

**CONSTITUTION, EUROPE, EXTERNAL AFFAIRS AND CULTURE COMMITTEE**

**26<sup>th</sup> Meeting, 2022, Session 6**

**17 November 2022**

**Continuity Act (Draft Annual Report)**

1. Section 1(1) of the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021 confers a power on Scottish Ministers to enable them to make regulations to keep Scots law aligned with EU law where appropriate.
2. The Act requires Scottish Ministers to lay an annual report before Parliament on the use and intended use of the power, including a draft for consultation. The Act allows the Parliament 28 days to consider the draft report, and after the final version is laid, a further 28 days.
3. On 27 October 2022, the Scottish Government laid a draft annual report on its use and considered use of the power under section 1(1) for the reporting period of September 2021 to August 2022, and the intended future use of the power in the upcoming reporting period of September 2022 to August 2023. The consultation period ends on 24 November 2022.
4. At this meeting, the Committee will take evidence from—
  - Angus Robertson MSP, Cabinet Secretary for the Constitution, External Affairs and Culture
5. The following papers are attached—
  - **Annexe A:** Briefing from SPICe and Professor Tobias Lock (adviser)
  - **Annexe B:** Annual report laid in draft by the Scottish Ministers
  - **Annexe C:** Research commissioned by SPICe which sets out a baseline of EU policy and law in devolved areas which are potentially within the scope of the Scottish Government's commitment to align with EU law.

**CEEAC Committee Clerks  
November 2022**

**SPICe**

**The Information Centre**  
An t-Ionad Fiosrachaidh

## **Continuity Act – Draft Annual Report 2021-22**

### **Background**

Section 11(1)(a) of the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021 requires Scottish Ministers to lay a draft annual report which explains how the “keeping pace” power has been used over the previous 12 months along with how Scottish Ministers intend to use the power over the coming 12 months.

Once laid in Parliament, the draft annual report is subject to consultation for 28 days. The draft annual report was laid on 27 October 2022. The consultation period ends on 24 November 2022.

This short note produced by SPICe and the Committee’s adviser Professor Tobias Lock provides analysis of the draft annual report to inform the evidence session with the Cabinet Secretary for the Constitution, Europe, External Affairs and Culture.

### **The Scottish Government’s commitment to alignment**

The Scottish Government has a commitment to align with EU law where appropriate. This policy approach was set out most recently in the Statement of Policy in exercising the power in Section 1 of the Continuity Act. The Statement of Policy, which was approved by the Scottish Parliament in May 2022 stated:

“Scotland will seek to align with the EU where appropriate and in a manner that contributes towards maintaining and advancing standards across a range of policy areas. It will do so to protect the health and wellbeing of people in Scotland, maintain Scotland’s international reputation, and, by protecting the standards that Scotland enjoys, ease the process of Scotland’s return to the EU.”<sup>1</sup>

The Statement of Policy also states Scottish Ministers’ default position “will be to align with EU law”.

### **How EU alignment is achieved**

The Scottish Government can legislate to ensure continued alignment with EU law in a number of ways. They could use primary legislation, secondary

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<sup>1</sup> [eu-alignment.pdf \(parliament.scot\)](#)

legislation using powers from a relevant primary act, or they could use the “keeping pace” power provided in Section 1 of the Continuity Act.

The Scottish Government’s statement of policy, as approved by the Scottish Parliament in May 2022 indicates that the Scottish Government plans to use all these different methods as appropriate:

“Maintaining alignment with EU law and the high standards that Scotland has enjoyed as part of the EU is a priority of the Scottish Ministers. This will be achieved in a range of different ways, legislative and non-legislative. The Scottish Ministers will make use of whichever means is most appropriate for the circumstances of each case. One such means is the power provided in section 1 of the Act which confers on the Scottish Ministers’ ability to make subordinate legislation where appropriate in order to keep devolved Scots law aligned with EU law as it develops.”<sup>2</sup>

The statement of policy goes on to set out where it is likely the “keeping pace” power will be used:

“Where the power in section 1 of the Act will have its place is in circumstances in which secondary legislation is the most appropriate vehicle for maintaining alignment and specific powers are not available, or not appropriate, to give effect to the policy intention of the measure proposed. This recognises that primary legislation will not be appropriate in all cases and alignment could be constrained by the overall limit of legislative time available to the Parliament to align with EU law which would previously have been achieved by using the powers in section 2(2) of the European Communities Act 1972. The power therefore provides essential flexibility so that the most appropriate legislative vehicle can be used depending on specific circumstances.”<sup>3</sup>

### **Policy priorities for alignment**

The statement of policy also sets out how Scottish Ministers will make decisions about whether to use the “keeping pace” power to achieve alignment. The criteria used includes:

- Considering whether a different form of legislative approach would be more appropriate.
- That the “keeping pace” regulations contribute towards maintaining and advancing standards in, but not limited to, environmental protection, animal health and welfare, plant health, equality, non-discrimination and human rights, and social protection as set out in the Continuity Act.

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<sup>2</sup> [eu-alignment.pdf \(parliament.scot\)](#)

<sup>3</sup> [eu-alignment.pdf \(parliament.scot\)](#)

- Considering the impact of existing legislative commitments such as the effect (if any) of the provision on retained EU law and equalities legislation.

### Tracking alignment

The CEEAC Committee provided comments on the statement of policy at draft stage. The Committee asked that consideration should be given to a website providing colour coded information to make clear what decisions the Scottish Government is taking to align.

In its response setting out how it had regard to the Committee's representations, the Scottish Government rejected this idea from a resources point of view:

“A comprehensive website of proposed EU legislation and the Scottish Government's intention to align would require significant resource both to sift the legislation produced and update the website. Much of the EU's legislation will not be relevant to Scotland, in that it will be specific to the single market, specific member states, or areas of policy that are not devolved.

The Scottish Government therefore considers that an approach to provide information focused on Scotland's priorities as detailed in this document and the revised policy statement provides a more proportionate level of information to support our existing approach to consultation and support scrutiny of the commitment to align.”<sup>4</sup>

At its meeting on 31 March 2022, the Committee considered how to support the Parliament's scrutiny of the Scottish Government's commitment to alignment with EU law. The Committee agreed to ask SPICe to commission research setting out all the significant EU legislative developments which come within the scope of the Scottish Government's policy commitment to continued EU alignment.

SPICe commissioned Dr Lisa Claire Whitten from Queen's University Belfast to set out a baseline of EU policy and law in devolved areas which are potentially within the scope of the Scottish Government's commitment to align with EU law.

At its meeting on 10 November 2022, the Committee considered the research prepared by Dr Whitten which sets out the specific instruments of EU law that are likely to be within the scope of the Scottish Government's commitment to EU alignment. It provides a baseline of all the relevant EU legislation at the end of October 2022 along with developments in that legislation that have taken place since the UK left the EU and the subsequent end of the implementation period at the end of December 2020.

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<sup>4</sup> [eu-alignment--5-may-2022.pdf \(parliament.scot\)](#)

The research provides the Parliament with a proportionate approach to monitoring EU legislative developments across devolved policy areas. It focuses on the policy areas identified as priorities in Section 2(1) of the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021, these are:

- Environmental protection
- Animal health and welfare
- Plant health
- Equality, non-discrimination and human rights
- Social protection

Dr Whitten's research provides a baseline at the end of October 2022. The Committee agreed that it is now important that the Parliament continues to monitor EU law going forward. As a result, the Committee agreed to commission an external body to provide the Parliament with an EU Law tracker based on the model developed by Dr Whitten. The Committee also agreed to consult subject committees on the proposed content of the tracker.

The primary purpose of the tracker will be to provide transparency and allow the Parliamentary Committees, stakeholders including business and the public to track relevant developments in EU law. This will allow business and civil society in Scotland to continue to be aware of EU legislative developments which may affect them.

The tracker will also assist the Parliament in scrutinising the Scottish Government's commitment to EU alignment.

The Committee agreed that the newly developed tracker will be updated and provided to Parliamentary committees twice a year, in January – alongside an assessment of the European Commission Work Programme – and in September alongside an assessment of the relevant Council of the EU presidency priorities. The assessments of the work programme and presidency priorities will be provided by SPICe.

The Committee also agreed that each subject committee should receive a table showing relevant EU legislative developments along with commentary explaining developments since the last report.

### **The new draft annual report**

The draft annual report states that for the reporting period to the end of August 2022, the "keeping pace" power has not been used. The Scottish Government adds that consideration was given to make regulations to keep pace with certain measures of the EU Energy Performance and Buildings Directive (Directive 2018/844/EU (amending Directive 2010/31/EU)) but that the Government assessed a number of factors that "did not support implementation of this measure at this time". These factors appear to be primarily policy based. Given the Scottish Government's commitment to EU alignment, the Committee may wish to discuss with the Cabinet Secretary

what policy factors influenced the decision not to align with this particular Directive and how these weighed against the general commitment to alignment.

For the twelve-month period starting on 1 September 2022, the Scottish Government indicated that it intends to use the “keeping pace” power to amend the Public Water Supplies (Scotland) Regulations 2014. According to the Scottish Government, these amendment regulations will implement certain requirements of Directive (EU) 2020/2184 (“Recast Drinking Water Directive”) on the quality of water intended for human consumption, which replaces Directive 98/83/EC.

In its report on the first draft Annual Report in November 2021, the CEEAC committee had stated that it was not clear why the report on the use of the Continuity Act power and planned use in the next period did not highlight the Scottish Government’s consideration of its use in respect of Changes to Building Energy Standards and implementation of the EU recast Drinking Water Directive.

In its statement of policy, the Scottish Government indicated that the Drinking Water Directive was an “area in which we are considering using the powers.”

## **Analysis**

The draft report only contains information on the use or the considered use of the “keeping pace” power. This is in line with the reporting requirements set out in the Continuity Act. However, as the Scottish Government set out in the statement of policy, the “keeping pace” power in the continuity act is just one way in which Scottish Ministers may seek to ensure continued alignment with EU law. It is not clear how Scottish Ministers make decisions about which legislative approach to take to achieve alignment.

In addition, the reporting requirements linked to the Continuity Act mean the Committee do not get information on other ways in which the Scottish Government may have met its policy commitment to continued alignment with EU law. As a result, it is not possible for the Committee, or the Parliament to make an assessment about the extent to which Scots Law continues to align with EU law post EU-exit.

Given that the EU Energy Performance and Buildings Directive (Directive 2018/844/EU) was adopted while the UK was still an EU member state and that the transposition period ended on 10 March 2020, before the end of the Implementation Period (when the UK was continuing to observe EU law), the decision on whether to align with the Directive has taken over two years to reach and consideration about alignment wasn’t highlighted in the 2021 Annual Report.

Linked to this timing, it is not clear what Scottish Ministers policy is on the speed of alignment, i.e., how quickly alignment is delivered following the EU legislation entering into force. EU member states are given a considerable

amount of time for transposition (typically 1-2 years, often more) of Directives whilst Regulations usually come into force more quickly because transposition generally isn't required.

It is not clear from the draft Annual Report or the Statement of Policy whether the Scottish Ministers routinely monitors EU legislative changes and at what point Scottish Ministers start considering whether to ensure continued alignment. In addition, it is not clear whether Ministers seek to ensure alignment is achieved before the end of the transposition period provided to Member States.

