specific 'keeping pace' powers bestowed by the EU (Continuity) Act 2021 the Scottish Government can also opt to align with EU law through provisions in acts of primary law and/or secondary law not made under the 2021 Act; the revised approach of the SG in the 2021 Act Annual Reports reflects this. In order to comprehensively assess the alignment commitment in practice it is therefore useful to review legislative developments in Scotland that are outside those specifically related to the 2021 Act keeping pace powers.

2.2.2.1 Primary Scottish Legislation

Focusing first on developments in primary law, in the period covered by this EU Law Tracker the Scottish Parliament has passed two new primary acts of law. Of these one can be said to be

directly linked to the alignment commitment insomuch as it relates to an area of policy the EU regulates.

The analysis presented in Table 4 is based on information contained in Explanatory Notes and/or Policy Memoranda of the relevant Bill/Act published by the Scottish Government alongside the draft legislation. In assessing relevance, a conservative approach has been adopted such that legislation is not highlighted if there is no explicit link between the provisions of the primary act and EU law developments; the nature of any non-explicit link is detailed. The information set out below ought to be taken as a guide rather than used as a necessarily authoritative record.

Table 4: New Primary Acts of Scottish Law (August 2024 to January 2025)

Acts of the Scottish Parliament	Year Ref	Relationship to EU Law in Scope of Alignment*
2024		
Climate Change (Emissions Reduction Targets) (Scotland) Act 2024	2024 asp 15	<p>Directly Related</p> <p>This Act amends the Climate Change (Scotland) Act 2009 in view of Climate Change Committee (CCC) advice that Scotland's interim emissions reduction target for 2030 is beyond what can be achieved. The Act repeals annual and interim emissions reduction target frameworks and establishes a carbon budget approach to target setting via regulations in line with CCC advice; it also provides for a new Climate Change Plan to be published to reflect these updates.</p> <p>The Policy Memorandum accompanying the Act does not refer to the EU alignment commitment, however, a series of EU laws regulate and relate to emissions reduction targets, this Act can therefore be considered relevant to the alignment commitment.²⁷</p>
Aggregates Tax and Devolved Taxes Administration (Scotland) Act 2024	2024 asp 14	Not Related

*Assessed on the basis of a cross-reading of Primary Acts explanatory notes and policy notes as well as relevant EU law instruments that are potentially in scope of the Scottish Government's alignment commitment.

2.2.2.2 Secondary Scottish Legislation

Another important mechanism in upholding the alignment commitment is secondary legislation. As well as providing information on the relevance of the alignment policy to new Bills and LCMs, under its new approach to reporting, the SG have committed to provide in Policy Notes accompanying SSIs a subheading on the 'EU Alignment Consideration' granted the relevant instrument.

In the period covered by this Report, 177 Scottish Statutory Instruments have been made. Of the total number, 88 related to temporary prohibitions on traffic or temporary speed restrictions on specific roads in Scotland; because SSIs of this nature are not relevant to the SG alignment commitment, they have been excluded from the record set out in Table 5 below.

Table 5: New Secondary Acts of Scottish Law (August 2024 – January 2025)

Acts of the Scottish Parliament	Year Ref	Relationship to EU Law in Scope of Alignment
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²⁷ 'Climate Change (Emissions Reduction Targets) (Scotland) Bill: Policy Memorandum' Available: <https://www.parliament.scot/-/media/files/legislation/bills/s6-bills/climate-change-emissions-reduction-targets-scotland-bill/introduced/policy-memorandum-accessible.pdf> (Accessed 20 January 2025)

2024		
The Regulated Roles (Prohibitions and Requirements) (Scotland) Regulations	2024 No.393	Not Related
The Bread and Flour Amendment (Scotland) Regulations	2024 No.387	<p>Indirectly Related</p> <p>This Instrument amends the Bread and Flour Regulations 1998 to update and improve them by aligning existing requirements for fortification with assimilated Regulation (EC) No 1925/2016 and Regulation (EU) No 1169/2011 on the addition of vitamins and minerals to foods and provision of food information to consumers respectively. Specifically this Instrument introduces new mandatory requirement for non-wholemeal flour to be fortified with folic acid as a public health intervention to help reduce the incidence of foetal neural tube defects in Scotland.</p> <p>On EU alignment the Policy Note states: "Across the EU there is variation in the requirements concerning the fortification of food and more generally across a range of domestic legislation. The Regulations provide for longstanding domestic measures in Scotland on the fortification of flour and as such will not have an impact on the Scottish Government's policy to maintain alignment with the EU. However, revising the levels of calcium carbonate, iron, and niacin to align with the requirements set out in both EU and assimilated EU law supports the Scottish Government's policy to maintain alignment with the EU."²⁸</p>
The Ardersier Port Limited (Pilotage Powers) Order	2024 No.382	Not Related
The Moveable Transactions (Register of Assignations and Register of Statutory Pledges Rules) (Scotland) Regulations	2024 No.381	Not Related
The Rural Support (Improvement) (Miscellaneous Amendment) (Scotland) Regulations	2024 No.380	<p>Directly Related</p> <p>This Instrument amends assimilated law provisions that comprising the 'main CAP legislation' to introduce new cross compliance requirements related to maintenance of soil organic matter as part of the Good Agricultural Environmental Conditions and to introduce new eligibility requirements for bovine animals under the Scottish Suckler Beef Support Scheme.</p> <p>On EU alignment the Policy Note states: "The 2024 Regulations [SSI 2024/380] will align with recent changes to EU law, insofar as possible and meaningful. The measures will ensure broad alignment to EU CAP objectives. The new EU CAP will support European agriculture to contribute to the ambitions contained in the European Green Deal. This will emphasise actions in pursuit of achieving environmental and climate ambitions whilst contributing to the Green Deal targets. The 2024 Regulations will similarly contribute to ambitions to seek to tackle the climate crisis by addressing environmental matters of concern. These measures will not make it more difficult for Scotland to accede to the EU as an independent state."²⁹</p>
The Moveable Transactions (Forms) (Scotland) Regulations	2024 No.379	Not Related
The Moveable Transactions (Scotland) Act 2023 (Commencement) Regulations	2024 No.378	Not Related
The Sexual Offences Act 2003 (Prescribed Police Stations) (Scotland) Amendment (No. 2) Regulations	2024 No.377	Not Related
The Building (Procedure) (Scotland) Amendment Regulations	2024 No.376	<p>Directly Related</p> <p>This Instrument makes changes to the Building (Scotland) Act 2003 to ensure that information demonstrating how compliance with mandatory standards setting requirements for the energy performance of building work is provided.</p> <p>On EU alignment the Policy Note states: "The subject of this review</p>

²⁸ 'Policy Note: The Bread and Flour Amendment (Scotland) Regulations 2024 SSI 2024/387' Available: https://www.legislation.gov.uk/ssi/2024/387/pdfs/ssiipn_20240387_en_001.pdf (Accessed 15 January 2025)

²⁹ 'Policy Note: The Rural Support (Improvement) (Miscellaneous Amendment) (Scotland) Regulations 2024 SSI 2024/380' Available: https://www.legislation.gov.uk/ssi/2024/380/pdfs/ssiipn_20240380_en_001.pdf (Accessed 15 January 2025)

		has relevance to the Scottish Government's policy to maintain alignment with the EU. Minimum energy standards set though [sic] building regulations formed part of the transposition of Directive 2002/91/EC (recast as 2010/31/EU) on the energy performance of buildings. Recent amendment of this Directive as (EU) 2024/1275 are now published by the European Commission. Whilst the regulatory changes made by this instrument do not directly affect previously transposed provisions, the ongoing review, examining non-legislative changes to performance targets and processes which will implement these changes, will assess the continued opportunities for, and risk to, alignment."
The Transport (Scotland) Act 2019 (Commencement No. 8) Regulations	2024 No.375	Not Related
The Local Government Pension Scheme (Remediable Service) (Scotland) (Miscellaneous Amendment) Regulations	2024 No.374	Not Related
The Bankruptcy and Diligence (Scotland) Act 2024 (Commencement No. 1, Transitional and Saving Provisions) Regulations	2024 No.373	Not Related
The Budget (Scotland) Act 2024 Amendment Regulations	2024 No.372	Not Related
The Financial Assistance for Environmental Purposes (Variation) (Scotland) Order	2024 No.371	Not Related
The Housing (Cladding Remediation) (Scotland) Act 2024 (Commencement) Regulations	2024 No.370	Not Related
The Town and Country Planning (Fees for Applications) (Scotland) Amendment (Amendment) Regulations	2024 No.369	Not Related
The Conservation of Salmon (Miscellaneous Amendment) (Scotland) Regulations	2024 No.368	<p>Directly Related</p> <p>This Instrument amends the Conservation of Salmon (Annual Close Time and Catch Release) (Scotland) Regulations 2014 and the Conservation of Salmon (Miscellaneous Amendment) (Scotland) Regulations 2016 to reinstate the early rod season permitting fishing by rod and line of salmon where retaining salmon is prohibited in the Annan Salmon Fishery District and to update provisions concerning conservation of salmon in line with the most recent stock assessment. On EU alignment the Policy Note states: "Atlantic salmon is listed as a species of community interest under the EU Habitats Directive (Council Directive 92/43/EEC). The amendment to the 2016 regulations would align with the EU Habitats Directive by continuing to prohibit the retention of Atlantic salmon caught in any coastal waters in a salmon fishery district and in specified areas of inland waters, in order to protect the conservation objectives of Special Areas of Conservation where salmon is a qualifying feature. This maintains and advances the high standards that Scotland shares with the EU on environmental protection. Additionally, the amendment to the 2014 Regulations for the Annan district reinstates a period of catch and release fishing which was previously available in the fishery and would bring the Annan district in line with the other districts in Scotland, which have identified specific periods in the early (closed) season when fishing is allowed but retaining salmon is prohibited. These maintain and advance the high standards that Scotland shares with the EU on environmental protection."³⁰</p>
The Land and Buildings Transaction Tax (additional amount: transactions relating to second homes etc.) (Scotland) Amendment Order	2024 No.367	Not Related
The Masterplan Consent Area Scheme (Environmental Impact Assessment) (Scotland) Regulations	2024 No.366	<p>Directly Related</p> <p>This purpose of this Instrument is to ensure that planning authorities granting development consent for a particular project within a Masterplan Consent Area scheme makes its decision in full knowledge of any likely significant effects on the environment. An Environmental</p>

³⁰ Policy Note: The Conservation of Salmon (Miscellaneous Amendment) (Scotland) Regulations 2024 SI 2024/368 Available: https://www.legislation.gov.uk/ssi/2024/368/pdfs/ssipn_20240368_en_001.pdf (Accessed 15 January 2025)

		Impact Assessment (EIA) helps to ensure the importance of the predicted effects, and the scope for avoiding or reducing any adverse effects, are properly understood before a decision is made. On EU alignment the Policy Note states: "The Regulations contain provisions to align the process for making a masterplan consent area scheme with processes in the EIA Directive. The Regulations align with the provisions of EU law, and there is a strong presumption to maintain the statutory requirements of EIA within the development of masterplan consent areas." ³¹
The Town and Country Planning (Amendment of National Planning Framework) (Scotland) Regulations	2024 No.365	Not Related
The Funeral Expense Assistance (Scotland) Amendment Regulations	2024 No.363	Directly Related This Instrument make amendments to the Funeral Support Payment scheme designed to further support people and reduce the burden of debt a person may face when paying for a funeral. On EU alignment the Policy Note states: "Each EU member state has its own social security laws and EU rules co-ordinate these separate social security systems between member states to support freedom of movement. To help maintain the standards set these regulations will ensure people with protected rights after EU exit on 31 December 2020, who were eligible to [sic] support for a funeral abroad, will continue to be eligible. This includes Irish citizens with acquired rights and EU/EEA or Swiss nationals who have obtained leave to remain in the UK by means other than the EU settlement scheme, a person who is a joining family member (within the meaning of the Withdrawal Agreement) and those who have made a valid application under the EU settlement scheme and are awaiting a decision." ³²
The Electronic Monitoring (Approved Devices) (Scotland) Amendment Regulations	2024 No.354	Not Related
Act of Sederunt (Rules of the Court of Session 1994, Sheriff Appeal Court Rules 2021 and Sheriff Court Rules Amendment) (Statutory Interveners)	2024 No.353	Not Related
The Sports Grounds and Sporting Events (Designation) (Scotland) Amendment Order	2024 No.352	Not Related
The Winter Heating Assistance (Pension Age) (Scotland) Regulations	2024 No.351	Not Related On EU alignment, the Policy Note states: "This legislation is not relevant to the Scottish Government's policy to maintain alignment with the EU, because each EU member state has its own social security laws. EU rules co-ordinate these separate social security systems between member states to support freedom of movement, but this legislation is not relevant to social security co-ordination specifically." ³³
The Free-Range Egg Marketing Standards (Amendment) (Scotland) Regulations	2024 No.349	Directly Related This Instrument amends the conditions under which eggs can be marketed as "free range" in assimilated Regulation (EC) No 2008/589 on egg marketing. The principal change made by the instrument will remove the 16 week limit to a derogation, so allowing free-range eggs to be marketed as such for the full duration of any housing order. On EU alignment the Policy Note states: "This instrument will align Scotland, insofar as possible and meaningful, with a change to EU law introduced by Commission Delegated Regulation (EU) 2023/2465 of 17 August 2023 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards marketing standards for eggs, and repealing Commission Regulation (EC) No 589/2008. That EU Regulation provides that where temporary restrictions have been imposed on open-air access of laying hens on the basis of Union legislation, eggs may be marketed as "free-range: despite that restriction. This amends a previous condition that eggs

³¹ 'Policy Note: The Masterplan Consent Area Scheme (Environmental Impact Assessment) (Scotland) Regulations 2024 SSI 2024/366' Available: https://www.legislation.gov.uk/ssi/2024/366/pdfs/ssipn_20240366_en_001.pdf (Accessed 15 January 2025)

³² 'Policy Note: The Funeral Expense Assistance (Scotland) Amendment Regulations 2024 SSI 2024/363' Available: https://www.legislation.gov.uk/ssi/2024/363/pdfs/ssipn_20240363_en_001.pdf (Accessed 15 January 2025)

³³ 'Policy Note: The Winter Heating Assistance (Pension Age) (Scotland) Regulations 2024 SSI 2024/351 Available: https://www.legislation.gov.uk/ssi/2024/351/pdfs/ssipn_20240351_en_001.pdf (Accessed 15 January 2025)

		<p>could be marketed as “free-range” where measures were in place restricting open-air access, in order to protect public or animal health, for a continuous period of not more than 16 weeks. This instrument aligns with the updated EU position by removing the 16 week limit and applying the derogation to any temporary measures adopted under assimilated law restricting open-air access in order to protect public or animal health. The purpose of protecting public or animal health is retained as that is appropriate in the GB context, where restrictions would be under housing orders to limit the spread of avian influenza, the UK Government intend to make a corresponding SI as regards England. By aligning with this change to EU law, the instrument contributes to maintaining the high standards Scotland shares with the EU, access to EU markets and a future Scotland’s reaccession. It would place Scottish producers on a level playing field with EU, English, Northern Irish, and potentially Welsh producers. Not going ahead with the SSI would mean diverging both from the EU and England’s position. This would put Scottish producers at an economic disadvantage compared to English and Northern Irish producers in the event of a housing order being imposed for more than 16 weeks, as Scottish producers would need to change their egg labelling and stamping to market these as “barn” instead of “free-range”.³⁴</p>
<p>The Rural Development (Continuation of Operation) (Miscellaneous Amendment) (Scotland) Regulations</p>	<p>2024 No.342</p>	<p>Directly Related</p> <p>This Instrument extend rural development support under the Scottish Rural Development Programme (SRDP) including the Less Favoured Area Support Scheme from 2025 and extends the requirement for an Annual Implementation Report for another year to cover 2025.</p> <p>On EU alignment the Policy Note states: “It is Scottish Government policy to ensure broad alignment to EU CAP objectives. The 2024 Regulations extend, unchanged, the operation of support for rural development. The SRDP was approved by the European Commission and the objectives of the SRDP remain aligned to the key policy objectives of the EU CAP 2023-27. Less Favoured Area Scheme (LFASS) remains part of rural development support under assimilated law, and the 2024 Regulations ensure that it can continue to operate. In comparison, the EU’s CAP 2023-2027 has phased out this specific type of support and replaced it with support for Areas of Natural Constraint (ANC). However support for constrained areas (which is the purpose of LFASS support) remains an EU CAP objective and it was always the intent of the EU to allow for a phased transition from LFASS to ANC. The [Scottish] Route Map commitment of “working with stakeholders on how best to deliver this type of support under the new framework” is aligned to this phased approach but on an extended timeline linked to future policy development and commitments. This approach ensure [sic] there is no cliff edges in this type of support. The consultation and development of the ARC [Agriculture and Rural Communities (Scotland) Act 2024] included EU alignment considerations and the ARC Act has a requirement that the Scottish Ministers must have regard to the “developments in the law and policy of the European Union” when preparing or amending a Rural Support Plan on the use of ARC Act powers. Consideration of EU alignment has been framed as adhering to the key policy objectives of the EU CAP, where practicable.”³⁵</p>
<p>The Upper Tribunal for Scotland (Transfer of Functions of the Transport Tribunal) Regulations</p>	<p>2024 No.337</p>	<p>Not Related</p>
<p>The Upper Tribunal for Scotland Bus Registration Appeals (Composition) Regulations</p>	<p>2024 No.336</p>	<p>Not Related</p>
<p>The Burial and Cremation (Scotland) Act 2016 (Commencement No. 6 and Transitional Provisions) Regulations</p>	<p>2024 No.335</p>	<p>Not Related</p>
<p>The Burial (Applications and Register) (Scotland) Regulations</p>	<p>2024 No.334</p>	<p>Not Related</p>

³⁴ Policy Note: The Free-Range Egg Marketing Standards (Amendment) (Scotland) Regulations 2024 SSI 2024/349 Available: https://www.legislation.gov.uk/ssi/2024/349/pdfs/ssiipn_20240349_en_001.pdf (Accessed 15 January 2025)

³⁵ Policy Note: The Rural Development (Continuation of Operation) (Miscellaneous Amendment) (Scotland) Regulations 2024 SSI 2024/342 Available: https://www.legislation.gov.uk/ssi/2024/342/pdfs/ssiipn_20240342_en_001.pdf (Accessed 15 January 2025)

<p>The Public Procurement (International Trade Agreements) (Miscellaneous Amendments) (Scotland) Regulations</p>	<p>2024 No.332</p>	<p>Indirectly Related</p> <p>This Instrument makes amendments to Scottish public procurement regulations for the purpose of fulfilling obligations as a consequence of amendments made to the UK's International Trade Agreements (that were 'rolled over' from its period of EU membership') with Georgia, the Republic of Kosovo, Ukraine, the Republic of North Macedonia and the Republic of Moldova and the Republic of Albania. The ITAs with these countries have been amended to remove access to bidders from those countries to the procurement of certain health services.</p> <p>On EU alignment the Policy Note states: "This SSI is not directly relevant to the Scottish Government's policy to maintain alignment with the EU, since the SSI is purely consequential and means Scotland can fulfil international obligations."³⁶</p>
<p>The Feed Additives (Authorisations) and Uses of Feed Intended for Particular Nutritional Purposes (Miscellaneous Amendment) (Scotland) Regulations</p>	<p>2024 No.330</p>	<p>Directly Related</p> <p>This Instrument implements the decision of the Minister for Public Health and Women's Health to authorise twenty-five feed additives and one feed for particular nutritional purposes.</p> <p>On EU alignment the Policy Note states: "Following authorisation there will be [sic] differences between authorisations made in GB and those of the EU, however none of them give rises to any concerns regarding trade or Northern Ireland. Under Windsor Framework arrangements, regulated products authorised in Great Britain (GB) may also be placed on the NI market, provided they are eligible for, and are moved through, the Northern Ireland Retail Movement Scheme (NIRMS). A summary of the specified applications and the way in which their handling will differ to that in the EU is provided below:</p> <p>Application RP16 chromium chelate of DL-methionine has not been authorised in the EU for consumption by dairy cows...FSS has assessed the available evidence and supports recommending the authorisation of RP16 for consumption by dairy cows. There will be divergence between GB and EU but FSS are content this will not present a barrier to trade. Application RP26 is proposed to be authorised under different terms to the EU...FSS assessed available evidence and supports recommending the authorisation of RP26 for use in cats, there will be divergence between GB and the EU which will require separate labelling for products sold in GB to those sold in the EU. FSS are content this will not present a barrier to trade. Applications RP140, RP141, RP142 and RP284... Similar applications were submitted to the EU and are ongoing. FSS is content this will not present a barrier to trade. Application RP222 Selenised yeast <i>Saccharomyces cerevisiae</i> (CNCM I-3060), inactivated (identification number 3b810) is recommended for authorisation of selenium (Se) content from 2000 mg Se/kg to 3500 mg Se/kg. This is a modification of the current feed additive authorisation. If authorised, this would differ from the EU authorisation Implementing Regulation (EU) 2022/1459, which includes two entries one for the existing authorisation with a selenium content of 2000 – 2400 mg Se/kg and one for a new authorisation with selenium content of 3000 – 3500 mg Se/kg. FSS is content this will not present a barrier to trade.</p> <p>Application RP25. FSS has assessed the available evidence and supports recommending the authorisation of RP25 as a feed additive for all pigs other than sows, suckling and weaned piglets and all minor porcine species. A similar application was submitted to the EU and has been finalised. The application was not made for authorisation as a feed additive for suckling pigs. FSS is content this will not present a barrier to trade. Aligning with relevant EU policy maintains and advances fair trade. Competition and access to EU markets for industry and agricultural services."³⁷</p>
<p>The Building (Scotland) Amendment (No. 2) Regulations</p>	<p>2024 No.327</p>	<p>Not Related</p>

³⁶ 'Policy Note: The Public Procurement (International Trade Agreements) (Miscellaneous Amendments) (Scotland) Regulations 2024 SSI 2024/332 Available: https://www.legislation.gov.uk/ssi/2024/332/pdfs/ssipn_20240332_en_001.pdf (Accessed 15 January 2025)

³⁷ 'Policy Note: The Feed Additives (Authorisations) and Uses of Feed Intended for Particular Nutritional Purposes (Miscellaneous Amendment) (Scotland) Regulations 2024 SSI 2024/330' Available: https://www.legislation.gov.uk/ssi/2024/330/pdfs/ssipn_20240330_en_001.pdf (Accessed 15 January 2025)

The Food Safety (Sampling and Qualifications) (Scotland) Amendment Regulations	2024 No.326	<p>Indirectly Related</p> <p>This Instrument extends recognition of relevant professional qualifications for Food Examiners to those issued in Switzerland to comply with the UK-Switzerland Recognition of Professional Qualifications Agreement.</p> <p>On EU alignment the Policy Note states: The mutual recognition of professional qualifications was formerly within the competence of the EU, when the UK was a Member State. However, the UK-Switzerland RPQ Agreement was made subsequent to EU exit, and the proposed SSI is consequential to the UK's obligations arising from the RPQ Agreement. This SSI is therefore not directly relevant to the Scottish Government's policy to maintain alignment with the EU."³⁸</p>
The Dumfries and Galloway Council (Stranraer) Harbour Revision Order	2024 No.325	Not Related
The Official Controls (Import of High Risk Food and Feed of Non-Animal Origin) Amendment (Scotland) (No. 2) Regulations	2024 No.324	<p>Directly Related</p> <p>This Instrument amends Commission Implementing Regulation (EU) 2019/1793 imposing temporary increase of official controls and emergency measures governing the entry of certain goods from certain third countries; this instrument gives legislative effect to the Minister's decision following a review of Regulation (EU) 2019/1793 which lays down requirements that apply to certain high risk food and feed commodities of non-animal origin on entry to Great Britain. On EU alignment the Policy Note states: "This is the third review of Regulation (EU) 2019/1793 being conducted by the UK. Whilst it is anticipated that UK reviews will generally align with EU controls divergence is possible. However, this would not be due to any proactive policy change. It will be either in relation to our approach to risk analysis which may, on occasion, result in different outcomes to that of the EU and the timing associated with implementation given respective legislative processes."³⁹</p>
Act of Sederunt (Rules of the Court of Session 1994, Sheriff Appeal Court Rules 2021 and Ordinary Cause Rules 1993 Amendment) (Taxation of Judicial Expenses)	2024 No.323	Not Related
The Coronavirus (Recovery and Reform) (Scotland) Act 2022 (Extension of Temporary Justice Measures) Regulations	2024 No.322	Not Related
The Disclosure and Use of Level 2 Disclosures (Prescribed Purpose and Circumstances) (Scotland) Regulations	2024 No.317	Not Related
The Consideration of Suitability for Regulated Roles (Prescribed Purposes) (Scotland) Regulations	2024 No.316	Not Related
The Level 1 and Level 2 Disclosure Information (Scotland) Regulations	2024 No.315	Not Related
The Protection of Vulnerable Groups (Information for Listing and Vetting) (Scotland) Regulations	2024 No.314	Not Related
The Protection of Vulnerable Groups (Referrals by Chief Constable) (Prescribed Information) (Scotland) Regulations	2024 No.313	Not Related
The Disability Assistance (Scottish Adult Disability Living Allowance) (Consequential Amendment, Revocation and Saving Provision) Regulations	2024 No.311	<p>Not Related</p> <p>On EU alignment, the Policy Note states: "This legislation is not relevant to the Scottish Government's policy to maintain alignment with the EU, because each EU member state has its own social security laws. EU rules co-ordinate these separate social security systems between member states to support freedom of movement,</p>

³⁸ 'Policy Note: The Food Safety (Sampling and Qualifications) (Scotland) Amendment Regulations 2024 SSI 2024/326' Available: https://www.legislation.gov.uk/ssi/2024/326/pdfs/ssipn_20240326_en_001.pdf (Accessed 15 January 2025)

³⁹ The Official Controls (Import of High Risk Food and Feed of Non-Animal Origin) Amendment (Scotland) (No. 2) Regulations 2024 SSI 2024/324 Available: https://www.legislation.gov.uk/ssi/2024/324/pdfs/ssipn_20240324_en_001.pdf (Accessed 15 January 2025)

		but this legislation is not relevant to social security co-ordination specifically.” ⁴⁰
The Council Tax Reduction (Scotland) Amendment (No. 3) Regulations	2024 No.310	Not Related
The Firefighters’ Pension Schemes (Scotland) Amendment (No. 2) Order	2024 No.295	Not Related
The Plant Health (Import Inspection Fees) (Scotland) Amendment (No. 2) Regulations	2024 No.294	Indirectly Related This Instrument amends the Plant Health (Import Inspections Fees) (Scotland) Regulations 2014 to delay the introduction of fees relating to inspection checks (physical, identity or documentary) for certain commodities entering Scotland from the EU, Liechtenstein and Switzerland from 30 October 2024 to 1 July 2025. On EU alignment the Policy Note states: “This instrument is not relevant to the Scottish Government’s policy to maintain alignment with the EU because it concerns measures regarding sanitary and phytosanitary controls on goods entering Great Britain from the EU, which are required as a consequence of no longer being an EU member. It is not considered that the changes included in this instrument would give rise to any difficulties were Scotland to seek to re-join the EU in the future.” ⁴¹
The Diligence against Earnings (Variation) (Scotland) Regulations	2024 No.293	Not Related
The Town and Country Planning (Fees for Applications) (Scotland) Amendment Regulations	2024 No.292	Not Related
The Registration of Births, Deaths and Marriages (Scotland) Act 1965 (Prohibition on Disposal of a Body without Authorisation) Amendment Regulations	2024 No.281	Not Related
The Registration of Births, Still-births, Deaths and Marriages (Prescription of Forms) (Scotland) Amendment Regulations	2024 No.275	Not Related
The Property Factors (Registration) (Scotland) Regulations	2024 No.274	Not Related
The Title Conditions (Scotland) Act 2003 (Rural Housing Bodies) Amendment Order	2024 No.273	Not Related
The National Health Service Superannuation and Pension Schemes (Miscellaneous Amendment) (Scotland) Regulations	2024 No.272	Not Related
The Parking Attendants (Wearing of Uniforms) (West Dunbartonshire Council) Regulations	2024 No.271	Not Related
The Road Traffic (Permitted Parking Area and Special Parking Area) (West Dunbartonshire Council) Designation Order	2024 No.270	Not Related
The Environmental Protection (Single-use Vapes) (Scotland) Regulations	2024 No.296	Not Related On EU alignment the Policy Note states: “No EU directive banning the sale or supply of single use vapes currently exists, meaning there are no EU alignment consequences as a result of this instrument. Interventions by individual EU member states, with the sale of disposable e-cigarettes banned in Belgium from 1 January 2025, indicate no detrimental impact as a result of this instrument on the Scottish Government’s policy to maintain alignment with the EU where possible and meaningful to do so.” ⁴²

⁴⁰ ‘Policy Note: The Disability Assistance (Scottish Adult Disability Living Allowance) (Consequential Amendment, Revocation and Saving Provision) Regulations 2024 SSI 2024/311’ Available: https://www.legislation.gov.uk/ssi/2024/311/pdfs/ssipn_20240311_en_001.pdf (Accessed 15 January 2025)

⁴¹ ‘Policy Note: The Plant Health (Import Inspection Fees) (Scotland) Amendment (No. 2) Regulations 2024 SSI 2024/294’ Available: https://www.legislation.gov.uk/ssi/2024/294/pdfs/ssipn_20240294_en_001.pdf (Accessed 15 January 2025)

⁴² ‘Policy Note: The Environmental Protection (Single-Use Vapes) (Scotland) Regulations 2024 SSI 2024/269’ Available: https://www.legislation.gov.uk/ssi/2024/269/pdfs/ssipn_20240269_en_001.pdf (Accessed 15 January 2025)

The Wildlife Management (Consequential Amendments) (Scotland) Regulations	2024 No.268	Not Related
The Wildlife Management and Muirburn (Scotland) Act 2024 (Commencement No. 2 and Saving Provision) Regulations	2024 No.267	Not Related
The Companies Act 2006 (Scottish public sector companies to be audited by the Auditor General for Scotland) Order	2024 No.266	Not Related
The Town and Country Planning (Masterplan Consent Areas) (Scotland) Regulations	2024 No.253	Not Related
The Planning (Scotland) Act 2019 (Commencement No. 14) Regulations	2024 No.252	Not Related
The Town and Country Planning (Amendment of Local Development Plan) (Scotland) Regulations	2024 No. 250	Not Related
The Upper Tribunal for Scotland (Bus Registration Appeals Rules of Procedure) Regulations	2024 No. 249	Not Related
The Public Service Vehicles (Registration of Local Services) (Bus Services Improvement Partnerships Service Standards Decisions) (Appeals) (Scotland) Regulations	2024 No. 248	Not Related
The Building (Scotland) Amendment Regulations	2024 No. 247	Not Related
The Coronavirus (Recovery and Reform) (Scotland) Act 2022 (Early Expiry of Provisions) Regulations	2024 No.246	Not Related
The Tied Pubs (Miscellaneous Amendment) (Scotland) Regulations	2024 No. 245	Not Related
The Bus Services Improvement Partnerships (Multi-operator Travel Cards) (Scotland) Regulations	2024 No. 243	Not Related This Instrument defines the term “multi-operator travel cards” for the purpose of setting the pricing of multi-operator travel cards as a potential standard in a Bus Services Improvement Partnership. On EU alignment the Policy Note states: “This instrument is not considered to be relevant to the Scottish Government’s policy to maintain alignment with the EU. Local transport authorities have since 2001 been subject to the competition test in section 37 of the 2001 Act rather than EU-derived law on anti-competitive practices when making partnership arrangements with bus operators. That will continue to be the case in relation to BSIPs. Multi-operator travel cards are being defined by this instrument in line with the definition in the Competition Act 1998 (Public Transport Ticketing Schemes Block Exemption) Order 2001 for ease of understanding and consistency with existing industry practice rather than to maintain alignment with any underlying EU law.” ⁴³
The Disclosure (Scotland) Act 2020 (Commencement No. 3) Regulations	2024 No. 242	Not Related
The Social Security (Genuine and Sufficient Link to the United Kingdom) (Miscellaneous Amendment) (Scotland) Regulations	2024 No. 241	Indirectly Related This Instrument amends the Social Security (Invalid Care Allowance) Regulations 1976, the Social Security (Attendance Allowance) Regulations 1991, the Social Security (Disability Living Allowance) Regulations 1991 and the Social Security (Personal Independence Payment) Regulations 2013 in relation to the past presence test (PPT) and the genuine and sufficient link (GSL) to the United Kingdom by removing references to ‘social security system’ so that the GSL simply needs to be to the United Kingdom. On EU alignment the Policy Note states: “This legislation is not relevant to the Scottish Government’s policy to maintain alignment with the EU, because each EU member states has its own social security laws. EU rules co-ordinate these separate social security systems between member states to support freedom of movement, but this legislation is not relevant to social security co-ordination

⁴³ ‘Policy Note: The Bus Services Improvement Partnerships (Multi-operator Travel Cards) (Scotland) Regulations 2024 SSI 2024/243’ Available: https://www.legislation.gov.uk/ssi/2024/243/pdfs/ssipn_20240243_en_001.pdf (Accessed 15 January 2025)

		specifically. It does however relate to the UK's withdrawal from the EU because the relevant EU regulations, 883/2004 and 1408/71, have now been revoked and are only applicable to persons in scope of the EU Withdrawal Agreement, EEA EFTA separation agreement, the Swiss rights agreement, or the UK-Gibraltar agreement 2024. ⁴⁴
The Adults with Incapacity (Public Guardian's Fees) (Scotland) Regulations	2024 No. 240	Not Related
The Justice of the Peace Court Fees (Scotland) Order	2024 No.239	Not Related
The Court of Session etc. Fees Order	2024 No.238	Not Related
The High Court of Justiciary Fees Order	2024 No.237	Not Related
The Sheriff Appeal Court Fees Order	2024 No.236	Not Related
The Sheriff Court Fees Order	2024 No. 235	Not Related
The National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Scotland) Amendment Regulations	2024 No. 233	Not Related
The Abortion Services (Safe Access Zones) (Scotland) Act 2024 (Commencement) Regulations	2024 No. 232	Not Related
The Visitor Levy (Scotland) Act 2024 (Commencement) Regulations	2024 No. 231	Not Related
The Council Tax Reduction (Scotland) Amendment (No. 2) Regulations	2024 No. 230	Not Related
The Local Services Franchises (Traffic Commissioner Notices and Panels) (Scotland) Regulations	2024 No. 229	Not Related
The Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Amendment Order	2024 No. 227	Not Related
The Personal Injuries (NHS Charges) (Amounts) (Scotland) Amendment (No. 2) Regulations	2024 No. 225	Not Related
The Scottish Criminal Cases Review Commission (Permitted Disclosure of Information) Order	2024 No. 220	Not Related
The Academic Awards and Distinctions (SRUC) (Scotland) Order of Council	2024 No. 219	Not Related
The Charges for Residues Surveillance Amendment (Scotland) Regulations	2024 No. 218	<p>Directly Related</p> <p>This Instrument amends the Charges for Residents Surveillance Regulations 2006 (SI 2006/2285) to allow costs incurred in carrying out inspections and controls in relation to surveillance of animals and animal products for residues of veterinary medicinal products and other substances to be recoverable by the competent authority performing the official controls.</p> <p>On EU alignment the Policy Note: "Under EU law, Article 79 of Regulation (EU) 2017/625 requires competent authorities to collect fees or charges for certain official controls, including those carried out in slaughterhouses, cutting plants, game-processing plants, on milk production and on the production and placing on the market of fishery and aquaculture products. There is a discretion for fees to either be charged at the amounts provided in Annex IV to Regulation (EU) 2017/625 or on a cost recovery basis calculated in accordance with</p>

⁴⁴ Policy Note: The Social Security (Genuine and Sufficient Link to the United Kingdom) (Miscellaneous Amendment) (Scotland) Regulations 2024 SSI 2024/241 Available: https://www.legislation.gov.uk/ssi/2024/241/pdfs/ssiipn_20240241_en_001.pdf (Accessed 15 January 2025)

		Article 82(1). The amendments in this instrument to the Charges for Residues Surveillance Regulations 2006 continue the existing approach of charging fees on a cost recovery basis as would be available under EU law. These measures will not create any barriers to re-entry to the European Union. ⁴⁵
The Legal Aid and Advice and Assistance (Miscellaneous Amendment) (Scotland) (No. 2) Regulations	2024 No. 216	Not Related

Of the 89 potentially relevant instruments made during the reporting period, 15 can be said to be either indirectly or directly relevant to the keeping pace policy. This assessment is based on information contained in policy notes accompanying the legislation read together with the comprehensive EU Law Tracker annexed to this Report. SG statements, as articulated in policy notes accompanying relevant SSIs, on the applicability or otherwise of the keeping pace policy are included in Table 5. The January 2024 EU Law Tracker noted some inconsistencies in the level of information being provided by the SG in policy notes accompanying SSIs regarding their relevance to EU alignment; the October 2024 EU Law Tracker noted an improvement in the quality and consistency of SG reporting in policy notes. Similarly, information provided by SG departments in policy notes for SSIs made during the research period covered by this edition of the EU Law Tracker continues to demonstrate improved consistency (compared to January 2024) with some additional evidence of increased levels of detail on the specific ways in which provisions in SSIs align or do not align with parallel provisions in EU law, where appropriate. This indicates a positive trajectory and SG fulfilment of the commitment to “provide the information required” for Parliamentary scrutiny.⁴⁶

Several of the 15 directly or indirectly relevant SSIs implement measures that diverge from EU law or may result in divergence from EU law with categorisation being contingent on how divergence (and/or alignment) is being defined and understood. For example, *The Feed Additives (Authorisations) and Uses of Feed Intended for Particular Nutritional Purposes (Miscellaneous Amendment) (Scotland) Regulations* makes changes regarding 25 additives used in feed based on assessments of the Food Standards Scotland (FSS) and a Ministerial decision; while these changes clearly diverge from relevant EU rules, the accompanying Policy Note states that the “FSS is content this will not present a barrier to trade”.⁴⁷ Other examples of divergence or potential divergence are less clearcut inasmuch as while relevant provisions are different to their EU counterparts the divergence can, generally, be attributed to the realities of Scotland no longer being an EU Member State. For example, an SSI like *The Official Controls (Import of High Risk Food and Feed of Non-Animal Origin) Amendment (Scotland) (No. 2) Regulations* which makes provisions regarding the implementation of checks and controls on certain goods entering Great Britain from certain third countries. The relevant changes implement a Ministerial decision taken in light of a review of (assimilated law version) Regulation (EU) 2019/1793 which lays down requirements that apply to certain high risk food and feed commodities of non-animal origin entry to Great Britain. Regarding alignment, the accompanying

⁴⁵ ‘Policy Note: The Charges for Residues Surveillance Amendment (Scotland) Regulations 2024 SSI 2024/218’ Available: https://www.legislation.gov.uk/ssi/2024/218/pdfs/ssipn_20240218_en_001.pdf (Accessed 15 January 2025)

⁴⁶ Angus Robertson MSP (31 October 2024) ‘The Scottish Government’s Policy of EU Alignment – Annual Reports 2024’ *parliament.scot* Available: <https://www.parliament.scot/-/media/files/committees/constitution-europe-external-affairs-and-culture-committee/eu-alignment-annual-reports--31-october-2024.pdf> (Accessed 15 January 2025)

⁴⁷ ‘Policy Note: The Feed Additives (Authorisations) and Uses of Feed Intended for Particular Nutritional Purposes (Miscellaneous Amendment) (Scotland) Regulations 2024 SSI 2024/330’ Available: https://www.legislation.gov.uk/ssi/2024/330/pdfs/ssipn_20240330_en_001.pdf (Accessed 15 January 2025)

Policy Note states that while it is anticipated that “UK reviews will generally align with EU controls” it also acknowledges “divergence is possible” due to respective UK and EU approaches to risk analysis and/or differences in relevant legislative processes.⁴⁸ In another example, *The Rural Development (Continuation of Operation) (Miscellaneous Amendment) (Scotland) Regulations* changes are made to extend support for rural development under the Scottish Rural Development Programme (SRDP) including the Less Favoured Area Support Scheme (LFASS). On EU alignment, the Policy Note reiterates the SG policy is to ensure “broad alignment to EU CAP objectives” and underline that the SDRP was approved by the European Commission prior to EU Exit, however, it also notes that the LFASS has been phased out in EU Member States and replaced by an Areas of Natural Constraint (ANC) scheme, the SG state however that “support for constrained areas (which is the purpose of LFASS support) remains an EU CAP objective and it was always the intent of the EU to allow for a phased transition from LFASS to ANC” and concludes that consideration of EU alignment in the context of CAP replacement “has been framed as adhering to the key policy objectives of the EU CAP, where practicable”.⁴⁹

Notwithstanding instances of divergence with rules and schemes applicable in the EU, as the examples above demonstrate, the SG emphasise, where relevant, their continued (‘broad’ and ‘general’) alignment with EU policies and objectives even when specific legislative provisions differ from those that apply in EU Member States. While information provided by the SG in policy notes has improved, in some instances the difference between policy alignment and legislative alignment, and their effects, could be more clearly articulated. For example, if detailing a new area of divergence with EU rules – such as in *The Feed Additives (Authorisations) and Uses of Feed Intended for Particular Nutritional Purposes (Miscellaneous Amendment) (Scotland) Regulations* – yet asserting that the change ‘will not present a barrier to trade’ more information could usefully be provided to support such a conclusion. It is also worth noting that policy notes accompanying SSIs do not at present tend to include information on whether and how common framework agreements or the market access principles of the UK Internal Market Act 2020 impact on the policy objectives of the legislative proposal notwithstanding that [guidance](#) issued to SP Committees⁵⁰ based on the SG [agreement](#) on information-sharing⁵¹ regarding alignment mentions that this sort of information can be expected where relevant.

SP Committees may wish to follow up with the SG regarding certain SSIs where divergence or potential divergence is indicated to either have occurred or to be a possibility in future. Such an initiative may include:

- The Rural Affairs and Islands Committee seeking further information from the SG on the reason for Food Standards Scotland concluding that the divergence with EU rules regarding certain feed additives as a result of *The Feed Additives (Authorisations) and Uses of Feed Intended for Particular Nutritional Purposes (Miscellaneous Amendment) (Scotland) Regulations* would not lead to barriers to trade.

⁴⁸ The Official Controls (Import of High Risk Food and Feed of Non-Animal Origin) Amendment (Scotland) (No. 2) Regulations 2024 SSI 2024/324 Available: https://www.legislation.gov.uk/ssi/2024/324/pdfs/ssiipn_20240324_en_001.pdf (Accessed 15 January 2025)

⁴⁹ ‘Policy Note: The Rural Development (Continuation of Operation) (Miscellaneous Amendment) (Scotland) Regulations 2024 SSI 2024/342’ Available: https://www.legislation.gov.uk/ssi/2024/342/pdfs/ssiipn_20240342_en_001.pdf (Accessed 15 January 2025)

⁵⁰ ‘EU Alignment Guidance for Committees’ *parliament.scot* Available: <https://www.parliament.scot/-/media/files/committees/constitution-europe-external-affairs-and-culture-committee/eu-alignment.pdf> (Accessed 10 February 2025)

⁵¹ ‘Statement of Policy by the Scottish Ministers in Exercise of the Power in Section 1 of the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021’ *parliament.scot* Available: <https://www.parliament.scot/-/media/files/committees/constitution-europe-external-affairs-and-culture-committee/correspondence/2022/eu-alignment.pdf> (Accessed 12 February 2025)

- The Rural Affairs and Islands Committee seeking further information from the SG on the similarities and differences between the new EU CAP and agricultural support schemes in Scotland (including as provided for under the Agricultural and Rural Communities (Scotland) Act 2024) beyond broad alignment on policy objectives, in view of *The Rural Development (Continuation of Operation) (Miscellaneous Amendment) (Scotland) Regulations* and *The Rural Development (Improvement) (Miscellaneous Amendment) (Scotland) Regulations*.
- The Rural Affairs and Islands Committee seeking an update from the SG on whether or not the UK review of assimilated law version of Regulation (EU) 2019/1793 has resulted in 'different outcomes to that of the EU' in view of changes made by the *The Official Controls (Import of High Risk Food and Feed of Non-Animal Origin) Amendment (Scotland) (No. 2) Regulations*.

2.3 Summary of Wider UK Law Developments

Previous EU Law Tracker reports have discussed the mitigating effect of assimilated law (previously 'retained law') on the potential for immediate legal and regulatory divergence between the UK and EU as a result of Brexit and at the end of the UK Transition Period on 31 December 2020. Changes given effect by the *Retained EU Law (Revocation and Reform) Act 2023* – as also discussed in previous reports – mean that residual alignment between assimilated law (applicable in the UK, including in Scotland) and EU law is less secure and more difficult to monitor.⁵²

2.3.1 Summary of UK General Election and Implications

The UK general election which took place on 4 July 2024 (the UKGE 2024) resulted in a change of government. The Labour UKG policy towards the EU is to 're-set' its relationship and 'deepen ties' with the EU while also seeking 'to negotiate a veterinary agreement'.⁵³ If achieved, any new UK-wide agreement with the EU on sanitary and phytosanitary (SPS) and veterinary issues or any other area can be expected to make fulfilment of the SG alignment policy easier because it would very likely involve some degree of alignment between relevant areas of UK law and EU law, contingent of course on the scope and terms of any agreement reached. The SG share the UKG 'ambition to bring about a new trading relationship with the EU' and have [set out](#) what it said is the case for a comprehensive veterinary and sanitary and phytosanitary (SPS) agreement.⁵⁴ Talks between the EU and UK are expected to take place later this year.⁵⁵

2.3.1 Relevant UK Laws Passed and Proposed

Since the end of the UK's Transition Period new UK legislation has become law that is or may become relevant in the context of the Scottish Government's alignment policy. While the primary purpose of this report is not to consider the evolution of UK-wide law some of these changes are useful to be aware of when it comes to assessing alignment vs divergence in the context of the

⁵² For further discussion see EU Law Tracker Report Two, n.1.

⁵³ Labour Party (2024) *Labour Manifesto* Available: <https://labour.org.uk/change/britain-reconnected/> (Accessed 15 Sept 2024)

⁵⁴ Scottish Government, 'Trading arrangements with the EU' 29 August 2024 *gov.scot* Available: <https://www.gov.scot/publications/eu-trading-arrangements/> (Accessed 15 Sept 2024)

⁵⁵ Adler, K. (2024, December 29) 'UK and EU look to 2025 for reset, but with little room for trade-offs' *BBC News* Available: <https://www.bbc.co.uk/news/articles/c2dxzyg9y3eo> (Accessed 18 January 2025)

EU and Scotland. In the time period covered by this EU Law Tracker two primary acts of became UK law; the small number follows from the change of government in July 2024 and the consequential effects of a new government agenda and parliamentary programme on legislative progress. Although not many new acts of UK-wide law have been concluded during the research period, several Bills that have potential significance for SG alignment with EU law have been laid. On this basis, Table 6 provides a summary of UK public general acts that have become law or Bills which have been progressing through parliamentary processes between August 2024 and January 2025, and which make provision in areas that were previously covered by EU law and/or that relate directly to the fact of the UK's withdrawal from the EU. For reference, Scottish legislative consent memorandums are linked and any relevant extracts concerning EU alignment are included.

Table 6: Primary Acts of Relevant UK-wide Law Made or Laid (August 2024 to January 2025)

Acts or Bills of the UK Parliament	Year Reference	Legislative Consent	Explanation of Relevance
2024			
Passenger Railway Services (Public Ownership) Act	2024 c. 25	LCM	<p>This Act amends the Railways Act 1993 to remove the presumption in favour of private sector operation of franchised passenger services with the aim of facilitating the return of such train operations into the public sector when current franchise contracts ends.</p> <p>The SG recommended consent to the provisions of PRS(PO) Act and the SP consented. On EU alignment, the LCM states: "The Scottish Government's position is that there will be EU alignment issues in connection with the Bill because it removes the presumption that contracts for the provision of rail passenger services will be secured by way of a competition which is a key element of EU procurement law, notable Regulation EC 1370/2007 (on public passenger transport services by rail and by road) and impacts how equivalent UK procurement rules contained in the 2023 Reulations are to be applied. The Scottish Government considers that the benefits of this Bill (as summarised above) outweigh the risk to EU alignment. Giving legislative consent would be in line with Scottish Ministers' approach of seeking EU alignment but allowing for deviation where it provides the best option for Scotland."⁵⁶</p>
Great British Energy Bill	2024	LCM	<p>This Bill makes provision for special arrangements in relation to the regulation of a company which is designated by the Secretary of State with the objects of facilitating, encouraging or participating in: the production, distribution, storage and supply of clean energy; the reduction of greenhouse gas emissions from energy produced from 15 fossil fuels; improvements in energy efficiency and measures for ensuring security of the supply of energy. While "broadly supportive" of the UKG's stated ambitions for Great British Energy the SG opted to lodge an LCM without any recommendation on consent preferring instead to await further analysis.</p> <p>On EU alignment the LCM states "The Scottish Government's position on EU alignment will be considered as part of further analysis."⁵⁷</p>
Product Regulation and Metrology Bill	2024	LCM	<p>This is primarily an enabling Bill which gives wide-ranging powers to the Secretary of State to make provisions in relation to the UK's product safety and metrology regulatory framework. The SG recommended 'for the moment' that the SP did not give legislative</p>

⁵⁶ 'Legislative Consent Memorandum: Passenger Railway Services (Public Ownership) Bill' Available: <https://www.parliament.scot/-/media/files/legislation/bills/lcms/passenger-railway-services-public-ownership-bill/legislative-consent-memorandum.pdf> (Accessed 18 January 2025)

⁵⁷ 'Legislative Consent Memorandum: Great British Energy Bill' Available: <https://www.parliament.scot/-/media/files/legislation/bills/lcms/great-british-energy-bill/legislative-consent-memorandum.pdf> (Accessed 18 January 2025)

			<p>consent to relevant clauses (1-4 and 7-11 as introduced) in the Bill.</p> <p>On EU alignment the LCM states: "Clause 1(2) gives powers to the Secretary of State to align product regulations, made for the purpose of reducing or mitigating the environmental impact of products, with relevant EU law. Relevant EU law is defined in the Bill as Decision 768/2008/EC of the European Parliament and of the Council on a common framework for the marketing of products, or other EU law that has the purpose of harmonising the conditions for the marketing or use of products in the EU. Other powers in the Bill are not specifically focused on EU law and could lead to either alignment or divergence of UK product and metrology regulations, including on devolved product matters, depending on future decisions by the UK Government. This could include changes to assimilated law."⁵⁸</p>
Tobacco and Vapes Bill	2024	LCM	<p>The purpose of this Bill is to create a smoke-free UK. The SG recommended legislative consent to the provisions of the Bill relevant to Scotland.</p> <p>On EU alignment the LCM states: "Officials have considered the Bill's likely impact on the Scottish Government's policy to maintain alignment with the EU...The EU Commission is reviewing its legislative framework with the next EU Work Programme update not expected until spring 2025 (at the earliest). Officials will continue to engage with Scottish Government officials based in Brussels as the policy statements for the 2024-2029 legislative mandate are developed to understand what further regulation on vaping products could be proposed... We will, however, work closely with the UK Government as they develop their plans to better understand the impact of any changes on our continued alignment with EU law. To the extent that regulations contain provision within devolved competence and the consent of the Scottish Ministers is required, the position with regards alignment will be factored in to the decision on whether to consent."⁵⁹</p>
Data (Use and Access) Bill	2024	LCM	<p>This Bill makes provision for a variety of measures relating to the use of and access to data. The SG recommended legislative consent to the provisions of the Bill relevant to Scotland.</p> <p>On EU alignment the LCM states: "While the Bill makes changes to the UK GDPR, which is an area regulated/harmonised at the EU level, the provisions within the scope of this LCM do not impact on the policy of EU alignment in Scotland."⁶⁰</p>
Employment Rights Bill	2024	LCM	<p>This Bill makes provision on a range of matters related to employment law. Employment and industrial relations are reserved to the UK Parliament however it contains certain provisions regarding public procurement that are within Scottish competence. The SG recommended legislative consent to the provisions of the Bill relevant to Scotland.</p> <p>On EU alignment the LCM states: "The provisions are not relevant to the Scottish Government's policy to maintain alignment with the EU. Whilst it is true to say that public procurement is an area which was governed by EU Directives, and the principal domestic procurement regulations in Scotland are assimilated law, the relevant provisions in this Bill are neither part of, nor (sic) incompatible with, EU law. Indeed, an earlier version of a code of practice was in place before being withdrawal by the previous UK Government."⁶¹</p>

Changes in secondary legislation either UK-wide, GB-wide and/or English and Welsh laws in areas of law and policy that are both in scope and out of scope of the SG alignment commitment

⁵⁸ 'Legislative Consent Memorandum: Product and Metrology Bill' Available: <https://www.parliament.scot/-/media/files/legislation/bills/lcms/product-regulation-and-metrology-bill/legislative-consent-memorandum.pdf> (Accessed 18 January 2025)

⁵⁹ 'Legislative Consent Memorandum: Tobacco and Vapes Bill' Available: <https://www.parliament.scot/-/media/files/legislation/bills/lcms/tobacco-and-vapes-bill-nov24/legislative-consent-memorandum.pdf> (Accessed 19 January 2025)

⁶⁰ 'Legislative Consent Memorandum: Data (Use and Access) Bill' Available: <https://www.parliament.scot/-/media/files/legislation/bills/lcms/data-use-and-access-bill/legislative-consent-memorandum.pdf> (Accessed 19 January 2025)

⁶¹ 'Legislative Consent Memorandum: Employment Rights Bill' Available: <https://www.parliament.scot/-/media/files/legislation/bills/lcms/employment-rights-bill/legislative-consent-memorandum.pdf> (Accessed 19 January 2025)

have implications for its effect.⁶² Where changes are being made to assimilated law outside Scotland but in areas that are in scope of the alignment commitment these may impact on decisions taken by the SG as regards to alignment as a result of the impact of the UK Internal Market Act. Similarly, where changes are being made to assimilated law outside Scotland but in areas that are not in scope of the alignment commitment these too may impact on decisions taken as regards to in scope areas, should they be related either directly or indirectly. Although it is beyond the scope of this Report (and related research) to comprehensively monitor the substance of non-Scottish statutory instruments, given the potential for these to have indirect effects on alignment, a selective record of secondary acts of UK law that are, or could be, relevant for the SG alignment commitment is set out in Table 7; the content should be taken as demonstrative rather than comprehensive.

Table 7: Examples of New Secondary Acts of Relevant UK Law (August 2024 – January 2025)

UK Statutory Instruments	Year Ref	Territorial Application	Relationship to EU Law in Scope of Alignment
2024			
The Medical Devices (Post-Market Surveillance Requirements) (Amendment) (Great Britain) Regulations	SI 2024/1368	UK-wide but most changes apply to England, Scotland and Wales only.	Directly related. This instrument amends the Medical Devices Regulations 2002 (SI 2002/618) which implemented EU Directives 90/385/EEC, 93/42/EEC and 98/79/EC (now assimilated law in GB) to introduce more stringent and clearer post-market surveillance (PMS) requirements on medical devices with the aim of improving the ability of manufacturers and the MHRA to identify issues with medical devices on the GB market and, where necessary, to take appropriate action to safeguard public health. The three (assimilated law) Directives implemented by the 2002 MD Regulations no longer apply in the EU, or in NI.
The International Waste Shipments (Amendment) Regulations	SI 2024/1281	England, Scotland, and Wales	Directly related. This instrument amends assimilated Regulation (EC) No 1013/2006 on shipments of waste and assimilated Commission Regulation (EC) No 1418/2007 concerning export for recovery of certain waste listed in Annex III or IIIA to Regulation (EC) No 1013/2006; the changes implement those made to the annexes of the Basel Convention on the Control of Transboundary Movements of Hazardous Waste and the Disposal – the UK was previously party to the Basel Convention by dint of its EU membership, relevant EU implementing laws still apply to NI.

⁶² Due to the arrangements made for Northern Ireland under the Windsor Framework, it is in a different position in most relevant policy areas.

3. CASE STUDIES

3.1 Examples of the Evolution of EU Law via Tertiary Legislation

The first type of change and potential divergence between EU law and Scots law arises from the evolution of established EU laws via the adoption of tertiary EU legislation that makes provision for the implementation of regulations, directives and decisions which are in the scope of the 2021 Act 'keeping pace' powers. Often changes at this level are technical and/or procedural nonetheless they can result in policy divergence. Several examples are included below.

Where appropriate – an overview of relevant upcoming EU legislative proposals are noted alongside the Scottish Government position on the instrument in respect of its alignment policy – according to information contained in Annex C of its 2024 draft Annual Report published in accordance with the 2021 Continuity Act.

Policy Area: Transport			
EC Work Programme EU Law Tracker Entry: 213			
EU Law	Evolution of EU Law	Divergence vs Alignment	Competence
Directive (EU) 2019/883 on port reception facilities for delivery of waste from ships	5 implementing or delegated EU law acts adopted.	Intended Alignment	Mixed
<p>The purpose of the Port Reception Facilities Directive is to protect the environment from negative effects of waste from ships using EU ports by improving port reception facilities for ship waste.</p> <p>Under the rules ships pay an indirect fee to cover the cost of the scheme and certain ships pay an additional direct fee if an exceptional amount of waste is delivered. Member States are obliged to ensure port facilities: can receive the normal types and quantities of waste; avoid delays; don't charge excessive fees; and manage waste in an environmentally appropriate way.</p> <p>The PRF Directive aligns EU law with the amended International Convention for the Prevention of Pollution from Ships (MARPOL).</p> <p>The new PRF Directive was adopted by the EU in April 2019, it has applied since June 2019 and</p>	<p>Since the end of the UK Transition Period the EU have adopted 5 Commission Implementing Regulations under the new PRF Regulation.</p> <p>These concern: a risk-based targeting mechanism for selecting ships for inspection ((EU) 2022/90); criteria for determining ships are producing reduced quantities of waste and manage it in an environmentally sound manner ((EU) 2022/91); the method to be used for the calculation of sufficient dedicated storage capacity ((EU) 2022/89); monitoring methodologies and format for reporting passively fished waste ((EU) 2022/92); and certain reporting requirements for</p>	<p>The 2024 SG Annual Report identified the new PRF Directive as one of those EU acts with which the SG intended to align.</p> <p>Although the new PRF Directive only came fully into force in the EU after the end of the UK Transition Period, the UK acceded to the MARPOL Convention in August 2004.</p> <p>Updates to domestic law since the end of the Transition Period have reflected updates to the MARPOL Convention recent examples include: SI 2024/636 and SI 2024/570.</p> <p>The Net Zero, Energy and Transport Committee of the SP may wish to seek an update from the SG regarding the status of the new PRF Directive in Scottish law and the relationship between secondary legislation implementing MARPOL</p>	

became law in the EU two years later.	passively fished waste ((EU) 2024/917.	obligations and the implementation of the new PRF Directive.	
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Policy Area: Plant Health			
EC Work Programme EU Law Tracker Entry: 77			
EU Law	Evolution of EU Law	Divergence vs Alignment	Competence
Regulation (EU) No 528/2012 on making available on the market and use of biocidal products	278 implementing or delegated EU law acts adopted.	Partial Alignment	Mixed
<p>The Biocidal Products Regulation ((EU) No 528/2012) harmonises EU rules concerning the sale and use of active biocidal substances in the EU. Under the Biocidal Products Regulation (BPR) all biocidal products require a permit to be sold in the EU and the active substances they contain must be approved according to the processes provided for in the act.</p>	<p>Since the end of the UK Transition Period the EU have adopted 278 implementing or delegated EU acts under the BPR. Of these, 42 have been adopted since the last EU Law Tracker.</p> <p>Almost all acts of tertiary law adopted under the BPR concern authorisations of specific biocidal products.</p>	<p>Regulation (EU) No 528/2012 applies in Scotland, England and Wales as assimilated law (the GB BPR); the EU BPR continues to apply in Northern Ireland under the Windsor Framework.</p> <p>The GB BPR has been amended to reflect EU Exit (by SI 2019/720; SI 2020/1567). Since the end of the Transition Period additional changes have been made (by SI 2022/1291 and SI 2024/352) – the first of these extended the deadline for transitioning to HSE authorisations of biocidal products and the second updated data requirements under the GB BPR to reflect scientific developments.</p> <p>In the SG Annual Report two Commission Implementing Regulations adopted under the EU BPR are highlighted (CIR (EU) 2024/247 and CIR (EU) 2024/1290) – the SG state ‘yes’ to alignment with the first and ‘under consideration’ for alignment with the second.</p> <p>In view of the high number of EU tertiary acts adopted under the EU BPR the Net Zero, Energy and Transport Committee may wish to seek further information on the extent to which the SG is monitoring all relevant tertiary acts and/or the basis on which the SG is monitoring only certain relevant tertiary acts.</p>	

3.2 Examples of the Repeal and Replacement of EU Laws

The second type of change and potential divergence between EU law and Scots law arises from regulations, directives or decisions being repealed and replaced at EU level. While in some

instances changes have been made in the UK or Scotland to the corresponding assimilated law version of the repealed and replaced EU law act, these do not necessarily mirror those that have taken place in the EU context – sometimes this is a logical consequence of the UK no longer being a Member State.

Only one example of this kind of change in relevant EU law took place during the research period covered in this EU Law Tracker report.⁶³

Policy Area: Goods Regulation			
Detailed EU Law Tracker Entry: 219 and 220			
EU Law Instrument	Evolution of EU Law	Divergence vs Alignment	Competence
<p>Regulation (EU) No 305/2011 laying down harmonised conditions for the marketing of construction products</p>	<p>15 implementing or delegated EU law acts adopted.</p> <p>1 new EU Regulation.</p>	<p>Divergence Alignment Under Consideration</p>	<p>Mixed</p>
<p>The Construction Products Regulation lays down uniform rules for the marketing of construction products and provides common technical language to assess their performance. The CPR sets out methods and criteria for assessing and expressing the performance of construction products and the conditions for use of CE marking.</p> <p>In Nov 2024 the EU adopted a new Construction Products Regulation (EU) 2024/3110 - while the new CPR repeals the old this will mainly take effect in Jan 2026 with some provisions remaining in force until Jan 2040.</p>	<p>6 of the 15 implementing and delegated EU law acts adopted since the end of the UK Transition Period were finalised by the EU in 2024.</p> <p>These concerned: conditions for classification, without testing, of solid wood panelling and cladding with regard to their reaction to fire (CDR (EU) 2024/1399); classes of performance in relation to the resistance to fire of construction products (CDR (EU) 2024/1681); assessment and verification processes for the performance of construction products in relation to environmental sustainability (CDR (EU) 2024/2769); as well as European Assessment Documents for: three-layer polyethylene-based coating for corrosion protection of steel pipes (CID (EU) 2024/237); thermal insulation board made of microporous silica and rigid polyurethane foam elements for fastening attachment parts to external walls (CID (EU) 2024/1944); and for internal doorsets without resistance to fire and smoke control characteristics made of metal profiles and bound polystyrene bulk material for thermal insulation or sound insulation (CID (EU) 2024/2904).</p>	<p>Since the end of the UK Transition Period the assimilated law version of Regulation (EU) No 305/2011 has been amended to reflect EU Exit (under SI 2019/465) and to allow for the continued application of the EU version of the CPR to apply in Northern Ireland (under SI 2020/1359).</p> <p>There is no evidence of changes made via EU implementing legislation to the CPR being replicated in the assimilated law version of the CPR.</p> <p>The new CPR does not apply in Great Britain.</p>	
		<p>Scottish Government Position</p> <p>In the 2024 Annual Report, the SG notes one of the changes made to the CPR via implementing legislation – CDR (EU) 2024/1399 – referred to as ‘Construction</p>	

⁶³ Other relevant EU acts have been repealed by new EU acts but the repeal has not yet taken effect – examples of this kind are included in section 3.3.

Products: Wood Panelling' this change is not under alignment consideration because it is 'non-legislative'. By contrast the new CPR is 'under consideration' by the SG for alignment.

The Net Zero, Transport and Energy Committee may wish to seek an update from SG on its consideration of alignment with the new CPR.

3.3 Examples of Proposed or Adopted New EU Laws

The third type of change and potential divergence between EU law and Scots law arises from the adoption of new EU laws that make provisions which either would or could have been within the competence of the Scottish Government had the UK and Scotland remained in the EU. In some instances the new EU acts amend established acts that were, fully or partially, within Scottish Government competence while the UK was a Member State; in other examples the new EU acts introduce provisions that complement or supplement established acts that were, fully or partially, within Scottish Government competence while the UK was a Member State; additionally, examples of new EU acts that have been identified by the Scottish Government as 'under consideration' or 'for future consideration' but which are not directly related to established EU acts previously in scope of Scottish competence are also included.

Policy Area: Food Standards			
Detailed EU Law Tracker Entry: 127			
EU Law Instrument	Evolution of EU Law	Divergence vs Alignment	Competence
Regulation (EU) 2018/848 on organic production and labelling of organic products	82 implementing or delegated EU law acts adopted. 1 new EU act	Divergence.	Devolved
The Organic Production Regulation ((EU) 2018/848) sets out rules regarding the control system, trade regime and production rules for organic products and labelling in EU Member States. The OP Regulation repealed and replaced previous EU Council Regulation ((EC) No 834/2007) on organics. The new OP Regulation builds on	Since the end of the Transition Period, 82 implementing or delegated acts have been adopted under the OP Regulation; 6 of which have been adopted by the EU in the period since the last EU Law Tracker report. Most of these implementing and delegating acts concern technical and operational aspects of the OP Regulation	The OP Regulation applies in the EU and in Northern Ireland under the Windsor Framework while the previous Council Regulation (EC) No 834/2007 continues to apply in Great Britain. ⁶⁴ Changes were made to Council Regulation (EC) No 834/2007 to reflect EU Exit and the continued application of EU organics laws in NI prior to the end of the UK	

⁶⁴ UKG 'EXPLANATORY MEMORANDUM: REGULATION (EU) 2018/848 OF THE EUROPEAN UNION AND OF THE COUNCIL OF 30 MAY 2018 ON ORGANIC PRODUCTION AND LABELLING OF ORGANIC PRODUCTS AND REPEALING COUNCIL REGULATION (EC) NO 834/2006' Available: https://assets.publishing.service.gov.uk/media/62459e23e90e075f0f8654dc/220317_EM_EU_Regulation_848_and_NI_Impacts_1_.pdf (Accessed 22 January 2025)

<p>and is wider in scope than its predecessor act.</p> <p>Although adopted in 2018 the OP Regulation did not take full effect until January 2022, after the end of the UK Transition Period.</p>	<p>and arrangements for its implementation; for example 4 of the 6 adopted since the last EU tracker concern the recognition of control bodies in third countries for the purpose of importing organic products into the EU.</p> <p>In October 2023 the EU adopted Regulation (EU) 2023/2419 on the labelling of organic pet food which amends the OP Regulation.</p>	<p>Transition Period (see SI 2019/693; SI 2019/831; SI 2020/1669 and SI 2020/1400). Further changes have been made since the end of the Transition Period (see SI 2021/ 652; 2021/1396; SI 2022/609; SI 2023/1246 and SI 2025/18) – mostly these statutory instruments extend the deadline for transitional arrangements for trade in and labelling of certain organic products – these changes are therefore technical rather than substantive.</p> <p>Under the TCA the UK and EU recognise respective standards on organic production as equivalent thereby negating the impact of divergence (between UK(GB) and EU +UK(NI)) on organic products on trade.</p>	
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Scottish Government Position
<p>In the 2024 Annual Report the SG highlights one of the SIs (2023/1246) that amends Council Regulation (EC) No 834/2007 to extend transitional arrangements and classifies it as 'Not relevant to the [alignment] commitment'.</p> <p>Additionally the SG highlights three EU measures in the field of organic regulation: [1] Commission Implementing Regulation (EU) 2021/1165 which is one of the 82 acts of tertiary law adopted under the OP Regulation; the SG states this to be 'Under consideration' for alignment; [2] EU proposals to strengthen consumer trust in organics by improving transparency and countering fraud; the SG states this to be 'for future consideration'; [3] EU proposals for supporting consumption of organic products in schools; the SG states this to be 'for future consideration'.</p> <p>In view of the legislative divergence between Scotland and the EU on organics regulation and the developments in the field the Rural Affairs and Islands Committee may wish to seek an update from SG on its pursuit of alignment and on the effect of equivalence arrangements under the TCA on regulation of organic products in Scotland.</p>

Policy Area: Chemicals			
Detailed EU Law Tracker Entry: 128			
EU Law Instrument	Evolution of EU Law	Divergence vs Alignment	Competence
Regulation (EU) 2019/1009 laying down rules on the making		Divergence	Devolved

available on the market of EU fertilising product	14 implementing or delegated EU law acts adopted 1 new EU act		
<p>The Fertiliser Regulation ((EU) 2019/1009) lays down common rules on safety, quality and labelling requirements for fertilising products.</p> <p>The FR covers seven categories of fertilising products: fertilisers (inorganic, organo-mineral, and organic), soil improvers, liming materials, growing mediums, inhibitors, plant biostimulants, and fertilising product blends. The FR also introduces limits for contaminants while allowing for optional harmonisation between Member States.</p> <p>Although adopted in June 2019 the new FR only repealed and replaced the earlier Regulation (EC) No 2003/2003 in July 2022, after the end of the UK Transition Period.</p>	<p>Since the end of the Transition Period, 14 delegated acts have been adopted under the Fertiliser Regulation.</p> <p>Most of these make minor technical amendments to rules governing the use and production of certain fertilisers or fertiliser products.</p> <p>In September 2024 the EU adopted Regulation (EU) 2024/2516 which amends Regulation (EU) 2019/1009 in respect to the digital labelling of EU fertilising products.</p>	<p>Given the timing of its adoption by the EU, the FR (EU) 2019/1009 is “not fully operable” in Great Britain;⁶⁵ neither does the Digital Labelling Regulation ((EU) 2024/1526) apply in GB – both do apply to Northern Ireland under the Windsor Framework.</p> <p>The SG 2024 Annual Report addresses the FR Regulation and categorises it as ‘for future consideration’ for potential alignment.</p> <p>The SP Net Zero, Energy and Transport Committee may wish to seek more information or request updates from the SG on its consideration of the DL Regulation and also on any updates to the DL and their potential relevance for Scotland.</p>	

Policy Area: Environmental Protection			
EC Work Programme EU Law Tracker Entry: 48 and 49			
EU Law (or Proposal)	Relevant SG Alignment	Divergence vs Alignment	Competence
Regulation (EU) 2024/1781 establishing a framework for the setting of ecodesign requirements for sustainable products.	Yes	Divergence Alignment For Future Consideration	Mixed
In June 2024 the EU adopted Ecodesign for Sustainable Products Regulation ((EU) 2024/1781) which replaces the Ecodesign Directive (2009/125/EC).	The ESPR replaces the Ecodesign Directive (2009/125/EC) which is identified by the SG to be in scope of the	In Scotland, England and Wales, the Ecodesign Directive is implemented as assimilated law via The Ecodesign for Energy-Related Products	

⁶⁵ According to the UK government – see ‘Explanatory Memorandum – COM(2023) 98 FINAL – PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AMENDING REGULATION (EU) 2019/1009 AS REGARDS THE DIGITAL LABELLING OF EU FERTILISING PRODUCTS’ Available: https://assets.publishing.service.gov.uk/media/652fca149274590013f9593e/EM_C_2023_98.pdf [paragraph 20].