Given the draft Annual Report indicates that only two uses of the "Keeping Pace" power have been considered and only one taken forward, it is not clear what process Scottish Ministers employ when monitoring new EU legislation for possible alignment and how decisions about alignment are then taken. The Committee has previously raised this question in correspondence with the Cabinet Secretary, but the draft Annual Report does not provide any further detail.

**Iain McIver, SPICe Research**  
**Professor Tobias Lock, Committee Adviser**

**14 November 2022**

Note: Committee briefing papers are provided by SPICe for the use of Scottish Parliament committees and clerking staff. They provide focused information or respond to specific questions or areas of interest to committees and are not intended to offer comprehensive coverage of a subject area.

The Scottish Parliament, Edinburgh, EH99 1SP [www.parliament.scot](http://www.parliament.scot)

Laid in draft before the Scottish Parliament by the Scottish Ministers in accordance with section 11(1)(a) of the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021.

27 October 2022  
SG/2022/211

**DRAFT 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**

**Introduction**

1. The Scottish Ministers lay the following report in draft in accordance with section 11(1)(a) of the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021 (“the Act”). The draft report covers the following:

a) Part 1 explains:

- the use of the power under section 1(1) of the Act during the reporting period 1 September 2021 – 31 August 2022 (“the current reporting period”),
- how that use of the power under section 1(1) contributes or has contributed towards maintaining and advancing standards in relation to the matters mentioned in section 2(1)(a) to (e) of the Act, and
- any use of the power under section 1(1) that has been considered by the Scottish Ministers during the current reporting period.

b) Part 2 explains:

- how the Scottish Ministers intend to use the power in the upcoming reporting period 1 September 2022 – 31 August 2023 (“the upcoming reporting period”), and
- how their intended use of the power under section 1(1) would contribute towards maintaining and advancing standards in relation to the matters mentioned in section 2(1)(a) to (e) of the Act

2. The draft report is subject to a consultation period of 28 days. During the consultation period, representations may be made to the Scottish Ministers about their intended use of the power in the upcoming reporting period. When laying the final version of this report under section 10(1), the Scottish Ministers will also lay before the Parliament a document setting out:

- a) a summary of any representations about the draft report made during the consultation period, and
- b) how they have had regard to those representations in preparing the report.



## **Policy Statement**

5. The Scottish Government published a policy statement, in accordance of section 6 of the Act, which explains their approach, the factors to be taken into account and the process to be followed when considering use of the regulation making power under section 1 of the Act.

6. This states that Scottish Ministers will seek to align with the EU where appropriate and in a manner that seeks to contribute towards maintaining and advancing standards across a range of policy areas. This will be achieved in a range of different ways, legislative and non-legislative. The power provided by section 1(1) of the Act is one means by which the Scottish Ministers may seek to align with EU law.

## **Report**

### **Part 1: Current Reporting Period - 1 September 2021 – 31 August 2022**

**7. How the power under section 1(1) has been used during the reporting period:**

*The power has not been used during the current reporting period.*

**8. How that use of the power under section 1(1) contributes or has contributed towards maintaining and advancing standards in relation to the matters mentioned in section 2(1)(a) to (e) of the Act:**

*Not applicable as the power has not been used during the current reporting period.*

**9. Any use of the power under section 1(1) that has been considered by the Scottish Ministers during the reporting period:**

Consideration was given to using the power under section 1(1) to make regulations to keep pace with certain measures of the EU Energy Performance and Buildings Directive (Directive 2018/844/EU (amending Directive 2010/31/EU)). This Directive sets out a number of measures to support decarbonisation of Europe's building stock, including the installation of relevant infrastructure, and, in certain circumstances Electric Vehicle (EV) charge points, in car parks associated with some new and existing buildings.

The Scottish Government considered use of the power in section 1(1) to make regulations in respect of a measure which was not capable of being implemented through building regulations made under the Buildings (Scotland) Act 2003. That measure concerned the installation of a minimum number of EV charge points in car parks for existing non-residential buildings with greater than 20 parking spaces.

The Scottish Government however assessed a number of factors that did not support implementation of this measure at this time. This included a lack of data regarding the buildings potentially affected, the fact that this measure could increase car use into sustainable travel areas, the level of private investment increasing on

installation of EV charging points and infrastructure, and the disproportionate cost impact on existing building owners. They have therefore committed to monitor the growth of EV charging at these locations carefully over the next few years, and may introduce legislation at a later date.

## **Part 2: Upcoming Reporting Period – 1 September 2022 – 31 August 2023**

### **10. How the Scottish Ministers intend to use the power under section 1(1) in the upcoming reporting period:**

The Scottish Government intends to make provision in late 2022 using the power under section 1(1), in conjunction with other domestic powers, to amend the Public Water Supplies (Scotland) Regulations 2014 (“2014 regulations”). These amendment regulations will implement certain requirements of Directive (EU) 2020/2184 (“Recast Drinking Water Directive”) on the quality of water intended for human consumption, which replaces Directive 98/83/EC.

The 2014 regulations are amended to include the new health based standards for drinking water of the Recast Drinking Water Directive. The introduction of the health based standards of the Directive can be achieved through other domestic powers. The power under section 1(1) is relied upon to extend the application of other provisions in the 2014 regulations to the new health based standards.

The power is used to remove the function whereby Scottish Ministers can request the European Commission to extend a temporary departure from the requirements of the 2014 regulations. This function is removed from the Recast Drinking Water Directive and is no longer operable following EU Exit. It is also used to transfer certain functions in the 2014 regulations from Scottish Ministers to the Drinking Water Quality Regulator for Scotland.

### **11. How that will contribute towards maintaining and advancing standards in relation to the matters mentioned in section 2(1) of the Act:**

The Recast Drinking Water Directive is designed to protect water intended for human consumption from source to tap, put in place measures in relation to access to water and drive up resource efficiency by tackling pollutants at source.

The Scottish Government is committed to aligning with the health based standards of the EU’s Recast Drinking Water Directive, which are endorsed by the World Health Organisation, by January 2023 to improve the excellent standards of Scotland’s drinking water and support effective reporting of these standards on an annual basis.

This focus on health based provisions of the Recast Drinking Water Directive prioritises improvements that can be made now, as there are further requirements in the directive which will either apply at a later date or are subject to further work by the European Commission.

Our approach is to therefore consider further changes to our legislation at a later stage which would result in a consistent outcomes with EU member states.

**Next Report**

12. The next report will be made following the next reporting period, which ends on 31 August 2023. That report will detail the use and considered use of the power under section 1(1) of the Act during that reporting period and any planned use in the subsequent reporting period.

**SCOTTISH MINISTERS**

## The Scottish Parliament

# ALIGNMENT WITH EUROPEAN UNION LAW

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

Author: Lisa Claire Whitten  
Submitted: October 2022

### Introduction

- (1) Commitment to Alignment in Scottish Law
- (2) Commitment to Alignment in EU Law Terms
- (3) Relevant Changes in EU Law
- (4) Alignment / Divergence Case Studies
- (5) Monitoring the Commitment to Alignment
- (6) Summary and Recommendations

### Appendixes

## Introduction

This report presents findings of research carried out on behalf of the Constitution, Europe, External Affairs and Culture Committee into the commitment on the part of the Scottish Government to continue to align with European Union (EU) law following, and despite, the withdrawal of the United Kingdom (UK) from the EU. The guiding purpose of this research has been to set a baseline for the monitoring of the extent of continuity of Scottish Government policy and law with areas of EU policy and law that are, at least potentially, within the scope of the alignment commitment. To this end, the report is structured as follows:

Section One: provides an overview of provisions in the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021 intended to enable continued alignment with EU law and policy.

Section Two: provides an assessment of the specific instruments of EU law that are likely to be within the scope of the Scottish Government's alignment commitment and the related powers granted Scottish Ministers to 'keep pace' with developments in EU law in these areas.

Section Three: provides some background on the different types of legislative change that occur in the EU system before going on to give an account of EU legislative changes that are relevant to those instruments of EU law identified as likely to fall within the scope of the Scottish Government's alignment commitment.

Section Four: provides an initial assessment of the Scottish Governments approach to upholding its alignment commitment so far based on findings from this research read together with the 'Continuity Act Annual Report[s]' it has published.

Section Five: provides a summary of possible options for monitoring the Scottish Government's commitment to alignment in practice on an ongoing basis.

Section Six: to conclude, the final section provides a summary of key findings and recommendations based on this research.

Appended to the report is full record of the potential scope of the 'keeping pace' commitment in EU and UK law terms as well as a short guide to the information contained in the database.

## 1. Commitment to Alignment in Scottish Law

Following the UK's withdrawal from the EU there is no longer a requirement for the UK to apply EU law or policy. Scottish Ministers, however, have indicated that, where appropriate, they would like to see Scots Law remaining aligned with EU law.

There are several different legislative options for securing that alignment. Provisions could be introduced in primary legislation in Scotland with the express purpose of aligning with an existing or new instrument of EU law. Similarly, secondary legislation in Scotland could also be made which gives effect to the stated policy of EU alignment, where powers exist to do so.

In addition to the possibility of Scottish Ministers using normal legislative processes to pursue alignment with EU law and policy, specific provision was also made in the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021 for Scottish Ministers to give effect to the Government's preference to stay aligned with EU law. These specific provisions are the primary focus of this report.

### 1.1 The Continuity Act and 'Keeping Pace' Powers

The UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021 (the 2021 Act) grants Scottish Ministers powers to make provisions by regulations that 'correspond' to EU law. Section 1 of the 2021 Act states:

#### 1 Power to make provision corresponding to EU law

- (1) The Scottish Ministers may by regulations—
  - a. make provision—
    - i. corresponding to an EU regulation, EU tertiary legislation or an EU decision,
    - ii. for the enforcement of provision made under sub-paragraph (i) or otherwise to make it effective,
    - iii. to implement an EU directive, or
    - iv. modifying any provision of retained EU law relating to the enforcement or implementation of an EU regulation, EU tertiary legislation, an EU decision, or an EU directive,so far as the EU regulation, EU tertiary legislation, EU decision or EU directive has effect in EU law after IP completion day, or
  - b. otherwise make provision for the purpose of dealing with matters arising out or, or related to, the operation from time to time of—
    - i. any rights, powers, liabilities, obligations, or restrictions created by regulations made under this subsection, or
    - ii. any remedies or proceedings provided for by those regulations.

The powers granted Scottish Ministers in the section 1 of the 2021 Act are discretionary. There is no obligation to make provisions by regulation for the purpose of fulfilling s1(a) or (b), however, the powers given to do so are very wide-ranging. The broad scope of regulation-making section 1 powers arises from the link to any EU act that "has effect in EU law after IP completion day", which means that any change in the EU legislation made after the end of the UK Transition Period on 31 December 2020 could, potentially, fall within the scope of section 1(1) 'keeping pace' powers. Notably, in exercising powers granted under section 1 of the 2021 Act, any regulations made can 'make any provision that could be made by an Act of the Scottish Parliament' (s1(6)). This means section 1 of the 2021 Act bestows a broad

discretionary power to Ministers in Scotland to make regulations in any area of policy previously covered by EU laws and which is within the scope of devolved competence.