<p>The ESPR expands on the scope of the Ecodesign Directive and sets the legal basis for assessing and setting ecodesign requirements via delegated acts; intended to: improve products' durability and reusability; make products more resource and energy efficient; increase recycled content; reduce carbon and environmental footprints; improve availability of information on product sustainability. Additionally the ESPR introduces a 'digital product passport' for products, components and materials.</p> <p>The ESRP came into effect in July 2024 however some aspects of the Ecodesign Directive continue to apply until 2026 and others until 2030.</p>	<p>alignment commitment.</p>	<p>Regulations 2010 (SI 2010/2617) as amended.</p> <p>The Ecodesign Regulations have been amended to reflect EU Exit as well as the continued application of the EU Ecodesign Directive (then ESPR) in Northern Ireland (via SI 2019/539, 2020/1528 SI 2021/924). Subsequent changes have also been made to the Ecodesign Regulations to extend transitional provisions (SI 2022/1393) to provide for recognition of EU conformity assessments in GB (SI 2024/696) and to implement aspects of the CPTPP Agreement (SI 2024/504).</p> <p>The 2024 SG Annual Report identified the ESPR as one of those EU acts 'for future consideration' regarding potential alignment.</p> <p>The Net Zero, Transport and Energy Committee may wish to explore with the Scottish Government whether it intends to align with the Ecodesign Directive.</p>	
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Policy Area: Environmental Protection			
EC Work Programme EU Law Tracker Entry: 19			
EU Law (or Proposal)	Relevant SG Alignment	Divergence vs Alignment	Competence
<p>Regulation (EU) 2024/1991 of the European Parliament and of the Council on Nature Restoration</p>	<p>Yes</p>	<p>Intended Alignment</p>	<p>Mixed</p>
<p>In June 2024 the EU adopted a new Nature Restoration Regulation.</p>	<p>The new EU law complements and relates to the Birds Directive</p>	<p>The EU acts to which the NR Regulation relates are implemented in Scotland through a range of different legislative instruments.</p>	

<p>The overarching aim of the NR Regulation is to: contribute to the continuous, long-term, and sustained recovery of biodiverse and resilient nature across the EU's land and sea areas by restoring ecosystems and contributing to EU climate mitigation and adaptation objectives. To this end the NR Regulation sets multiple binding restoration targets and obligations across a broad range of ecosystems covering at least 20% of the EU's land and sea areas by 2030 and all ecosystems in need of restoration by 2050.</p>	<p>(2009/147/EC) the Habitats Directive (92/43/EEC) the Water Framework Directive (2000/60/EC) and the Marine Strategy Framework Directive (2008/56/EC) – all of which are in scope of the SG alignment commitment.</p>	<p>The Birds Directive is implemented (non-exhaustively) by the Marine (Scotland) Act 2010 and The Conservation (Natural Habitats) Amendment (Scotland) Regulations 2011.</p> <p>The Habitats Directive is implemented by (non-exhaustively) Nature Conservation (Scotland) Act 2004; The Conservation (Natural Habitats) Amendment (Scotland) Regulations 2007; The Environmental Impact Assessment (Agriculture) (Scotland) Regulations 2006; The Conservation (Natural Habitats) (Amendment) (No. 2) (Scotland) Regulations 2007; and The Environmental Impact Assessment and Natural Habitats (Extraction of Minerals by Marine Dredging) (Scotland) Regulations 2007.</p> <p>The Water Framework Directive is implemented by (non-exhaustively) The Water Environment (Drinking Water Protected Areas) (Scotland) Order 2013; The Water Environment (River Basin Management Planning: Further Provision) (Scotland) Regulations 2013; the Water Environment and Water Services (Scotland) Act 2003.</p> <p>The Marine Strategy Framework Directive is implemented by Marine (Scotland) Act 2010 (asp. 5).</p> <p>The 2024 SG Annual Report identified the NR Regulation as one of those EU acts with which the SG intends to align.</p> <p>The SP Net Zero, Energy and Transport Committee may wish to seek an update from the SG regarding progress on ensuring alignment with the NR Regulation.</p>	
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Policy Area: Police and Judicial Cooperation			
EC Work Programme EU Law Tracker Entry: 150			
EU Law Proposal	Relevant SG Alignment	Divergence vs Alignment	Competence
Regulation (EU) 2024/982 on the automated search and exchange of data for police cooperation (Prüm II)	Yes	Intended Alignment	Mixed
In March 2024 the EU adopted a new Regulation ((EU) 2024/982) on automated search and exchange of	The new Prüm II Regulation amends Council	In the 2024 SG Annual Report the Prüm II Regulation was identified as one of the measures to which the SG	

<p>data for police cooperation known as the Prüm II Regulation.</p> <p>The aim of Prüm II is to improve, streamline and facilitate the exchange of data for police cooperation. It includes provisions for the sharing of DNA profiles and fingerprint data, vehicle registration data, facial images, police records, missing persons data; it also establishes the European Police Record Index System (EPRIS) for querying national police records for which EUROPOL is responsible.</p>	<p>Decisions 2008/615/JHA and 2008/616/JHA as well as Regulation (EU) 2018/1726 all of which are in scope of the SG alignment commitment, subject to the extent of devolved competence in the area.</p>	<p>intends to align albeit noting: “Scotland cannot unilaterally ‘align’ with this regulation and can only obtain access to the platform through agreement with the EU via the TCA. Once invited to join, the UKG will negotiate access to Prüm II which will be subject to Ministerial approval.”</p> <p>The Justice Committee may wish to seek an update from SG on its discussions with UKG about access to Prüm II through the TCA.</p>	
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Policy Area: Environmental Protection			
EC Work Programme EU Law Tracker Entry: 37			
EU Law (or Proposal)	Relevant SG Alignment	Divergence vs Alignment	Competence
<p>Directive (EU) 2024/1785 amending Directive 2010/75/EU on industrial emissions and Council Directive 1999/31/EC on landfill waste</p>	<p>Yes</p>	<p>Divergence Alignment Under Consideration</p>	<p>Devolved</p>
<p>In April 2024 the EU adopted an amending Directive on industrial emissions (new IED).</p> <p>The measures introduced by the new IED: including additional sources of emissions; streamlining the granting of operating permits for industrial installations and farms; stricter limit values on emissions; tighter conditions for derogations; requirement on industry to develop transformation plans; introduction of a right for EU citizens to seek compensation for damage to health caused by illegal pollution.</p> <p>The new IED entered into force in August 2024, however the deadline for EU Member States to transpose its provisions into national law is July 2026.</p>	<p>The new IED amends the existing Industrial Emissions Directive and the Landfill Directive both of which are in scope of the SG alignment commitment.</p>	<p>In Scotland the established Industrial Emissions Directive (2010/75/EU) is given effect as assimilated law by The Pollution Prevention and Control (Scotland) Regulations 2012 (SSI 2012/360). Changes have been made to the PPC Regulations to reflect EU Exit (see SSI 2019/26 and SSI 2019/175); some changes were also made to the PPC regulations by the Circular Economy (Scotland) Act 2024. The PPC Regulations have not been updated to reflect changes introduced at EU level by the new IED.</p> <p>The 2024 SG Annual Report states that the new IED is ‘under consideration’ for alignment.</p> <p>The SP Net Zero, Energy and Transport Committee may wish to seek an update from the SG regarding progress on their consideration of alignment with the new IED.</p>	

4. ANALYSIS

4.1 Summary of Legislative Changes

4.1.1 EU Initiated Change

Of the roughly 250 EU laws that, pre-Brexit, were either fully or partially in the competence of the Scottish Government and therefore potentially in scope of the alignment commitment 39 have been repealed since the end of the UK Transition Period (see Annex 1).⁶⁶ Not all of the repealed EU acts have been directly replaced because the effect of some changes during the reporting period was to replace numerous established acts with one more comprehensive new EU act. In particular this applies to the introduction of the Animal Health Law and the Official Controls Act – the former accounts for 13 of the repealed EU acts and the latter for 6 repealed acts. According to this analysis, approximately 227 acts of secondary EU law (regulations and directives) are currently in scope of the SG alignment commitment – this is a conservative estimate as it does not include all recently adopted new EU laws or draft EU proposals which are likely to be in scope in future.

As part of the normal process of EU law-making, tertiary (implementing or delegated) acts are frequently adopted. In the time period covered by all the EU Law Tracker Reports – January 2021 to January 2025– approximately 1394 acts of tertiary EU law have been adopted in relation to acts that are considered in scope of the Scottish Government alignment commitment (see Annex 1). By definition tertiary EU acts make technical or operational provisions for the implementation of the ‘parent act’ to which they relate – changes made at this level do not tend to alter policy trajectories and are therefore not often likely to have a significant divergence effect. That said, on occasion EU implementing law makes changes that, although still technical in nature, nonetheless result in divergence of standards that are relevant for Scotland and its policy of alignment. Examples of tertiary law changes are included in the case studies of this Report (see section 3.1) and the detailed EU Law Tracker (see Annex 1) provides a full record of where updates have been made; notably, tertiary EU laws are only made under certain secondary ‘parent’ EU acts. To demonstrate, of the 1394 acts of tertiary EU law adopted in relation to acts considered in scope of SG alignment: 481 have been adopted under Regulation (EU) 2016/429, the Animal Health Law; 278 have been adopted under Regulation (EU) No 528/2012 concerning the use and sale of biocidal products; 142 have been adopted under Regulation (EU) 2017/625 on official controls regarding agri-food goods and EU plant and animal health rules; 98 have been adopted under Regulation (EU) 2016/2031 on protective measures against pests of plants. This asymmetry in the adoption of EU tertiary laws that are relevant to the SG alignment commitment means that, notwithstanding the high number of specific implementing acts, the majority occur in relation to specific areas of policy, thus making it possible to target scrutiny accordingly.

⁶⁶ A small number of additional acts have been repealed by a new act but the repeal has not yet taken place due to transitional arrangements – these cases are not included in the total.

Although any one individual change in EU tertiary law is unlikely to have a visible impact, the cumulative effect of multiple changes of this nature over time is likely to result in evident divergence, assuming no corresponding changes are made in Scotland. Additionally, where there are corresponding but separate developments in domestic law – Scotland specific or UK-wide – the effect of technical changes in EU law become more significant. Notably, this assessment supports the Scottish Government position “that all EU legislation (tertiary or otherwise) has potential relevance to the commitment to align and is considered in the same way as regulations and directives for relevance to Scotland”.⁶⁷

When a considerable amount of change has been made to an EU regulation, directive, or decision via tertiary EU law, a ‘consolidated version’ of the parent act is often published wherein all changes and updates are incorporated in the original text. Although not an exact measure, tracking the number of consolidated text versions published during the reporting period for EU law instruments in scope of the alignment commitment can therefore give an indicator of the level of change being made via tertiary law. Since the end of the UK Transition Period until the end of the report period, 86 consolidated text versions have been published for relevant EU law instruments (see Annex 1); 13 of these have been published in the research period covered by this EU Law Tracker.

Several initiatives for new EU regulations or directives are relevant to the Scottish Government’s alignment commitment. At least 36 of the priority proposals identified in the European Commission Work Programme for 2024 relate to existing acts of EU law that are in scope of the alignment commitment. If not for UK withdrawal from the EU those 36 proposed EU instruments could have been expected to enact measures that are fully or partially within Scottish competence; they are therefore relevant to the alignment commitment. Since the publication of the EC Work Programme, 24 of these proposals have become EU law; of these 12 were adopted as new EU acts in the period covered by this EU Law Tracker.

As indicated in the report (see Section 2.1.3), the CEEAC Committee or other Subject Committees in the Scottish Parliament may wish to seek updates from the Scottish Government on all or some of these new EU acts that are relevant to the alignment commitment.

4.1.2 Scotland and UK Initiated Change

As noted in this Report, alongside use of the EU (Continuity) Act 2021 powers to keep pace with EU policy, the Scottish Government may opt to pass primary acts of law that help fulfil the commitment to stay aligned with EU law as appropriate. For this reason, tracking the evolution of primary Scottish law is an important aspect of monitoring the implementation of the alignment commitment. One of the two primary acts of law passed in Scotland during the reporting period can be considered relevant to the alignment commitment. Of the 177 statutory instruments passed for Scotland during the research period, 15 are (directly or indirectly) relevant to the

⁶⁷ Scottish Government 2023, June 28 ‘Document Summarising Consideration of the Representations Made on the Draft Annual Report on the Scottish Ministers Exercise of the Power in Section 1 of the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021 Laid in Draft in Parliament on 27 October 2022’ [SG/2023/138] *parliament.scot* Available: <https://www.parliament.scot/-/media/files/committees/constitution-europe-external-affairs-and-culture-committee/correspondence/2023/explanatory-note-on-representations.pdf> (Accessed 11 September 2023): para. 16.

alignment commitment. Notably, several of these SSIs implement provisions that either do diverge or may result in divergence from EU rules (see Table 5).

In addition to understanding the evolution of relevant EU law and its implications for the alignment commitment, changes in UK-wide (or GB-wide) law are also an important part of the overall picture when it comes to Scotland keeping pace with EU policies. Over time as the EU and the UK legal orders and policy priorities develop (following Brexit) on separate trajectories, any decision taken in Scotland to align with EU law or policy (potentially) as opposed to UK law (including either England and Wales or England, Wales, and Northern Ireland) can be expected to have more evident implications for intra-UK relations and the operation of the UK internal market. For this reason, tracking the evolution of primary UK-wide or GB-wide law developments where these overlap with areas of (previous) EU competence is another important aspect of monitoring the implementation of the SG alignment commitment.

One new UK-wide (or GB-wide) Act was passed and five new Bills were laid during the reporting period that make provisions which are directly or indirectly relevant to the SG alignment commitment. The CEEAC Committee and/or other Subject Committees in the Scottish Parliament may wish to invite Scottish Government Ministers to respond to the possible impacts of domestic law changes – made either in Holyrood or Westminster – on the alignment commitment going forward.

4.2 Overall Assessment of Alignment vs Divergence

Changes in EU law relevant to the Scottish Government alignment commitment and documented in this EU Law Tracker can usefully be separated into five categories:

- Divergence due to evolution of established EU laws
- Divergence due to repeal and replacement of EU laws
- Divergence due to adoption of new EU laws

- Divergence (or Alignment) due to relevant changes in Scots Law
- Divergence (or Alignment) due to relevant changes in UK (or UK in respect of Great Britain) Law

In line with the commissioned parameters of this research, the case studies in this report focus primarily on the first three categories where changes are EU-initiated.

As indicated in previous issues of the EU Law Tracker, the potential for divergence between Scots Law and EU Law increases over time as the two legal orders and regulatory regimes continue to develop separately after Brexit. While detail contained in this report does not document wholesale change in the degree of alignment between Scotland and the EU, it does contain more examples than previous issues of the EU Law Tracker of actual and/or potential divergence between the two parties as a result of both domestic legislative change and EU legislative change.

Determining the precise extent of divergence depends on how it is defined. In view of the Scottish Government's approach to reporting on alignment, as detailed throughout this EU Law Tracker, a distinction can usefully be made between 'policy alignment' and 'legislative alignment' the former referring to shared principles or objectives and the latter referring to adopting the same legal rules or standards. Where Scots law initiatives are stated by the SG to uphold the alignment commitment, this is often on the level of policy alignment rather than legal alignment of the kind experienced and practiced in EU Member States and by those outside the EU, but which have an agreed legal arrangement for some degree of alignment with EU law. This is not necessarily unexpected given the terms of the wider UK-EU relationship; however it also means that, even in areas where Scotland is 'aligning' with EU policy principles, legal differences and the lack of recognition of any alignment is likely to still result in regulatory and trading frictions.

The Scottish Government's revised approach to reporting on the implementation of its alignment policy is a very welcome development and one that supports transparency and aids legislative clarity. To strengthen further the service provided by the SG Annual Reports some minor changes could be made to the use of terminology regarding EU proposals – for example consistently including references to the relevant EU document, communication or legislation – in pursuit of greater clarity for parliamentarians and stakeholders engaging with the content of the reports. It is also worth noting that the main focus of SG Annual Reports is more on new EU initiatives and proposals and less on revisions and updates to established EU laws via tertiary or amending secondary EU acts; while an understandable approach, this does create the possibility of potentially relevant changes to established EU acts being missed.

Notwithstanding the changed political landscapes in both the EU and the UK following elections in 2024, it is still the case that, across a range of policy areas there is potential for divergence by default if Scotland does not actively pursue the same legislative provisions as the EU in areas within its devolved competence and therefore potentially in scope of the alignment commitment. It is also still the case that initiatives being pursued at a UK-wide or GB-wide level are likely to, at least on occasion, sit in tension with the Scottish Government's commitment to alignment and may force a choice between aligning with other regions of the UK and aligning with the EU legal acquis albeit without formal recognition by the EU of any such alignment in the case of the latter.

Talks on the future of the UK-EU relationship are due to take place this year with the UK Government reportedly seeking a closer relationship with the EU in respect to security, safety and law enforcement, as well as trade.⁶⁸ Should these talks result in an arrangement for closer legal alignment between the EU and the whole of the UK, this can be expected to further facilitate the SG implementation of its commitment to stay aligned with EU law, where appropriate. Equally, the domestic implementation of a new UK-wide agreement with the EU may result in greater centralisation of policy areas within its scope. Opportunities for the Scottish Parliament to scrutinise the implementation of any such agreement, or the development of related legislation, may be diminished unless existing scrutiny processes are reviewed and/or new scrutiny processes developed.

⁶⁸ Nick Thomas-Symonds MP in 'Business and Trade Committee – Oral Evidence: Export-led Growth, HC 649' 21 January 2025 [committees.parliament.uk](https://committees.parliament.uk/committees.parliament.uk/available/15252/pdf) Available: <https://committees.parliament.uk/oralevidence/15252/pdf>

5. APPENDICES

Appendix One: Record of EU Law Changes in Scope of Alignment Commitment

How to Read

To enable cross-reference with the content of the EU Law Tracker Report, Column 1 provides a number for each instrument of EU law that is potentially in scope of the alignment commitment - those EU instruments that are no longer in force are not numbered. EU instruments that were fully or partially within the scope of Scottish Government competence before UK withdrawal from the EU, according to the UK government Frameworks Analysis (2021) and/or specifically identified by the Scottish Government are listed in Column 2. Any changes that have subsequently been made by the EU through its ordinary legislative processes to these EU instruments are indicated in **green** for those that have entered into force since the UK left the EU and **red** for those that are no longer in force as of 31 December 2024. Columns 3 and 4 provide links to the relevant EU act and the latest consolidated version of it where applicable; consolidated versions of EU acts incorporate any revisions or updates made. Columns 5 and 6 capture the process and nature of any changes that have been made to the EU instruments listed when these have taken place after the end of the UK Transition Period on 31 December 2020, the date when any changes in EU law ceased to apply automatically in UK law. Where changes have occurred via EU implementing/delegated legislation since the end of the UK Transition Period, details are provided either in the form of EU references or a summary account where 30+ acts are relevant. Please note, amendments made via implementing/delegated legislation are an important, but not the only, mechanism by which EU instruments can be changed, to access more updated versions see the consolidated text of the relevant act (Column 4) as appropriate.

The presentation of the detailed EU Law Tracker in these Annexes is intended to provide an indicative reference only. To allow for closer study of the content of the Tracker please see accompanying pdf.

Policy Area Summary: ENVIRONMENTAL PROTECTION

EU acts in scope: 49 directives and regulations.

Total EU tertiary acts since 1 January 2021: 74 implementing and delegated acts.

Change since last EU Law Tracker report: 5 secondary and 19 tertiary acts.

No.	Policy Area	European Union Law, Status and Processes				Since Last EU Tracker	
		Official Journal	Consolidated Text	EU Law Updates	EU Implementing Law Updates	EU (Secondary) Law	EU (Tertiary) Law
ENVIRONMENTAL PROTECTION							
Carbon Capture and Storage							
1	Directive 2009/31/EC of the European Parliament and of the Council of 23 April 2009 on the geological storage of carbon dioxide and amending Council Directive 85/337/EEC, European Parliament and Council Directives 2000/60/EC, 2001/80/EC, 2004/35/EC, 2006/12/EC, 2008/1/EC and Regulation (EC) No 1013/2006	L 140, 5.6.2009 p. 114-135	Consolidated: 24.12.2018	N/A	N/A	N/A	N/A
Energy Efficiency							
2	Directive 2012/27/EU of the European Parliament and of the Council of 25 October 2012 on energy efficiency, amending Directives 2009/125/EC and 2010/30/EU and repealing Directives 2004/8/EC and 2006/32/EC	L 315, 14.11.2012 p. 1-56	Consolidated: 4.6.2023	N/A	Commission Delegated Regulation (EU) 2023/2104 and (EU) 2023/302	N/A	N/A
Energy Planning Consents							
3	Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment	L 26, 28.1.2012 p. 1-21	Consolidated: 15.05.2014	N/A	N/A	N/A	N/A
4	Directive 2003/35/EC of the European Parliament and of the Council of 26 May 2003 providing for public participation in respect of the drawing up of certain plans and programmes relating to the environment and amending with regard to public participation and access to justice Council Directives 85/337/EEC and 96/61/EC - Statement by the Commission	L 168, 25.6.2003 p. 17-26	Consolidated: 31.12.2018	N/A	N/A	N/A	N/A
5	Directive 2014/52/EU of the European Parliament and of the Council of 16 April 2014 amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment	L 124, 25.4.2014 p. 1-10	N/A	N/A	N/A	N/A	N/A
Onshore Hydrocarbons Licensing							
6	Directive 94/22/EC of the European Parliament and of the Council of 30 May 1994 on the conditions for granting and using authorizations for the prospecting, exploration and production of hydrocarbons	L 164, 30.6.1994 p. 3-8	Consolidated: 24.12.2018	N/A	N/A	N/A	N/A
Renewable Energy							
7	Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources (recast)	L 328, 21.12.2018	Consolidated: 16.7.2024	N/A	Commission Delegated Regulation (EU) 2021/2003, 2022/759, 2023/1184, 2023/1185, 2023/1640, 2024/1405, 2024/1408; Commission Implementing Decision (EU) 2022/603, 2022/604, 2022/605, 2022/611, 2022/609, 2022/600, 2022/607, 2022/602, 2022/610, 2022/608, 2022/601, 2022/599, 2022/606, 2022/996, 2022/1657, 2022/1656, 2022/1655, 2022/2448, 2022/2461, 2023/1760, 2024/605, 2024/661, 2024/2630, 2024/2624, 2024/2626, 2024/2666, 2024/3194, 2024/3176, 2024/3191, 2024/3181, 2024/3180	N/A	9
Biodiversity - Resource Access & Benefit Sharing							
8	Regulation (EU) No 511/2014 of the European Parliament and of the Council of 16 April 2014 on compliance measures for users from the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization in the Union	L 150, 20.5.2014 p. 59-71	N/A	N/A	Latest: 13 October 2015	N/A	N/A
9	Commission Implementing Regulation (EU) 2015/1866 of 13 October 2015 laying down detailed rules for the implementation of Regulation (EU) No 511/2014 of the European Parliament and of the Council as regards the register of collections, monitoring user compliance and best practices	L 275, 20.10.2015 p. 4-19	N/A	N/A	N/A	N/A	N/A
Flood Risk Management							
10	Directive 2007/60/EC of the European Parliament and of the Council of 23 October 2007 on the assessment and management of flood risks	L 288, 6.11.2007 p. 27-34	N/A	N/A	N/A	N/A	N/A
Marine Environment							
11	Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive)	L 164, 25.6.2008 p. 19-40	Consolidated: 7.6.2017	N/A	N/A	N/A	N/A
12	Commission Directive (EU) 2017/845 of 17 May 2017 amending Directive 2008/56/EC of the European Parliament and of the Council as regards the indicative lists of elements to be taken into account for the preparation of marine strategies	L 125, 18.5.2017 p. 27-33	N/A	N/A	N/A	N/A	N/A
Natural Environment and Biodiversity							
13	Regulation (EU) No 1143/2014 of the European Parliament and of the Council of 22 October 2014 on the prevention and management of the introduction and spread of invasive alien species	L 317, 11.11.2014 p. 35-55	Consolidated: 14.12.2019	N/A	Commission Implementing Regulation (EU) 2023/1203, 2024/574	N/A	N/A
14	Council Regulation (EEC) No 3254/91 of 4 November 1991 prohibiting the use of leghold traps in the Community and the introduction into the Community of pelts and manufactured goods of certain wild animal species originating in countries which catch them by means of leghold traps or trapping methods which do not meet international humane trapping standards	L 308, 9.11.1991 p. 1-4	N/A	N/A	N/A	N/A	N/A
15	Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds	L 20, 26.1.2010 p. 7-25	Consolidated: 26.06.2019	N/A	N/A	N/A	N/A
16	Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora	L 205, 22.7.1992 p. 7-50	Consolidated: 1.7.2013	N/A	N/A	N/A	N/A
17	Council Directive 1999/22/EC of 29 March 1999 relating to the keeping of wild animals in zoos	L 94, 9.4.1999 p. 24-26	N/A	N/A	N/A	N/A	N/A
18	Council Directive 83/129/EEC of 28 March 1983 concerning the importation into Member States of skins of certain seal pups and products derived therefrom	L 91, 9.4.1983 p. 30-31	Consolidated: 15.6.1989	N/A	N/A	N/A	N/A
Noise Management							
19	Directive 2002/49/EC of the European Parliament and of the Council of 25 June 2002 relating to the assessment and management of environmental noise - Declaration by the Commission in the Conciliation Committee on the Directive relating to the assessment and management of environmental noise	L 189, 18.7.2002 p. 12-25	Consolidated: 29.7.2021	N/A	N/A	N/A	N/A
Spatial Data Infrastructure Standards							
20	Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE)	L 108, 25.4.2007 p. 1-14	Consolidated: 26.11.2021	N/A	N/A	Consolidated	N/A
21	Decision (EU) 2024/2829 of the European Parliament and of the Council of 23 October 2024 amending Directive 2007/2/EC as regards certain reporting requirements for infrastructures for spatial information	L 2024/2829, 11.2024		N/A	N/A	1	N/A

	Water Quality								
22	Council Directive 91/271/EEC of 21 May 1991 concerning urban waste-water treatment	1135/30/5/1991 p.46-52	Consolidated: 15.4.2024	N/A	N/A	N/A	N/A	N/A	N/A
23	Directive (EU) 2024/3019 of the European Parliament and of the Council of 23 November 2024 concerning urban wastewater treatment (recast)	12024/3019/12/2024		N/A	N/A	N/A	N/A	1	N/A
24	Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy Council Directive 98/83/EC of 13 November 1998 on the quality of water intended for human consumption, date of end of validity 12.1.2023	1327/22/12/2000 p.1-73 1330/5/17/1998 p.32-54	Consolidated: 20.11.2014 Consolidated: 27.10.2016	N/A	N/A	N/A	N/A	N/A	N/A
25	Directive (EU) 2020/2184 of the European Parliament and of the Council of 16 December 2020 on the quality of water intended for human consumption (recast)	1435/23/12/2020 p.1-62		N/A	N/A	N/A	N/A	N/A	N/A
	Harbours - Waste Management								
26	Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment	126/28/1/2012 p.1-21	Consolidated: 15.5.2014	N/A	N/A	N/A	N/A	N/A	N/A
27	Directive 2014/52/EU of the European Parliament and of the Council of 16 April 2014 amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment	1124/25/4/2014 p.1-18		N/A	N/A	N/A	N/A	N/A	N/A
	Energy Performance of Buildings								
28	Directive 2010/31/EU of the European Parliament and of the Council of 19 May 2010 on the energy performance of buildings (recast)	1153/18/6/2010 p.13-35	Consolidated: 1.1.2021	N/A	N/A	Commission Implementing Regulation (EU) 2020/2156 and Commission Delegated Regulation (EU) 2020/2155	N/A	N/A	N/A
	Environmental Impact Assessment Directive								
29	Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment	126/28/1/2012 p.1-21	Consolidated: 15.5.2014	N/A	N/A	N/A	N/A	N/A	N/A
	Strategic Environmental Assessment								
30	Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment	1497/24/7/2001 p.38-37		N/A	N/A	N/A	N/A	N/A	N/A
	Control of Major Accident Hazards								
31	Directive 2012/18/EU of the European Parliament and of the Council of 4 July 2012 on the control of major-accident hazards involving dangerous substances, amending and subsequently repealing Council Directive 96/82/EC Text with EEA relevance	1197/24/7/2012 p.1-37		N/A	N/A	Commission Implementing Decision (EU) 2022/1979	N/A	N/A	N/A
	Harbours - Substances								
32	Council Directive 2013/15/EU of 22 October 2013 laying down requirements for the protection of the health of the general public with regard to radioactive substances in water intended for human consumption	1286/7/11/2013 p.12-21		N/A	N/A	N/A	N/A	N/A	N/A
	Air Quality								
33	Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air for Europe	1152/11/6/2008 p.1-44	Consolidated: 18.9.2015	N/A	N/A	N/A	N/A	N/A	N/A
34	Directive 2004/107/EC of the European Parliament and of the Council of 15 December 2004 relating to arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons in ambient air	123/26/1/2005 p.3-16	Consolidated: 18.9.2015	N/A	N/A	N/A	N/A	N/A	N/A
35	Directive (EU) 2024/2881 of the European Parliament and of the Council of 23 October 2024 on ambient air quality and cleaner air for Europe (recast)	12024/2881/20/11/2024		N/A	N/A	N/A	N/A	1	N/A
	Industrial Emissions - Best Available Techniques (BAT)								
36	Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control)	1334/17/12/2010 p.17-110	Consolidated: 4.8.2024	N/A	N/A	Commission Implementing Decision (EU) 2020/2009, 2021/2326, 2022/2110, 2022/2427, 2022/2508 and 2023/2749, ...	N/A	1	
37	Directive (EU) 2024/1785 of the European Parliament and of the Council of 24 April 2024 amending Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions (integrated pollution prevention and control) and Council Directive 1999/31/EC on the landfill of waste	12024/1785/15/7/2024		N/A	N/A	N/A	N/A	1	
	Waste & Resources								
38	Council Directive 1999/31/EC of 26 April 1999 on the landfill of waste	1192/16/7/1999 p.1-19	Consolidated: 4.8.2024	N/A	N/A	N/A	N/A	N/A	N/A
39	Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives	1312/22/11/2008 p.3-30	Consolidated: 18.2.2024	N/A	N/A	N/A	N/A	N/A	N/A
40	Directive 2012/19/EU of the European Parliament and of the Council of 4 July 2012 on waste electrical and electronic equipment (WEEE)	1197/24/7/2012 p.38-71	Consolidated: 4.4.2024	N/A	N/A	Latest 17 December 2019	N/A	N/A	N/A
41	Directive 2006/66/EC of the European Parliament and of the Council of 6 September 2006 on batteries and accumulators and waste batteries and accumulators and repealing Directive 91/157/EEC	1266/26/9/2006 p.1-14	Consolidated: 4.7.2018	N/A	N/A	N/A	N/A	N/A	N/A
42	Directive 2000/52/EC of the European Parliament and of the Council of 18 September 2000 on end-of-life vehicles	1269/21/19/2000 p.31-43	Consolidated: 30.3.2023	N/A	N/A	N/A	N/A	N/A	N/A
43	European Parliament Council Directive 94/62/EC of 20 December 1994 on packaging and packaging waste	1365/31/12/1994 p.15-23	Consolidated: 4.7.2018	N/A	N/A	N/A	N/A	N/A	N/A
44	Directive 2008/21/EC of the European Parliament and of the Council of 15 March 2008 on the management of waste from extractive industries and amending Directive 2004/35/EC	1192/11/4/2008 p.15-34	Consolidated: 7.8.2008	N/A	N/A	N/A	N/A	N/A	N/A
45	Directive 2012/18/EU of the European Parliament and of the Council of 4 July 2012 on the control of major-accident hazards involving dangerous substances, amending and subsequently repealing Council Directive 96/82/EC	1197/24/7/2012 p.1-37		N/A	N/A	Commission Implementing Decision (EU) 2022/1979	N/A	N/A	N/A
	Other Depleting Substances and Gases								
46	Regulation (EC) No 517/2004 of the European Parliament and of the Council of 28 April 2004 on fluorinated greenhouse gases and repealing Regulation (EC) No 842/2006 - No longer in force, date of end of validity: ...	1150/26/5/2014 p.105		Repealed by Regulation (EU) 2024/573: Article 37	Commission Implementing Decision 2020/1604, 2021/456, 2021/980, 2023/2432, and ...	Commission Implementing Decision (EU) 2024/2053, 2024/2174, 2024/2195, 2024/2215, 2024/2473, 2024/2729, ...	N/A	N/A	N/A
47	Regulation (EC) No 1005/2009 of the European Parliament and of the Council of 16 September 2009 on substances that deplete the ozone layer	1285/31/10/2009 p.1	Consolidated: 19.4.2017	N/A	N/A	N/A	N/A	N/A	N/A
	Ecodesign								
48	Directive 2009/125/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for the setting of ecodesign requirements for energy-related products (recast)	1285/31/10/2009 p.10	Consolidated: 4.12.2012				N/A	N/A	N/A
49	Regulation (EU) 2024/1781 of the European Parliament and of the Council of 13 June 2024 establishing a framework for the setting of ecodesign requirements for sustainable products, amending Directive (EU) 2020/1828 and Regulation (EU) 2023/1542 and repealing Directive 2009/125/EC	12024/1781/28/6/2024					N/A	N/A	N/A
						Total implementing/Delegated	74	6	19

Policy Area Summary: ANIMAL HEALTH & WELFARE

EU acts in scope: 26 directives and regulations.

Total EU tertiary acts since 1 January 2021: 660 implementing and delegated acts.

Change since last EU Law Tracker report: 0 secondary act and 64 tertiary acts.

	ANIMAL HEALTH & WELFARE						EU (Secondary) Law	EU (Tertiary) Law
	Animal Disease Control, Zoonosis Control							
50	Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies	1147/31/5/2001 p.1	Consolidated: 15.4.2024	N/A	N/A	N/A	N/A	N/A
	Council Directive 77/391/EEC of 17 May 1977 introducing Community measures for the eradication of brucellosis, tuberculosis and leucosis in cattle No longer in force, date of end of validity: 20.4.2021	1445/19/6/1977 p.44		N/A	Repealed and replaced by Regulation (EU) 2016/429: Article 270	N/A	N/A	N/A
	Council Directive 78/52/EEC of 13 December 1977 establishing the Community criteria for national plans for the control and eradication of brucellosis, tuberculosis and enzootic leukosis in cattle No longer in force, date of end of validity: 20.4.2021	115/19/1/1978 p.24		N/A	Repealed and replaced by Regulation (EU) 2016/429: Article 270	N/A	N/A	N/A
	Council Directive 2003/85/EC of 29 September 2003 on Community measures for the control of foot-and-mouth disease repealing Directives 85/111/EEC and Decisions 89/531/EEC and 91/685/EEC and amending Directive 92/46/EEC No longer in force, date of end of validity: 20.4.2021	1308/27/12/2003 p.1		N/A	Repealed and replaced by Regulation (EU) 2016/429: Article 270; and Regulation (EU) 2020/687	N/A	N/A	N/A
	Council Directive 2005/94/EC of 20 December 2005 on Community measures for the control of avian influenza and repealing Directive 92/40/EEC No longer in force, date of end of validity: 20.4.2021	110/14/4/2006 p.16		N/A	Repealed and replaced by Regulation (EU) 2016/429: Article 270; and Regulation (EU) 2020/687	N/A	N/A	N/A
	Council Directive 2001/89/EC of 23 October 2001 on Community measures for the control of classical swine fever No longer in force, date of end of validity: 20.4.2021	1316/1/12/2001 p.5		N/A	Repealed and replaced by Regulation (EU) 2016/429: Article 270; and Regulation (EU) 2020/687	N/A	N/A	N/A
	Council Directive 92/35/EEC of 29 April 1992 laying down control rules and measures to combat African horse sickness No longer in force, date of end of validity: 20.4.2021	1157/10/6/1992 p.19		N/A	Repealed and replaced by Regulation (EU) 2016/429: Article 270	N/A	N/A	N/A
	Council Directive 2002/60/EC of 27 June 2002 laying down specific provisions for the control of African swine fever and amending Directive 92/119/EEC as regards Teschen disease and African swine fever No longer in force, date of end of validity: 20.4.2021	1182/20/7/2002 p.27		N/A	Repealed and replaced by Regulation (EU) 2016/429: Article 270	N/A	N/A	N/A
51	Regulation (EC) No 2160/2003 of the European Parliament and of the Council of 17 November 2003 on the control of salmonella and other specified food-borne zoonotic agents	1825/12/12/2003 p.1	Consolidated: 71.4.2021	N/A	N/A	N/A	N/A	N/A

	<p>Council Directive 92/66/EEC of 14 July 1992 introducing Community measures for the control of Newcastle disease No longer in force, date of end of validity: 20.4.2021</p> <p>Council Directive 92/119/EEC of 17 December 1992 introducing general Community measures for the control of certain animal diseases and specific measures relating to swine vesicular disease No longer in force, date of end of validity: 20.4.2021</p>	<p>L260 5.9.1992 p.1</p> <p>L62 15.3.1993 p.62</p>	<p>N/A</p> <p>N/A</p>	<p>Repealed and replaced by Regulation (EU) 2016/429: Article 270</p> <p>Repealed and replaced by Regulation (EU) 2016/429: Article 270</p>	<p>N/A</p> <p>N/A</p>	<p>N/A</p> <p>N/A</p>	<p>N/A</p> <p>N/A</p>
52	<p>Directive 2003/98/EC of the European Parliament and of the Council of 17 November 2003 on the monitoring of zoonoses and zoonotic agents, amending Council Decision 90/424/EEC and repealing Council Directive 92/117/EEC</p> <p>Council Directive 2000/75/EC of 20 November 2000 laying down specific provisions for the control and eradication of bluetongue No longer in force, date of end of validity: 20.4.2021</p>	<p>L205 12.12.2003 p.31</p> <p>L327 22.12.2000 p.74</p>	<p>Consolidated: 1.7.2013</p> <p>N/A</p>	<p>N/A</p> <p>Repealed and replaced by Regulation (EU) 2016/429: Article 270</p>	<p>N/A</p> <p>N/A</p>	<p>N/A</p> <p>N/A</p>	<p>N/A</p> <p>N/A</p>
53	<p>Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health (Animal Health Law)</p>	<p>L84 31.3.2016 p.208</p>	<p>Consolidated: 21.4.2021</p>	<p>N/A</p>	<p>29 Delegated and 452 Implementing since 1 Jan 2021</p>	<p>N/A</p>	<p>51</p>
54	<p>Commission Delegated Regulation (EU) 2020/687 of 17 December 2019 supplementing Regulation (EU) 2016/429 of the European Parliament and the Council, as regards rules for the prevention and control of certain listed diseases</p>	<p>L176 3.6.2020 p.64</p>	<p>Consolidated: 3.5.2023</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>
Animal Identification							
	<p>Council Regulation (EC) No 21/2004 of 17 December 2003 establishing a system for the identification and registration of ovine and caprine animals and amending Regulation (EC) No 1782/2003 and Directives 92/102/EEC and 64/432/EEC No longer in force, date of end of validity: 20.4.2021</p> <p>Regulation (EC) No 1760/2000 of the European Parliament and of the Council of 17 July 2000 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products and repealing Council Regulation (EC) No 820/97</p> <p>Council Directive 2008/71/EC of 16 July 2008 on the identification and registration of pigs No longer in force, date of end of validity: 20.4.2021</p>	<p>L5 1.2.2004 p.8</p> <p>L204 11.8.2000 p.4</p> <p>L213 8.8.2008 p.31</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p>	<p>Repealed and replaced by Regulation (EU) 2016/429: Article 270</p> <p>N/A</p> <p>Repealed and replaced by Regulation (EU) 2016/429: Article 270</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p>
Animal Welfare							
56	<p>Council Regulation (EC) No 12005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 609/136/EEC and 93/119/EEC and Regulation (EC) No 1255/97</p>	<p>L3 1.3.2005 p.1</p>	<p>Consolidated: 14.12.2010</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>
57	<p>Council Regulation (EC) No 3254/91 of 4 November 1991 prohibiting the use of leghold traps in the Community and the introduction into the Community of pelts and manufactured goods of certain wild animal species originating in countries which catch them by means of leghold traps or trapping methods which do not meet international humane trapping standards</p>	<p>L308 9.11.1991 p.1</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>
58	<p>Regulation (EC) No 1007/2009 of the European Parliament and of the Council of 16 September 2009 on trade in seal products</p>	<p>L289 31.10.2009 p.50</p>	<p>Consolidated: 18.10.2010</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>
59	<p>Regulation (EC) No 1523/2007 of the European Parliament and of the Council of 11 December 2007 banning the placing on the market and the import to, or export from, the Community of cat and dog fur, and products containing such fur</p>	<p>L343 27.12.2007 p.1</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>
60	<p>Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing</p>	<p>L303 18.11.2009 p.1</p>	<p>Consolidated: 14.12.2010</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>
61	<p>Council Directive 83/129/EEC of 28 March 1983 concerning the importation into Member States of skins of certain seal pups and products derived therefrom</p>	<p>L01 9.4.1983 p.30</p>	<p>Consolidated: 15.6.1989</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>
GMOs - Marketing & Cultivation							
62	<p>Directive 2001/18/EC of the European Parliament and of the Council of 12 March 2001 on the deliberate release into the environment of genetically modified organisms and repealing Council Directive 90/269/EEC - Commission Declaration</p>	<p>L106 17.4.2001 p.1 09</p>	<p>Consolidated: 27.3.2021</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>
63	<p>Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 22 September 2003 concerning the traceability and labelling of genetically modified organisms and the traceability of food and feed products produced from genetically modified organisms and amending Directive 2002/68/EC</p>	<p>L269 18.10.2003 p.24 26</p>	<p>Consolidated: 26.7.2019</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>
64	<p>Regulation (EC) No 1846/2003 of the European Parliament and of the Council of 15 July 2003 on transboundary movements of genetically modified organisms</p>	<p>L287 8.11.2003 p.1 10</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>
GMMOs							
65	<p>Directive 2009/41/EC of the European Parliament and of the Council of 6 May 2009 on the contained use of genetically modified micro-organisms</p>	<p>L120 21.5.2009 p.29 07</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>
Zootech							
66	<p>Regulation (EU) 2016/2012 of the European Parliament and of the Council of 8 June 2016 on zootechnical and zoological conditions for the breeding, trade in and entry into the Union of purebred breeding animals, hybrid breeding pigs and the germinal products thereof and amending Regulation (EU) No 652/2014, Council Directives 89/608/EEC and 90/425/EEC and repealing certain acts in the area of animal breeding (Animal Breeding Regulation)</p>	<p>L171 29.6.2016 p.66 143</p>	<p>N/A</p>	<p>N/A</p>	<p>Commission Implementing Regulation (EU) 2020/602, 2021/761, 2022/963, 2022/2077</p>	<p>N/A</p>	<p>N/A</p>
Organic Production Regulation							
67	<p>Council Regulation (EC) No 854/2007 of 28 June 2007 on organic production and labelling of organic products and repealing Regulation (EEC) No 2092/91</p> <p>Commission Regulation (EC) No 889/2008 of 5 September 2008 laying down detailed rules for the implementation of Council Regulation (EC) No 854/2007 on organic production and labelling of organic products with regard to organic production, labelling and control: date of end of validity 31.12.2023</p> <p>Commission Regulation (EC) No 710/2009 of 5 August 2009 amending Regulation (EC) No 889/2008 laying down detailed rules for the implementation of Council Regulation (EC) No 854/2007, as regards laying down detailed rules on organic aquaculture animal and seaweed production: date of end of validity 31.12.2021</p>	<p>L189 26.7.2007 p.1 23</p> <p>L260 18.9.2008 p.1 84</p> <p>L204 6.8.2009 p.15 34</p>	<p>Consolidated: 1.1.2022</p> <p>Consolidated: 1.1.2022</p> <p>N/A</p>	<p>N/A</p> <p>Repealed by Commission Implementing Regulation (EU) 2021/1365: Article 11</p> <p>Implicitly Repealed by Commission Implementing Regulation (EU) 2021/1166: Article 11</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p>
Official Controls							
68	<p>Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 12005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 883/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation)</p> <p>Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules - No longer in force, date of end of validity 11.12.2019</p> <p>Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption - No longer in force, date of end of validity 11.12.2019</p> <p>Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organization of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC - No longer in force, date of end of validity 11.12.2019</p> <p>Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries - No longer in force, date of end of validity 11.12.2019</p> <p>Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market - No longer in force, date of end of validity 11.12.2019</p> <p>Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market - No longer in force, date of end of validity 11.12.2019</p>	<p>L96 7.4.2017 p.1</p> <p>L165 30.4.2004 p.1</p> <p>L139 30.4.2004 p.205</p> <p>L268 24.9.1991 p.56</p> <p>L24 30.1.1999 p.9</p> <p>L224 18.8.1990 p.22</p> <p>L205 30.12.1989 p.13</p>	<p>Consolidated: 28.1.2022</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>	<p>N/A</p> <p>Repealed and Replaced by Regulation (EU) 2017/625: Article 146</p> <p>Repealed and Replaced by Regulation (EU) 2017/625: Article 146</p> <p>Repealed and Replaced by Regulation (EU) 2017/625: Article 146</p> <p>Repealed and Replaced by Regulation (EU) 2017/625: Article 146</p> <p>Repealed and Replaced by Regulation (EU) 2017/625: Article 146</p> <p>Repealed and Replaced by Regulation (EU) 2017/625: Article 146</p>	<p>108 Commission Implementing Regulations and 34 Commission Delegated Regulations since 1 January 2021</p>	<p>7</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>

Fisheries & Aquaculture							
69	Commission Regulation (EC) No 3703/85 of 23 December 1985 laying down detailed rules for applying the common marketing standards for certain fresh or chilled fish	1361.28.12.1985.p.63	Consolidated: 28.7.2009	N/A	N/A	N/A	N/A
70	Council Regulation (EEC) No 2136/89 of 21 June 1989 laying down common marketing standards for preserved sardines and trade descriptions for preserved sardines and sardine-type products	1212.22.7.1989.p.79	Consolidated: 31.12.2009	N/A	N/A	N/A	N/A
71	Council Regulation (EEC) No 1536/92 of 9 June 1992 laying down common marketing standards for preserved tuna and bonito	1363.17.6.1992.p.1	N/A	N/A	N/A	N/A	N/A
72	Council Regulation (EEC) No 2406/96 of 26 November 1996 laying down common marketing standards for certain fishery products Council Regulation (EC) No 850/98 of 30 March 1998 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms, insofar as it concerns provisions relating to minimum sizes of marine organisms - No longer in force, date of end of validity: 13.8.2019	1358.23.12.1996.p.1 1325.27.4.1998.p.1	Consolidated: 2.6.2009 N/A	N/A	N/A	N/A	N/A
73	Regulation (EU) 2019/1241 of the European Parliament and of the Council of 20 June 2019 on the conservation of fisheries resources and the protection of marine ecosystems through technical measures, amending Council Regulations (EC) No 1967/2006, (EC) No 1224/2009 and Regulations (EU) No 1386/2013, (EU) 2016/1139, (EU) 2018/973, (EU) 2019/472 and (EU) 2019/1022 of the European Parliament and of the Council, and repealing Council Regulations (EC) No 894/97, (EC) No 850/98, (EC) No 2549/2000, (EC) No 2542/2002, (EC) No 812/2004 and (EC) No 2187/2005	1388.26.7.2019.p.100	Consolidated: 11.10.2024	N/A	N/A	Consolidated	5
Fisheries & Aquaculture Marketing							
74	Regulation (EU) No 1379/2013 of the European Parliament and of the Council of 11 December 2013 on the common organisation of the markets in fishery and aquaculture products amending Council Regulations (EC) No 1184/2006 and (EC) No 1224/2009 and repealing Council Regulation (EC) No 104/2000, insofar as it concerns provisions relating to marketing standards and consumer information Council Directive 2006/85/EC of 24 October 2006 on animal health requirements for aquaculture animals and products thereof, and on the prevention and control of certain diseases in aquatic animals - No longer in force, date of end of validity: 30.04.2021	1364.28.12.2013.p.1 1368.24.11.2006.p.14	Consolidated: 27.11.2024 Consolidated: 6.9.2014	N/A	Latest: 12 March 2018 N/A	Consolidated	N/A
75	Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1964/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC, insofar as it concerns provisions relating to marketing standards for fishery and aquaculture products	1364.28.12.2013.p.20	Consolidated: 1.1.2022	N/A	N/A	N/A	1
				Total Implementing/ Delegated		0	64

Policy Area Summary: PLANT HEALTH

EU acts in scope: 17 directives and regulations.

Total EU tertiary acts since 1 January 2021: 377 implementing and delegated acts.

Change since last EU Law Tracker report: 0 secondary and 49 tertiary acts.

PLANT HEALTH						EU (Secondary) Law	EU (Tertiary) Law
Plant Health							
76	Regulation (EU) 2016/2031 of the European Parliament and of the Council of 26 October 2016 on protective measures against pests of plants, amending Regulations (EU) No 228/2013, (EU) No 652/2014 and (EU) No 1143/2014 of the European Parliament and of the Council and repealing Council Directives 69/464/EEC, 74/647/EEC, 93/85/EEC, 98/57/EC, 2000/29/EC, 2006/91/EC and 2007/33/EC	1317.23.11.2016.p.4	Consolidated: 14.12.2019	N/A	96 Commission Implementing Regulations and 2 Commission Delegated Regulations	N/A	7
77	Council Regulation (EC) No 338/97 of 19 December 1996 on the protection of species of wild fauna and flora by regulating trade therein	1613.30.1997.p.1	Consolidated: 20.5.2023	N/A	N/A	N/A	N/A
Pesticides, Biocides							
78	Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 11 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC	1308.24.11.2009.p.1	Consolidated: 21.11.2022	N/A	N/A	N/A	N/A
79	Regulation (EC) No 396/2005 of the European Parliament and of the Council of 23 February 2005 on maximum residue levels of pesticides in or on food and feed of plant and animal origin and amending Council Directive 91/414/EEC	170.16.3.2005.p.1	Consolidated: 11.12.2024	N/A	N/A	Consolidated	N/A
80	Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products	1467.27.6.2012.p.1	Consolidated: 11.6.2024	N/A	273 Commission Implementing Regulations and 5 Commission Delegated Regulations	N/A	42
Plant Reproductive Material							
81	Council Directive 66/402/EEC of 14 June 1966 on the marketing of forest seed	L125.11.7.1966.p.2309	N/A	N/A	N/A	N/A	N/A
82	Council Directive 68/1193/EEC of 9 April 1968 on the marketing of material for the vegetative propagation of the vine	183.17.4.1968.p.15	Consolidated: 16.2.2020	N/A	N/A	N/A	N/A
83	Council Directive 1999/105/EC of 22 December 1999 on the marketing of forest reproductive material	L41.15.12.1999.p.47	N/A	N/A	N/A	N/A	N/A
84	Council Directive 2002/53/EC of 13 June 2002 on the common catalogue of varieties of agricultural plant species	L493.20.7.2002.p.1	Consolidated: 18.4.2014	N/A	N/A	N/A	N/A
85	Council Directive 66/401/EEC of 14 June 1966 on the marketing of fodder plant seed	L125.11.7.1966.p.2308	Consolidated: 1.9.2022	N/A	N/A	N/A	N/A
86	Council Directive 98/56/EC of 20 July 1998 on the marketing of propagating material of ornamental plants	L226.13.6.1998.p.28	Consolidated: 30.6.2014	N/A	N/A	N/A	N/A
87	Council Directive 2008/72/EC of 15 July 2008 on the marketing of vegetable propagating and planting material, other than seed	L205.1.8.2008.p.28	Consolidated: 16.8.2022	N/A	N/A	N/A	N/A
88	Council Directive 2002/54/EC of 13 June 2002 on the marketing of beet seed	L193.20.7.2002.p.13	Consolidated: 1.9.2022	N/A	N/A	N/A	N/A
89	Council Directive 2002/55/EC of 13 June 2002 on the marketing of vegetable seed	L193.20.7.2002.p.33	Consolidated: 24.12.2024	N/A	N/A	Consolidated	N/A
90	Council Directive 2002/56/EC of 13 June 2002 on the marketing of seed potatoes	L193.20.7.2002.p.80	Consolidated: 9.1.2024	N/A	N/A	N/A	N/A
91	Council Directive 2002/57/EC of 13 June 2002 on the marketing of seed of oilseed and fibre plants	L193.20.7.2002.p.74	Consolidated: 24.12.2024	N/A	N/A	Consolidated	N/A
92	Council Directive 2008/90/EC of 29 September 2008 on the marketing of fruit plant propagating material and fruit plants intended for fruit production	L207.8.10.2008.p.8	Consolidated: 13.10.2022	N/A	N/A	N/A	N/A
				Total Implementing/ Delegated		0	49

Policy Area Summary: EQUALITY, NON-DISCRIMINATION, AND HUMAN RIGHTS

EU acts in scope: 7 directives and regulations.

Total EU tertiary acts since 1 January 2021: 0 implementing and delegated acts.

Change since last EU Law Tracker report: 0 secondary and 0 tertiary acts.

EQUALITY, NON-DISCRIMINATION, AND HUMAN RIGHTS						EU (Secondary) Law	EU (Tertiary) Law
Voting Rights in Local Government Elections							
93	Article 20(2)(b) TFEU and Article 22 TFEU	C326.26.10.2012.p.47.399	N/A	N/A	N/A	N/A	N/A
Equal Treatment Legislation							
94	Council Directive 2004/113/EC of 13 December 2004 implementing the principle of equal treatment between men and women in the access to and supply of goods and services	L373.21.12.2004.p.37.43	N/A	N/A	N/A	N/A	N/A
95	Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation in respect of race or ethnic origin	L204.26.7.2006.p.23.36	N/A	N/A	N/A	N/A	N/A
96	Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of race or ethnic origin	L180.19.7.2000.p.22.26	N/A	N/A	N/A	N/A	N/A
97	Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation	L303.7.12.2000.p.16.22	N/A	N/A	N/A	N/A	N/A
98	Directive 2010/41/EU of the European Parliament and of the Council of 7 July 2010 on the application of the principle of equal treatment between men and women engaged in an activity in a self-employed capacity and repealing Council Directive 86/613/EEC	L180.15.7.2010.p.6	N/A	N/A	N/A	N/A	N/A
99	Council Directive 79/7/EEC of 19 December 1978 on the progressive implementation of the principle of equal treatment for men and women in matters of social security	L6.10.1.1979.p.24.26	N/A	N/A	N/A	N/A	N/A
				Total Implementing/ Delegated		0	0

Policy Area Summary: SOCIAL PROTECTION

EU acts in scope: 3 directives and regulations.

Total EU tertiary acts since 1 January 2021: 0 implementing and delegated acts.

Change since last EU Law Tracker report: 0 secondary and 0 tertiary acts.

SOCIAL PROTECTION						EU (Secondary) Law	EU (Tertiary) Law
EU Social Security Coordination							
100	Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems	11663042004p1-123	Consolidated: 31.7.2016	N/A	N/A	N/A	N/A
101	Regulation (EC) No 987/2009 of the European Parliament and of the Council of 16 September 2009 laying down the procedure for implementing Regulation (EC) No 883/2004 on the coordination of social security systems	128430102009p1-42	Consolidated: 11.2018	N/A	N/A	N/A	N/A
102	Regulation (EC) No 1408/71 of the Council of 14 June 1971 on the application of social security schemes to employed persons and their families moving within the Community	1149571971p2-50	Consolidated: 15.2010	N/A	N/A	N/A	N/A
	Regulation (EEC) No 574/72 of the Council of 21 March 1972 laying the procedure for implementing Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons and their families moving within the Community - date of entry into force 03.04.2010	1242731972p1-85	Consolidated: 23.2008	Repealed and Replaced by Regulation (EC) No 987/2009: Article 96	N/A	N/A	N/A
Total Implementing / Delegated						0	0

Policy Area Summary: FOOD STANDARDS

EU acts in scope: 31 directives and regulations.

Total EU tertiary acts since 1 January 2021: 195 implementing and delegated acts.

Change since last EU Law Tracker report: 2 secondary act and 21 tertiary acts.

FOOD STANDARDS						EU (Secondary) Law	EU (Tertiary) Law
Food Compositional Standards and Labelling							
103	Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety	131122002p1	Consolidated: 1.7.2024	N/A	N/A	N/A	N/A
104	Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directive 2002/67/EC and 2006/5/EC and Commission Regulation (EC) No 608/2004	130626112011p16	Consolidated: 1.1.2018	N/A	Commission Implementing Regulation (EU) 2021/334, (EU) 2021/945, (EU) 2022/1900; Commission Delegated Regulation (EU) 2024/2512	N/A	1
105	Directive 2011/91/EU of the European Parliament and of the Council of 13 December 2011 on indications or marks identifying the lot to which a foodstuff belongs	133416122011		N/A	N/A	N/A	N/A
106	Regulation (EC) No 1331/2008 of the European Parliament and of the Council of 16 December 2008 establishing a common authorisation procedure for food additives, food enzymes and food flavourings	135431122008p1	Consolidated: 27.3.2021	N/A	N/A	N/A	N/A
107	Regulation (EC) No 1332/2008 of the European Parliament and of the Council of 16 December 2008 on food enzymes and amending Council Directive 83/417/EEC, Council Regulation (EC) No 1493/1999, Directive 2000/13/EC, Council Directive 2001/112/EC and Regulation (EC) No 258/97	135431122008p7	Consolidated: 9.12.2012	N/A	N/A	N/A	N/A
108	Regulation (EC) No 1333/2008 of the European Parliament and of the Council of 16 December 2008 on food additives	135431122008p16	Consolidated: 16.12.2024	N/A	N/A	Consolidated	N/A
109	Regulation (EC) No 1334/2008 of the European Parliament and of the Council of 16 December 2008 on flavourings and certain food ingredients with flavouring properties for use in and on foods and amending Council Regulation (EEC) No 1601/91, Regulations (EC) No 2232/96 and (EC) No 110/2008 and Directive 2000/13/EC	135431122008p34	Consolidated: 9.12.2024	N/A	N/A	Consolidated	N/A
110	Directive 2002/46/EC of the European Parliament and of the Council of 10 June 2002 on the approximation of the laws of the Member States relating to food supplements	11831272002p41	Consolidated: 17.7.2024	N/A	N/A	N/A	N/A
111	Regulation (EC) No 1925/2006 of the European Parliament and of the Council of 20 December 2006 on the addition of vitamins and minerals and of certain other substances to foods	140430172006p26	Consolidated: 17.7.2024	N/A	N/A	N/A	N/A
112	Regulation (EC) No 2065/2003 of the European Parliament and of the Council of 10 November 2003 on smoke flavourings used or intended for use in or on foods	138926112003p1	Consolidated: 27.3.2021	N/A	N/A	N/A	N/A
113	Council Regulation (EEC) No 315/93 of 8 February 1993 laying down Community procedures for contaminants in food	1371321993p1	Consolidated: 7.8.2009	N/A	N/A	N/A	N/A
114	Regulation (EU) 2015/2283 of the European Parliament and of the Council of 25 November 2015 on novel foods, amending Regulation (EU) No 1169/2011 of the European Parliament and of the Council and repealing Regulation (EC) No 258/97 of the European Parliament and of the Council and Commission Regulation (EC) No 1852/2001	132711122015p1	Consolidated: 27.3.2021	N/A	95 Commission Implementing Regulations	N/A	3
115	Regulation (EU) No 609/2013 of the European Parliament and of the Council of 12 June 2013 on food intended for infants and young children, food for special medical purposes, and total diet replacement for weight control and repealing Council Directive 92/52/EEC, Commission Directives 96/B/EC, 1999/21/EC, 2006/125/EC and 2006/141/EC, Directive 2009/39/EC of the European Parliament and of the Council and Commission Regulations (EC) No 412/2009 and (EC) No 953/2009	11812962013p35	Consolidated: 20.11.2024	N/A	Commission Delegated Regulations (EU) 2021/571, (EU) 2021/572, (EU) 2021/1041, (EU) 2021/1040, (EU) 2022/519, (EU) 2022/2182, (EU) 2023/439, (EU) 2023/589, (EU) 2024/2684, (EU) 2024/2791	Consolidated	2
116	Directive 1999/4/EC of the European Parliament and of the Council of 22 February 1999 relating to coffee extracts and chicory extracts	1461331999p26	Consolidated: 18.11.2013	N/A	N/A	N/A	N/A
117	Directive 2000/36/EC of the European Parliament and of the Council of 23 June 2000 relating to cocoa and chocolate products intended for human consumption	1497382000p10	Consolidated: 18.11.2013	N/A	N/A	N/A	N/A
118	Council Directive 2001/110/EC of 20 December 2001 relating to honey	1101212002p47	Consolidated: 23.6.2014	N/A	N/A	N/A	N/A
119	Council Directive 2001/111/EC of 20 December 2001 relating to certain sugars intended for human consumption	1101212002p53	Consolidated: 18.11.2013	N/A	N/A	N/A	N/A
	Commission Implementing Regulation (EU) No 543/2011 of 17 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1334/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors. No longer in force date of entry into force 31.12.2024	14574982011p1	Consolidated: 24.10.2022	Repealed and Replaced by Commission Delegated Regulation (EU) 2023/2429	N/A	N/A	N/A
120	Commission Delegated Regulation (EU) 2023/2429 of 17 August 2023 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards marketing standards for the fruit and vegetables sector, certain processed fruit and vegetable products and the banana sector, and repealing Commission Regulation (EU) No 1666/1999 and Commission Implementing Regulations (EU) No 543/2011 and (EU) No 1333/2011	12022324293112023		N/A	N/A	N/A	N/A
121	Council Directive 2001/112/EC of 20 December 2001 relating to fruit juices and certain similar products intended for human consumption	1101212002p58	Consolidated: 5.10.2014	N/A	N/A	N/A	N/A
122	Council Directive 2001/113/EC of 20 December 2001 relating to fruit jams, jellies and marmalades and sweetened chestnut puree intended for human consumption	1101212002p67	Consolidated: 18.11.2013	N/A	N/A	N/A	N/A
123	Council Directive 2001/114/EC of 20 December 2001 relating to certain partly or wholly dehydrated preserved milk for human consumption	1151712002p10	Consolidated: 18.11.2013	N/A	N/A	N/A	N/A
124	Directive (EU) 2015/2263 of the European Parliament and of the Council of 25 November 2015 on the approximation of the laws of the Member States relating to casins and casinates intended for human consumption and repealing Council Directive 83/417/EEC	13141212015p1	N/A	N/A	N/A	N/A	N/A

Nutrition Labelling, Composition and Standards							
125	Regulation (EC) 1924/2006 of the European Parliament and of the Council of 18 December 2006 on nutrition and health claims made on foods	1464/30/12/2006 n.6	Consolidated: 13/12/2014	N/A	N/A	N/A N/A	
Food Hygiene							
126	Regulation (EC) No 853/2004 of the European Parliament and of the Council of 19 April 2004 laying down specific hygiene rules for food of animal origin	1139/30/4/2004 n.65	Consolidated: 9/11/2024	N/A	N/A	Consolidated N/A	
127	Regulation (EC) No 852/2004 of the European Parliament and of the Council of 19 April 2004 on the hygiene of foodstuffs	1139/30/4/2004 n.1	Consolidated: 24/3/2021	N/A	N/A	N/A N/A	
128	Council Directive 89/108/EEC of 21 December 1988 on the approximation of the laws of the Member States relating to quick-frozen foodstuffs for human consumption	140/11/2/1988 n.24	Consolidated: 1/7/2013	N/A	N/A	N/A N/A	
Regulation of Tobacco and Related Products							
129	Directive 2014/40/EU of the European Parliament and of the Council of 13 April 2014 on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco and related products and repealing Directive 2001/37/EC	1127/29/4/2014 n.1/38	Consolidated: 23/10/2023	N/A	Commission Delegated Directive (EU) 2022/2100 and Commission Implementing Regulation (EU) 2023/448	N/A N/A	
130	Directive 2003/33/EC of the European Parliament and of the Council of 26 May 2003 on the approximation of the laws, regulations and administrative provisions of the Member States relating to the advertising and sponsorship of tobacco products	1152/20/6/2003 n.16-19	Consolidated: 20/6/2003	N/A	N/A	N/A N/A	
Organic Products							
131	Council Regulation (EC) No 834/2007 of 28 June 2007 on organic production and labelling of organic products and repealing Regulation (EEC) No 2092/91. Repealed by (EU) 2018/848 but with partial continued application.	1169/29/7/2007 n.1	Consolidated: 1/1/2022	Repealed and Replaced by Regulation (EU) 2018/848: Article 56 [but with partial continued application]	N/A	N/A N/A	
132	Regulation (EU) 2018/848 of the European Parliament and of the Council of 30 May 2018 on organic production and labelling of organic products and repealing Council Regulation (EC) No 834/2007	1150/14/6/2018 n.1	Consolidated: 1/12/2024	N/A	38 Commission Delegated Regulations and 44 Commission Implementing Regulations	Consolidated 15	
133	Regulation (EU) 2023/2419 of the European Parliament and of the Council of 18 October 2023 on the labelling of organic products	12023/2419/27/10/2023		N/A	N/A	N/A N/A	
					Total Implementing / Delegated	195	2 21

Policy Area Summary: CHEMICALS

EU acts in scope: 6 directives and regulations.

Total EU tertiary acts since 1 January 2021: 25 implementing and delegated acts.

Change since last EU Law Tracker report: 0 secondary and 8 tertiary acts.