The 2021 Act does place a small number of restrictions on the otherwise broad section 1(1) powers. The 2021 Act provides, in section 3, that Scottish Ministers cannot make regulations under section 1(1) if these:

- (a) impose or increase taxation
  - (b) make retrospective provision
  - (c) create a criminal offence
  - (d) provide for the establishment of a Scottish public authority
  - (e) remove any protection relating to the independence of judicial decision-making
  - (f) confer a function on a Scottish public authority that is not broadly consistent with the general objects and purpose of the authority
- Or modify: (g)(h) the Scotland Act 1998 (i) Equality Act 2006 or (j) Equality Act 2010.

Outside of the discrete list above, the power of Scottish Ministers to make ‘keeping pace’ regulations under section 1(1) are limited (only) in accordance with existing devolved competence and the scope of current and/or future EU laws.

Although wide-ranging in substance, powers granted under section 1(1) are time limited. Under section 4 of the 2021 Act, Scottish Ministers’ power to make provision corresponding to EU laws are due to end six years after entry into force, so on 31 December 2026. The relevant period could however be extended up to 31 December 2030 subject to regulations to this end being passed by affirmative procedure; this power to extend the relevant period can only be exercised once under the current 2021 Act. If the Scottish Government wanted to further extend their EU law alignment commitment after 2030, new primary legislation would be required.

The open-ended nature of powers granted under section 1 notwithstanding, section 2 of the 2021 Act does provide an important lens through which those discretionary powers are to be read. Titled ‘purpose of maintaining and advancing standards’ section 2 provides that the “purpose” of section 1(1) is to “contribute towards maintaining and advancing standards in relation to” the following areas:

<b>Environmental Protection</b>
<b>Animal Health and Welfare</b>
<b>Plant Health</b>
<b>Equality, Non-Discrimination, and Human Rights</b>
<b>Social Protection</b>

This is an important list and one that ought to be read, as the subtitle indicates, as a guide to the ‘purpose’ intended by drafters of the broad regulation-making section 1(1) powers. A ‘due regard’ requirement, introduced in section 2(2), affirms such a reading by requiring that Scottish Ministers exercising powers under section 1(1) “must have due regard to the purpose referred to in subsection (1)” which lists the five policy areas above. Any effort to monitor or scrutinise the extent of the Scottish Government’s fulfilment of its alignment commitment ought therefore to account for EU and UK policy developments in section 2(1) areas – the mapping of the potential policy scope of the alignment commitment set out in this report accounts for all five of the section 2(1) policy areas.

While the five areas listed in section 2(1) provide a significant purposive lens for the 'keeping pace' powers granted under the 2021 Act, it is also worth underlining that they do not comprehensively account for the scope of section 1(1) powers; this fact is demonstrated in detail in the next section of the report.



## 2. Commitment to Alignment in EU Law Terms

### 2.1 Potential Scope of the 'Keeping Pace' Commitment

The powers granted to Scottish Ministers under section 1(1) of the 2021 Act to make regulations corresponding to EU law are wide-ranging. Outside of a small number of specific restrictions (see s1 above and 2021 Act s3), Ministers' powers to 'keep pace' with EU law under section 1(1) can be exercised in relation to any areas of EU law that were previously within the scope of devolved government in Scotland and/or any new EU laws that would, if the UK remained an EU Member State, be within devolved competence.

In order to comprehensively map the policy scope of the Scottish Government's commitment to align with EU law, it is therefore necessary to include any EU law instruments that were, either fully or partially, within devolved competence in Scotland prior to the UK's withdrawal from the EU. To do this, the content in this report (and in the database of relevant EU law instruments provided in Annex 1) draws on the UK Governments *Frameworks Analysis (2021)*.<sup>1</sup> document produced during the Common Frameworks process to determine the extent to which devolved competence 'cross-sects' with EU law and policy in the UK, prior to Brexit.

**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
<b>Total</b>	<b>243*</b>		

\*As of 31<sup>st</sup> December 2020, for changes since see Table X.

As set out in Table [1], and in detail in the annexed database, at least 243 instruments of EU law are potentially in the scope of the Scottish Government's alignment commitment. In addition to the five areas listed in section 2(1) of the 2021 Act for which Scottish Ministers are to have 'due regard' when exercising the 'keeping pace' power, EU law instruments concerning food standards, chemicals, environment and trade, police and judicial cooperation, public health and transport also feature. This is because certain instruments of EU law in these policy areas were fully or partially within the scope of devolved competence in Scotland when the UK was a Member State.

<sup>1</sup> 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](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1031808/UK_Common_Frameworks_Analysis_2021.pdf)) Accessed 1 October 2022.

Of the 243 instruments of relevant EU law, 128 are fully in the scope of Scottish Government powers and for 115, law-making competence is 'mixed' between UK central and devolved government in Scotland.

### 3. Relevant Changes in EU Law

#### 3.1 Understanding Relevant Changes in EU Law

Before setting out the substance of changes that having taken place in EU laws that are, at least potentially, within the Scottish Government’s ‘keeping pace’ commitment, it is useful to briefly outline the main types of changes that occur as part of the ordinary legislative procedures of the EU.

There are three broad categories of EU law – primary, secondary, and tertiary – and different types of legislation can be made or apply in each of these. Primary EU law is contained in EU treaties, these lay down the objectives of the EU, the rules for its institutions, the procedures for decision-making, and the relationship between the EU and its Member States. Changes do not often take place at the level of primary EU law because any amendments need to be negotiated and agreed by all EU countries, then ratified by national parliaments, in some cases following a referendum. Secondary EU law is passed to achieve the objectives and principles set out in EU treaties. There are five different types of secondary EU law – regulations, directives, decisions, recommendations, and opinions – each have different standing and different procedures associated with them, these are summarised in Table 2. Finally, there are two main types of ‘tertiary’ or ‘implementing’ EU law – delegated acts and implementing acts – both are legally binding.

Similar to UK secondary legislation, EU tertiary legislation can be passed by the European Commission according to regulation-making powers granted to it 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 secondary EU law.

**Table 2: Categories and Types of EU Legal Acts, and Procedures for Amendment<sup>2</sup>**

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	

Understanding the different types of EU legislation and the way they interact, is crucial for any assessment of how the Scottish Government’s commitment to align with EU law has operated, or could operate, in practice. The relationship between, and implementation of, secondary and tertiary EU legislation is particularly pertinent in this regard. When the UK was an EU Member State, changes made via tertiary EU law to secondary EU law that applied in the UK happened automatically. Changes of this nature are made very often in the course of ordinary EU legislative procedures. By way of demonstration, in the first six months of 2022, the EU passed 599 implementing/tertiary EU law acts. While many of

<sup>2</sup> [https://ec.europa.eu/info/law/law-making-process/types-eu-law\\_en](https://ec.europa.eu/info/law/law-making-process/types-eu-law_en) and [https://european-union.europa.eu/institutions-law-budget/law/types-legislation\\_en](https://european-union.europa.eu/institutions-law-budget/law/types-legislation_en)

these implementing law changes are technical and they are always within the scope of provisions in the relevant 'parent' secondary law instrument, sometimes changes made via implementing law are substantive in policy terms.

In the context of Scotland, when it comes to assessing the 'keeping pace' commitment, the frequent use of tertiary (or implementing/delegated law) on the part of the EU, as a mechanism for the evolution of the EU legal *acquis*, raises questions about the degree of alignment with EU law that the Scottish Government wishes to pursue, and its justification for doing so. *If* the intention is for Scotland to remain fully and dynamically aligned with areas of EU law within its competence, then changes in tertiary EU implementing legislation ought to apply to retained EU law versions of the relevant secondary EU law instrument in Scotland. *If* the intention is for Scotland to stay aligned only in certain areas of EU law within its competence, and to do so on a case-by-case basis, then changes in tertiary EU implementing legislation need not necessarily apply.

After setting out the substance of what has been happening in areas within the scope of the alignment commitment since the end of the UK Transition Period, more can be said about the approach taken by the Scottish Government so far (see section 4).

### ***3.2 Changes in EU Law Relevant to the Keeping Pace Commitment***

Since the end of the UK Transition Period on 1 January 2021 and the end of the period of this analysis on 31 October 2022, those EU laws that are, or could be, within the scope of the 'keeping pace' commitment have changed. Most relevant changes have taken place via tertiary EU implementing law and are, therefore, more technical than substantive. While Annex 1 provides a comprehensive record of relevant amendments, this section summarises key findings regarding applicable changes in secondary and in tertiary EU laws.

#### ***3.2.1 Changes in Secondary EU Law***

At the end of October this year, 32 acts of EU law that were, when the UK was an EU Member State, fully or partially within the competence of the Scottish Government have ceased to have legal force in the EU.

All of the 32 acts within devolved competence and no longer in force in the EU were repealed and replaced as a result of provisions in other acts of EU law that were adopted before the end of the UK Transition Period, and which therefore became retained EU law at 11pm on 31 December 2020. This means that the divergence impact for Scotland of changes arising from this type of change has, so far, been minimal. The primary reason for the limited divergence effect to date is due to the tendency for new EU secondary law instruments to include (often generous) periods for transition from older to newer act(s).

Over time, of course, the repeal, replacement or expiry of EU law acts is much less likely to be the result of EU law acts adopted when the UK was either a Member State or obliged to implement EU law changes during transition.

While divergence implications as a result of repeal and replacement of secondary EU law instruments, some are still apparent. An additional, logical consequence of the use of transitional provisions in EU legislation is that some acts of EU law adopted prior to the end of the UK Transition Period were not yet

being applied, or fully applied. This means that, although any EU legislation that had been adopted prior to 11pm on 31 December 2020 became UK retained EU law at that point, they did so in a 'frozen' form from the perspective of EU legislative procedures.

So, any EU legislative developments that have happened since the end of the UK Transition Period in those specific acts that were within devolved competence of Scotland would not have taken effect in their (Scottish) retained EU law 'frozen' version. Consequentially, in the absence of any active pursuit, on the part of the Scottish Government, of alignment with changes taking place via repeal, replacement or expiry of EU law acts that already apply as retained EU law, many of which come about through measures introduced via tertiary EU law (which the next section considers further), the default impact of the legislative status quo will very likely be passive divergence between EU law within devolved competence and their Scottish/UK retained EU law equivalents.

### 3.2.2 *Changes in Tertiary EU Law*

As already outlined, tertiary or implementing legislation is often adopted by the EU as part of its ordinary legislative procedures. EU instruments of this sort are always adopted under and in relation to a specific regulation, decision, or directive. Any changes made via EU implementing law since the end of the UK Transition Period have no effect in UK domestic law with the exception of Northern Ireland and those acts of EU law that *dynamically* apply under the Protocol on Ireland / Northern Ireland.

Since the end of the UK Transition Period, at least 559 acts of EU implementing law have been adopted which amend EU regulations, directives or decisions which were previously (fully or partially) within devolved competence in Scotland.

While amendments made via EU implementing legislation are often very technical and have limited substantive policy impact, sometimes changes are significant for specific sectors and/or stakeholders subject to or affected by the relevant legislation. For this reason, monitoring changes in EU implementing legislation and their relationship to any developments in relevant UK legislation (including in retained EU law versions of a given act) will be an important aspect of any effort to remain aligned with EU law.

#### 4. Alignment / Divergence Case Studies

While there have been changes in EU legislation that are potentially within the scope of the 'keeping pace' commitment and these have not been mentioned or accounted for in reports published by the Scottish Government under section 11(1) of the 2021 Act, it is also true to say that the substantive policy impacts of divergence (whether active or passive) to date have been minimal. This is because, on the one hand, the pace of development of any new secondary legislation in the EU is generally slow and, on the other, because there has been little substantive change in retained EU law in the domestic setting. What this means is that, despite gaps left by an apparent lack of alignment with changes to EU implementing legislation, the domestic UK and Scottish statute remains *broadly* equivalent to the EU legal *acquis* in areas of policy where EU law previously applied.

While instances of divergence to date are limited in terms of policy impact, procedural and technical changes to UK and Scottish legislation, when read together with the evolution of EU legislation underline the challenge of 'keeping pace' because in the post-Brexit context the default setting of UK and Scottish law and EU law is towards divergence.

Three examples are used below to demonstrate.

##### 4.1 Case Study: Procedural Changes involved in 'Keeping Pace' with Animal Health Law

Under the Trade and Cooperation Agreement, the UK in respect of Great Britain (UK(GB)) and the EU have separate regimes for managing human, plant, and animal health – this means sanitary and phytosanitary (SPS) checks and controls are now required on imports and exports of animals and animal products moving between GB and the EU. Under the 2021 Act 'animal health and welfare' is an area for which Scottish Ministers are to have 'due regard' in any use of the power to 'keep pace' with EU law and policy.

Since the end of the UK Transition Period, EU rules on animal health and welfare have changed. Evidence so far, outlined below, indicates that Scotland has kept pace with some changes in secondary EU legislation (regulations, directives, decisions) but not all aspects of change in EU legislation, including tertiary legislation, related to animal health.

#### EVOLUTION of EU LEGISLATION

Regulation (EU) 2016/429 on transmissible animal diseases (the 'Animal Health Regulation') was adopted by the EU on 9 March 2016, however, many of its provisions did not apply until a transition period provided for in the Regulation ended on 20 April 2021, after the end of the UK transition period.

Under Article 270 of the Animal Health Regulation (AHR), when it came into full application in April 2021, several acts that previously set out EU rules on animal health and disease control would be repealed; among these 11 were within Scottish devolved competence during the UK's EU membership.

The eleven acts that are now repealed in EU law are: Council Directives 2006/88/EC, 77/391/EEC, 78/52/EEC, 2003/85/EC, 2005/94/EC, 2001/89/EC, 92/35/EEC, 2002/60/EC, 92/66/EEC, 92/119/EEC, 2000/75/EC.

Since the new AHR entered fully into force in April 2021, a considerable number of amendments have been made via EU implementing legislation: 12 Commission Delegated Regulations and 194 Commission Implementing Decisions have been adopted between 1 January 2021 and 31 October 2022. The majority of

these implementing EU acts make provisions related to the control and management of specific diseases (notably related to the recent outbreak of highly pathogenic avian influenza (HPAI) and African swine fever).

### **EVOLUTION of UK and SCOTTISH LEGISLATION**

A retained EU law version of [Regulation \(EU\) 2016/429](#) exists on the UK statute book.<sup>3</sup> When the UK left the Transition Period, the 2016 Animal Health Regulation was not, however, fully operational across the EU.

In preparation for UK withdrawal and after the UK left the EU, several Scottish Statutory Instruments (SSIs) have amended retained EU law in the area of animal health. Two SSIs were passed prior to UK withdrawal which made minor, technical changes to ensure domestic legislation that implements EU animal health legislation continued to function effectively:

- The Animal Health (EU Exit) (Scotland) (Amendment) Regulations 2019 ([SSI 2019/71](#))
- The Animal Health and Welfare and Official Controls (Agriculture) (EU Exit) (Scotland) (Amendment) Regulations 2020 ([SSI 2020/380](#))

On 10<sup>th</sup> March 2021, just weeks before the EU's new AHR would be fully applicable, the Animal Health (Notification and Control Measures) (Miscellaneous Amendments) (Scotland) Order 2021 ([SSI 2021/130](#)) was made, under the Animal Health Act 1981, to "ensure that ongoing trade with Northern Ireland and with the European Union [was] not disrupted" ([SSI 2021/130 Policy Note](#)) due to the implementation of the AHR on 21<sup>st</sup> April 2021. The policy note accompanying the SSI states that the amendments did not alter Scottish Government policy while also noting that: "full impact assessments have not been prepared... as the instrument is urgently required to ensure that ongoing trade with NI and the EU is not disrupted".

Further technical changes to legislation in the area of animal health, made by The Animal Health (Notification and Control Measures) (Miscellaneous Amendments) (Scotland) (No.2) Order 2021 ([SSI 2021/456](#)), a key aim of this SSI was to give Scottish Ministers "greater flexibility" to exercise powers to introduce control measures in the event of any outbreaks of foot and mouth disease (see [policy note](#)). Provisions in [SSI 2021/456](#) echo similar changes brought in under The Import of Animals and Animal Products and Approved Countries (Amendment) Regulations 2022 ([SI 2022/735](#)) to give new powers to UK Ministers in GB to carry out "functions previously carried out by the European Commission to protect human and animal health" (Explanatory Memorandum, [para 6.2](#)). Previously, any change of this nature in UK-wide or Scots law would have required authorisation via specific secondary legislation.

Taken together, the provisions noted above underline, on the one hand, the frequent evolution of EU rules related to animal health and, on the other, the UK approach post-Brexit to strengthen Ministerial powers to enact measures which were previously implemented at EU level.

## **4.2 Case Study: Technical Changes regarding Organics Products and Classification**

Under the Trade and Cooperation Agreement there are provisions for mutual recognition between the UK and the EU in respect to organic products. As set out below, however, the parallel evolution of UK (UK-wide and/or Scots law) and EU legislation in this area has resulted in some divergence of a technical nature.

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<sup>3</sup> It is worth noting that there is no record of the AHL Regulation on the UK government 'dashboard' of retained EU law which, in its own terms, is not comprehensive either in regard to areas of policy that are devolved or indeed that are DEFRA responsibility.

### EVOLUTION of EU LEGISLATION

Regulation (EU) 2018/848 on organic production and labelling of organic products became law in the EU on 2 June 2018, however, under Article 61 of this 2018 Regulation, its provisions would only apply from 1 January 2021. Due to the COVID-19 pandemic, its application was postponed by one year meaning it only became fully applicable on 1 January 2022, after the end of the UK Transition Period.

The 2018 Regulation on organics provides for the repeal of Council Regulation (EC) No 834/2007 – while both instruments of EU law now exist as retained EU law in the UK in respect of Great Britain, it is the provisions of the earlier 2007 Regulation that apply in the domestic UK(GB) context. The result is divergence between UK(GB) retained EU law on organics and EU (plus UK(NI) under the Protocol on Ireland / Northern Ireland) law on organics.<sup>4</sup>

### EVOLUTION of UK and SCOTTISH LEGISLATION

A series of UK-wide statutory instruments have been made in relation to organic production and labelling of organic products in preparation for, and subsequent to, the end of the UK Transition Period. Primarily, changes have been made via statutory instrument passed in Westminster but applicable across England, Scotland, and Wales (EU legislation on organics applies in Northern Ireland under the Protocol). Measures brought into law through these UK SIs have amounted to divergence, of a technical nature, with measures in EU law.

Under The Organic Production (Amendment) Regulations 2022 (SI 2022/360) a derogation to retained EU law version of Council Regulation (EC) No 834/2007 was extended to allow a non-organic food additive – gellan gum – to form part of the production of organically reared pullets (young chickens) for egg production in the GB market. The SI 2022/360 Explanatory Memorandum notes that ‘targeted consultation’ was carried out via a meeting of the ‘organics Four Nations Working Group’ during which Scotland and Wales expressed support for the measure (para. 10.1).<sup>5</sup>

Under The Organics Equivalence and Control Bodies Listing (Amendment) Regulations 2021 (SI 2021/1266) (see SI 2021/1266 Explanatory Memorandum) changes the mechanism for amending and updating lists of countries or control bodies whose standards are recognised as equivalent for the purposes of organic production and labelling. While the UK was an EU Member State, changes of this nature required authorisation via specific statutory instrument, following this new SI, officials will be empowered to make relevant amendments under Ministerial direction and online lists will be updated accordingly.

An Expert Group on Organic Production (EGOP) has been set up to provide advice to the Four Nations Working Group (FNWG) on the development of UK(GB) policy on organics post-Brexit. The EGOP terms of reference note that both the FNWG and EGOP replace EU bodies that served a similar purposes and states that, post-Brexit presents “an opportunity for the UK to develop its own policy tailored to the needs of the domestic market and consumers”.

At present, the TCA provisions for mutual recognition of organics and organic products between the EU and UK mitigates the policy impact of specific examples of divergence. If the two regimes continue to evolve separately, maintaining equivalence arrangements is likely to become more difficult with consequential impact on efforts to ‘keep pace’ in Scotland.

<sup>4</sup> For reference see UK government ‘Explanatory Memorandum for European Union Legislation within the scope of the UK/EU Withdrawal Agreement and Northern Ireland Protocol’ [17 March 2022] on related matter of GB-NI divergence arising as a result of the example used above. Available: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv%3AOJ.L.2018.150.01.0001.01.ENG&toc=OJ%3AL%3A2018%3A150%3ATOC> accessed 29 October 2022.

<sup>5</sup> EM also states: “This amendment to retained Regulation (EC) No 889/2008 will not apply to Northern Ireland. This is because Regulation (EU) No 2018/848 came into force in NI on 1 January 2022, repealing Regulation (EC) No 889/2008” (para. 10.1).



### 4.3 Case Study: Procedural Changes related to Official Controls on Plants

Under the Trade and Cooperation Agreement, the UK(GB) and the EU have separate regimes for managing human, plant, and animal health – this means sanitary and phytosanitary checks and controls are now required on imports and exports of animals and animal products moving between GB and the EU. Under the 2021 Act, 'plant health' is an area for which Scottish Ministers are to have 'due regard' in any use of their powers to 'keep pace' with EU law and policy.

Since the end of the UK Transition Period, EU rules on checks and controls required on plants and plant products have changed; at the same time, UK rules regarding plant health and related checks, as they apply to Great Britain, have also changed. The parallel adoption of new and divergent approaches to control measures for plant health in the EU and UK(GB) makes alignment more difficult to achieve and maintain as the example below demonstrates.

#### **EVOLUTION of EU LEGISLATION**

Regulation (EU) 2017/625 on official controls related to food and feed law, animal health and welfare, plant health and plant protection products became law in the EU on 4 April 2017, however, under Article 167 of this 2017 Regulation, most of its provisions only became applicable from 14 December 2019, at which point several previous EU acts were repealed, including 6 that were within the competence of the Scottish Government during membership.