CHEMICALS							EU (Secondary) Law	EU (Tertiary) Law
Fertiliser Regulation								
	Regulation (EC) No 2003/2003 of the European Parliament and of the Council of 13 October 2003 relating to fertilisers: date of end of validity 15.7.2022	1304/21/11/2003 n.1-104	Consolidated: 29/6/2021	Repealed and Replaced by Regulation (EU) 2019/1009: Article 51	N/A	N/A	N/A	
134	Regulation (EU) 2019/1009 of the European Parliament and of the Council of 5 June 2019 laying down rules on the making available on the market of EU fertilising products and amending Regulations (EC) No 1069/2009 and (EC) No 1107/2009 and repealing Regulation (EC) No 2003/2003	1170/25/6/2019 n.1-114	Consolidated: 17/11/2024	N/A	Commission Delegated Regulation (EU) 2021/1768, (EU) 2021/2086, (EU) 2021/2087, (EU) 2021/2088, (EU) 2022/973, (EU) 2022/1171, (EU) 2022/1519, (EU) 2023/409, (EU) 2024/1682, (EU) 2024/2770, (EU) 2024/2790, (EU) 2024/2787, (EU) 2024/2788, (EU) 2024/2794	Consolidated	5	
Good Laboratory Practice								
135	Directive 2004/9/EC of the European Parliament and of the Council of 11 February 2004 on the inspection and verification of good laboratory practice (GMP)	150/29/2/2004 n.28-43	Consolidated: 26/7/2019	N/A	N/A	N/A	N/A	
136	Directive 2004/10/EC of the European Parliament and of the Council of 11 February 2004 on the harmonisation of laws, regulations and administrative provisions relating to the application of the principles of good laboratory practice and the verification of their applications for tests on chemical substances	150/29/2/2004 n.44-59	Consolidated: 29/4/2009	N/A	N/A	N/A	N/A	
REACH								
137	Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EEC and 2000/21/EC	1306/30/12/2006 n.1	Consolidated: 10/10/2024	N/A	N/A	Consolidated	N/A	
Persistent Organic Pollutants								
138	Regulation (EU) 2019/1021 of the European Parliament and of the Council of 20 June 2019 on persistent organic pollutants	1469/25/6/2019 n.45	Consolidated: 17/10/2024	N/A	Commission Delegated Regulation (EU) 2023/866, (EU) 2022/2291, (EU) 2023/1608, (EU) 2024/2555, (EU) 2024/2570	N/A	2	
Hazardous Chemicals								
139	Regulation (EU) No 649/2012 of the European Parliament and of the Council of 4 July 2012 concerning the export and import of hazardous chemicals	1201/27/7/2012 n.60	Consolidated: 1/11/2023	N/A	Commission Implementing Decision C/2021/6140, C/2023/3459 and (EU) 2024/1736; Commission Delegated Regulation (EU) 2022/643, (EU) 2023/1656, (EU) 2024/3199	N/A	1	
					Total Implementing / Delegated	25	0 8	

Policy Area Summary: ECONOMY & TRADE

EU acts in scope: 6 directives and regulations.

Total EU tertiary acts since 1 January 2021: 21 implementing and delegated acts.

Change since last EU Law Tracker report: 0 secondary and 1 tertiary acts.

ECONOMY & TRADE							EU (Secondary) Law	EU (Tertiary) Law
Late Payment - Commercial Transactions								
140	Directive 2011/7/EU of the European Parliament and of the Council of 16 February 2011 on combating late payment in commercial transactions	146/23/2/2011 n.1-10		N/A	N/A	N/A	N/A	
Mutual Recognition of Professional Qualifications - Cross-Sectoral								
141	Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications	1459/30/6/2005 n.27-144	Consolidated: 29/6/2024	N/A	N/A	N/A	N/A	
Services Directive								
142	Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market	1376/27/12/2006 n.38-68		N/A	N/A	N/A	N/A	
Public Procurement								
143	Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC Text with EEA relevance	134/28/3/2014 n.65-242	Consolidated: 1/1/2024	N/A	Commission Delegated Regulation (EU) 2021/1952 and (EU) 2023/2495 Commission Implementing Regulation (EU) 2022/2303 and (EU) 2023/2884 Commission Implementing Decision (EU) 2022/418, (EU) 2022/1286, (EU) 2022/1296, (EU) 2022/1576, (EU) 2022/2303, (EU) 2023/264, (EU) 2023/1228, (EU) 2023/1978, (EU) 2023/2884, (EU) 2024/2138, (EU) 2024/3224; Commission Delegated Regulation (EU) 2021/1951	N/A	N/A	
144	Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC	134/28/3/2014 n.243-374	Consolidated: 1/1/2024	N/A	Commission Delegated Regulation (EU) 2021/1951 and (EU) 2023/2497 and Commission Implementing Regulation (EU) 2022/2303 and (EU) 2023/2884	N/A	1	
145	Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 on the award of concession contracts	134/28/3/2014 n.1-64	Consolidated: 1/1/2024	N/A		N/A	0	
					Total Implementing / Delegated	21	0 1	

Policy Area Summary: POLICE & JUDICIAL COOPERATION

EU acts in scope: 52 directives and regulations.

Total EU tertiary acts since 1 January 2021: 3 implementing and delegated acts.

Change since last EU Law Tracker report: 2 secondary and 0 tertiary acts.

	POLICE & JUDICIAL COOPERATION					EU (Secondary) Law	EU (Tertiary) Law
	European Judicial Network						
146	Council Decision 2008/976/JHA of 16 December 2008 on the European Judicial Network	L348.24.17.2008.p.130-134	N/A	N/A	N/A	N/A	N/A
	Joint Action on Organized Crime						
147	97/827/JHA Joint Action of 5 December 1997 adopted by the Council on the basis of Article K.3 of the Treaty on European Union, establishing a mechanism for evaluating the application and implementation at national level of international undertakings in the fight against organized crime	L344.15.12.1997.p.7-9	N/A	N/A	N/A	N/A	N/A
	Fake and Authentic Documents Online (FADO)						
148	98/700/JHA Joint Action of 13 December 1998 adopted by the Council on the basis of Article K.3 of the Treaty on European Union concerning the setting-up of a European Image Archiving System (FADO)	L333.9.12.1998.p.4-7	N/A	N/A	N/A	N/A	N/A
	European Police College (CEPOL)						
	Council Decision 2005/681/JHA of 20 September 2005 establishing the European Police College (CEPOL) and repealing Decision 2000/820/JHA, date of end of validity: 1.7.2016	L246.1.10.2005.p.63-70	Consolidated: 1.9.2014	Repealed and Replaced by Regulation (EU) 2015/2219, Article 40	N/A	N/A	N/A
149	Regulation (EU) 2015/2219 of the European Parliament and of the Council of 25 November 2015 on the European Union Agency for Law Enforcement Training (CEPOL) and replacing and repealing Council Decision 2005/681/JHA	L310.4.12.2015.p.1-20	N/A	N/A	N/A	N/A	N/A
	EU-LISA						
	Regulation (EU) No 1077/2011 of the European Parliament and of the Council of 25 October 2011 establishing a European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice, date of end of validity: 10.12.2018	L286.1.11.2011.p.1-17	Consolidated: 9.10.2018	Repealed and Replaced by Regulation (EU) 2018/1726, Article 57	N/A	N/A	N/A
150	Regulation (EU) 2018/1726 of the European Parliament and of the Council of 14 November 2018 on the European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA), and amending Regulation (EC) No 1987/2006 and Council Decision 2007/533/JHA and repealing Regulation (EU) No 1077/2011	L295.21.11.2018.p.99-137	Consolidated: 25.4.2024	N/A	N/A	N/A	N/A
	EUROPOL						
151	Regulation (EU) 2016/794 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Law Enforcement Cooperation (Europol) and replacing and repealing Council Decisions 2009/371/JHA, 2009/934/JHA, 2009/935/JHA, 2009/936/JHA and 2009/968/JHA	L135.24.6.2016.p.53-114	Consolidated: 28.6.2022	N/A	N/A	N/A	N/A
	EUROJUST						
152	Regulation (EU) 2018/1727 of the European Parliament and of the Council of 14 November 2018 on the European Union Agency for Criminal Justice Cooperation (Eurojust), and replacing and repealing Council Decision 2002/187/JHA	L295.21.11.2018.p.138-183	Consolidated: 31.10.2023	N/A	Latest 23 July 2020	N/A	N/A
	European Criminal Records Information System (ECRIS)						
153	Council Framework Decision 2009/315/JHA of 26 February 2009 on the organisation and content of the exchange of information extracted from the criminal record between Member States	L93.7.4.2009.p.23-32	Consolidated: 27.6.2019	N/A	N/A	N/A	N/A
	Prüm Framework (data sharing)						
154	Council Decision 2008/616/JHA of 23 June 2008 on the implementation of Decision 2008/615/JHA on the stepping-up of cross-border cooperation, particularly in combating terrorism and cross-border crime	L210.6.8.2008.p.12-72	Consolidated: 25.4.2024	N/A	N/A	N/A	N/A
155	Council Decision 2008/615/JHA of 23 June 2008 on the stepping-up of cross-border cooperation, particularly in combating terrorism and cross-border crime	L210.6.8.2008.p.1-11	Consolidated: 25.4.2024	N/A	N/A	N/A	N/A
156	Regulation (EU) 2024/982 of the European Parliament and of the Council of 13 March 2024 on the automated search and exchange of data for police cooperation, and amending Council Decisions 2008/615/JHA and 2008/616/JHA and Regulations (EU) 2018/1726, (EU) No 2019/817 and (EU) 2019/818 of the European Parliament and of the Council (the Prüm II Regulation)	L2024.0982.5.4.2024		N/A	N/A	N/A	N/A
	Schengen Information System (SIS II)						
	Council Decision 2007/533/JHA of 12 June 2007 on the establishment, operation and use of the second generation Schengen Information System (SIS II), date of end of validity: 6.3.2023	L205.7.8.2007.p.63-84	Consolidated: 28.12.2020	Repealed and Replaced by Regulation (EU) 2019/1862, Article 78	N/A	N/A	N/A
157	Regulation (EU) 2018/1862 of the European Parliament and of the Council of 12 November 2018 on the establishment, operation and use of the Schengen Information System (SIS) in the field of police cooperation and judicial cooperation in criminal matters, amending and repealing Council Decision 2007/533/JHA, and repealing Regulation (EC) No 1986/2006 of the European Parliament and of the Council and Commission Decision 2010/261/EU	L312.7.12.2018.p.56-106	Consolidated: 1.8.2022	N/A	Commission Implementing Decision (EU) 2023/201, (EU) 2022/2206, (EU) 2021/91	N/A	N/A
	Minimum Standards Legislation - Cyber crime						
158	Directive 2013/40/EU of the European Parliament and of the Council of 12 August 2013 on attacks against information systems and replacing Council Framework Decision 2005/222/JHA	L218.14.8.2013.p.8-14	N/A	N/A	N/A	N/A	N/A
	Minimum Standards Legislation - Human Trafficking						
159	Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA	L101.15.4.2011.p.1-11	Consolidated: 14.7.2024	N/A	N/A	N/A	N/A
	Asset Recovery Offices						
160	Council Decision 2007/845/JHA of 16 December 2007 concerning cooperation between Asset Recovery Offices of the Member States in the field of tracing and identification of proceeds from, or other property related to, crime	L332.18.12.2007.p.103-105	N/A	N/A	N/A	N/A	N/A
	Cooperation Legislation - Child Sexual Exploitation						
161	Council Decision of 29 May 2009 to combat child pornography on the Internet	L128.9.6.2009.p.1-4	N/A	N/A	N/A	N/A	N/A
	Schengen Conventions - Law Enforcement Cooperation (Article 40)						
162	The Schengen acquis - Convention implementing the Schengen Agreement of 14 June 1985 between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic on the gradual abolition of checks at their common borders	L210.6.8.2008.p.12-72	Consolidated: 25.4.2024	N/A	N/A	N/A	N/A
	European Investigation Order						
163	Directive 2014/41/EU of the European Parliament and of the Council of 3 April 2014 regarding the European Investigation Order in criminal matters	L130.1.5.2014.p.1-36	Consolidated: 13.3.2022	N/A	N/A	N/A	N/A
	Joint Investigation Teams						
164	Council Framework Decision of 13 June 2002 on joint investigation teams	L162.20.6.2002.p.1-3	Consolidated: 10.3.2022	N/A	N/A	N/A	N/A
	Mutual Recognition of Asset Freezing						
	Council Framework Decision 2003/577/JHA of 22 July 2003 on the execution in the European Union of orders freezing property or evidence, date of end of validity: 18.12.2020	L186.2.8.2003.p.45-55	Consolidated: 2.8.2003	Repealed and Replaced by Regulation (EU) 2018/1805	N/A	N/A	N/A
	Mutual Recognition of Confiscation Orders						
	Council Framework Decision 2006/783/JHA of 6 October 2006 on the application of the principle of mutual recognition to confiscation orders, No longer in force, date of end of validity: 18.12.2020	L278.24.11.2006.p.69-78	Consolidated: 28.3.2009	Repealed and Replaced by Regulation (EU) 2018/1805	N/A	N/A	N/A
165	Regulation (EU) 2018/1805 of the European Parliament and of the Council of 14 November 2018 on the mutual recognition of freezing orders and confiscation orders	L303.28.11.2018.p.1-38	N/A	N/A	N/A	N/A	N/A

	Cross-Border Data Exchange - Swedish Initiative							
	Council Framework Decision 2006/960/JHA of 18 December 2006 on simplifying the exchange of information and intelligence between law enforcement authorities of the Member States of the European Union. No longer in force, date of end of validity: 11.12.2024	1388.29.12.2006.p.89-100	Consolidated: 30.12.2006	Repealed and Replaced by Directive (EU) 2023/977	N/A	N/A	N/A	N/A
166	Directive (EU) 2023/977 of the European Parliament and of the Council of 10 May 2023 on the exchange of information between the law enforcement authorities of Member States and repealing Council Framework Decision 2006/960/JHA	1134.22.5.2023.p.1-24		N/A	N/A		N/A	N/A
	Cooperation on Football Disorder							
167	2002/348/JHA: Council Decision of 25 April 2002 concerning security in connection with football matches with an international dimension	1121.8.5.2002.p.1-3	Consolidated: 16.6.2007	N/A	N/A		N/A	N/A
	Forensic Service Providers - Mutual Recognition							
168	Council Framework Decision 2009/905/JHA of 30 November 2009 on accreditation of forensic service providers carrying out laboratory activities	1327.9.12.2009.p.1-16		N/A	N/A		N/A	N/A
	Passenger Name Records (PNR) Data							
170	Directive (EU) 2016/681 of the European Parliament and of the Council of 27 April 2016 on the use of passenger name record (PNR) data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime	1119.6.5.2016.p.132-169		N/A	N/A	Latest: 28 April 2017	N/A	N/A
	Applicable Law in Contracts and Non-Contractual Obligations							
171	Regulation (EC) No 593/2008 of the European Parliament and of the Council of 17 June 2008 on the law applicable to contractual obligations (Rome I)	1377.4.7.2008.p.6-16	Consolidated: 24.7.2008	N/A	N/A		N/A	N/A
172	Regulation (EC) No 864/2007 of the European Parliament and of the Council of 11 July 2007 on the law applicable to non-contractual obligations (Rome II)	1399.31.7.2007.p.40-49		N/A	N/A		N/A	N/A
	Legal Mediation - Cross-Border							
173	Directive 2008/52/EC of the European Parliament and of the Council of 21 May 2008 on certain aspects of mediation in civil and commercial matters	1382.24.5.2008.p.3-8		N/A	N/A		N/A	N/A
	Civil and Commercial Law - Jurisdiction, Recognition and Enforcement							
174	Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters	1351.26.12.2012.p.1-32	Consolidated: 26.2.2016	N/A	N/A	Latest: 26 November 2014	N/A	N/A
	Council Regulation (EC) No 1346/2000 of 29 May 2000 on insolvency proceedings; date of end of validity: 26.6.2017	1168.30.6.2000.p.1-18	Consolidated: 12.10.2016	Repealed and Replaced by Regulation (EU) 2015/848: Article 91	N/A		N/A	N/A
175	Regulation (EU) 2015/848 of the European Parliament and of the Council of 20 May 2015 on insolvency proceedings	1141.5.6.2015.p.19-72	Consolidated: 09.1.2022		N/A	Latest: 4 June 2019	N/A	N/A
	Family Law - Jurisdiction, Recognition and Enforcement							
	Council Regulation (EC) No 2201/2003 of 27 November 2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility; repealing Regulation (EC) No 1347/2000; date of end of validity: 31.7.2022	1338.23.12.2003.p.1-29	Consolidated: 1.3.2005	Repealed and Replaced by Council Regulation (EU) 2019/1111: Article 104	N/A		N/A	N/A
176	Council Regulation (EU) 2019/1111 of 25 June 2019 on jurisdiction, the recognition and enforcement of decisions in matrimonial matters and the matters of parental responsibility, and on international child abduction	1378.27.2019.p.1-115		N/A	N/A		N/A	N/A
178	Council Regulation (EC) No 4/2009 of 18 December 2008 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations	1710.1.2009.p.1-79	Consolidated: 31.12.2018	N/A	N/A		N/A	N/A
179	Regulation (EU) No 606/2013 of the European Parliament and of the Council of 12 June 2013 on mutual recognition of protective measures in civil matters	1181.29.6.2013.p.4-12		N/A	N/A	Latest: 2 September 2014	N/A	N/A
	Legal Aid - Cross-Border Cases							
180	Council Directive 2002/8/EC of 27 January 2003 to improve access to justice in cross-border disputes by establishing minimum common rules relating to legal aid for such disputes	128.31.1.2003.p.41-47	Consolidated: 31.1.2003	N/A	N/A		N/A	N/A
	Service of Documents & Taking Evidence							
181	Regulation (EC) No 1393/2007 of the European Parliament and of the Council of 13 November 2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents), and repealing Council Regulation (EC) No 1348/2000	1324.10.12.2007.p.78-120	Consolidated: 1.7.2013	N/A	N/A		N/A	N/A
182	Council Regulation (EC) No 1206/2001 of 28 May 2001 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters	1174.27.6.2001.p.1-24	Consolidated: 4.12.2008	N/A	N/A		N/A	N/A
183	2001/479/EC: Council Decision of 28 May 2001 establishing a European Judicial Network in civil and commercial matters	1174.27.6.2001.p.28-31	Consolidated: 1.11.2011	N/A	N/A		N/A	N/A
	Civil and Commercial Law - Small Claims, Enforcement and Order for Payment							
184	Regulation (EU) 2015/2421 of the European Parliament and of the Council of 16 December 2015 amending Regulation (EC) No 861/2007 establishing a European Small Claims Procedure and Regulation (EC) No 1896/2006 creating a European order for payment procedure	1341.24.12.2015.p.1-13		N/A	N/A		N/A	N/A
185	Regulation (EC) No 861/2007 of the European Parliament and of the Council of 11 July 2007 establishing a European Small Claims Procedure	1193.31.7.2007.p.1-22	Consolidated: 14.7.2017	N/A	N/A		N/A	N/A
186	Regulation (EC) No 805/2004 of the European Parliament and of the Council of 21 April 2004 creating a European Enforcement Order for uncontested claims	1143.30.4.2004.p.15-39	Consolidated: 28.10.2022	N/A	N/A		N/A	N/A
187	Regulation (EC) No 1896/2006 of the European Parliament and of the Council of 12 December 2006 creating a European order for payment procedure	1399.30.12.2006.p.1-32	Consolidated: 14.7.2017	N/A	N/A		N/A	N/A
	Child Sexual Exploitation - Minimum Standards Measures							
188	Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA	1335.17.12.2011.p.1-14	Consolidated: 17.12.2011	N/A	N/A		N/A	N/A
	Mutual Recognition of Criminal Court Judgments - Cross-Border Cooperation							
189	Council Framework Decision 2008/909/JHA of 27 November 2008 on the application of the principle of mutual recognition to judgments in criminal matters imposing custodial sentences or measures involving deprivation of liberty for the purpose of their enforcement in the European Union	1357.5.12.2008.p.27-46	Consolidated: 28.3.2009	N/A	N/A		N/A	N/A
190	Directive 2011/99/EU of the European Parliament and of the Council of 13 December 2011 on the European protection order	1338.21.12.2011.p.2-18		N/A	N/A		N/A	N/A
191	Council Framework Decision 2009/829/JHA of 23 October 2009 on the application, between Member States of the European Union, of the principle of mutual recognition to decisions on supervision measures as an alternative to provisional detention	1294.11.11.2009.p.20-60		N/A	N/A		N/A	N/A
192	Council Framework Decision 2005/214/JHA of 24 February 2005 on the application of the principle of mutual recognition to financial penalties	176.22.3.2005.p.16-30	Consolidated: 28.3.2009	N/A	N/A		N/A	N/A
193	Council Directive 2004/69/EC of 29 April 2004 relating to compensation to crime victims	1261.6.8.2004.p.14-16		N/A	N/A		N/A	N/A
	Procedural Rights - Minimum Standards							
194	Directive 2012/13/EU of the European Parliament and of the Council of 22 May 2012 on the rights of information in criminal proceedings	1142.1.6.2012.p.1-10		N/A	N/A		N/A	N/A
195	Directive 2010/64/EU of the European Parliament and of the Council of 20 October 2010 on the rights of interpretation and translation in criminal proceedings	1289.26.10.2010.p.4-7		N/A	N/A		N/A	N/A
	Legal Services - Provision							
196	Directive 98/5/EC of the European Parliament and of the Council of 16 February 1998 to facilitate practice of the profession of lawyer on permanent basis in a Member State other than that in which the qualification was obtained	177.14.3.1998.p.36-43	Consolidated: 1.7.2013	N/A	N/A		N/A	N/A
197	Council Directive 77/249/EEC of 22 March 1977 to facilitate the effective exercise by lawyers of freedom to provide services	178.26.3.1977.p.17-18	Consolidated: 1.7.2013	N/A	N/A		N/A	N/A
	Sentencing - Accounting for Convictions							
198	Council Framework Decision 2008/675/JHA of 24 July 2008 on taking account of convictions in the Member States of the European Union in the course of new criminal proceedings	1220.15.8.2008.p.32-34		N/A	N/A		N/A	N/A
	Victims Rights - Minimum Standards							
199	Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA	1315.14.11.2012.p.67-73		N/A	N/A		N/A	N/A

Policy Area Summary: PUBLIC HEALTH

EU acts in scope: 15 directives and regulations.

Total EU tertiary acts since 1 January 2021: 6 implementing and delegated acts.

Change since last EU Law Tracker report: 0 secondary and 1 tertiary acts.

						EU (Secondary) Law	EU (Tertiary) Law
PUBLIC HEALTH							
Public Health Protection							
	Decision No 1082/2013/EU of the European Parliament and of the Council of 22 October 2013 on serious cross-border threats to health and repealing Decision No 2119/98/EC, date of end of validity: 25.12.2022	1293.9.1.2013.p.1-16	Consolidated: 5.11.2013	N/A	Commission Implementing Decision (EU) 2023/858, (EU) 2021/1212 Commission Implementing Regulation (EU) 2023/1808, (EU) 2024/492, (EU) 2024/2959 and Commission Delegated Regulation (EU) 2024/1176	N/A	N/A
200	Regulation (EU) 2022/2371 of the European Parliament and of the Council of 23 November 2022 on serious cross-border threats to health and repealing Decision No 1082/2013/EU	1314.8.12.2022.p.28-58	N/A	N/A		N/A	1
201	Regulation (EC) No 853/2004 of the European Parliament and of the Council of 21 April 2004 establishing a European Centre for disease prevention and control	1142.30.4.2004.p.1-11	Consolidated: 26.12.2022	N/A		N/A	N/A
Blood Safety & Quality							
202	Directive 2002/98/EC of the European Parliament and of the Council of 27 January 2003 setting standards of quality and safety for the collection, testing, processing, storage and distribution of human blood and blood components and amending Directive 2001/83/EC	133.8.2.2003.p.30-40	Consolidated: 7.8.2008	N/A	N/A	N/A	N/A
203	Commission Directive 2004/33/EC of 22 March 2004 implementing Directive 2002/98/EC of the European Parliament and of the Council as regards certain technical requirements for blood and blood components	101.30.3.2004.p.25-39	Consolidated: 9.1.2015	N/A	N/A	N/A	N/A
204	Commission Directive 2005/61/EC of 30 September 2005 implementing Directive 2002/98/EC of the European Parliament and of the Council as regards its accessibility requirements and notification of serious adverse reactions and events	1256.1.10.2005.p.37-46	N/A	N/A	N/A	N/A	N/A
205	Commission Directive 2005/62/EC of 30 September 2005 implementing Directive 2002/98/EC of the European Parliament and of the Council as regards Community standards and specifications relating to a quality system for blood establishments	1256.1.10.2005.p.41-68	Consolidated: 15.8.2016	N/A	N/A	N/A	N/A
Organs, Tissues and Cells							
206	Council Directive 2010/45/EU of the European Parliament and of the Council of 7 July 2010 on standards of quality and safety of human organs intended for transplantation	1207.6.8.2010.p.14-29	Consolidated: 6.8.2010	N/A	Latest 9 October 2012	N/A	N/A
207	Commission Implementing Directive 2012/25/EU of 19 October 2012 laying down information procedures for the exchange, between Member States, of human organs intended for transplantation	1275.10.10.2012.p.27-32	N/A	N/A	N/A	N/A	N/A
208	Directive 2004/23/EC of the European Parliament and of the Council of 31 March 2004 on setting standards of quality and safety for the donation, procurement, testing, processing, preservation, storage and distribution of human tissues and cells	1102.7.2.2004.p.68-98	Consolidated: 7.8.2008	N/A	N/A	N/A	N/A
209	Commission Directive 2006/17/EC of 8 February 2006 implementing Directive 2004/23/EC of the European Parliament and of the Council as regards certain technical requirements for the donation, procurement and testing of human tissues and cells	138.9.7.2006.p.40-52	Consolidated: 17.12.2012	N/A	N/A	N/A	N/A
210	Commission Directive 2006/66/EC of 24 October 2006 implementing Directive 2004/23/EC of the European Parliament and of the Council as regards its accessibility requirements, notification of serious adverse reactions and events and certain technical requirements for the coding, processing, preservation, storage and distribution of human tissues and cells	1294.25.10.2006.p.37-50	Consolidated: 29.4.2015	N/A	N/A	N/A	N/A
211	Commission Directive 2012/39/EU of 26 November 2012 amending Directive 2006/17/EC as regards certain technical requirements for the testing of human tissues and cells	1327.27.11.2012.p.24-26	N/A	N/A	N/A	N/A	N/A
212	Commission Directive (EU) 2015/565 of 8 April 2015 amending Directive 2006/66/EC as regards certain technical requirements for the coding, processing, preservation, storage and distribution of human tissues and cells	1303.9.4.2015.p.43-54	N/A	N/A	N/A	N/A	N/A
213	Commission Directive (EU) 2015/566 of 8 April 2015 implementing Directive 2004/23/EC as regards the procedures for verifying the equivalent standards of quality and safety of imported tissues and cells	1303.9.4.2015.p.56-68	N/A	N/A	N/A	N/A	N/A
Reciprocal Cross-Border Healthcare							
214	Directive 2011/24/EU of the European Parliament and of the Council of 9 March 2011 on the application of patients' rights in cross-border healthcare	148.6.2011.p.46-64	Consolidated: 1.4.2014	N/A	Latest 15 July 2020	N/A	N/A
				Total Implementing/ Delegated	6	0	1

Policy Area Summary: TRANSPORT

EU acts in scope: 10 directives and regulations.

Total EU tertiary acts since 1 January 2021: 10 implementing and delegated acts.

Change since last EU Law Tracker report: 0 secondary and 2 tertiary acts.

						EU (Secondary) Law	EU (Tertiary) Law
TRANSPORT							
Aviation - Compensation Public Service Obligation							
215	Regulation (EC) No 1008/2008 of the European Parliament and of the Council of 24 September 2008 on common rules for the operation of air services in the Community	1293.9.1.6.2008.p.3-28	Consolidated: 16.12.2020	N/A	N/A	N/A	N/A
Bus Franchising Rules							
216	Regulation (EC) No 1370/2007 of the European Parliament and of the Council of 23 October 2007 on public passenger transport services by rail and by road and repealing Council Regulations (EEC) Nos 1191/89 and 1107/90	1315.3.12.2007.p.1-14	Consolidated: 24.12.2017	N/A	N/A	N/A	N/A
Charging of HGVs							
217	Directive 1999/62/EC of the European Parliament and of the Council of 17 June 1999 on the charging of heavy goods vehicles for the use of certain infrastructures	1167.20.7.1999.p.62-58	Consolidated: 24.6.2022	N/A	N/A	N/A	N/A
Electronic Road Toll Systems							
	Directive 2004/52/EC of the European Parliament and of the Council of 29 April 2004 on the interoperability of electronic toll systems in the Community, date of end of validity: 19.10.2021	1168.30.4.2004.p.124-143	Consolidated: 29.4.2009	Repealed and Replaced by Directive (EU) 2019/520: Article 33	N/A	N/A	N/A
218	Directive (EU) 2019/520 of the European Parliament and of the Council of 19 March 2019 on the interoperability of electronic toll systems and facilitating cross-border exchange of information on the failure to pay road fees in the Union	1312.9.3.2019.p.45-76	Consolidated: 24.3.2022	N/A	Latest 28 November 2019	N/A	N/A
Ports Services/Facilities							
219	Regulation (EU) 2017/352 of the European Parliament and of the Council of 15 February 2017 establishing a framework for the provision of port services and common rules on the financial transparency of ports	147.9.3.2017.p.1-18	Consolidated: 28.6.2020	N/A	N/A	N/A	N/A
	Directive 2000/59/EC of the European Parliament and of the Council of 27 November 2000 on port reception facilities for ship-generated waste and cargo residues, date of end of validity: 16.6.2019	1332.28.12.2000	Consolidated: 9.12.2015	Repealed and Replaced by Directive (EU) 2019/883: Article 22	N/A	N/A	N/A
220	Directive (EU) 2019/883 of the European Parliament and of the Council of 17 April 2019 on port reception facilities for the delivery of waste from ships, amending Directive 2010/65/EU and repealing Directive 2000/59/EC	1151.7.6.2019.p.116-142	N/A	N/A	Commission Implementing Regulation (EU) 2022/92, (EU) 2022/92, (EU) 2022/96, (EU) 2022/91, (EU) 2024/917	N/A	N/A
Intelligent Transport Systems							
221	Directive 2010/40/EU of the European Parliament and of the Council of 7 July 2010 on the framework for the deployment of Intelligent Transport Systems in the field of road transport and for interfaces with other modes of transport	1207.6.8.2010.p.1-13	Consolidated: 9.1.2018	N/A	Commission Delegated Regulation (EU) 2022/670, (EU) 2024/490, (EU) 2024/1084 and Commission Implementing Decision of 12 Nov 2024 (C/2024/7756)	N/A	2
Road Infrastructure Safety Management							
222	Directive 2008/96/EC of the European Parliament and of the Council of 19 November 2008 on road infrastructure safety management	1319.29.11.2008.p.59-87	Consolidated: 16.12.2010	N/A	N/A	N/A	N/A
Trans-European Transport Network							
223	Regulation (EU) No 1315/2013 of the European Parliament and of the Council of 11 December 2013 on Union guidelines for the development of the trans-European transport network and repealing Decision No 661/2010/EU, date of end of validity: 17.7.2024	1348.20.12.2013.p.1-128	Consolidated: 9.7.2023	Repealed and Replaced by Regulation (EU) 2024/1679: Article 68	Commission Delegated Regulation (EU) 2023/1176	N/A	N/A
	Regulation (EU) 2024/1679 of the European Parliament and of the Council of 13 June 2024 on Union guidelines for the development of the trans-European transport network, amending Regulations (EU) 2021/1153 and (EU) No 913/2010 and repealing Regulation (EU) No 1315/2013	12024/1679.28.6.2024				N/A	N/A
Maritime - Public Service Contract Obligations							
224	Council Regulation (EC) No 3577/92 of 7 December 1992 applying the principle of freedom to provide services to maritime transport within Member States (maritime cabotage)	1384.12.12.1992.p.7-10	Consolidated: 1.7.2013	N/A	N/A	N/A	N/A
				Total Implementing/ Delegated	10	0	2

Policy Area Summary: GOODS REGULATION

EU acts in scope: 3 directives and regulations.

Total EU tertiary acts since 1 January 2021: 23 implementing and delegated acts.

Change since last EU Law Tracker report: 1 secondary and 5 tertiary acts.