Since the end of the UK Transition Period, 57 Commission Implementing Regulations and 15 Commission Delegated Regulations have been made under the 2017 Regulation. While many of these are technical in nature, they do have implications for alignment of standards between Scotland and the EU in the area of plant (and animal) health. If changes are not monitored and, potentially, applied to Scotland, the default setting is divergence.

#### **EVOLUTION of UK and SCOTTISH LEGISLATION**

A series of UK(GB) statutory instruments and Scottish statutory instruments have been passed in relation to plant health and related controls, including some that amend the retained EU law version of the 2017 Regulation. Several SIs/SSIs have been passed to introduce, then delay the coming into force of the full remit of checks and controls required on goods entering UK(GB) under the 2017 Regulation (due in October 2021, then delayed to January 2022, then phased in throughout this year).<sup>6</sup>

Other SIs/SSIs have made more changes that are more significant in light of the 'alignment commitment' in Scotland. In particular, the Official Controls (Plant Health) (Frequency of Checks) Regulations 2022 (SI 2022/739) makes provision for a new UK(GB) approach to determining the frequency of physical and identity checks on consignments of plants and plant products entering Great Britain and to give appropriate authorities powers to modify the frequency of rates. Under the EU regime, plant and plant products intended for final users are subject to 5-10% rate of physical checks and those not intended for final users are subject to 100% rate of physical and identity checks; under the new UK regime, the rate of checks could be reduced to 0% in both cases or increased if Ministers/Departments decide to do so.

While this is a technical and procedural change and may therefore seem insignificant, when viewed in light of the evolution of EU legislation (including 2017 Regulation) in the area of plant health and official controls, the new UK(GB) approach reliant on the exercise of Ministerial powers and risk-assessments, such changes will make 'keeping pace' in the area of plant health more difficult.

<sup>6</sup> See Cabinet Office 2021 'Government sets out pragmatic new timetable for introducing border controls' UK government <<https://www.gov.uk/government/news/government-sets-out-pragmatic-new-timetable-for-introducing-border-controls>> accessed 14 September 2021.

The above examples underline that divergence so far has, broadly, been technical in nature and policy impacts have been minimal. This notwithstanding, as time progresses and legislation in the UK – either UK-wide, UK(GB), and/or Scots Law – and the EU continue to evolve and to do so separately, the policy implications of this divergent development will be increasingly apparent. This is not to suggest that Scotland cannot ‘keep pace’ with EU law and policy, where appropriate, it is rather to emphasise the potential scope of the task involved in doing so. Monitoring the dual development of the two legal orders and policy priorities of the EU and the UK (at UK-wide, UK(GB) level, and/or in Scots Law), will be essential if the ‘keeping pace’ commitment is to be upheld. Options for monitoring and scrutinising the commitment to alignment are discussed in more detail in the next section.

As a final point in regard to divergence, it is worth noting that any steps taken within the UK to substantially amend what is currently retained EU legislation will almost definitely strain efforts to ‘keep pace’ in the Scottish context. In this respect, the Retained EU Law (Revocation and Reform) Bill is potentially very significant. If enacted as drafted it would, by default, see the majority of what is currently retained EU legislation disapplied at the end of 2023. In such a scenario, the substantive divergence effects of the parallel development of Scottish/UK legislation vis-à-vis EU legislation would be much starker than they have been so far.

## 5. Monitoring and Scrutinising the Commitment to Alignment

Options for monitoring and scrutinising the Scottish Government commitment to alignment in practice occurs on a spectrum of varying intensity in relation to the frequency and breadth of analysis carried out.

To provide an assessment of the extent to which Scottish legislation is, or is not, remaining aligned with EU law, changes occurring across five different legislative spheres could usefully be tracked. As summarised in Table X, these include: (1) secondary/tertiary EU laws that were within Scottish devolved competence when the UK was an EU Member State; (2) changes in secondary/tertiary EU laws that were 'mixed' between devolved (Scottish) and UK (central) government competence when the UK was an EU Member State; (3) changes in Scottish devolved law in areas of policy previously covered by EU law/policy frameworks (4) changes in UK domestic law in areas of policy previously covered by EU law/policy frameworks but where competence is mixed (5) any new EU laws adopted which would, if the UK was still a Member State, fall (fully/partially) within devolved competence in Scotland.

**Table 3: Options for Monitoring and Scrutiny of the Commitment to Stay Aligned with EU Law in Scotland**

	Low	Moderate	High
EU change + devolved	12mth reviews of changes in secondary/tertiary EU laws in the scope of 'keeping pace' commitment & devolved power	6mth reviews of changes in secondary/tertiary EU laws in the scope of 'keeping pace' commitment & devolved power	Monthly reviews of changes in secondary/tertiary EU laws in the scope of 'keeping pace' commitment & devolved power
EU change + mixed	12mth reviews of changes in secondary/tertiary EU laws in the scope of 'keeping pace' commitment & which are mixed competence	6mth reviews of changes in secondary/tertiary EU laws in the scope of 'keeping pace' commitment & which are mixed competence	Monthly reviews of changes in secondary/tertiary EU laws in the scope of 'keeping pace' commitment & which are mixed competence
UK change + devolved	12mth reviews of changes in primary and secondary UK(SCOT) laws in the scope of 'keeping pace' commitment & which are devolved competence	6mth reviews of changes in primary and secondary UK(SCOT) laws in the scope of 'keeping pace' commitment & which are devolved competence	Monthly reviews of changes in primary and secondary UK(SCOT) laws in the scope of 'keeping pace' commitment & which are devolved competence
UK change + mixed	12mth reviews of changes in primary and secondary UK laws in the scope of 'keeping pace' commitment & which are mixed competence	6mth reviews of changes in primary and secondary UK laws in the scope of 'keeping pace' commitment & which are mixed competence	Monthly reviews of changes in primary and secondary UK laws in the scope of 'keeping pace' commitment & which are mixed competence
EU change + new	12mth reviews of any new secondary EU laws adopted that could fall within the scope of devolved powers & are therefore eligible for 'keeping pace'	6mth reviews of any new secondary EU laws adopted that could fall within the scope of devolved powers & are therefore eligible for 'keeping pace'	Monthly reviews of any new secondary EU laws adopted that could fall within the scope of devolved powers & are therefore eligible for 'keeping pace'

As indicated above, monitoring of changes across the five legislative spheres outlined could take place at different time intervals according to the desired level of intensity of any scrutiny of the 'keeping pace' commitment in practice. Further, decisions could also be made about how many of the five potentially eligible legislative spheres are tracked on a regular basis.

## **Summary & Recommendations**

### ***Summary of Key Findings***

This research suggests that since the end of the UK Transition Period and the corresponding cessation of automatic EU law updated being applied in domestic law, some divergence has taken place between UK law in respect of Scotland and EU law. Primarily due to the tendency for any new EU legislation to include transitional measures, most changes in relevant acts of secondary EU law (regulations, directives, decisions) occurred as a result of changes agreed while the UK was still an EU Member State – the divergence implications are, therefore, limited.

The evolution of EU legislation as a result of changes adopted via tertiary/implementing EU law acts do not apply in UK/Scotland retained EU law versions of those same acts. This means that the 'default setting' is one of passive divergence between 'frozen' versions of retained EU law and their 'live' counterparts that are developing in the EU context.

Establishing a mechanism for regular monitoring of relevant developments in EU law will be an essential part of any effort to scrutinise the extent to which the Scottish Government are upholding the commitment to align with EU law.

### ***Key Recommendations***

- (1) Establish a system for monitoring developments in the EU legal acquis that are, or would be, within the scope of devolved competence in Scotland.**
- (2) Seek clarification from the Scottish Government regarding its approach to monitoring and mirroring (where appropriate) any changes made via EU tertiary legislation to EU secondary legislation with which it intends to stay aligned.**
- (3) In view of the implications of the Retained EU Law (Revocation and Reform) Bill, if enacted, for the Scottish Government's alignment commitment, carry out a review to determine the scope of retained EU law in Scotland as soon as possible.**

## The Scottish Parliament

## ALIGNMENT WITH EUROPEAN UNION LAW

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

Author: Lisa Claire Whitten  
Submitted: October 2022

## Scottish Government Commitment to Align with EU Law - Record of Potential Legislative Scope

**How to Read:** 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) are listed in Column 1. 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 October 2022. Columns 2 and 3 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 4 and 5 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 links to EUR-Lex search lists where 30+ acts are relevant. Please note, amendments made via implementing/delegated legislation are the primary but not the only way EU instruments can be changed, to access a fully updated act see the consolidated text versions (Column 3) as appropriate.

European Union Law, Status and Processes				
Policy Area	Official Journal	Consolidated Text	EU Law Updates	EU Implementing Law Updates
<b>ENVIRONMENTAL PROTECTION</b>				
<b>Carbon Capture and Storage</b>				
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	<a href="#">L 140, 5.6.2009 p. 114-135</a>	<a href="#">Consolidated: 24.12.2018</a>	N/A	N/A
<b>Energy Efficiency</b>				
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	<a href="#">L 315, 14.11.2012 p. 1-56</a>	<a href="#">Consolidated: 1.1.2021</a>	N/A	Latest: 24 March 2019
<b>Energy Planning Consents</b>				
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	<a href="#">L 26 28.1.2012 p.1-21</a>	<a href="#">Consolidated: 15.05.2014</a>	N/A	N/A
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	<a href="#">L156 25.6.2003 p.17-25</a>	<a href="#">Consolidated: 31.12.2016</a>	N/A	N/A
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	<a href="#">L 124 25.4.2014 p. 1-18</a>	N/A	N/A	N/A
<b>Onshore Hydrocarbons Licensing</b>				
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 prospection, exploration and production of hydrocarbons	<a href="#">L 164 30.6.1994 p.3-8</a>	<a href="#">Consolidated: 24.12.2018</a>	N/A	N/A
<b>Renewable Energy</b>				

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)	<a href="#">L 328 21.12.2018</a>	<a href="#">Consolidated: 7.6.2022</a>	N/A	Commission Delegated Regulation (EU) 2021/2003 and 2022/759; 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
<b>Biodiversity - Resource Access &amp; Benefit Sharing</b>	-	-		
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	<a href="#">L 150 20.5.2014 p.59-71</a>		N/A	Latest: 13 October 2015
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	<a href="#">L 275 20.10.2015 p.4-19</a>		N/A	N/A
<b>Flood Risk Management</b>	-	-		
Directive 2007/60/EC of the European Parliament and of the Council of 23 October 2007 on the assessment and management of flood risks	<a href="#">L 288 6.11.2007 p.27-34</a>		N/A	N/A
<b>Marine Environment</b>	-	-		
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)	<a href="#">L 164 25.6.2008 p.19-40</a>	<a href="#">Consolidated: 7.6.2017</a>	N/A	N/A
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	<a href="#">L 125 18.5.2017 p.27-33</a>		N/A	N/A
<b>Natural Environment and Biodiversity</b>	-	-		
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	<a href="#">L 317 4.11.2014 p.35-55</a>	<a href="#">Consolidated: 14.12.2019</a>	N/A	Commission Implementing Regulation (EU) 2022/1203
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	<a href="#">L 308, 9.11.1991 p.1-4</a>		N/A	N/A
Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds	<a href="#">L20 26.1.2010 p.7-25</a>	<a href="#">Consolidated 26.06.2019</a>	N/A	N/A
Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora	<a href="#">L 206 22.7.1992 p.7-50</a>	<a href="#">Consolidated 1.7.2013</a>	N/A	N/A
Council Directive 1999/22/EC of 29 March 1999 relating to the keeping of wild animals in zoos	<a href="#">L 94 9.4.1999 p.24-26</a>		N/A	N/A
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	<a href="#">L 91 9.4.1983 p.30-31</a>	<a href="#">Consolidated 15.6.1989</a>	N/A	N/A
<b>Noise Management</b>	-	-		
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	<a href="#">L 189 18.7.2002 p.12-25</a>	<a href="#">Consolidated 29.7.2021</a>	N/A	N/A
<b>Spatial Data Infrastructure Standards</b>	-	-		
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)	<a href="#">L 108 25.4.2007 p.1-14</a>	<a href="#">Consolidated: 26.6.2019</a>	N/A	N/A
<b>Water Quality</b>	-	-		