GOODS REGULATION				EU (Secondary) Law	EU (Tertiary) Law		
Market Surveillance							
225	Regulation (EU) 2019/1020 of the European Parliament and of the Council of 20 June 2019 on market surveillance and compliance of products and amending Directive 2004/42/EC and Regulations (EC) No 765/2008 and (EU) No 305/2011	1169.25.6.2019 p.1-44	Consolidated: 24.5.2024	N/A	Commission Implementing Regulation (EU) 2024/2216, 2024/1456, 2023/2712, 2023/975, 2023/733, 2022/1267, 2021/2248, 2021/1424	N/A	1
Construction Products							
226	Regulation (EU) No 305/2011 of the European Parliament and of the Council of 9 March 2011 laying down harmonised conditions for the marketing of construction products and repealing Council Directive 89/106/EEC Text with EEA relevance	188.4.4.2011 p.5-43	Consolidated: 17.11.2024	N/A	Commission Implementing Decision (EU) 2024/2904, 2024/1944, 2024/237, 2023/2461, 2023/1473, 2023/910, 2023/424, 2022/2357, 2022/1517, 2022/381, 2021/1789, 2021/1183; and Commission Delegated Regulation (EU) 2024/2769, 2024/1661, 2024/1190	N/A	4
227	Regulation (EU) 2024/3110 of the European Parliament and of the Council of 27 November 2024 laying down harmonised rules for the marketing of construction products and repealing Regulation (EU) No 305/2011	12024/3110.18.12.2024		N/A		1	N/A
				Total Implementing / Delegated	23	1	5

Appendix Two: European Commission Work Programme 2024 Analysis

Scottish Government Alignment Commitment & European Commission Work Programme 2024							
Significant Proposals and Initiatives to Rationalise Reporting (Annex II)		EC Document Reference	Proposal Published	EU Law in Scope of Alignment Impacted by or Related to New EU Act	Progress	Final EU Act	Scottish Government Position
Proposals and Initiatives ... adopted by the Commission since March 2023							
1	Proposal for a Regulation of the European Parliament and of the Council on delegating and supplementing powers, amending Regulation (EU) 2019/1020 and repealing Regulations (EC) No 648/2004	COM(2023)217(Final)	April 2023	Regulation (EU) 2019/1020	In process	N/A	N/A
2	Proposal for a Regulation amending Regulation 2016/2031 on protective measures against pests of plants	COM(2023)661(Final)	October 2023	Regulation (EU) 2016/2031	Completed	Regulation (EU) 2024/1111	N/A
Priority Pending Proposals (Annex III)							
A European Green Deal							
3	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on preventing plastic pollution to reduce microplastic pollution	COM(2023)645(Final)	October 2023	Single-Use Plastics Directive ((EU) 2019/904), Waste Framework Directive (2008/98/EC), Packaging and Packaging Waste Directive (94/62/EC), Marine Strategy Framework Directive (2008/56/EC)	In process	N/A	Under Consideration
4	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on circularity requirements for vehicle design and on management of end-of-life vehicles, amending Regulations (EU) 2018/858 and 2019/1020 and repealing Directives 2000/53/EC and 2005/64/EC	COM(2023)451(Final)	July 2023	End of Life Vehicles Directive (2000/53/EC) and Type-Approval Framework Regulation ((EU) 2018/858)	In process	N/A	N/A
5	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2008/98/EC on waste	COM(2015)0595(Final)	July 2023	Waste Directive (2008/98/EC)	In process	N/A	N/A
6	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on Soil Monitoring and Resilience (Soil Monitoring Law)	COM(2023)416(Final)	July 2023	Waste Directive (2008/98/EC), Landfill Directive (1999/31/EC), Industrial Emissions Directive (2010/75/EU), Water Framework Directive (2000/60/EC), Floods Directive (2007/60/EC), Birds Directive (2009/147/EC), Habitats Directive (92/43/EEC)	In process	N/A	Under Consideration
7	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the production and marketing of forest reproductive material, amending Regulations (EU) 2016/2031 and 2017/625 of the European Parliament and of the Council and repealing Council Directive 1999/105/EC (Regulation on forest reproductive material)	COM(2023)415(Final)	July 2023	Forest Reproductive Material Directive (1999/105/EC), Animal Health Law Regulation ((EU) 2016/2031) and Official Controls Regulation ((EU) 2017/625)	In process	N/A	N/A
8	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the production and marketing of plant reproductive material in the Union, amending Regulations (EU) 2016/2031, 2017/625 and 2018/848 of the European Parliament and of the Council, and repealing Council Directives 66/401/EEC, 66/402/EEC, 68/193/EEC, 2002/53/EC, 2002/54/EC, 2002/55/EC, 2002/56/EC, 2002/57/EC, 2008/72/EC and 2008/90/EC (Regulation on plant reproductive material)	COM(2023)414(Final)	July 2023	Animal Health Law Regulation ((EU) 2016/2031), Official Controls Regulation ((EU) 2017/625), Organic Production Regulation ((EU) 2018/848) and Council Directives 66/401/EEC, 66/402/EEC, 68/193/EEC, 2002/53/EC, 2002/54/EC, 2002/55/EC, 2002/56/EC, 2002/57/EC and 2008/90/EC on plant reproductive material	In process	N/A	N/A
9	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on plants obtained by certain new genomic techniques and their food and feed, and amending Regulation (EU) 2017/625	COM(2023)411(Final)	July 2023	Official Controls Regulation ((EU) 2017/625), GMOs legislation including Directive 2001/18/EC, Regulation (EC) No 1829/2003, Regulation (EC) No 1830/2003 and Directive 2009/41/EC	In process	N/A	For Future Consideration
10	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EU) 2017/852 of the European Parliament and of the Council of 17 May 2017 on mercury as regards dental amalgam and other mercury-added products subject to manufacturing, import and export restrictions	COM(2023)395(Final)	July 2023	Regulation ((EU) No 649/2012 on export and import of hazardous chemicals)	Completed	Regulation (EU) 2024/1849	N/A
11	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2005/35/EC on ship-source pollution and on the introduction of penalties, including criminal penalties, for pollution offences	COM(2023)273(Final)	June 2023	Directive (EU) 2019/883 on port reception facilities for delivery of ship waste	Completed	Directive (EU) 2024/2101	N/A
12	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Council Directive 2001/110/EC relating to honey, 2001/112/EC relating to fruit juices and certain similar products intended for human consumption, 2001/113/EC relating to fruit jams, jellies and marmalades and sweetened condensed milk intended for human consumption, and 2001/114/EC relating to certain partly or wholly dehydrated and preserved milk for human consumption	COM(2023)201(Final)	April 2023	Council Directives 2001/110/EC relating to honey, 2001/112/EC relating to fruit juices, 2001/113/EC relating to fruit jams, jellies and marmalades, 2001/114/EC relating to partly or wholly dehydrated and preserved milk	Completed	Directive (EU) 2024/1436	N/A
13	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2012/19/EU on waste electrical and electronic equipment (WEEE)	COM(2023)453(Final)	February 2023	Directive 2012/19/EU on waste electrical and electronic equipment (WEEE)	Completed	Directive (EU) 2024/2884	Under Consideration
14	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on packaging and packaging waste, amending Regulation (EU) 2019/1020 and Directive (EU) 2019/904, and repealing Directive 94/62/EC	COM(2022)677(Final)	November 2022	Directive 94/62/EC on packaging and packaging waste	Completed	Awaiting OJ Publication	Under Consideration
15	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on ambient air quality and cleaner air for Europe (recast)	COM(2021)542(Final)	October 2022	Directive 2008/50/EC on ambient air quality	Completed	Directive (EU) 2024/2881	N/A
16	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL concerning urban wastewater treatment (recast)	COM(2022)541(Final)	October 2022	Council Directive 91/271/EEC on urban wastewater treatment	Completed	Directive (EU) 2024/2016	Under Consideration
17	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2000/60/EC establishing a framework for Community action in the field of water policy, Directive 2008/118/EC on the protection of groundwater against pollution and deterioration and Directive 2008/105/EC on environmental quality standards in the field of water policy	COM(2022)540(Final)	October 2022	Water Framework Directive (2000/60/EC) Groundwater Directive (2006/118/EC) and Environmental Quality Standards Directive (2008/105/EC)	In process	N/A	For Future Consideration
18	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the sustainable use of plant protection products and amending Regulation (EU) 2021/2115	COM(2022)305(Final)	June 2022	Regulation (EC) No 1107/2009 on Plant Protection Products	Withdrawn	N/A	N/A
19	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on nature restoration	COM(2022)304(Final)	June 2022	Birds Directive (2009/147/EC), Habitats Directive (92/43/EC), Water Framework Directive (2000/60/EC), Marine Strategy Framework Directive (2008/56/EC)	Completed	Regulation (EU) 2024/1991	Yes
20	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) and Council Directives 1990/31/EC of 28 April 1999 on the standard of waste	COM(2022)156(Final)	April 2022	Industrial Emissions Directive (2010/75/EU) and Landfill Waste Directive (1999/31/EC)	Completed	Directive (EU) 2024/1785	N/A
21	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL laying down harmonised conditions for the marketing of construction products, amending Regulation (EU) 2019/1020 and repealing Regulation (EU) 305/2011	COM(2022)144(Final)	March 2022	Regulation (EU) 2019/1020 on market surveillance and compliance and Regulation (EU) 305/2011 on marketing construction products	Completed	Regulation (EU) 2024/3110	Under Consideration
22	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on Union guidelines for the development of the trans-European transport network, amending Regulation (EU) 2021/1159 and Regulation (EU) No 913/2010 and repealing Regulation (EU) 1315/2013	COM(2021)1812(Final)	December 2021	Trans-European Transport Network Regulation (EU) 1315/2013	Completed	Regulation (EU) 2024/1623	No. "As we are no longer in the EU, TEN-T is not applicable however we will consider alignment with environmental objectives where possible." (p.51)
23	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EU) No 691/2011 as regards introducing new environmental economic instruments in modules	COM(2022)329(Final)	July 2022	N/A	Completed	Regulation (EU) 2024/3024	Under Consideration
24	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the energy performance of buildings (recast)	COM(2021)802(Final)	December 2021	Directive 2010/31/EU on energy performance of buildings	Completed	Directive (EU) 2024/1375	Under Consideration: "The Scottish Government's Heat in Building Strategy makes clear commitments to achieve a decarbonised building stock, consistent with net-zero, by 2045, again in line with the EU's overarching ambition for decarbonisation of the building stocks by 2050. Our proposals for reform of Energy Performance Certificates and water commitments within the Strategy would support alignment with the Directive" (p.54)
25	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2009/16/EC on port state control	COM(2023)0271(Final)	June 2023	N/A	Completed	Directive (EU) 2024/2098	For Future Consideration

A Europe Fit For the Digital Age							
26	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on combating late payment in commercial transactions	COM(2023)533 final	September 2023	Directive 2011/77/EU on combating late payment in commercial transactions	In process	N/A	Non-specific Statement: "Regarding late payments proposals, we will consider the recommendations from the Commission following their recent consultation. We are also closely monitoring the current UK payment and payment card fees review which will involve both public consultation on payment reporting regulations and a statutory review of the effectiveness of the Small Business Commissioner's office." (p.39)
27	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on establishing a framework of measures for strengthening Europe's micro technology products manufacturing ecosystem (NextBio Industry Act)	COM(2023)161 final	March 2023	N/A	Completed	Resolution (EU) 2024/1731	For Future Consideration
28	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on horizontal cybersecurity requirements for products with digital elements and amending Regulation (EU) 2019/1020	COM(2022)454 final	September 2022	Regulation (EU) 2019/1020 on market surveillance and compliance	Completed	Resolution (EU) 2024/2847	The Cyber Resilience Act is noted by the SG among the European Commission plans to 'augment and reinforce cyber security' (p.76)
Promoting our European Way of Life							
29	Proposal for a Directive amending Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims	COM(2022)732 final	December 2022	Human Trafficking Directive 2011/36/EU	Completed	Directive (EU) 2024/1712	Under Consideration: "Several elements fall fully or partly within devolved powers of Scottish Parliament. We will review whether alignment will advance standards in Scotland to ensure that we address evolving trends in the area of trafficking" (p.59)
30	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on standards of quality and safety for substances of human origin intended for human application and repealing Directives 2002/98/EC and 2004/23/EC	COM(2022)938 final	July 2022	Human Blood Directive 2002/98/EC and Organs and Human Tissues 2004/23/EC	Completed	Resolution (EU) 2024/1928	Yes
31	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive (EU) 2015/413 facilitating cross-border exchange of information on road-safety-related traffic offences	COM(2023)126 final	March 2023	N/A	Completed	Directive (EU) 2024/2237	For Future Consideration: "In relation to other areas covered by the revision, enforcement of all road traffic offences is a matter for Police Scotland. However, there is currently no legal mechanism for enforcing any speeding related offences by drivers with a non-UK licence." (p.63)
32	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL laying down rules to prevent and combat child sexual abuse	COM(2022)209 final	May 2022	Child Sexual Abuse Directive 2011/93/EU	In process	N/A	For Future Consideration: "Likely Reserved." (p.69)
33	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2009/21/EC on compliance with flag State requirements	COM(2023)272 final	June 2023	N/A	Completed	Directive (EU) 2024/2108	For Future Consideration
34	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing the European Disability Card and the European Parking Card for persons with disabilities	COM(2023)512 final	September 2023	N/A	Consist	Directive (EU) 2024/2841	For Future Consideration
A New Push for European Democracy							
35	Proposal for a COUNCIL DIRECTIVE on standards for equality bodies in the field of equal treatment between persons irrespective of their racial or ethnic origin, equal treatment in the field of employment and occupation between persons irrespective of their religion or belief, disability, age or sexual orientation, equal treatment between women and men in matters of social security and in the access to and supply of goods and services, and deleting Article 13 of Directive 2000/43/EC and Article 12 of Directive 2004/113/EC	COM(2022)688 final	December 2022	Directive 2000/43/EC on Equal Treatment Regardless of Race or Ethnicity and Directive 2004/113/EC on Equal Treatment for Men and Women concerning Goods and Services	Completed	Council Directive (EU) 2024/1498	N/A
36	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on standards for equality bodies in the field of equal treatment and equal opportunities between women and men in matters of employment and occupation, and deleting Article 20 of Directive 2006/54/EC and Article 11 of Directive 2010/41/EU	COM(2022)688 final	December 2022	Directive 2006/54/EC on Gender Equality in Employment and Directive 2010/41/EU on Gender Equality in Self-Employment	Completed	Directive (EU) 2024/1500	N/A

Scottish Government Commitment to Align with EU Law - Record of EU Law Changes - Tracker Report 4: January 2025

How to Read: To enable cross-reference with the content of the EU Law Tracker Report, Column 1 provides a number for each instrument of EU law that is potentially in scope of the alignment commitment - those EU instruments that are no longer in force are not numbered. EU instruments that were fully or partially within the scope of Scottish Government competence before UK withdrawal from the EU, according to the UK government Frameworks Analysis (2021) and/or specifically identified by the Scottish Government are listed in Column 2. Any changes that have subsequently been made by the EU through its ordinary legislative processes to these EU instruments are indicated in green for those that have entered into force since the UK left the EU and red for those that are no longer in force as of 31 December 2024. Columns 3 and 4 provide links to the relevant EU act and the latest consolidated version of it where applicable; consolidated versions of EU acts incorporate any revisions or updates made. Columns 5 and 6 capture the process and nature of any changes that have been made to the EU instruments listed when these have taken place after the end of the UK Transition Period on 31 December 2020, the date when any changes in EU law ceased to apply automatically in UK law. Where changes have occurred via EU implementing/delegated legislation since the end of the UK Transition Period, details are provided either in the form of EU references or a summary account where 30+ acts are relevant. Please note, amendments made via implementing/delegated legislation are an important, but not the only, mechanism by which EU instruments can be changed, to access more updated versions see the consolidated text of the relevant act (Column 4) as appropriate.

European Union Law, Status and Processes						
No.	Policy Area	Official Journal	Consolidated Text	EU Law Updates	EU Implementing Law Updates	Since Last EU Tracker
						EU (Secondary) Law EU (Tertiary) Law
ENVIRONMENTAL PROTECTION						
Carbon Capture and Storage						
1	Directive 2009/31/EC of the European Parliament and of the Council of 23 April 2009 on the geological storage of carbon dioxide and amending Council Directive 85/337/EEC, European Parliament and Council Directives 2000/60/EC, 2001/80/EC, 2004/35/EC, 2006/12/EC, 2008/1/EC and Regulation (EC) No 1013/2006	L 140_5.6.2009 p. 114-135	Consolidated: 24.12.2018	N/A	N/A	N/A N/A
Energy Efficiency						
2	Directive 2012/27/EU of the European Parliament and of the Council of 25 October 2012 on energy efficiency, amending Directives 2009/125/EC and 2010/30/EU and repealing Directives 2004/8/EC and 2006/32/EC	L 315_14.11.2012 p. 1-56	Consolidated: 4.5.2023	N/A	Commission Delegated Regulation (EU) 2023/2104 and (EU) 2023/807	N/A N/A
Energy Planning Consents						
3	Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment	L 26.28.1.2012 p. 1-21	Consolidated: 15.05.2014	N/A	N/A	N/A N/A
4	Directive 2003/35/EC of the European Parliament and of the Council of 26 May 2003 providing for public participation in respect of the drawing up of certain plans and programmes relating to the environment and amending with regard to public participation and access to justice Council Directives 85/337/EEC and 96/61/EC - Statement by the Commission	L 156.25.6.2003 p. 17-25	Consolidated: 31.12.2016	N/A	N/A	N/A N/A
5	Directive 2014/52/EU of the European Parliament and of the Council of 16 April 2014 amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment	L 124.25.4.2014 p. 1-18	N/A	N/A	N/A	N/A N/A
Onshore Hydrocarbons Licensing						
6	Directive 94/22/EC of the European Parliament and of the Council of 30 May 1994 on the conditions for granting and using authorizations for the prospecting, exploration and production of hydrocarbons	L 164.30.6.1994 p. 3-8	Consolidated: 24.12.2018	N/A	N/A	N/A N/A
Renewable Energy						
7	Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources (recast)	L 328.21.12.2018	Consolidated: 16.7.2024	N/A	Commission Delegated Regulation (EU) 2021/2003, 2022/759, 2023/1184, 2023/1185, 2023/1640, 2024/1405, 2024/1408; Commission Implementing Decision (EU) 2022/603, 2022/604, 2022/605, 2022/611, 2022/609, 2022/600, 2022/607, 2022/602, 2022/610, 2022/608, 2022/601, 2022/599, 2022/606, 2022/996, 2022/1657, 2022/1656, 2022/1655, 2022/2448, 2022/2461, 2023/1760, 2024/805, 2024/861, 2024/2630, 2024/2624, 2024/2626, 2024/2666, 2024/3194, 2024/3176, 2024/3191, 2024/3181, 2024/3180	N/A 9
Biodiversity - Resource Access & Benefit Sharing						
8	Regulation (EU) No 511/2014 of the European Parliament and of the Council of 16 April 2014 on compliance measures for users from the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization in the Union	L 150.20.5.2014 p. 59-71	N/A	N/A	Latest: 13 October 2015	N/A N/A
9	Commission Implementing Regulation (EU) 2015/1866 of 13 October 2015 laying down detailed rules for the implementation of Regulation (EU) No 511/2014 of the European Parliament and of the Council as regards the register of collections, monitoring user compliance and best practices	L 275.20.10.2015 p. 4-19	N/A	N/A	N/A	N/A N/A
Flood Risk Management						
10	Directive 2007/60/EC of the European Parliament and of the Council of 23 October 2007 on the assessment and management of flood risks	L 288.6.11.2007 p. 27-34	N/A	N/A	N/A	N/A N/A
Marine Environment						
11	Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive)	L 164.25.6.2008 p. 19-40	Consolidated: 7.6.2017	N/A	N/A	N/A N/A
12	Commission Directive (EU) 2017/845 of 17 May 2017 amending Directive 2008/56/EC of the European Parliament and of the Council as regards the indicative lists of elements to be taken into account for the preparation of marine strategies	L 125.18.5.2017 p. 27-33	N/A	N/A	N/A	N/A N/A
Natural Environment and Biodiversity						
13	Regulation (EU) No 1143/2014 of the European Parliament and of the Council of 22 October 2014 on the prevention and management of the introduction and spread of invasive alien species	L 317.4.11.2014 p. 35-55	Consolidated: 14.12.2019	N/A	Commission Implementing Regulation (EU) 2022/1203_2024/574	N/A N/A

14	Council Regulation (EEC) No 3254/91 of 4 November 1991 prohibiting the use of leghold traps in the Community and the introduction into the Community of pelts and manufactured goods of certain wild animal species originating in countries which catch them by means of leghold traps or trapping methods which do not meet international humane trapping standards	L_308_9.11.1991.p.1-4	N/A	N/A	N/A	N/A	N/A
15	Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds	L_20_26.1.2010.p.7-25	Consolidated 26.06.2019	N/A	N/A	N/A	N/A
16	Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora	L_206_22.7.1992.p.7-50	Consolidated 1.7.2013	N/A	N/A	N/A	N/A
17	Council Directive 1999/22/EC of 29 March 1999 relating to the keeping of wild animals in zoos	L_94_9.4.1999.p.24-26	N/A	N/A	N/A	N/A	N/A
18	Council Directive 83/129/EEC of 28 March 1983 concerning the importation into Member States of skins of certain seal pups and products derived therefrom	L_91_9.4.1983.p.30-31	Consolidated 15.6.1989	N/A	N/A	N/A	N/A
Noise Management							
19	Directive 2002/49/EC of the European Parliament and of the Council of 25 June 2002 relating to the assessment and management of environmental noise - Declaration by the Commission in the Conciliation Committee on the Directive relating to the assessment and management of environmental noise	L_189_18.7.2002.p.12-25	Consolidated 29.7.2021	N/A	N/A	N/A	N/A
Spatial Data Infrastructure Standards							
20	Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE)	L_108_25.4.2007.p.1-14	Consolidated 26.11.2024	N/A	N/A	Consolidated	N/A
21	Decision (EU) 2024/2829 of the European Parliament and of the Council of 23 October 2024 amending Directive 2007/2/EC as regards certain reporting requirements for infrastructures for spatial information	L_2024/2829.6.11.2024		N/A	N/A	1	N/A
Water Quality							
22	Council Directive 91/271/EEC of 21 May 1991 concerning urban waste-water treatment	L_135_30.5.1991.p.40-52	N/A	N/A	N/A	N/A	N/A
23	Directive (EU) 2024/3019 of the European Parliament and of the Council of 27 November 2024 concerning urban wastewater treatment (recast)	L_2024/3019.12.12.2024	N/A	N/A	N/A	1	N/A
24	Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy Council Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption: date of end of validity 12.1.2023	L_327_22.12.2000.p.1-73 L_330_5.12.1998.p.32-54	Consolidated 20.11.2014 Consolidated: 27.10.2015	N/A	N/A	N/A	N/A
25	Directive (EU) 2020/2184 of the European Parliament and of the Council of 16 December 2020 on the quality of water intended for human consumption (recast)	L_435_23.12.2020.p.1-62	N/A	N/A	Repealed by Directive 2020/2184: Article 26 Commission Implementing Decision (EU) 2022/679, 2024/368, 2024/367, 2024/365; Commission Delegated Regulation (EU) 2024/369, 2024/370, 2024/1441	N/A	N/A
Harbours - Waste Management							
26	Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment	L_26_28.1.2012.p.1-21	Consolidated: 15.5.2014	N/A	N/A	N/A	N/A
27	Directive 2014/52/EU of the European Parliament and of the Council of 16 April 2014 amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment	L_124_25.4.2014.p.1-18		N/A	N/A	N/A	N/A
Energy Performance of Buildings							
28	Directive 2010/31/EU of the European Parliament and of the Council of 19 May 2010 on the energy performance of buildings (recast)	L_153_18.6.2010.p.13-35	Consolidated: 1.1.2021	N/A	Commission Implementing Regulation (EU) 2020/2156 and Commission Delegated Regulation (EU) 2020/2155	N/A	N/A
Environmental Impact Assessment Directive							
29	Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment	L_26_28.1.2012.p.1-21	Consolidated: 15.5.2014	N/A	N/A	N/A	N/A
Strategic Environmental Assessment							
30	Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment	L_197_21.7.2001.p.30-37	N/A	N/A	N/A	N/A	N/A
Control of Major Accident Hazards							
31	Directive 2012/18/EU of the European Parliament and of the Council of 4 July 2012 on the control of major-accident hazards involving dangerous substances, amending and subsequently repealing Council Directive 96/82/EC Text with EEA relevance	L_197_24.7.2012.p.1-37	N/A	N/A	Commission Implementing Decision (EU) 2022/1979	N/A	N/A
Radioactive Substances							
32	Council Directive 2013/51/Euratom of 22 October 2013 laying down requirements for the protection of the health of the general public with regard to radioactive substances in water intended for human consumption	L_296_7.11.2013.p.12-21	N/A	N/A	N/A	N/A	N/A
Air Quality							
33	Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air for Europe	L_152_11.6.2008.p.1-44	Consolidated 18.9.2015	N/A	N/A	N/A	N/A
34	Directive 2004/107/EC of the European Parliament and of the Council of 15 December 2004 relating to arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons in ambient air	L_23_26.1.2005.p.3-16	Consolidated 18.9.2015	N/A	N/A	N/A	N/A
35	Directive (EU) 2024/2881 of the European Parliament and of the Council of 23 October 2024 on ambient air quality and cleaner air for Europe (recast)	L_2024/2881.20.11.2024		N/A	N/A	1	N/A
Industrial Emissions - Best Available Techniques (BAT)							

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36	Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control)	L_334_17.12.2010.p.17-119	Consolidated 4.8.2024	N/A	Commission Implementing Decision (EU) 2020/2009, 2021/2326, 2022/2110, 2022/2427, 2022/2508 and 2023/2749, 2024/2974	N/A	1	
37	Directive (EU) 2024/1785 of the European Parliament and of the Council of 24 April 2024 amending Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions (integrated pollution prevention and control) and Council Directive 1999/31/EC on the landfill of waste	L_2024/1785.15.7.2024		N/A	N/A	N/A	1	
Waste & Resources								
38	Council Directive 1999/31/EC of 26 April 1999 on the landfill of waste	L_182_16.7.1999.p.1-19	Consolidated 4.8.2024	N/A	N/A	N/A	N/A	
39	Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives	L_312_22.11.2008.p.3-30	Consolidated 18.2.2024	N/A	N/A	N/A	N/A	
40	Directive 2012/19/EU of the European Parliament and of the Council of 4 July 2012 on waste electrical and electronic equipment (WEEE)	L_197_24.7.2012.p.38-71	Consolidated 8.4.2024	N/A	Latest 17 December 2019	N/A	N/A	
41	Directive 2006/66/EC of the European Parliament and of the Council of 6 September 2006 on batteries and accumulators and waste batteries and accumulators and repealing Directive 91/157/EEC	L_266_26.9.2006.p.1-14	Consolidated 4.7.2018	N/A	N/A	N/A	N/A	
42	Directive 2000/53/EC of the European Parliament and of the Council of 18 September 2000 on end-of-life vehicles	L_269_21.10.2000.p.34-43	Consolidated 30.3.2023	N/A	N/A	N/A	N/A	
43	European Parliament and Council Directive 94/62/EC of 20 December 1994 on packaging and packaging waste	L_365_31.12.1994.p.10-23	Consolidated 4.7.2018	N/A	N/A	N/A	N/A	
44	Directive 2006/21/EC of the European Parliament and of the Council of 15 March 2006 on the management of waste from extractive industries and amending Directive 2004/35/EC	L_102_11.4.2006.p.15-34	Consolidated 7.8.2009	N/A	N/A	N/A	N/A	
45	Directive 2012/18/EU of the European Parliament and of the Council of 4 July 2012 on the control of major-accident hazards involving dangerous substances, amending and subsequently repealing Council Directive 96/82/EC	L_197_24.7.2012.p.1-37		N/A	Commission Implementing Decision (EU) 2022/1979	N/A	N/A	
Ozone Depleting Substances and F-gases								
	Regulation (EU) No 517/2014 of the European Parliament and of the Council of 16 April 2014 on fluorinated greenhouse gases and repealing Regulation (EC) No 842/2006 - No longer in force; date of end of validity: 31.12.2024	L_150_20.5.2014.p.195		Repealed by Regulation (EU) 2024/573: Article 37	Commission Implementing Decision 2020/1604, 2021/456, 2021/980, 2023/2432, and 2024/586	N/A	N/A	
46	Regulation (EU) 2024/573 of the European Parliament and of the Council of 7 February 2024 on fluorinated greenhouse gases, amending Directive (EU) 2019/1937 and repealing Regulation (EU) No 517/2014	L_2024/573.20.2.2024			Commission Implementing Decision (EU) 2024/2053, 2024/2174, 2024/2195, 2024/2215, 2024/2473, 2024/2729, 2024/2767, 2024/3122, 2024/3120,	N/A	9	
47	Regulation (EC) No 1005/2009 of the European Parliament and of the Council of 16 September 2009 on substances that deplete the ozone layer	L_286_31.10.2009.p.1	Consolidated: 19.4.2017	N/A	N/A	N/A	N/A	
Ecodesign								
48	Directive 2009/125/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for the setting of ecodesign requirements for energy-related products (recast)	L_285_31.10.2009.p.10	Consolidated 4.12.2012			N/A	N/A	
49	Regulation (EU) 2024/1781 of the European Parliament and of the Council of 13 June 2024 establishing a framework for the setting of ecodesign requirements for sustainable products, amending Directive (EU) 2020/1828 and Regulation (EU) 2023/1542 and repealing Directive 2009/125/EC	L_2024/1781.28.6.2024				N/A	N/A	
					Total Implementing/Delegated	74	5	19
ANIMAL HEALTH & WELFARE						EU (Secondary) Law	EU (Tertiary) Law	
Animal Disease Control, Zoonosis Control								
50	Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies	L_147_31.5.2001.p.1	Consolidated: 15.4.2024	N/A	N/A	N/A	N/A	
	Council Directive 77/391/EEC of 17 May 1977 introducing Community measures for the eradication of brucellosis, tuberculosis and leucosis in cattle: No longer in force, date of end of validity: 20.4.2021	L_145_13.6.1977.p.44	N/A	Repealed and replaced by Regulation (EU) 2016/429: Article 270	N/A	N/A	N/A	
	Council Directive 78/52/EEC of 13 December 1977 establishing the Community criteria for national plans for the accelerated eradication of brucellosis, tuberculosis and enzootic leukosis in cattle: No longer in force, date of end of validity: 20.4.2021	L_15_19.1.1978.p.34	N/A	Repealed and replaced by Regulation (EU) 2016/429: Article 270	N/A	N/A	N/A	
	Council Directive 2003/85/EC of 29 September 2003 on Community measures for the control of foot-and-mouth disease repealing Directive 85/511/EEC and Decisions 89/531/EEC and 91/665/EEC and amending Directive 92/46/EEC: No longer in force, date of end of validity: 20.4.2021	L_306_22.1.2003.p.1	N/A	Repealed and replaced by Regulation (EU) 2016/429: Article 270; and Regulation (EU) 2020/687	N/A	N/A	N/A	
	Council Directive 2005/94/EC of 20 December 2005 on Community measures for the control of avian influenza and repealing Directive 92/40/EEC: No longer in force, date of end of validity: 20.4.2021	L_10_14.1.2006.p.16	N/A	Repealed and replaced by Regulation (EU) 2016/429: Article 270; and Regulation (EU) 2020/687	N/A	N/A	N/A	
	Council Directive 2001/89/EC of 23 October 2001 on Community measures for the control of classical swine fever: No longer in force, date of end of validity: 20.4.2021	L_316_1.12.2001.p.5	N/A	Repealed and replaced by Regulation (EU) 2016/429: Article 270; and Regulation (EU) 2020/687	N/A	N/A	N/A	
	Council Directive 92/35/EEC of 29 April 1992 laying down control rules and measures to combat African horse sickness: No longer in force, date of end of validity: 20.4.2021	L_157_10.6.1992.p.19	N/A	Repealed and replaced by Regulation (EU) 2016/429: Article 270	N/A	N/A	N/A	
	Council Directive 2002/60/EC of 27 June 2002 laying down specific provisions for the control of African swine fever and amending Directive 92/119/EEC as regards Teschen disease and African swine fever: No longer in force, date of end of validity: 20.4.2021	L_192_20.7.2002.p.27	N/A	Repealed and replaced by Regulation (EU) 2016/429: Article 270	N/A	N/A	N/A	

51	Regulation (EC) No 2160/2003 of the European Parliament and of the Council of 17 November 2003 on the control of salmonella and other specified food-borne zoonotic agents Council Directive 92/66/EEC of 14 July 1992 introducing Community measures for the control of Newcastle disease: No longer in force, date of end of validity: 20.4.2021 Council Directive 92/119/EEC of 17 December 1992 introducing general Community measures for the control of certain animal diseases and specific measures relating to swine vesicular disease: No longer in force, date of end of validity: 20.4.2021	L 325.12.12.2003 p.1 L 260.5.9.1992 p.1 L 62.15.3.1993 p.69	Consolidated: 21.4.2021 N/A N/A	N/A Repealed and replaced by Regulation (EU) 2016/429: Article 270 Repealed and replaced by Regulation (EU) 2016/429: Article 270	N/A N/A N/A	N/A N/A N/A	N/A N/A N/A
52	Directive 2003/99/EC of the European Parliament and of the Council of 17 November 2003 on the monitoring of zoonoses and zoonotic agents, amending Council Decision 90/424/EEC and repealing Council Directive 92/117/EEC Council Directive 2000/75/EC of 20 November 2000 laying down specific provisions for the control and eradication of bluetongue: No longer in force, date of end of validity: 20.4.2021	L 325.12.12.2003 p.31 L 327.22.12.2000 p.74	Consolidated: 1.7.2013 N/A	N/A Repealed and replaced by Regulation (EU) 2016/429: Article 270	N/A N/A	N/A N/A	N/A N/A
53	Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law')	L 84.31.3.2016-1-208	Consolidated: 21.4.2021	N/A	29 Delegated and 452 Implementing since 1 Jan 2021	N/A	51
54	Commission Delegated Regulation (EU) 2020/687 of 17 December 2019 supplementing Regulation (EU) 2016/429 of the European Parliament and the Council, as regards rules for the prevention and control of certain listed diseases	L 174.3.6.2020 p.64	Consolidated: 3.5.2023	N/A	N/A	N/A	N/A
Animal Identification							
55	Council Regulation (EC) No 21/2004 of 17 December 2003 establishing a system for the identification and registration of ovine and caprine animals and amending Regulation (EC) No 1782/2003 and Directives 92/102/EEC and 64/432/EEC: No longer in force, date of end of validity: 20.4.2021 Regulation (EC) No 1760/2000 of the European Parliament and of the Council of 17 July 2000 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products and repealing Council Regulation (EC) No 820/97 Council Directive 2008/71/EC of 15 July 2008 on the identification and registration of pigs: No longer in force, date of end of validity: 20.4.2021	L 5.9.1.2004 p.8 L 204.11.8.2000 p.1 L 213.8.8.2008 p.31	N/A Consolidated: 21.4.2021 N/A	Repealed and replaced by Regulation (EU) 2016/429: Article 270 N/A Repealed and replaced by Regulation (EU) 2016/429: Article 270	N/A N/A N/A	N/A N/A N/A	N/A N/A N/A
Animal Welfare							
56	Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97	L 3.5.1.2005 p.1	Consolidated: 14.12.2019	N/A	N/A	N/A	N/A
57	Council Regulation (EEC) no 3254/91 of 4 November 1991 prohibiting the use of leghold traps in the Community and the introduction into the Community of pelts and manufactured goods of certain wild animal species originating in countries which catch them by means of leghold traps or trapping methods which do not meet international humane trapping standards	L 308.9.11.1991 p.1	N/A	N/A	N/A	N/A	N/A
58	Regulation (EC) No 1007/2009 of the European Parliament and of the Council of 16 September 2009 on trade in seal products	L 286.31.10.2009 p.36	Consolidated: 18.10.2015	N/A	N/A	N/A	N/A
59	Regulation (EC) No 1523/2007 of the European Parliament and of the Council of 11 December 2007 banning the placing on the market and the import to, or export from, the Community of cat and dog fur, and products containing such fur	L 343.27.12.2007 p.1	N/A	N/A	N/A	N/A	N/A
60	Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing	L 303.18.11.2009 p.1	Consolidated: 14.12.2019	N/A	N/A	N/A	N/A
61	Council Directive 83/129/EEC of 28 March 1983 concerning the importation into Member States of skins of certain seal pups and products derived therefrom	L 91.9.4.1983 p.30	Consolidated: 15.6.1989	N/A	N/A	N/A	N/A
GMOs - Marketing & Cultivation							
62	Directive 2001/18/EC of the European Parliament and of the Council of 12 March 2001 on the deliberate release into the environment of genetically modified organisms and repealing Council Directive 90/220/EEC - Commission Declaration	L 106.17.4.2001 p.1-36	Consolidated: 27.3.2021	N/A	N/A	N/A	N/A
63	Regulation (EC) No 1830/2003 of the European Parliament and of the Council of 22 September 2003 concerning the traceability and labelling of genetically modified organisms and the traceability of food and feed products produced from genetically modified organisms and amending Directive 2001/18/EC	L 268.18.10.2003 p.24-28	Consolidated: 26.7.2019	N/A	N/A	N/A	N/A
64	Regulation (EC) No 1946/2003 of the European Parliament and of the Council of 15 July 2003 on transboundary movements of genetically modified organisms	L 287.5.11.2003 p.1-10	N/A	N/A	N/A	N/A	N/A
GMMOs							
65	Directive 2009/41/EC of the European Parliament and of the Council of 6 May 2009 on the contained use of genetically modified micro-organisms	L 125.21.5.2009 p.75-97	N/A	N/A	N/A	N/A	N/A
Zootech							
66	Regulation (EU) 2016/1012 of the European Parliament and of the Council of 8 June 2016 on zootechnical and genealogical conditions for the breeding, trade in and entry into the Union of purebred breeding animals, hybrid breeding pigs and the germinal products thereof and amending Regulation (EU) No 652/2014, Council Directives 89/608/EEC and 90/425/EEC and repealing certain acts in the area of animal breeding ('Animal Breeding Regulation')	L 171.29.6.2016 p.66-143	N/A	N/A	Commission Implementing Regulation (EU) 2020/602, 2021/761, 2021/963, 2022/2077	N/A	N/A
Organic Production Regulation							