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	<a href="#">L 327 22.12.2000 p.1-73</a>	<a href="#">Consolidated 20.11.2014</a>	N/A	N/A
Council Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption	<a href="#">L 330 5.12.1998 p.32-54</a>	<a href="#">Consolidated: 27.10.2015</a>	N/A	N/A
<b>Harbours - Waste Management</b>	-	-		
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	<a href="#">L 26 28.1.2012 p.1-21</a>	<a href="#">Consolidated: 15.5.2014</a>	N/A	N/A
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	<a href="#">L 124 25.4.2014 p.1-18</a>		N/A	N/A
<b>Energy Performance of Buildings</b>	-	-		
Directive 2010/31/EU of the European Parliament and of the Council of 19 May 2010 on the energy performance of buildings (recast)	<a href="#">L 153 18.6.2010 p.13-35</a>	<a href="#">Consolidated: 1.1.2021</a>	N/A	Commission Implementing Regulation (EU) 2020/2156 and Commission Delegated Regulation (EU) 2020/2155
<b>Environmental Impact Assessment Directive</b>	-	-		
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	<a href="#">L 26 28.1.2012 p.1-21</a>	<a href="#">Consolidated: 15.5.2014</a>	N/A	N/A
<b>Strategic Environmental Assessment</b>	-	-		
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	<a href="#">L 197 21.7.2001 p.30-37</a>	-	N/A	N/A
<b>Control of Major Accident Hazards</b>	-	-		
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	<a href="#">L 197 24.7.2012 p.1-37</a>		N/A	Commission Implementing Decision (EU) 2022/1979
<b>Radioactive Substances</b>	-	-		
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	<a href="#">L 296 7.11.2013 p.12-21</a>	-	N/A	N/A
<b>Air Quality</b>	-	-		
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	<a href="#">L 152 11.6.2008 p.1-44</a>	<a href="#">Consolidated 18.9.2015</a>	N/A	N/A
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	<a href="#">L 23 26.1.2005 p.3-16</a>	<a href="#">Consolidated 18.9.2015</a>	N/A	N/A
<b>Industrial Emissions - Best Available Techniques (BAT)</b>	-	-		
Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control)	<a href="#">L 334 17.12.2010 p.17-119</a>	<a href="#">Consolidated 6.1.2011</a>	N/A	Commission Implementing Decision 2021/2326 and 2020/2009
<b>Waste &amp; Resources</b>	-	-		
Council Directive 1999/31/EC of 26 April 1999 on the landfill of waste	<a href="#">L 182 16.7.1999 p.1-19</a>	<a href="#">Consolidated 4.7.2018</a>	N/A	N/A
Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives	<a href="#">L 312 22.11.2008 p.3-30</a>	<a href="#">Consolidated 5.7.2018</a>	N/A	N/A
Directive 2012/19/EU of the European Parliament and of the Council of 4 July 2012 on waste electrical and electronic equipment (WEEE)	<a href="#">L 197 24.7.2012 p.38-71</a>	<a href="#">Consolidated 4.7.2018</a>	N/A	Latest 17 December 2019
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	<a href="#">L 266 26.9.2006 p.1-14</a>	<a href="#">Consolidated 4.7.2018</a>	N/A	N/A
Directive 2000/53/EC of the European Parliament and of the Council of 18 September 2000 on end-of life vehicles	<a href="#">L 269 21.10.2000 p.34-43</a>	<a href="#">Consolidated 6.3.2020</a>	N/A	N/A
European Parliament and Council Directive 94/62/EC of 20 December 1994 on packaging and packaging waste	<a href="#">L 365 31.12.1994 p.10-23</a>	<a href="#">Consolidated 4.7.2018</a>	N/A	N/A
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	<a href="#">L 102 11.4.2006 p.15-34</a>	<a href="#">Consolidated 7.8.2009</a>	N/A	N/A
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	<a href="#">L 197 24.7.2012 p.1-37</a>		N/A	Commission Implementing Decision (EU) 2022/1979
<b>Ozone Depleting Substances and F-gases</b>	-	-		



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	<a href="#">L150 20.5.2014 p.195</a>		N/A	Commission Implementing Decision 2020/1604, 2021/456, 2021/980
Regulation (EC) No 1005/2009 of the European Parliament and of the Council of 16 September 2009 on substances that deplete the ozone layer	<a href="#">L286 31.10.2009 p.1</a>	<a href="#">Consolidated: 19.4.2017</a>		

ANIMAL HEALTH & WELFARE				
Animal Disease Control, Zoonosis Control				
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	<a href="#">L147 31.5.2001 p.1</a>	<a href="#">Consolidated: 6.9.2022</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	<a href="#">L145 13.6.1977 p.44</a>	-	Repealed and replaced by Regulation (EU) 2016/429: Article 270	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	<a href="#">L15 19.1.1978 p.34</a>	-	Repealed and replaced by Regulation (EU) 2016/429: Article 270	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	<a href="#">L306 22.1.2003 p.1</a>	-	Repealed and replaced by Regulation (EU) 2016/429: Article 270; and Regulation (EU) 2020/687	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	<a href="#">L10 14.1.2006 p.16</a>	-	Repealed and replaced by Regulation (EU) 2016/429: Article 270; and Regulation (EU) 2020/687	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	<a href="#">L316 1.12.2001 p.5</a>		Repealed and replaced by Regulation (EU) 2016/429: Article 270; and Regulation (EU) 2020/687	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	<a href="#">L157 10.6.1992 p.19</a>		Repealed and replaced by Regulation (EU) 2016/429: Article 270	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	<a href="#">L192 20.7.2002 p.27</a>		Repealed and replaced by Regulation (EU) 2016/429: Article 270	N/A
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	<a href="#">L325 12.12.2003 p.1</a>	<a href="#">Consolidated: 21.4.2021</a>	N/A	N/A
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	<a href="#">L260 5.9.1992 p.1</a>		Repealed and replaced by Regulation (EU) 2016/429: Article 270	N/A
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	<a href="#">L62 15.3.1993 p.69</a>		Repealed and replaced by Regulation (EU) 2016/429: Article 270	N/A
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	<a href="#">L325 12.12.2003 p.31</a>	<a href="#">Consolidated: 1.7.2013</a>	N/A	N/A
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	<a href="#">L327 22.12.2000 p.74</a>	-	Repealed and replaced by Regulation (EU) 2016/429: Article 270	
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')	<a href="#">L84, 31.3.2016: 1-208</a>	<a href="#">Consolidated: 21.4.2021</a>	N/A	<u>12 Commission Delegated Regulations and 194 Commission Implementing Decisions since 1 January 2021</u>
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	<a href="#">L174, 3.6.2020 p.64</a>	<a href="#">Consolidated: 14.7.2021</a>	N/A	N/A

<b>Animal Identification</b>	-	-		
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	<a href="#">L5 9.1.2004 p.8</a>	-	Repealed and replaced by Regulation (EU) 2016/429: Article 270	N/A
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	<a href="#">L204 11.8.2000 p.1</a>	<a href="#">Consolidated: 21.4.2021</a>	N/A	N/A
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	<a href="#">L213 8.8.2008 p.31</a>	-	Repealed and replaced by Regulation (EU) 2016/429: Article 270	N/A
<b>Animal Welfare</b>	-	-		
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	<a href="#">L3 5.1.2005 p.1</a>	<a href="#">Consolidated: 14.12.2019</a>	N/A	N/A
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	<a href="#">L308 9.11.1991 p.1</a>	-	N/A	N/A
Regulation (EC) No 1007/2009 of the European Parliament and of the Council of 16 September 2009 on trade in seal products	<a href="#">L286 31.10.2009 p.36</a>	<a href="#">Consolidated: 18.10.2015</a>	N/A	N/A
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	<a href="#">L343 27.12.2007 p.1</a>	-	N/A	N/A
Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing	<a href="#">L303 18.11.2009 p.1</a>	<a href="#">Consolidated: 14.12.2019</a>	N/A	N/A
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	<a href="#">L91 9.4.1983 p.30</a>	<a href="#">Consolidated: 15.6.1989</a>	N/A	N/A
<b>GMOs - Marketing &amp; Cultivation</b>	-	-		
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	<a href="#">L 106 17.4.2001 p.1-36</a>	<a href="#">Consolidated: 27.3.2021</a>	N/A	N/A
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	<a href="#">L 268 18.10.2003 p.24-28</a>	<a href="#">Consolidated 26.7.2019</a>	N/A	N/A
Regulation (EC) No 1946/2003 of the European Parliament and of the Council of 15 July 2003 on transboundary movements of genetically modified organisms	<a href="#">L 287 5.11.2003 p.1-10</a>		N/A	N/A
<b>GMMOs</b>	-	-		
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	<a href="#">L 125 21.5.2009 p.75-97</a>	-	N/A	N/A
<b>Zootech</b>	-	-		
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')	<a href="#">L 171 29.6.2016 p.66-143</a>	-	N/A	Commission Implementing Regulation (EU) 2020/602, 2021/761, 2021/963, 2022/2077
<b>Organic Production Regulation</b>	-	-		
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	<a href="#">L 189 20.7.2007 p.1-23</a>	<a href="#">Consolidated 1.1.2022</a>	N/A	N/A
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	<a href="#">L 250 18.9.2008 p.1-84</a>	<a href="#">Consolidated 1.1.2022</a>	N/A	N/A
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	<a href="#">L 204 6.8.2009 p.15-34</a>	-	Implicitly Repealed by Commission Implementing Regulation (EU) 2021/1165: Article 11	
<b>Official Controls</b>	-	-		