67	<p>Council Regulation (EC) No 834/2007 of 28 June 2007 on organic production and labelling of organic products and repealing Regulation (EEC) No 2092/91</p> <p>Commission Regulation (EC) No 889/2008 of 5 September 2008 laying down detailed rules for the implementation of Council Regulation (EC) No 834/2007 on organic production and labelling of organic products with regard to organic production, labelling and control: date of end of validity 31.12.2023</p> <p>Commission Regulation (EC) No 710/2009 of 5 August 2009 amending Regulation (EC) No 889/2008 laying down detailed rules for the implementation of Council Regulation (EC) No 834/2007, as regards laying down detailed rules on organic aquaculture animal and seaweed production: date of end of validity 31.12.2021</p>	<p>L_189_20_7_2007.p.1-23</p> <p>L_250_18_9_2008.p.1-84</p> <p>L_204_6_8_2009.p.15-34</p>	<p>Consolidated: 1.1.2022</p> <p>Consolidated: 1.1.2022</p> <p>N/A</p>	<p>N/A</p> <p>Repealed by Commission Implementing Regulation (EU) 2021/1165: Article 11</p> <p>Implicitly Repealed by Commission Implementing Regulation (EU) 2021/1165: Article 11</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p>	
Official Controls							
68	<p>Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation)</p> <p>Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules - No longer in force, date of end of validity 13.12.2019</p> <p>Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption - No longer in force, date of end of validity 13.12.2019</p> <p>Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organization of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC - No longer in force, date of end of validity 13.12.2019</p> <p>Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries - No longer in force, date of end of validity 13.12.2019</p> <p>Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market - No longer in force, date of end of validity 13.12.2019</p> <p>Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market - No longer in force, date of end of validity 13.12.2019</p>	<p>L_95_7_4_2017.p.1</p> <p>L_165_30_4_2004.p.1</p> <p>L_139_30_4_2004.p.206</p> <p>L_268_24_9_1991.p.56</p> <p>L_24_30_1_1998.p.9</p> <p>L_224_18_8_1990.p.29</p> <p>L_395_30_12_1989.p.13</p>	<p>Consolidated: 28.1.2022</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>	<p>N/A</p> <p>Repealed and Replaced by Regulation (EU) 2017/625: Article 146</p> <p>Repealed and Replaced by Regulation (EU) 2017/625: Article 146</p> <p>Repealed and Replaced by Regulation (EU) 2017/625: Article 146</p> <p>Repealed and Replaced by Regulation (EU) 2017/625: Article 146</p> <p>Repealed and Replaced by Regulation (EU) 2017/625: Article 146</p> <p>Repealed and Replaced by Regulation (EU) 2017/625: Article 146</p>	<p>108 Commission Implementing Regulations and 34 Commission Delegated Regulations since 1 January 2021</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>	
Fisheries & Aquaculture							
69	<p>Commission Regulation (EEC) No 3703/85 of 23 December 1985 laying down detailed rules for applying the common marketing standards for certain fresh or chilled fish</p>	<p>L_351_28_12_1985.p.63</p>	<p>Consolidated: 28.7.2006</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>	
70	<p>Council Regulation (EEC) No 2136/89 of 21 June 1989 laying down common marketing standards for preserved sardines and trade descriptions for preserved sardines and sardine-type products</p>	<p>L_212_22_7_1989.p.79</p>	<p>Consolidated: 31.12.2008</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>	
71	<p>Council Regulation (EEC) No 1536/92 of 9 June 1992 laying down common marketing standards for preserved tuna and bonito</p>	<p>L_163_17_6_1992.p.1</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>	
72	<p>Council Regulation (EC) No 2406/96 of 26 November 1996 laying down common marketing standards for certain fishery products</p> <p>Council Regulation (EC) No 850/98 of 30 March 1998 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms, insofar as it concerns provisions relating to minimum sizes of marine organisms - No longer in force, date of end of validity: 13.8.2019</p>	<p>L_334_23_12_1996.p.1</p> <p>L_125_27_4_1998.p.1</p>	<p>Consolidated: 2.6.2005</p> <p>N/A</p>	<p>N/A</p> <p>Repealed and replaced by Regulation (EU) 2019/1241: Article 39</p>	<p>N/A</p> <p>N/A</p>	<p>N/A</p> <p>N/A</p>	
73	<p>Regulation (EU) 2019/1241 of the European Parliament and of the Council of 20 June 2019 on the conservation of fisheries resources and the protection of marine ecosystems through technical measures, amending Council Regulations (EC) No 1967/2006, (EC) No 1224/2009 and Regulations (EU) No 1380/2013, (EU) 2016/1139, (EU) 2018/973, (EU) 2019/472 and (EU) 2019/1022 of the European Parliament and of the Council, and repealing Council Regulations (EC) No 894/97, (EC) No 850/98, (EC) No 2549/2000, (EC) No 254/2002, (EC) No 812/2004 and (EC) No 2187/2005</p>	<p>L_198_25_7_2019.p.105</p>	<p>Consolidated: 11.10.2024</p>	<p>N/A</p>	<p>Commission Implementing Regulation (EU) 2024/3094, (EU) 2020/967; Commission Delegated Regulation (EU) 2024/3204 (EU) 2024/3093, (EU) 2024/3089, (EU) 2024/3000 (EU) 2024/492, (EU) 2024/491, (EU) 2024/1060, (EU) 2023/56, (EU) 2022/2587, (EU) 2022/2588, (EU) 2022/1357, (EU) 2022/826, (EU) 2022/303, (EU) 2022/200, (EU) 2022/199, (EU) 2021/2324, (EU) 2021/1473, (EU) 2021/1160</p>	<p>Consolidated</p> <p>5</p>	
Fisheries & Aquaculture Marketing							
74	<p>Regulation (EU) No 1379/2013 of the European Parliament and of the Council of 11 December 2013 on the common organisation of the markets in fishery and aquaculture products amending Council Regulations (EC) No 1184/2006 and (EC) No 1224/2009 and repealing Council Regulation (EC) No 104/2000, insofar as it concerns provisions relating to marketing standards and consumer information</p>	<p>L_354_28_12_2013.p.1</p>	<p>Consolidated: 27.11.2024</p>	<p>N/A</p>	<p>Latest: 12 March 2018</p>	<p>Consolidated</p> <p>N/A</p>	

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	Council Directive 2006/88/EC of 24 October 2006 on animal health requirements for aquaculture animals and products thereof, and on the prevention and control of certain diseases in aquatic animals - No longer in force, date of end of validity: 20.04.2021	L328.24.11.2006.p.14	Consolidated: 6.3.2014	Repealed and replaced by Regulation (EU) 2016/429: Article 270	N/A	N/A	N/A
75	Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC, insofar as it concerns provisions relating to marketing standards for fishery and aquaculture products	L354.28.12.2013.p.22	Consolidated: 1.1.2023	N/A	Commission Delegated Regulation (EU) 2021/2064, (EU) 2021/2065, (EU) 2022/204, (EU) 2022/824, (EU) 2022/952, (EU) 2022/2287, (EU) 2022/2564, (EU) 2023/340, (EU) 2023/1609, (EU) 2023/1697, (EU) 2023/2460, (EU) 2023/2918, (EU) 2024/2910, (EU) 2024/2926, (EU) 2024/2943	N/A	1
				Total Implementing/ Delegated	660	0	64
	PLANT HEALTH					EU (Secondary) Law	EU (Tertiary) Law
	Plant Health						
76	Regulation (EU) 2016/2031 of the European Parliament of the Council of 26 October 2016 on protective measures against pests of plants, amending Regulations (EU) No 228/2013, (EU) No 652/2014 and (EU) No 1143/2014 of the European Parliament and of the Council and repealing Council Directives 69/464/EEC, 74/647/EEC, 93/85/EEC, 98/57/EC, 2000/29/EC, 2006/91/EC and 2007/33/EC	L317.23.11.2016.p.4	Consolidated: 14.12.2019	N/A	96 Commission Implementing Regulations and 2 Commission Delegated Regulations	N/A	7
77	Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein	L61.3.3.1997.p.1	Consolidated: 20.5.2023	N/A	N/A	N/A	N/A
	Pesticides, Biocides						
78	Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC	L309.24.11.2009.p.1	Consolidated: 21.11.2022	N/A	N/A	N/A	N/A
79	Regulation (EC) No 396/2005 of the European Parliament and of the Council of 23 February 2005 on maximum residue levels of pesticides in or on food and feed of plant and animal origin and amending Council Directive 91/414/EEC	L70.16.3.2005.p.1	Consolidated: 11.12.2024	N/A	N/A	Consolidated	N/A
80	Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products	L167.27.6.2012.p.1	Consolidated: 11.6.2024	N/A	273 Commission Implementing Regulations and 5 Commission Delegated Regulations	N/A	42
	Plant Reproductive Material						
81	Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seed	L125.11.7.1966.p.2309		N/A	N/A	N/A	N/A
82	Council Directive 68/193/EEC of 9 April 1968 on the marketing of material for the vegetative propagation of the vine	L93.17.4.1968.p.15	Consolidated: 16.2.2020	N/A	N/A	N/A	N/A
83	Council Directive 1999/105/EC of 22 December 1999 on the marketing of forest reproductive material	L11.15.1.2000.p.17		N/A	N/A	N/A	N/A
84	Council Directive 2002/53/EC of 13 June 2002 on the common catalogue of varieties of agricultural plant species	L193.20.7.2002.p.1	Consolidated: 18.4.2004	N/A	N/A	N/A	N/A
85	Council Directive 66/401/EEC of 14 June 1966 on the marketing of fodder plant seed	L125.11.7.1966.p.2298	Consolidated: 1.9.2022	N/A	N/A	N/A	N/A
86	Council Directive 98/56/EC of 20 July 1998 on the marketing of propagating material of ornamental plants	L226.13.8.1998.p.16	Consolidated: 30.6.2014	N/A	N/A	N/A	N/A
87	Council Directive 2008/72/EC of 15 July 2008 on the marketing of vegetable propagating and planting material, other than seed	L205.1.8.2008.p.28	Consolidated: 16.8.2022	N/A	N/A	N/A	N/A
88	Council Directive 2002/54/EC of 13 June 2002 on the marketing of beet seed	L193.20.7.2002.p.12	Consolidated: 1.9.2022	N/A	N/A	N/A	N/A
89	Council Directive 2002/55/EC of 13 June 2002 on the marketing of vegetable seed	L193.20.7.2002.p.33	Consolidated: 24.12.2024	N/A	N/A	Consolidated	N/A
90	Council Directive 2002/56/EC of 13 June 2002 on the marketing of seed potatoes	L193.20.7.2002.p.60	Consolidated: 9.1.2024	N/A	N/A	N/A	N/A
91	Council Directive 2002/57/EC of 13 June 2002 on the marketing of seed of oil and fibre plants	L193.20.7.2002.p.74	Consolidated: 24.12.2024	N/A	N/A	Consolidated	N/A
92	Council Directive 2008/90/EC of 29 September 2008 on the marketing of fruit plant propagating material and fruit plants intended for fruit production	L267.8.10.2008.p.8	Consolidated: 13.10.2022	N/A	N/A	N/A	N/A
				Total Implementing / Delegated	377	0	49
	EQUALITY, NON-DISCRIMINATION, AND HUMAN RIGHTS					EU (Secondary) Law	EU (Tertiary) Law
	Voting Rights in Local Government Elections						
93	Article 20(2)(b) TFEU and Article 22 TFEU	C.326.26.10.2012.p.47-390	N/A	N/A	N/A	N/A	N/A
	Equal Treatment Legislation						
94	Council Directive 2004/113/EC of 13 December 2004 implementing the principle of equal treatment between men and women in the access to and supply of goods and services	L.373.21.12.2004.p.37-43	N/A	N/A	N/A	N/A	N/A
95	Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation	L.204.26.7.2006.p.23-36	N/A	N/A	N/A	N/A	N/A
96	Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin	L.180.19.7.2000.p.22-26	N/A	N/A	N/A	N/A	N/A
97	Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation	L.303.2.12.2000.p.16-22	N/A	N/A	N/A	N/A	N/A

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98	Directive 2010/41/EU of the European Parliament and of the Council of 7 July 2010 on the application of the principle of equal treatment between men and women engaged in an activity in a self-employed capacity and repealing Council Directive 86/613/EEC	L 180 15.7.2010 p.1-6	N/A	N/A	N/A	N/A	N/A	
99	Council Directive 79/7/EEC of 19 December 1978 on the progressive implementation of the principle of equal treatment for men and women in matters of social security	L 6 10.1.1979 p.24-25	N/A	N/A	N/A	N/A	N/A	
					Total Implementing / Delegated	0	0	0
SOCIAL PROTECTION						EU (Secondary) Law	EU (Tertiary) Law	
EU Social Security Coordination								
100	Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems	L 166 30.4.2004 p.1-123	Consolidated: 31.7.2019	N/A	N/A	N/A	N/A	
101	Regulation (EC) No 987/2009 of the European Parliament and of the Council of 16 September 2009 laying down the procedure for implementing Regulation (EC) No 883/2004 on the coordination of social security systems	L 284 30.10.2009 p.1-42	Consolidated: 1.1.2018	N/A	N/A	N/A	N/A	
102	Regulation (EEC) No 1408/71 of the Council of 14 June 1971 on the application of social security schemes to employed persons and their families moving within the Community Regulation (EEC) No 574/72 of the Council of 21 March 1972 fixing the procedure for implementing Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons and their families moving within the Community: date of end of validity 30.4.2010	L 149 5.7.1971 p.2-50 L 74 27.3.1972 p.1-83	Consolidated: 1.5.2010 Consolidated: 2.3.2009	N/A	N/A	Repealed and Replaced by Regulation (EC) No 987/2009: Article 96	N/A	
					Total Implementing / Delegated	0	0	0
FOOD STANDARDS						EU (Secondary) Law	EU (Tertiary) Law	
Food Compositional Standards and Labelling								
103	Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety	L 31 1.2.2002 p.1	Consolidated: 1.7.2024	N/A	N/A	N/A	N/A	
104	Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004	L 304 22.11.2011 p.18	Consolidated: 1.1.2018	N/A	Commission Implementing Regulation (EU) 2021/334, (EU) 2021/945, (EU) 2022/100; Commission Delegated Regulation (EU) 2024/2512	N/A	1	
105	Directive 2011/91/EU of the European Parliament and of the Council of 13 December 2011 on indications or marks identifying the lot to which a foodstuff belongs	L 334 16.12.2011		N/A	N/A	N/A	N/A	
106	Regulation (EC) No 1331/2008 of the European Parliament and of the Council of 16 December 2008 establishing a common authorisation procedure for food additives, food enzymes and food flavourings	L 354 31.12.2008 p.1	Consolidated: 27.3.2021	N/A	N/A	N/A	N/A	
107	Regulation (EC) No 1332/2008 of the European Parliament and of the Council of 16 December 2008 on food enzymes and amending Council Directive 83/417/EEC, Council Regulation (EC) No 1493/1999, Directive 2000/13/EC, Council Directive 2001/112/EC and Regulation (EC) No 258/97	L 354 31.12.2008 p.7	Consolidated: 3.12.2012	N/A	N/A	N/A	N/A	
108	Regulation (EC) No 1333/2008 of the European Parliament and of the Council of 16 December 2008 on food additives	L 354 31.12.2008 p.16	Consolidated: 16.12.2024	N/A	N/A	Consolidated	N/A	
109	Regulation (EC) No 1334/2008 of the European Parliament and of the Council of 16 December 2008 on flavourings and certain food ingredients with flavouring properties for use in and on foods and amending Council Regulation (EEC) No 1601/91, Regulations (EC) No 2232/96 and (EC) No 110/2008 and Directive 2000/13/EC	L 354 31.12.2008 p.34	Consolidated: 3.12.2024	N/A	N/A	Consolidated	N/A	
110	Directive 2002/46/EC of the European Parliament and of the Council of 10 June 2002 on the approximation of the laws of the Member States relating to food supplements	L 183 12.7.2002 p.51	Consolidated: 17.7.2024	N/A	N/A	N/A	N/A	
111	Regulation (EC) No 1925/2006 of the European Parliament and of the Council of 20 December 2006 on the addition of vitamins and minerals and of certain other substances to foods	L 404 30.12.2006 p.26	Consolidated: 17.7.2024	N/A	N/A	N/A	N/A	
112	Regulation (EC) No 2065/2003 of the European Parliament and of the Council of 10 November 2003 on smoke flavourings used or intended for use in or on foods	L 309 26.11.2003 p.1	Consolidated: 27.3.2021	N/A	N/A	N/A	N/A	
113	Council Regulation (EEC) No 315/93 of 8 February 1993 laying down Community procedures for contaminants in food	L 37 13.2.1993 p.1	Consolidated: 7.8.2009	N/A	N/A	N/A	N/A	
114	Regulation (EU) 2015/2283 of the European Parliament and of the Council of 25 November 2015 on novel foods, amending Regulation (EU) No 1169/2011 of the European Parliament and of the Council and repealing Regulation (EC) No 258/97 of the European Parliament and of the Council and Commission Regulation (EC) No 1852/2001	L 327 11.12.2015 p.1	Consolidated: 27.3.2021	N/A	95 Commission Implementing Regulations	N/A	3	
115	Regulation (EU) No 609/2013 of the European Parliament and of the Council of 12 June 2013 on food intended for infants and young children, food for special medical purposes, and total diet replacement for weight control and repealing Council Directive 92/52/EEC, Commission Directives 96/8/EC, 1999/21/EC, 2006/125/EC and 2006/141/EC, Directive 2009/39/EC of the European Parliament and of the Council and Commission Regulations (EC) No 41/2009 and (EC) No 953/2009	L 181 29.6.2013 p.35	Consolidated: 20.11.2024	N/A	Commission Delegated Regulations (EU) 2021/571, (EU) 2021/572, (EU) 2021/1041, (EU) 2021/1040, (EU) 2022/519, (EU) 2022/2182, (EU) 2023/439, (EU) 2023/589, (EU) 2024/2684, (EU) 2024/2791	Consolidated	2	
116	Directive 1999/4/EC of the European Parliament and of the Council of 22 February 1999 relating to coffee extracts and chicory extracts	L 66 13.3.1999 p.26	Consolidated: 18.11.2013	N/A	N/A	N/A	N/A	
117	Directive 2000/36/EC of the European Parliament and of the Council of 23 June 2000 relating to cocoa and chocolate products intended for human consumption	L 197 3.8.2000 p.19	Consolidated: 18.11.2013	N/A	N/A	N/A	N/A	
118	Council Directive 2001/110/EC of 20 December 2001 relating to honey	L 10 12.1.2002 p.47	Consolidated: 23.6.2014	N/A	N/A	N/A	N/A	

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119	Council Directive 2001/111/EC of 20 December 2001 relating to certain sugars intended for human consumption Commission Implementing Regulation (EU) No 543/2011 of 7 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors. No longer in force; date of end of validity: 31.12.2024	L 10.12.1.2002 p.53	Consolidated: 18.11.2013	N/A	N/A	N/A	N/A	
		L 157.15.6.2011 p.1	Consolidated: 24.10.2022	Repealed and Replaced by Commission Delegated Regulation (EU) 2023/2429	N/A	N/A	N/A	
120	Commission Delegated Regulation (EU) 2023/2429 of 17 August 2023 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards marketing standards for the fruit and vegetables sector, certain processes fruit and vegetable products and the bananas sector, and repealing Commission Regulation (EC) No 1666/1999 and Commission Implementing Regulations (EU) No 543/2011 and (EU) No 1333/2011	L 2023/2429 3.11.2023		N/A	N/A	N/A	N/A	
121	Council Directive 2001/112/EC of 20 December 2001 relating to fruit juices and certain similar products intended for human consumption	L 10.12.1.2002 p.58	Consolidated: 5.10.2014	N/A	N/A	N/A	N/A	
122	Council Directive 2001/113/EC of 20 December 2001 relating to fruit jams, jellies and marmalades and sweetened chestnut purée intended for human consumption	L 10.12.1.2002 p.67	Consolidated: 18.11.2013	N/A	N/A	N/A	N/A	
123	Council Directive 2001/114/EC of 20 December 2001 relating to certain partly or wholly dehydrated preserved milk for human consumption	L 15.17.1.2002 p.19	Consolidated: 18.11.2013	N/A	N/A	N/A	N/A	
124	Directive (EU) 2015/2203 of the European Parliament and of the Council of 25 November 2015 on the approximation of the laws of the Member States relating to caseins and caseinates intended for human consumption and repealing Council Directive 83/417/EEC	L 314.1.12.2015 p.1	N/A	N/A	N/A	N/A	N/A	
Nutrition Labelling, Composition and Standards								
125	Regulation (EC) 1924/2006 of the European Parliament and of the Council of 20 December 2006 on nutrition and health claims made on foods	L 404.30.12.2006 p.9	Consolidated: 13.12.2014	N/A	N/A	N/A	N/A	
Food Hygiene								
126	Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin	L 139.30.4.2004 p.55	Consolidated: 9.11.2024	N/A	N/A	Consolidated	N/A	
127	Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs	L 139.30.4.2004 p.1	Consolidated: 24.3.2021	N/A	N/A	N/A	N/A	
128	Council Directive 89/108/EEC of 21 December 1988 on the approximation of the laws of the Member States relating to quick-frozen foodstuffs for human consumption	L 40.11.2.1989 p.34	Consolidated: 1.7.2013	N/A	N/A	N/A	N/A	
Regulation of Tobacco and Related Products								
129	Directive 2014/40/EU of the European Parliament and of the Council of 3 April 2014 on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco and related products and repealing Directive 2001/37/EC	L 127.29.4.2014 p.1-38	Consolidated: 23.10.2023	N/A	Commission Delegated Directive (EU) 2022/2100 and Commission Implementing Regulation (EU) 2023/448	N/A	N/A	
130	Directive 2003/33/EC of the European Parliament and of the Council of 26 May 2003 on the approximation of the laws, regulations and administrative provisions of the Member States relating to the advertising and sponsorship of tobacco products	L 152.20.6.2003 p.16-19	Consolidated: 20.6.2003	N/A	N/A	N/A	N/A	
Organic Products								
131	Council Regulation (EC) No 834/2007 of 28 June 2007 on organic production and labelling of organic products and repealing Regulation (EEC) No 2092/91: Repealed by (EU) 2018/848 but with partial continued application.	L 189.20.7.2007 p.1	Consolidated: 1.1.2022	Repealed and Replaced by Regulation (EU) 2018/848: Article 56 [but with partial continued application]	N/A	N/A	N/A	
132	Regulation (EU) 2018/848 of the European Parliament and of the Council of 30 May 2018 on organic production and labelling of organic products and repealing Council Regulation (EC) No 834/2007	L 150.14.6.2018 p.1	Consolidated: 1.12.2024	N/A	38 Commission Delegated Regulations and 44 Commission Implementing Regulations	Consolidated	15	
133	Regulation (EU) 2023/2419 of the European Parliament and of the Council of 18 October 2023 on the labelling of organic pet food	L 2023/2419 27.10.2023		N/A	N/A	N/A	N/A	
					Total Implementing / Delegated	195	2	21
CHEMICALS						EU (Secondary) Law	EU (Tertiary) Law	
Fertiliser Regulation								
	Regulation (EC) No 2003/2003 of the European Parliament and of the Council of 13 October 2003 relating to fertilisers: date of end of validity 15.7.2022	L 304.21.11.2003 p.1-194	Consolidated: 20.6.2021	Repealed and Replaced by Regulation (EU) 2019/1009: Article 51	N/A	N/A	N/A	
134	Regulation (EU) 2019/1009 of the European Parliament and of the Council of 5 June 2019 laying down rules on the making available on the market of EU fertilising products and amending Regulations (EC) No 1069/2009 and (EC) No 1107/2009 and repealing Regulation (EC) No 2003/2003	L 170.25.6.2019 p.1-114	Consolidated: 17.11.2024	N/A	Commission Delegated Regulation (EU) 2021/1768, (EU) 2021/2086, (EU) 2021/2087, (EU) 2021/2088, (EU) 2022/973, (EU) 2022/1171, (EU) 2022/1519, (EU) 2023/409, (EU) 2024/1682, (EU) 2024/2770, (EU) 2024/2790, (EU) 2024/2787, (EU) 2024/2788, (EU) 2024/2786	Consolidated	5	
Good Laboratory Practice								
135	Directive 2004/9/EC of the European Parliament and of the Council of 11 February 2004 on the inspection and verification of good laboratory practice (GLP)	L 50.20.2.2004 p.28-43	Consolidated: 26.7.2019	N/A	N/A	N/A	N/A	
136	Directive 2004/10/EC of the European Parliament and of the Council of 11 February 2004 on the harmonisation of laws, regulations and administrative provisions relating to the application of the principles of good laboratory practice and the verification of their applications for tests on chemical substances	L 50.20.2.2004 p.44-59	Consolidated: 20.4.2009	N/A	N/A	N/A	N/A	
REACH								

137	Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC	L 396 30.12.2006 p.1	Consolidated: 10.10.2024	N/A	N/A	Consolidated	N/A	
Persistent Organic Pollutants								
138	Regulation (EU) 2019/1021 of the European Parliament and of the Council of 20 June 2019 on persistent organic pollutants	L 169 25.6.2019 p.45	Consolidated: 17.10.2024	N/A	Commission Delegated Regulation (EU) 2023/866, (EU) 2022/2291, (EU) 2023/1608, (EU) 2024/2555, (EU) 2024/2570	N/A	2	
Hazardous Chemicals								
139	Regulation (EU) No 649/2012 of the European Parliament and of the Council of 4 July 2012 concerning the export and import of hazardous chemicals	L 201 27.7.2012 p.60	Consolidated: 1.11.2023	N/A	Commission Implementing Decision C/2021/6140, C/2023/3459 and (EU) 2024/1736; Commission Delegated Regulation (EU) 2022/643, (EU) 2023/1656, (EU) 2024/3199	N/A	1	
					Total Implementing / Delegated	25	0	8
ECONOMY & TRADE								
						EU (Secondary) Law	EU (Tertiary) Law	
Late Payment - Commercial Transactions								
140	Directive 2011/7/EU of the European Parliament and of the Council of 16 February 2011 on combating late payment in commercial transactions	L 48 23.2.2011 p.1-10	N/A	N/A	N/A	N/A	N/A	
Mutual Recognition of Professional Qualifications - Cross-Sectoral								
141	Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications	L 255 30.9.2005 p.22-142	Consolidated: 20.6.2024	N/A	N/A	N/A	N/A	
Services Directive								
142	Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market	L 376 27.12.2006 p.36-68	N/A	N/A	N/A	N/A	N/A	
Public Procurement								
143	Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC Text with EEA relevance	L 94 28.3.2014 p.65-242	Consolidated: 1.1.2024	N/A	Commission Delegated Regulation (EU) 2021/1952 and (EU) 2023/2495 Commission Implementing Regulation (EU) 2022/2303 and (EU) 2023/2884	N/A	N/A	
144	Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC	L 94 28.3.2014 p.243-374	Consolidated: 1.1.2024	N/A	Commission Implementing Decision (EU) 2022/418, (EU) 2022/1286, (EU) 2022/1296, (EU) 2022/1376, (EU) 2022/2303, (EU) 2023/264, (EU) 2023/1228, (EU) 2023/1978, (EU) 2023/2884, (EU) 2024/2138, (EU) 2024/3224; Commission Delegated Regulation (EU) 2021/1953, (EU) 2023/2496	N/A	1	
145	Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 on the award of concession contracts	L 94 28.3.2014 p.1-64	Consolidated: 1.1.2024	N/A	Commission Delegated Regulation (EU) 2021/1951 and (EU) 2023/2497 and Commission Implementing Regulation (EU) 2022/2303 and (EU) 2023/2884	N/A	0	
					Total Implementing / Delegated	21	0	1
POLICE & JUDICIAL COOPERATION								
						EU (Secondary) Law	EU (Tertiary) Law	
European Judicial Network								
146	Council Decision 2008/976/JHA of 16 December 2008 on the European Judicial Network	L 348 24.12.2008 p.130-134	N/A	N/A	N/A	N/A	N/A	
Joint Action on Organised Crime								
147	97/827/JHA: Joint Action of 5 December 1997 adopted by the Council on the basis of Article K.3 of the Treaty on European Union, establishing a mechanism for evaluating the application and implementation at national level of international undertakings in the fight against organized crime	L 344 15.12.1997 p.7-9	N/A	N/A	N/A	N/A	N/A	
False and Authentic Documents Online (FADO)								
148	98/700/JHA: Joint Action of 3 December 1998 adopted by the Council on the basis of Article K.3 of the Treaty on European Union concerning the setting up of a European Image Archiving System (FADO)	L 333 9.12.1998 p.4-7	N/A	N/A	N/A	N/A	N/A	
European Police College (CEPOL)								
149	Council Decision 2005/681/JHA of 20 September 2005 establishing the European Police College (CEPOL) and repealing Decision 2000/820/JHA: date of end of validity 1.7.2016 Regulation (EU) 2015/2219 of the European Parliament and of the Council of 25 November 2015 on the European Union Agency for Law Enforcement Training (CEPOL) and replacing and repealing Council Decision 2005/681/JHA	L 256 1.10.2005 p.63-70 L 319 4.12.2015 p.1-20	Consolidated: 1.9.2014 N/A	Repealed and Replaced by Regulation (EU) 2015/2219: Article 40 N/A	N/A N/A	N/A N/A	N/A N/A	
EU-LISA								

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	Regulation (EU) No 1077/2011 of the European Parliament and of the Council of 25 October 2011 establishing a European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice: date of end of validity 10.12.2018	L_286_1.11.2011.p.1-17	Consolidated: 9.10.2018	Repealed and Replaced by Regulation (EU) 2018/1726: Article 57	N/A	N/A	N/A
150	Regulation (EU) 2018/1726 of the European Parliament and of the Council of 14 November 2018 on the European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA), and amending Regulation (EC) No 1987/2006 and Council Decision 2007/533/JHA and repealing Regulation (EU) No 1077/2011	L_295_21.11.2018.p.99-137	Consolidated: 25.4.2024	N/A	N/A	N/A	N/A
EUROPOL							
151	Regulation (EU) 2016/794 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Law Enforcement Cooperation (Europol) and replacing and repealing Council Decisions 2009/371/JHA, 2009/934/JHA, 2009/935/JHA, 2009/936/JHA and 2009/968/JHA	L_135_24.5.2016.p.53-114	Consolidated: 28.6.2022	N/A	N/A	N/A	N/A
EUROJUST							
152	Regulation (EU) 2018/1727 of the European Parliament and of the Council of 14 November 2018 on the European Union Agency for Criminal Justice Cooperation (Eurojust), and replacing and repealing Council Decision 2002/187/JHA	L_295_21.11.2018.p.138-183	Consolidated: 31.10.2023	N/A	Latest 23 July 2020	N/A	N/A
European Criminal Records Information System (ECRIS)							
153	Council Framework Decision 2009/315/JHA of 26 February 2009 on the organisation and content of the exchange of information extracted from the criminal record between Member States	L_93_7.4.2009.p.23-32	Consolidated: 27.6.2019	N/A	N/A	N/A	N/A
Prüm Framework (data sharing)							
154	Council Decision 2008/616/JHA of 23 June 2008 on the implementation of Decision 2008/615/JHA on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime	L_210_6.8.2008.p.12-72	Consolidated: 25.4.2024	N/A	N/A	N/A	N/A
155	Council Decision 2008/615/JHA of 23 June 2008 on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime	L_210_6.8.2008.p.1-11	Consolidated: 25.4.2024	N/A	N/A	N/A	N/A
156	Regulation (EU) 2024/982 of the European Parliament and of the Council of 13 March 2024 on the automated search and exchange of data for police cooperation, and amending Council Decisions 2008/615/JHA and 2008/616/JHA and Regulations (EU) 2018/1726, (EU) No 2019/817 and (EU) 2019/818 of the European Parliament and of the Council (the Prüm II Regulation)	L_2024/982.5.4.2024		N/A	N/A	N/A	N/A
Schengen Information System (SIS II)							
	Council Decision 2007/533/JHA of 12 June 2007 on the establishment, operation and use of the second generation Schengen Information System (SIS II): date of end of validity 6.3.2023	L_205_7.8.2007.p.63-84	Consolidated: 28.12.2020	Repealed and Replaced by Regulation (EU) 2018/1862: Article 78	N/A	N/A	N/A
157	Regulation (EU) 2018/1862 of the European Parliament and of the Council of 28 November 2018 on the establishment, operation and use of the Schengen Information System (SIS) in the field of police cooperation and judicial cooperation in criminal matters, amending and repealing Council Decision 2007/533/JHA, and repealing Regulation (EC) No 1986/2006 of the European Parliament and of the Council and Commission Decision 2010/261/EU	L_312_7.12.2018.p.56-106	Consolidated: 1.8.2022	N/A	Commission Implementing Decision (EU) 2023/201, (EU) 2022/2206, (EU) 2021/31	N/A	N/A
Minimum Standards Legislation - Cybercrime							
158	Directive 2013/40/EU of the European Parliament and of the Council of 12 August 2013 on attacks against information systems and replacing Council Framework Decision 2005/222/JHA	L_218_14.8.2013.p.8-14	N/A	N/A	N/A	N/A	N/A
Minimum Standards Legislation - Human Trafficking							
159	Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA	L_101_15.4.2011.p.1-11	Consolidated: 14.7.2024	N/A	N/A	N/A	N/A
Asset Recovery Offices							
160	Council Decision 2007/845/JHA of 6 December 2007 concerning cooperation between Asset Recovery Offices of the Member States in the field of tracing and identification of proceeds from, or other property related to, crime	L_332_18.12.2007.p.103-105	N/A	N/A	N/A	N/A	N/A
Cooperation Legislation - Child Sexual Exploitation							
161	Council Decision of 29 May 2000 to combat child pornography on the Internet	L_138_9.6.2000.p.1-4	N/A	N/A	N/A	N/A	N/A
Schengen Convention - Law Enforcement Cooperation (Article 40)							
162	The Schengen acquis - Convention implementing the Schengen Agreement of 14 June 1985 between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic on the gradual abolition of checks at their common borders	L_210_6.8.2008.p.12-72	Consolidated: 25.4.2024	N/A	N/A	N/A	N/A
European Investigation Order							
163	Directive 2014/41/EU of the European Parliament and of the Council of 3 April 2014 regarding the European Investigation Order in criminal matters	L_130_1.5.2014.p.1-36	Consolidated: 13.3.2022	N/A	N/A	N/A	N/A
Joint Investigation Teams							
164	Council Framework Decision of 13 June 2002 on joint investigation teams	L_162_20.6.2002.p.1-3	Consolidated: 10.3.2022	N/A	N/A	N/A	N/A
Mutual Recognition of Assets Freezing							
	Council Framework Decision 2003/577/JHA of 22 July 2003 on the execution in the European Union of orders freezing property or evidence: date of end of validity 18.12.2020	L_196_2.8.2003.p.45-55	Consolidated: 2.8.2003	Repealed and Replaced by Regulation (EU) 2018/1805	N/A	N/A	N/A
Mutual Recognition of Confiscation Orders							
	Council Framework Decision 2006/783/JHA of 6 October 2006 on the application of the principle of mutual recognition to confiscation orders. No longer in force; date of end of validity: 18.12.2020	L_328_24.11.2006.p.59-78	Consolidated: 28.3.2009	Repealed and Replaced by Regulation (EU) 2018/1805	N/A	N/A	N/A

165	Regulation (EU) 2018/1805 of the European Parliament and of the Council of 14 November 2018 on the mutual recognition of freezing orders and confiscation orders	L_303.28.11.2018.p.1-38	N/A	N/A	N/A	N/A	N/A
Cross-Border Data Exchange 'Swedish Initiative'							
166	Council Framework Decision 2006/960/JHA of 18 December 2006 on simplifying the exchange of information and intelligence between law enforcement authorities of the Member States of the European Union. No longer in force. date of end of validity: 11.12.2024	L_386.29.12.2006.p.89-100	Consolidated: 30.12.2006	Repealed and Replaced by Directive (EU) 2023/977	N/A	N/A	N/A
	Directive (EU) 2023/977 of the European Parliament and of the Council of 10 May 2023 on the exchange of information between the law enforcement authorities of Member States and repealing Council Framework Decision 2006/960/JHA	L_134.22.5.2023.p.1-24			N/A	N/A	N/A
Cooperation on Football Disorder							
167	2002/348/JHA: Council Decision of 25 April 2002 concerning security in connection with football matches with an international dimension	L_121.8.5.2002.p.1-3	Consolidated: 16.6.2007		N/A	N/A	N/A
Forensic Service Providers - Mutual Recognition							
168	Council Framework Decision 2009/905/JHA of 30 November 2009 on accreditation of forensic service providers carrying out laboratory activities	L_322.9.12.2009.p.14-16	N/A		N/A	N/A	N/A
Passenger Name Records (PNR) Data							
170	Directive (EU) 2016/681 of the European Parliament and of the Council of 27 April 2016 on the use of passenger name record (PNR) data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime	L_119.4.5.2016.p.132-149	N/A		N/A	Latest: 28 April 2017	N/A
Applicable Law in Contracts and Non-Contractual Obligations							
171	Regulation (EC) No 593/2008 of the European Parliament and of the Council of 17 June 2008 on the law applicable to contractual obligations (Rome I)	L_177.4.7.2008.p.6-16	Consolidated: 24.7.2008		N/A	N/A	N/A
172	Regulation (EC) No 864/2007 of the European Parliament and of the Council of 11 July 2007 on the law applicable to non-contractual obligations (Rome II)	L_199.31.7.2007.p.40-49	N/A		N/A	N/A	N/A
Legal Mediation - Cross-Border							
173	Directive 2008/52/EC of the European Parliament and of the Council of 21 May 2008 on certain aspects of mediation in civil and commercial matters	L_136.24.5.2008.p.3-8			N/A	N/A	N/A
Civil and Commercial Law - Jurisdiction, Recognition and Enforcement							
174	Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters	L_351.20.12.2012.p.1-32	Consolidated: 26.2.2015		N/A	Latest: 26 November 2014	N/A
	Council Regulation (EC) No 1346/2000 of 29 May 2000 on insolvency proceedings: date of end of validity 26.6.2017	L_160.30.6.2000.p.1-18	Consolidated: 12.10.2016	Repealed and Replaced by Regulation (EU) 2015/848: Article 91	N/A	N/A	N/A
175	Regulation (EU) 2015/848 of the European Parliament and of the Council of 20 May 2015 on insolvency proceedings	L_141.5.6.2015.p.19-72	Consolidated: 9.1.2022		N/A	Latest: 4 June 2019	N/A
Family Law - Jurisdiction, Recognition and Enforcement							
176	Council Regulation (EC) No 2201/2003 of 27 November 2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility, repealing Regulation (EC) No 1347/2000: date of end of validity 31.7.2022	L_338.23.12.2003.p.1-29	Consolidated: 1.3.2005	Repealed and Replaced by Council Regulation (EU) 2019/1111: Article 104	N/A	N/A	N/A
	Council Regulation (EU) 2019/1111 of 25 June 2019 on jurisdiction, the recognition and enforcement of decisions in matrimonial matters and the matters of parental responsibility, and on international child abduction	L_178.2.7.2019.p.1-115	N/A		N/A	N/A	N/A
178	Council Regulation (EC) No 4/2009 of 18 December 2008 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations	L_7.10.1.2009.p.1-79	Consolidated: 31.12.2018		N/A	N/A	N/A
179	Regulation (EU) No 606/2013 of the European Parliament and of the Council of 12 June 2013 on mutual recognition of protection measures in civil matters	L_181.29.6.2013.p.4-12	N/A		N/A	Latest: 2 September 2014	N/A
Legal Aid - Cross-Border Cases							
180	Council Directive 2002/8/EC of 27 January 2003 to improve access to justice in cross-border disputes by establishing minimum common rules relating to legal aid for such disputes	L_26.31.1.2003.p.41-47	Consolidated: 31.1.2003		N/A	N/A	N/A
Service of Documents & Taking Evidence							
181	Regulation (EC) No 1393/2007 of the European Parliament and of the Council of 13 November 2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents), and repealing Council Regulation (EC) No 1348/2000	L_324.10.12.2007.p.79-120	Consolidated: 1.7.2013		N/A	N/A	N/A
182	Council Regulation (EC) No 1206/2001 of 28 May 2001 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters	L_174.27.6.2001.p.1-24	Consolidated: 4.12.2008		N/A	N/A	N/A
183	2001/470/EC: Council Decision of 28 May 2001 establishing a European Judicial Network in civil and commercial matters	L_174.27.6.2001.p.25-31	Consolidated: 1.1.2011		N/A	N/A	N/A
Civil and Commercial Law - Small Claims, Enforcement and Order for Payment							
184	Regulation (EU) 2015/2421 of the European Parliament and of the Council of 16 December 2015 amending Regulation (EC) No 861/2007 establishing a European Small Claims Procedure and Regulation (EC) No 1896/2006 creating a European order for payment procedure	L_341.24.12.2015.p.1-13	N/A		N/A	N/A	N/A
185	Regulation (EC) No 861/2007 of the European Parliament and of the Council of 11 July 2007 establishing a European Small Claims Procedure	L_199.31.7.2007.p.1-22	Consolidated: 14.7.2017		N/A	N/A	N/A

186	Regulation (EC) No 805/2004 of the European Parliament and of the Council of 21 April 2004 creating a European Enforcement Order for uncontested claims	L_143_30_4_2004 p.15-39	Consolidated: 26.10.2022	N/A	N/A	N/A	N/A
187	Regulation (EC) No 1896/2006 of the European Parliament and of the Council of 12 December 2006 creating a European order for payment procedure	L_399_30_12_2006 p.1-32	Consolidated: 14.7.2017	N/A	N/A	N/A	N/A
Child Sexual Exploitation - Minimum Standards Measures							
188	Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA	L_335_17_12_2011 p.1-14	Consolidated: 17.12.2011	N/A	N/A	N/A	N/A
Mutual Recognition of Criminal Court Judgments - Cross-Border Cooperation							
189	Council Framework Decision 2008/909/JHA of 27 November 2008 on the application of the principle of mutual recognition to judgments in criminal matters imposing custodial sentences or measures involving deprivation of liberty for the purpose of their enforcement in the European Union	L_357_5_12_2008 p.27-46	Consolidated: 28.3.2009	N/A	N/A	N/A	N/A
190	Directive 2011/99/EU of the European Parliament and of the Council of 13 December 2011 on the European protection order	L_338_21_12_2011 p.2-18	N/A	N/A	N/A	N/A	N/A
191	Council Framework Decision 2009/829/JHA of 23 October 2009 on the application, between Member States of the European Union, of the principle of mutual recognition to decisions on supervision measures as an alternative to provisional detention	L_294_11_11_2009 p.20-40	N/A	N/A	N/A	N/A	N/A
192	Council Framework Decision 2005/214/JHA of 24 February 2005 on the application of the principle of mutual recognition to financial penalties	L_76_22_3_2005 p.16-30	Consolidated: 28.3.2009	N/A	N/A	N/A	N/A
193	Council Directive 2004/80/EC of 29 April 2004 relating to compensation to crime victims	L_261_6_8_2004 p.15-18		N/A	N/A	N/A	N/A
Procedural Rights - Minimum Standards							
194	Directive 2012/13/EU of the European Parliament and of the Council of 22 May 2012 on the right to information in criminal proceedings	L_142_1_6_2012 p.1-10	N/A	N/A	N/A	N/A	N/A
195	Directive 2010/64/EU of the European Parliament and of the Council of 20 October 2010 on the right to interpretation and translation in criminal proceedings	L_280_26_10_2010 p.1-7	N/A	N/A	N/A	N/A	N/A
Legal Services - Provision							
196	Directive 98/5/EC of the European Parliament and of the Council of 16 February 1998 to facilitate practice of the profession of lawyer on a permanent basis in a Member State other than that in which the qualification was obtained	L_77_14_3_1998 p.36-43	Consolidated: 1.7.2013	N/A	N/A	N/A	N/A
197	Council Directive 77/249/EEC of 22 March 1977 to facilitate the effective exercise by lawyers of freedom to provide services	L_78_26_3_1977 p.17-18	Consolidated: 1.7.2013	N/A	N/A	N/A	N/A
Sentencing - Accounting for Convictions							
198	Council Framework Decision 2008/675/JHA of 24 July 2008 on taking account of convictions in the Member States of the European Union in the course of new criminal proceedings	L_220_15_8_2008 p.32-34	N/A	N/A	N/A	N/A	N/A
Victims Rights - Minimum Standards							
199	Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA	L_315_14_11_2012 p.57-73	N/A	N/A	N/A	N/A	N/A
					Total implementing / Delegated	2	0
PUBLIC HEALTH							
						EU (Secondary) Law	EU (Tertiary) Law
Public Health Protection							
200	Decision No 1082/2013/EU of the European Parliament and of the Council of 22 October 2013 on serious cross-border threats to health and repealing Decision No 2119/98/EC; date of end of validity: 25.12.2022	L_293_5_11_2013 p.1-15	Consolidated: 5.11.2013	N/A	Commission Implementing Decision (EU) 2021/858, (EU) 2021/1212	N/A	N/A
201	Regulation (EU) 2022/2371 of the European Parliament and of the Council of 23 November 2022 on serious cross-border threats to health and repealing Decision No 1082/2013/EU	L_314_6_12_2022 p.26-63	N/A	N/A	Commission Implementing Regulation (EU) 2023/1808, (EU) 2024/892, (EU) 2024/2959 and Commission Delegated Regulation (EU) 2024/1232	N/A	1
201	Regulation (EC) No 851/2004 of the European Parliament and of the Council of 21 April 2004 establishing a European Centre for disease prevention and control	L_142_30_4_2004 p.1-11	Consolidated: 26.12.2022	N/A	N/A	N/A	N/A
Blood Safety & Quality							
202	Directive 2002/98/EC of the European Parliament and of the Council of 27 January 2003 setting standards of quality and safety for the collection, testing, processing, storage and distribution of human blood and blood components and amending Directive 2001/83/EC	L_33_8_2_2003 p.30-40	Consolidated: 7.8.2009	N/A	N/A	N/A	N/A
203	Commission Directive 2004/33/EC of 22 March 2004 implementing Directive 2002/98/EC of the European Parliament and of the Council as regards certain technical requirements for blood and blood components	L_91_30_3_2004 p.25-39	Consolidated: 9.1.2015	N/A	N/A	N/A	N/A
204	Commission Directive 2005/61/EC of 30 September 2005 implementing Directive 2002/98/EC of the European Parliament and of the Council as regards traceability requirements and notification of serious adverse reactions and events	L_256_1_10_2005 p.32-40	N/A	N/A	N/A	N/A	N/A
205	Commission Directive 2005/62/EC of 30 September 2005 implementing Directive 2002/98/EC of the European Parliament and of the Council as regards Community standards and specifications relating to a quality system for blood establishments	L_256_1_10_2005 p.41-48	Consolidated: 15.8.2016	N/A	N/A	N/A	N/A
Organs, Tissues and Cells							

206	Council Directive 2010/45/EU of the European Parliament and of the Council of 7 July 2010 on standards of quality and safety of human organs intended for transplantation	L_207.6.8.2010.p.14-29	Consolidated: 6.8.2010	N/A	Latest: 9 October 2012	N/A	N/A	
207	Commission Implementing Directive 2012/25/EU of 9 October 2012 laying down information procedures for the exchange, between Member States, of human organs intended for transplantation	L_275.10.10.2012.p.27-32	N/A	N/A	N/A	N/A	N/A	
208	Directive 2004/23/EC of the European Parliament and of the Council of 31 March 2004 on setting standards of quality and safety for the donation, procurement, testing, processing, preservation, storage and distribution of human tissues and cells	L_102.7.4.2004.p.48-58	Consolidated: 7.8.2009	N/A	N/A	N/A	N/A	
209	Commission Directive 2006/17/EC of 8 February 2006 implementing Directive 2004/23/EC of the European Parliament and of the Council as regards certain technical requirements for the donation, procurement and testing of human tissues and cells	L_38.9.2.2006.p.40-52	Consolidated: 17.12.2012	N/A	N/A	N/A	N/A	
210	Commission Directive 2006/86/EC of 24 October 2006 implementing Directive 2004/23/EC of the European Parliament and of the Council as regards traceability requirements, notification of serious adverse reactions and events and certain technical requirements for the coding, processing, preservation, storage and distribution of human tissues and cells	L_294.25.10.2006.p.32-50	Consolidated: 29.4.2015	N/A	N/A	N/A	N/A	
211	Commission Directive 2012/39/EU of 26 November 2012 amending Directive 2006/17/EC as regards certain technical requirements for the testing of human tissues and cells	L_327.27.11.2012.p.24-25	N/A	N/A	N/A	N/A	N/A	
212	Commission Directive (EU) 2015/565 of 8 April 2015 amending Directive 2006/86/EC as regards certain technical requirements for the coding of human tissues and cells	L_93.9.4.2015.p.43-55	N/A	N/A	N/A	N/A	N/A	
213	Commission Directive (EU) 2015/566 of 8 April 2015 implementing Directive 2004/23/EC as regards the procedures for verifying the equivalent standards of quality and safety of imported tissues and cells	L_93.9.4.2015.p.56-68	N/A	N/A	N/A	N/A	N/A	
Reciprocal Cross-Border Healthcare								
214	Directive 2011/24/EU of the European Parliament and of the Council of 9 March 2011 on the application of patients' rights in cross-border healthcare	L_88.4.4.2011.p.45-65	Consolidated: 1.1.2014	N/A	Latest: 15 July 2020	N/A	N/A	
					Total Implementing / Delegated	6	0	1
TRANSPORT						EU (Secondary) Law	EU (Tertiary) Law	
Aviation - Compensation Public Service Obligation								
215	Regulation (EC) No 1008/2008 of the European Parliament and of the Council of 24 September 2008 on common rules for the operation of air services in the Community	L_293.31.10.2008.p.3-20	Consolidated: 18.12.2020	N/A	N/A	N/A	N/A	
Bus Franchising Rules								
216	Regulation (EC) No 1370/2007 of the European Parliament and of the Council of 23 October 2007 on public passenger transport services by rail and by road and repealing Council Regulations (EEC) Nos 1191/69 and 1107/70	L_315.3.12.2007.p.1-13	Consolidated: 24.12.2017	N/A	N/A	N/A	N/A	
Charging of HGVs								
217	Directive 1999/62/EC of the European Parliament and of the Council of 17 June 1999 on the charging of heavy goods vehicles for the use of certain infrastructures	L_187.20.7.1999.p.42-50	Consolidated: 24.3.2022	N/A	N/A	N/A	N/A	
Electronic Road Toll Systems								
218	Directive 2004/52/EC of the European Parliament and of the Council of 29 April 2004 on the interoperability of electronic road toll systems in the Community: date of end of validity 19.10.2021 Directive (EU) 2019/520 of the European Parliament and of the Council of 19 March 2019 on the interoperability of electronic road toll systems and facilitating cross-border exchange of information on the failure to pay road fees in the Union	L_166.30.4.2004.p.124-143	Consolidated: 20.4.2009	Repealed and Replaced by Directive (EU) 2019/520: Article 33	N/A	N/A	N/A	
		L_91.29.3.2019.p.45-76	Consolidated: 24.3.2022	N/A	Latest: 28 November 2019	N/A	N/A	
Ports Services/Facilities								
219	Regulation (EU) 2017/352 of the European Parliament and of the Council of 15 February 2017 establishing a framework for the provision of port services and common rules on the financial transparency of ports	L_57.3.3.2017.p.1-18	Consolidated: 28.5.2020	N/A	N/A	N/A	N/A	
	Directive 2000/59/EC of the European Parliament and of the Council of 27 November 2000 on port reception facilities for ship-generated waste and cargo residues: date of end of validity 16.6.2019	L_332.28.12.2000	Consolidated: 9.12.2015	Repealed and Replaced by Directive (EU) 2019/883: Article 22	N/A	N/A	N/A	
220	Directive (EU) 2019/883 of the European Parliament and of the Council of 17 April 2019 on port reception facilities for the delivery of waste from ships, amending Directive 2010/65/EU and repealing Directive 2000/59/EC	L_151.7.6.2019.p.116-142	N/A	N/A	Commission Implementing Regulation (EU) 2022/89, (EU) 2022/92, (EU) 2022/90, (EU) 2022/91, (EU) 2024/917	N/A	N/A	
Intelligent Transport Systems								
221	Directive 2010/40/EU of the European Parliament and of the Council of 7 July 2010 on the framework for the deployment of Intelligent Transport Systems in the field of road transport and for interfaces with other modes of transport	L_207.6.8.2010.p.1-13	Consolidated: 9.1.2018	N/A	Commission Delegated Regulation (EU) 2022/670, (EU) 2024/490, (EU) 2024/1084 and Commission Implementing Decision of 12 Nov 2024 (C/2024/7750)	N/A	2	
Road Infrastructure Safety Management								
222	Directive 2008/96/EC of the European Parliament and of the Council of 19 November 2008 on road infrastructure safety management	L_319.29.11.2008.p.59-67	Consolidated: 16.12.2019	N/A	N/A	N/A	N/A	
Trans European Transport Network								
	Regulation (EU) No 1315/2013 of the European Parliament and of the Council of 11 December 2013 on Union guidelines for the development of the trans-European transport network and repealing Decision No 661/2010/EU: date of end of validity 17.7.2024	L_348.20.12.2013.p.1-128	Consolidated: 9.7.2023	Repealed and Replaced by Regulation (EU) 2024/1679: Article 68	Commission Delegated Regulation (EU) 2023/1176	N/A	N/A	

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223	Regulation (EU) 2024/1679 of the European Parliament and of the Council of 13 June 2024 on Union guidelines for the development of the trans-European transport network, amending Regulations (EU) 2021/1153 and (EU) No 913/2010 and repealing Regulation (EU) No 1315/2013	L_2024/1679_28.6.2024				N/A	N/A
Maritime - Public Service Contracts/Obligations							
224	Council Regulation (EEC) No 3577/92 of 7 December 1992 applying the principle of freedom to provide services to maritime transport within Member States (maritime cabotage)	L_364_12.12.1992_p.7-10	Consolidated: 1.7.2013	N/A	N/A	N/A	N/A
Total Implementing / Delegated					10	0	2
GOODS REGULATION							
Market Surveillance							
225	Regulation (EU) 2019/1020 of the European Parliament and of the Council of 20 June 2019 on market surveillance and compliance of products and amending Directive 2004/42/EC and Regulations (EC) No 765/2008 and (EU) No 305/2011	L_169_25.6.2019_p.1-44	Consolidated: 24.5.2024	N/A	Commission Implementing Regulation (EU) 2024/2216, 2024/1456, 2023/2712, 2023/975, 2023/733, 2022/1267, 2021/2248, 2021/1121	N/A	1
Construction Products							
226	Regulation (EU) No 305/2011 of the European Parliament and of the Council of 9 March 2011 laying down harmonised conditions for the marketing of construction products and repealing Council Directive 89/106/EEC Text with EEA relevance	L_88_4.4.2011_p.5-43	Consolidated: 17.11.2024	N/A	Commission Implementing Decision (EU) 2024/2904, 2024/1944, 2024/237, 2023/2461, 2023/1473, 2023/910, 2023/424, 2022/2357, 2022/1517, 2022/381, 2021/1789, 2021/1183; and Commission Delegated Regulation (EU) 2024/2769, 2024/1681, 2024/1399	N/A	4
227	Regulation (EU) 2024/3110 of the European Parliament and of the Council of 27 November 2024 laying down harmonised rules for the marketing of construction products and repealing Regulation (EU) No 305/2011	L_2024/3110_18.12.2024		N/A		1	N/A
Total Implementing / Delegated					23	1	5

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Scottish Government Alignment Commitment & European Commission Work Programme 2024

Significant Proposals and Initiatives to Rationalise Reporting (Annex II)		EC Document Reference	Proposal Published	EU Law in Scope of Alignment Impacted by or Related to New EU Act	Progress	Final EU Act	Scottish Government Position
Proposals and Initiatives ... adopted by the Commission since March 2023							
1	Proposal for a Regulation of the European Parliament and of the Council on detergents and surfactants, amending Regulation (EU) 2019/1020 and repealing Regulations (EC) No 648/2004	COM(2023)217 final	April 2023	Regulation (EU) 2019/1020	In process	N/A	N/A
2	Proposal for a Regulation amending Regulation 2016/2031 on protective measures against pests of plants	COM(2023)661 final	October 2023	Regulation (EU) 2016/2031	Completed	Regulation (EU) 2024/9115	N/A
Priority Pending Proposals (Annex III)		EC Document Reference	Proposal Published	EU Law in Scope of Alignment Impacted by or Related to New EU Act	Progress	Final EU Act	Scottish Government Position
A European Green Deal							
3	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on preventing plastic pellet losses to reduce microplastic pollution	COM(2023)645 final	October 2023	Single Use Plastics Directive (EU) 2019/904, Waste Framework Directive (2008/98/EC), Packaging and Packaging Waste Directive (94/62/EC), Marine Strategy Framework Directive (2008/56/EC)	In process	N/A	Under Consideration
4	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on circularity requirements for vehicle design and on management of end-of-life vehicles, amending Regulations (EU) 2018/858 and 2019/1020 and repealing Directives 2000/54/EC and 2005/64/EC	COM(2023)451 final	July 2023	End of Life Vehicles Directive (2000/54/EC) and Type-Approval Framework Regulation (EU) 2018/858	In process	N/A	N/A
5	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2008/98/EC on waste	COM(2015)0595 final	July 2023	Waste Directive (2008/98/EC)	In process	N/A	N/A
6	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on Soil Monitoring and Resilience (Soil Monitoring Law)	COM(2023)416 final	July 2023	Waste Directive (2008/98/EC), Landfill Directive (1999/31/EC), Industrial Emissions Directive (2010/75/EU), Water Framework Directive (2000/60/EC), Floods Directive (2007/60/EC), Birds Directive (2009/147/EC), Habitats Directive (92/43/EC)	In process	N/A	Under Consideration
7	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the production and marketing of forest reproductive material, amending Regulations (EU) 2016/2031 and 2017/625 of the European Parliament and of the Council and repealing Council Directive 1999/105/EC (Regulation on forest reproductive material)	COM(2023)415 final	July 2023	Forest Reproductive Material Directive (1999/105/EC), Animal Health Law Regulation (EU) 2016/2031 and Official Controls Regulation (EU) 2017/625	In process	N/A	N/A
8	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the production and marketing of plant reproductive material in the Union, amending Regulations (EU) 2016/2031, 2017/625 and 2018/848 of the European Parliament and of the Council, and repealing Council Directives 66/401/EEC, 66/402/EEC, 68/139/EEC, 2002/53/EC, 2002/55/EC, 2002/56/EC, 2002/57/EC, 2008/72/EC and 2008/90/EC (Regulation on plant reproductive material)	COM(2023)414 final	July 2023	Animal Health Law Regulation (EU) 2016/2031, Official Controls Regulation (EU) 2017/625, Organic Production Regulation (EU) 2018/848 and Council Directives 66/401/EEC, 66/402/EEC, 68/139/EEC, 2002/53/EC, 2002/55/EC, 2002/56/EC, 2002/57/EC, 2008/72/EC and 2008/90/EC on plant reproductive material	In process	N/A	N/A
9	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on plants obtained by certain new genomic techniques and their food and feed, and amending Regulation (EU) 2017/625	COM(2023)411 final	July 2023	Official Controls Regulation (EU) 2017/625, GMOs legislation including Directive 2001/18/EC, Regulation (EC) No 1829/2003, Regulation (EC) No 1830/2003 and Directive 2009/41/EC	In process	N/A	For Future Consideration
10	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EU) 2017/852 of the European Parliament and of the Council of 17 May 2017 on mercury as regards dental amalgam and other mercury-added products subject to manufacturing, import and export restrictions	COM(2023)395 final	July 2023	Regulation (EU) No 649/2012 on export and import of hazardous chemicals	Completed	Regulation (EU) 2024/1848	N/A
11	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2005/35/EC on ship-source pollution and on the introduction of penalties, including criminal penalties, for pollution offences	COM(2023)273 final	June 2023	Directive (EU) 2019/883 on port reception facilities for delivery of ship waste	Completed	Directive (EU) 2024/3101	N/A
12	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Council Directives 2001/110/EC relating to honey, 2001/112/EC relating to fruit juices and certain similar products intended for human consumption, 2001/113/EC relating to fruit jams, jellies and marmalades and sweetened chestnut purée intended for human consumption, and 2001/114/EC relating to certain partly or wholly dehydrated preserved milk for human consumption	COM(2023)201 final	April 2023	Council Directives 2001/110/EC relating to honey, 2001/112/EC relating to fruit juices, 2001/113/EC relating to fruit jams, jellies and marmalades, 2001/114/EC relating to partly or wholly dehydrated preserved milk	Completed	Directive (EU) 2024/438	N/A
13	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2012/19/EU on waste electrical and electronic equipment (WEEE)	COM(2023)63 final	February 2023	Directive 2012/19/EU on waste electrical and electronic equipment (WEEE)	Completed	Directive (EU) 2024/984	Under Consideration
14	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on packaging and packaging waste, amending Regulation (EU) 2019/1020 and Directive (EU) 2019/904, and repealing Directive 94/62/EC	COM(2022)677 final	November 2022	Directive 94/62/EC on packaging and packaging waste	Completed	Awaiting CJ Publication	Under Consideration
15	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on ambient air quality and cleaner air for Europe (recast)	COM(2022)542 final	October 2022	Directive 2008/50/EC on ambient air quality	Completed	Directive (EU) 2024/2881	N/A
16	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL concerning urban wastewater treatment (recast)	COM(2022)541 final	October 2022	Council Directive 91/271/EEC on urban wastewater treatment	Completed	Directive (EU) 2024/3019	Under Consideration
17	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2000/60/EC establishing a framework for Community action in the field of water policy, Directive 2006/118/EC on the protection of groundwater against pollution and deterioration and Directive 2008/105/EC on environmental quality standards in the field of water policy	COM(2022)540 final	October 2022	Water Framework Directive (2000/60/EC) Groundwater Directive (2006/118/EC) and Environmental Quality Standards Directive (2008/105/EC)	In process	N/A	For Future Consideration
18	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the sustainable use of plant protection products and amending Regulation (EU) 2022/1215	COM(2022)305 final	June 2022	Regulation (EC) No 1107/2009 on Plant Protection Products	Withdrawn	N/A	N/A
19	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on nature restoration	COM(2022)304 final	June 2022	Birds Directive (2009/147/EC), Habitats Directive (92/43/EC), Water Framework Directive (2000/60/EC), Marine Strategy Framework Directive (2008/56/EC)	Completed	Regulation (EU) 2024/1951	Yes
20	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) and Council Directive 1999/31/EC of 26 April 1999 on the landfill of waste	COM(2022)156 final	April 2022	Industrial Emissions Directive (2010/75/EU) and Landfill Waste Directive (1999/31/EC)	Completed	Directive (EU) 2024/1785	N/A
21	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL laying down harmonised conditions for the marketing of construction products, amending Regulation (EU) 2019/1020 and repealing Regulation (EU) 305/2011	COM(2022)144 final	March 2022	Regulation (EU) 2019/1020 on market surveillance and compliance and Regulation (EU) 305/2011 on marketing construction products	Completed	Regulation (EU) 2024/3119	Under Consideration
22	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on Union guidelines for the development of the trans-European transport network, amending Regulation (EU) 2021/1153 and Regulation (EU) No 913/2010 and repealing Regulation (EU) 1315/2013	COM(2021)812 final	December 2021	Trans-European Transport Network Regulation (EU) 1315/2013	Completed	Regulation (EU) 2024/1678	N/A
23	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EU) No 699/2001 as regards introducing new environmental economic accounts modules	COM(2022)329 final	July 2022	N/A	Completed	Regulation (EU) 2024/3024	Under Consideration
24	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the energy performance of buildings (recast)	COM(2021)802 final	December 2021	Directive 2010/31/EU on energy performance of buildings	Completed	Directive (EU) 2024/1275	Under Consideration: "The Scottish Government's Heat in Building Strategy makes clear commitments to achieve a decarbonised building stock, consistent with net zero, by 2045, again in line with the EU's overarching ambition for decarbonisation of its building stock by 2050. Our proposals for reform of Energy Performance Certificates and wider commitments within the Strategy would support alignment with the Directive." (p. 54)
25	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2009/16/EC on port State control	COM(2023)0271 final	June 2023	N/A	Completed	Directive (EU) 2024/3099	For Future Consideration
A Europe Fit For the Digital Age							
26	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on combating late payment in commercial transactions	COM(2023)533 final	September 2023	Directive 2011/7/EU on combating late payment in commercial transactions	In process	N/A	Non-specific Statement: "Regarding late payments proposals, we will consider the recommendations from the Commission following their recent consultation. We are also closely monitoring the current UK's payment and payment and cash flow review which will involve both public consultation on payment reporting regulations and a statutory review of the effectiveness of the Small Business Commissioner's office." (p. 39)
27	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on establishing a framework of measures for strengthening Europe's net-zero technology products manufacturing ecosystem (Net Zero Industry Act)	COM(2023)161 final	March 2023	N/A	Completed	Regulation (EU) 2024/1735	For Future Consideration
28	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on horizontal cybersecurity requirements for products with digital elements and amending Regulation (EU) 2019/1020	COM(2022)454 final	September 2022	Regulation (EU) 2019/1020 on market surveillance and compliance	Completed	Regulation (EU) 2024/2847	The "Cyber Resilience Act" is noted by the SG among the European Commission plans to "augment" and "reinforce" cybersecurity (p. 78)
Promoting our European Way of Life							
29	Proposal for a Directive amending Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims	COM(2022)732 final	December 2022	Human Trafficking Directive 2011/36/EU	Completed	Directive (EU) 2024/1712	Under Consideration: "Several elements fall fully or partly within devolved powers of Scottish Parliament. We will review where alignment will advance standards in Scotland to ensure that we address evolving trends in the area of trafficking" (p. 59)
30	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on standards of quality and safety for substances of human origin intended for human application and repealing Directives 2002/58/EC and 2004/23/EC	COM(2022)338 final	July 2022	Human Blood Directive 2002/58/EC and Organs and Human Tissues 2004/23/EC	Completed	Regulation (EU) 2024/1938	Yes
31	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive (EU) 2015/413 facilitating cross-border exchange of information on road-safety-related traffic offences	COM(2023)126 final	March 2023	N/A	Completed	Directive (EU) 2024/3237	For Future Consideration: "In relation to other areas covered by the revision, enforcement of all road traffic offences is a matter for Police Scotland. However, there is currently no legal mechanism for enforcing any speeding related offences by drivers with a non-UK licence." (p. 63)
32	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL laying down rules to prevent and combat child sexual abuse	COM(2022)209 final	May 2022	Child Sexual Abuse Directive 2011/93/EU	In process	N/A	For Future Consideration: "Likely Reserved." (p. 69)
33	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2009/21/EC on compliance with flag State requirements	COM(2023)272 final	June 2023	N/A	Completed	Directive (EU) 2024/3100	For Future Consideration
34	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing the European Disability Card and the European Parking Card for persons with disabilities	COM(2023)512 final	September 2023	N/A	Completed	Directive (EU) 2024/2841	For Future Consideration
A New Push for European Democracy							
35	Proposal for a COUNCIL DIRECTIVE on standards for equality bodies in the field of equal treatment between persons irrespective of their racial or ethnic origin, equal treatment in the field of employment and occupation between persons irrespective of their religion or belief, disability, age or sexual orientation, equal treatment between women and men in matters of social security and in the access to and supply of goods and services, and deleting Article 13 of Directive 2000/43/EC and Article 12 of Directive 2004/113/EC	COM(2022)689 final	December 2022	Directive 2000/43/EC on Equal Treatment Regardless of Race or Ethnicity and Directive 2004/113/EC on Equal Treatment for Men and Women accessing Goods and Services	Completed	Council Directive (EU) 2024/1499	N/A
36	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on standards for equality bodies in the field of equal treatment and equal opportunities between women and men in matters of employment and occupation, and deleting Article 20 of Directive 2006/54/EC and Article 12 of Directive 2010/41/EU	COM(2022)688 final	December 2022	Directive 2006/54/EC on Gender Equality in Employment and Directive 2010/41/EU on Gender Equality in Self-Employment	Completed	Directive (EU) 2024/1500	N/A