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)	<a href="#">L95 7.4.2017 p.1</a>	<a href="#">Consolidated: 28.1.2021</a>	N/A	<a href="#">57 Commission Implementing Regulations and 15 Commission Delegated Regulations since 1 January 2021</a>
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	<a href="#">L165 30.4.2004 p.1</a>	-	Repealed and Replaced by Regulation (EU) 2017/625: Article 146	N/A
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	<a href="#">L139 30.4.2004 p.206</a>	-	Repealed and Replaced by Regulation (EU) 2017/625: Article 146	N/A
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	<a href="#">L268 24.9.1991 p.56</a>	-	Repealed and Replaced by Regulation (EU) 2017/625: Article 146	N/A
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	<a href="#">L24 30.1.1998 p.9</a>	-	Repealed and Replaced by Regulation (EU) 2017/625: Article 146	N/A
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	<a href="#">L224 18.8.1990 p.29</a>	-	Repealed and Replaced by Regulation (EU) 2017/625: Article 146	N/A
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	<a href="#">L395 30.12.1989 p.13</a>	-	Repealed and Replaced by Regulation (EU) 2017/625: Article 146	N/A
<b>Fisheries &amp; Aquaculture</b>				
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	<a href="#">L351 28.12.1985 p.63</a>	<a href="#">Consolidated: 28.7.2006</a>	N/A	N/A
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	<a href="#">L212 22.7.1989 p.79</a>	<a href="#">Consolidated: 31.12.2008</a>	N/A	N/A
Council Regulation (EEC) No 1536/92 of 9 June 1992 laying down common marketing standards for preserved tuna and bonito	<a href="#">L163 17.6.1992 p.1</a>	-	N/A	N/A
Council Regulation (EC) No 2406/96 of 26 November 1996 laying down common marketing standards for certain fishery products	<a href="#">L334 23.12.1996 p.1</a>	<a href="#">Consolidated: 2.6.2005</a>	N/A	N/A
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	<a href="#">L125 27.4.1998 p.1</a>	-	Repealed and replaced by Regulation (EU) 2019/1241: Article 39	N/A
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	<a href="#">L198 25.7.2019 p.105</a>	<a href="#">Consolidated: 6.8.2022</a>	N/A	Commission Implementing Regulation (EU) 2020/967; Commission Delegated Regulation (EU) 2022/1357, (EU) 2022/826, (EU) 2022/303, (EU) 2022/200, (EU) 2022/199, (EU) 2021/2324, (EU) 2021/1473, (EU) 2021/1160
<b>Fisheries &amp; Aquaculture Marketing</b>				
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	<a href="#">L354 28.12.2013 p.1</a>	<a href="#">Consolidated: 25.4.2020</a>	N/A	Latest: 12 March 2018
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	<a href="#">L328 24.11.2006 p.14</a>	<a href="#">Consolidated: 6.3.2014</a>	Repealed and replaced by Regulation (EU) 2016/429: Article 270	N/A

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	<a href="#">L354 28.12.2013 p.22</a>	<a href="#">Consolidated: 14.8.2019</a>	N/A	Commission Delegated Regulation (EU) 2021/2064, (EU) 2021/2065, (EU) 2022/204, (EU) 2022/824, (EU) 2022/952
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<b>PLANT HEALTH</b>				
<b>Plant Health</b>				
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	<a href="#">L317 23.11.2016 p.4</a>	<a href="#">Consolidated: 14.12.2019</a>	N/A	36 Commission Implementing Regulations; 1 Commission Delegated Regulation
Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein	<a href="#">L61 3.3.1997 p.1</a>	<a href="#">Consolidated: 19.1.2022</a>	N/A	N/A
<b>Pesticides, Biocides</b>				
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	<a href="#">L309 24.11.2009 p.1</a>	<a href="#">Consolidated: 27.3.2021</a>	N/A	N/A
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	<a href="#">L70 16.3.2005 p.1</a>	<a href="#">Consolidated: 19.9.2022</a>	N/A	N/A
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	<a href="#">L167 27.6.2012 p.1</a>	<a href="#">Consolidated: 15.4.2022</a>	N/A	100 Commission Implementing Regulations and 3 Commission Delegated Regulations
<b>Plant Reproductive Material</b>				
Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seed	<a href="#">L125 11.7.1966 p.2309</a>	-	N/A	N/A
Council Directive 68/193/EEC of 9 April 1968 on the marketing of material for the vegetative propagation of the vine	<a href="#">L93 17.4.1968 p.15</a>	<a href="#">Consolidated: 16.2.2020</a>	N/A	N/A
Council Directive 1999/105/EC of 22 December 1999 on the marketing of forest reproductive material	<a href="#">L11 15.1.2000 p.17</a>	-	N/A	N/A
Council Directive 2002/53/EC of 13 June 2002 on the common catalogue of varieties of agricultural plant species	<a href="#">L193 20.7.2002 p.1</a>	<a href="#">Consolidated: 18.4.2004</a>	N/A	N/A
Council Directive 66/401/EEC of 14 June 1966 on the marketing of fodder plant seed	<a href="#">L125 11.7.1966 p.2298</a>	<a href="#">Consolidated: 1.9.2022</a>	N/A	N/A
Council Directive 98/56/EC of 20 July 1998 on the marketing of propagating material of ornamental plants	<a href="#">L226 13.8.1998 p.16</a>	<a href="#">Consolidated: 30.6.2014</a>	N/A	N/A
Council Directive 2008/72/EC of 15 July 2008 on the marketing of vegetable propagating and planting material, other than seed	<a href="#">L205 1.8.2008 p.28</a>	<a href="#">Consolidated: 16.8.2022</a>	N/A	N/A
Council Directive 2002/54/EC of 13 June 2002 on the marketing of beet seed	<a href="#">L193 20.7.2002 p.12</a>	<a href="#">Consolidated: 1.9.2022</a>	N/A	N/A
Council Directive 2002/55/EC of 13 June 2002 on the marketing of vegetable seed	<a href="#">L193 20.7.2002 p.33</a>	<a href="#">Consolidated: 1.9.2022</a>	N/A	N/A
Council Directive 2002/56/EC of 13 June 2002 on the marketing of seed potatoes	<a href="#">L193 20.7.2002 p.60</a>	<a href="#">Consolidated: 16.2.2020</a>	N/A	N/A
Council Directive 2002/57/EC of 13 June 2002 on the marketing of seed of oil and fibre plants	<a href="#">L193 20.7.2002 p.74</a>	<a href="#">Consolidated: 1.9.2022</a>	N/A	N/A
Council Directive 2008/90/EC of 29 September 2008 on the marketing of fruit plant propagating material and fruit plants intended for fruit production	<a href="#">L267 8.10.2008 p.8</a>	<a href="#">Consolidated: 28.1.2019</a>	N/A	N/A

<b>EQUALITY, NON-DISCRIMINATION, AND HUMAN RIGHTS</b>				
<b>Voting Rights in Local Government Elections</b>				
Article 20(2)(b) TFEU and Article 22 TFEU	<a href="#">C 326 26.10.2012 p.47-390</a>	-	N/A	N/A
<b>Equal Treatment Legislation</b>				
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	<a href="#">L 373 21.12.2004 p.37-43</a>	-	N/A	N/A
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	<a href="#">L 204 26.7.2006 p.23-36</a>	-	N/A	N/A
Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin	<a href="#">L 180 19.7.2000 p.22-26</a>	-	N/A	N/A
Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation	<a href="#">L 303 2.12.2000 p.16-22</a>	-	N/A	N/A
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	<a href="#">L 180 15.7.2010 p.1-6</a>	-	N/A	N/A
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	<a href="#">L 6 10.1.1979 p.24-25</a>	-	N/A	N/A

SOCIAL PROTECTION				
<b>EU Social Security Coordination</b>				
Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems	<a href="#">L 166 30.4.2004 p.1-123</a>	<a href="#">Consolidated: 31.7.2019</a>	N/A	N/A
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	<a href="#">L 284 30.10.2009 p.1-42</a>	<a href="#">Consolidated: 1.1.2018</a>	N/A	N/A
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	<a href="#">L 149 5.7.1971 p.2-50</a>	<a href="#">Consolidated: 1.5.2010</a>	N/A	N/A
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	<a href="#">L 74 27.3.1972 p.1-83</a>	<a href="#">Consolidated: 2.3.2009</a>	Repealed and Replaced by Regulation (EC) No 987/2009: Article 96	N/A
<b>FOOD STANDARDS</b>				
<b>Food Compositional Standards and Labelling</b>				
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	<a href="#">L31 1.2.2002 p.1</a>	<a href="#">Consolidated: 1.7.2022</a>	N/A	N/A
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	<a href="#">L304 22.11.2011 p.18</a>	<a href="#">Consolidated: 1.1.2018</a>	N/A	Commission Implementing Regulation (EU) 2021/334, (EU) 2021/945, (EU) 2022/100
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	<a href="#">L334 16.12.2011</a>	-	N/A	N/A
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	<a href="#">L354 31.12.2008 p.1</a>	<a href="#">Consolidated: 27.3.2021</a>	N/A	N/A
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	<a href="#">L354 31.12.2008 p.7</a>	<a href="#">Consolidated: 3.12.2012</a>	N/A	N/A
Regulation (EC) No 1333/2008 of the European Parliament and of the Council of 16 December 2008 on food additives	<a href="#">L354 31.12.2008 p.16</a>	<a href="#">Consolidated: 20.7.2022</a>	N/A	N/A
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	<a href="#">L354 31.12.2008 p.34</a>	<a href="#">Consolidated: 26.9.2022</a>	N/A	N/A
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	<a href="#">L183 12.7.2002 p.51</a>	<a href="#">Consolidated: 30.9.2022</a>	N/A	N/A
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	<a href="#">L404 30.12.2006 p.26</a>	<a href="#">Consolidated: 22.6.2022</a>	N/A	N/A
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	<a href="#">L309 26.11.2003 p.1</a>	<a href="#">Consolidated: 27.3.2021</a>	N/A	N/A
Council Regulation (EEC) No 315/93 of 8 February 1993 laying down Community procedures for contaminants in food	<a href="#">L37 13.2.1993 p.1</a>	<a href="#">Consolidated 7.8.2009</a>	N/A	N/A
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	<a href="#">L327 11.12.2015 p.1</a>	<a href="#">Consolidated: 27.3.2021</a>	N/A	37 Commission Implementing Regulations
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	<a href="#">L181 29.6.2013 p.35</a>	<a href="#">Consolidated: 28.4.2021</a>	N/A	Commission Delegated Regulations (EU) 2021/571, (EU) 2021/572, (EU) 2021/1041, (EU) 2021/1040, (EU) 2022/519,
Directive 1999/4/EC of the European Parliament and of the Council of 22 February 1999 relating to coffee extracts and chicory extracts	<a href="#">L66 13.3.1999 p.26</a>	<a href="#">Consolidated: 18.11.2013</a>	N/A	N/A
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	<a href="#">L197 3.8.2000 p.19</a>	<a href="#">Consolidated: 18.11.2013</a>	N/A	N/A
Council Directive 2001/110/EC of 20 December 2001 relating to honey	<a href="#">L10 12.1.2002 p.47</a>	<a href="#">Consolidated: 23.6.2014</a>	N/A	N/A
Council Directive 2001/111/EC of 20 December 2001 relating to certain sugars intended for human consumption	<a href="#">L10 12.1.2002 p.53</a>	<a href="#">Consolidated: 18.11.2013</a>	N/A	N/A

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	<a href="#">L157 15.6.2011 p.1</a>	<a href="#">Consolidated: 24.10.2022</a>	N/A	N/A
Council Directive 2001/112/EC of 20 December 2001 relating to fruit juices and certain similar products intended for human consumption	<a href="#">L10 12.1.2002 p.58</a>	<a href="#">Consolidated: 5.10.2014</a>	N/A	N/A
Council Directive 2001/113/EC of 20 December 2001 relating to fruit jams, jellies and marmalades and sweetened chestnut purée intended for human consumption	<a href="#">L10 12.1.2002 p.67</a>	<a href="#">Consolidated: 18.11.2013</a>	N/A	N/A
Council Directive 2001/114/EC of 20 December 2001 relating to certain partly or wholly dehydrated preserved milk for human consumption	<a href="#">L15 17.1.2002 p.19</a>	<a href="#">Consolidated: 18.11.2013</a>	N/A	N/A
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	<a href="#">L314 1.12.2015 p.1</a>	-	N/A	N/A
<b>Nutrition Labelling, Composition and Standards</b>	-	-		
Regulation (EC) 1924/2006 of the European Parliament and of the Council of 20 December 2006 on nutrition and health claims made on foods	<a href="#">L404 30.12.2006 p.9</a>	<a href="#">Consolidated: 13.12.2014</a>	N/A	N/A
<b>Food Hygiene</b>	-	-		
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	<a href="#">L139 30.4.2004 p.55</a>	<a href="#">Consolidated: 28.10.2021</a>	N/A	N/A
Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs	<a href="#">L139 30.4.2004 p.1</a>	<a href="#">Consolidated: 24.3.2021</a>	N/A	N/A
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	<a href="#">L40 11.2.1989 p.34</a>	<a href="#">Consolidated: 1.7.2013</a>	N/A	N/A
<b>Regulation of Tobacco and Related Products</b>	-	-		
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	<a href="#">L 127 29.4.2014 p.1-38</a>	<a href="#">Consolidated: 6.1.2015</a>	N/A	Latest: 15 December 2017
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	<a href="#">L 152 20.6.2003 p.16-19</a>	<a href="#">Consolidated 20.6.2003</a>	N/A	N/A
<b>Organic Products</b>	-	-		
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	<a href="#">L189 20.7.2007 p.1</a>	<a href="#">Consolidated: 1.1.2022</a>	N/A	N/A
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	<a href="#">L150 14.6.2018 p.1</a>	<a href="#">Consolidated: 1.1.2022</a>	N/A	Commission Implementing Regulation (EU) 2022/2049, (EU) 2022/2047, (EU) 2021/2325, (EU) 2021/2307, (EU) 2021/2119, (EU) 2021/1921, (EU) 2021/1849, (EU) 2021/1378, (EU) 2021/1165, (EU) 2021/279 and Commission Delegated Regulation (EU) 2022/1450, (EU) 2022/923, (EU) 2022/760, (EU) 2022/474, (EU) 2021/2306, (EU) 2021/2304, (EU) 2021/1698, (EU) 2021/1697, (EU) 2021/1691, (EU) 2021/1342, (EU) 2021/1189, (EU) 2021/1006, (EU) 2021/771, (EU) 2021/716, (EU) 2021/715
<b>CHEMICALS</b>				
<b>Fertiliser Regulation</b>				
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	<a href="#">L 304 21.11.2003 p.1-194</a>	<a href="#">Consolidated: 20.6.2021</a>	Repealed and Replaced by Regulation (EU) 2019/1009: Article 51	N/A

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	<a href="#">L 170 25.6.2019 p.1-114</a>	<a href="#">Consolidated 16.7.2022</a>	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
<b>Good Laboratory Practice</b>				
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)	<a href="#">L 50 20.2.2004 p.28-43</a>	<a href="#">Consolidated: 26.7.2019</a>	N/A	N/A
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	<a href="#">L 50 20.2.2004 p. 44-59</a>	<a href="#">Consolidated: 20.4.2009</a>	N/A	N/A
<b>REACH</b>				
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	<a href="#">L396 30.12.2006 p.1</a>	<a href="#">Consolidated: 14.10.2022</a>	N/A	N/A
<b>Persistent Organic Pollutants</b>				
Regulation (EU) 2019/1021 of the European Parliament and of the Council of 20 June 2019 on persistent organic pollutants	<a href="#">L169 25.6.2019 p.45</a>	<a href="#">Consolidated: 15.3.2021</a>	N/A	N/A
<b>Hazardous Chemicals</b>				
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	<a href="#">L201 27.7.2012 p.60</a>	<a href="#">Consolidated: 1.7.2022</a>	N/A	Commission Implementing Decision (EU) 2020/2182; Commission Delegated Regulation (EU) 2022/643
<b>ECONOMY &amp; TRADE</b>				
<b>Late Payment - Commercial Transactions</b>				
Directive 2011/7/EU of the European Parliament and of the Council of 16 February 2011 on combating late payment in commercial transactions	<a href="#">L 48 23.2.2011 p.1-10</a>	-	N/A	N/A
<b>Mutual Recognition of Professional Qualifications - Cross-Sectoral</b>				
Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications	<a href="#">L 255 30.9.2005 p.22-142</a>	<a href="#">Consolidated: 10.12.2021</a>	N/A	N/A
<b>Services Directive</b>				
Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market	<a href="#">L 376 27.12.2006 p.36-68</a>	-	N/A	N/A
<b>Public Procurement</b>				
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	<a href="#">L 94 28.3.2014 p.65-242</a>	<a href="#">Consolidated: 1.1.2022</a>	N/A	Commission Delegated Regulation (EU) 2021/1952
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	<a href="#">L 94 28.3.2014 p.243-374</a>	<a href="#">Consolidated: 1.1.2022</a>	N/A	Commission Implementing Decision (EU) 2022/418, (EU) 2022/1286, (EU) 2022/1296, (EU) 2022/1376; Commission Delegated Regulation (EU) 2021/1953
Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 on the award of concession contracts	<a href="#">L 94 28.3.2014 p.1-64</a>	<a href="#">Consolidated: 1.1.2022</a>	N/A	Commission Delegated Regulation (EU) 2021/1951
<b>POLICE &amp; JUDICIAL COOPERATION</b>				
<b>European Judicial Network</b>				
Council Decision 2008/976/JHA of 16 December 2008 on the European Judicial Network	<a href="#">L 348 24.12.2008 p.130-134</a>	-	N/A	N/A
<b>Joint Action on Organised Crime</b>				
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	<a href="#">L 344 15.12.1997 p.7-9</a>	-	N/A	N/A

<b>False and Authentic Documents Online (FADO)</b>	-			
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)	<a href="#">L 333 9.12.1998 p.4-7</a>		N/A	N/A
<b>European Police College (CEPOL)</b>	-			
<b>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</b>	<a href="#">L 256 1.10.2005 p.63-70</a>	<a href="#">Consolidated: 1.9.2014</a>	Repealed and Replaced by Regulation (EU) 2015/2219: Article 40	N/A
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	<a href="#">L 319 4.12.2015 p.1-20</a>		N/A	N/A
<b>EU-LISA</b>	-			
<b>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</b>	<a href="#">L 286 1.11.2011 p.1-17</a>	<a href="#">Consolidated: 9.10.2018</a>	Repealed and Replaced by Regulation (EU) 2018/1726: Article 57	N/A
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	<a href="#">L 295 21.11.2018 p.99-137</a>	<a href="#">Consolidated: 21.6.2022</a>	N/A	N/A
<b>EUROPOL</b>	-			
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	<a href="#">L 135 24.5.2016 p.53-114</a>	<a href="#">Consolidated: 28.6.2022</a>	N/A	N/A
<b>EUROJUST</b>	-			
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	<a href="#">L 295 21.11.2018 p.138-183</a>	<a href="#">Consolidated: 1.6.2022</a>	N/A	Latest 23 July 2020
<b>European Criminal Records Information System (ECRIS)</b>	-			
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	<a href="#">L 93 7.4.2009 p.23-32</a>	<a href="#">Consolidated: 27.6.2019</a>	N/A	N/A
<b>Prüm Framework (data sharing)</b>	-			
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	<a href="#">L 210 6.8.2008 p.12-72</a>		N/A	N/A
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	<a href="#">L 210 6.8.2008 p.1-11</a>		N/A	N/A
<b>Schengen Information System (SIS II)</b>	-			
Council Decision 2007/533/JHA of 12 June 2007 on the establishment, operation and use of the second generation Schengen Information System (SIS II)	<a href="#">L205 7.8.2007 p.63-84</a>	<a href="#">Consolidated: 28.12.2020</a>	N/A	N/A
<b>Minimum Standards Legislation - Cybercrime</b>	-			
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	<a href="#">L 218 14.8.2013 p.8-14</a>		N/A	N/A
<b>Minimum Standards Legislation - Human Trafficking</b>	-			
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	<a href="#">L 101 15.4.2011 p.1-11</a>		N/A	N/A
<b>Asset Recovery Offices</b>	-			
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	<a href="#">L 332 18.12.2007 p.103-105</a>		N/A	N/A
<b>Cooperation Legislation - Child Sexual Exploitation</b>	-			
Council Decision of 29 May 2000 to combat child pornography on the Internet	<a href="#">L 138 9.6.2000 p.1-4</a>		N/A	N/A
<b>Schengen Convention - Law Enforcement Cooperation (Article 40)</b>	-			
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	<a href="#">L 210 6.8.2008 p.12-72</a>		N/A	N/A
<b>European Investigation Order</b>	-			



Directive 2014/41/EU of the European Parliament and of the Council of 3 April 2014 regarding the European Investigation Order in criminal matters	<a href="#">L 130 1.5.2014 p.1-36</a>	<a href="#">Consolidated: 13.3.2022</a>	N/A	N/A
<b>Joint Investigation Teams</b>	-	-		
Council Framework Decision of 13 June 2002 on joint investigation teams	<a href="#">L 162 20.6.2002 p.1-3</a>	<a href="#">Consolidated: 10.3.2022</a>	N/A	N/A
<b>Mutual Recognition of Assets Freezing</b>	-	-		
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	<a href="#">L 196 2.8.2003 p.45-55</a>	<a href="#">Consolidated: 2.8.2003</a>	Repealed and Replaced by Regulation (EU) 2018/1805	N/A
<b>Mutual Recognition of Confiscation Orders</b>	-	-		
Council Framework Decision 2006/783/JHA of 6 October 2006 on the application of the principle of mutual recognition to confiscation orders: date of end of validity 18.12.2020	<a href="#">L 328 24.11.2006 p.59-78</a>	<a href="#">Consolidated: 28.3.2009</a>	Repealed and Replaced by Regulation (EU) 2018/1805	N/A
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	<a href="#">L 303 28.11.2018 p.1-38</a>		N/A	N/A
<b>Cross-Border Data Exchange 'Swedish Initiative'</b>	-	-		
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	<a href="#">L 386 29.12.2006 p.89-100</a>	<a href="#">Consolidated: 30.12.2006</a>	N/A	N/A
<b>Cooperation on Football Disorder</b>	-	-		
2002/348/JHA: Council Decision of 25 April 2002 concerning security in connection with football matches with an international dimension	<a href="#">L 121 8.5.2002 p.1-3</a>	<a href="#">Consolidated: 16.6.2007</a>	N/A	N/A
<b>Forensic Service Providers - Mutual Recognition</b>	-	-		
Council Framework Decision 2009/905/JHA of 30 November 2009 on accreditation of forensic service providers carrying out laboratory activities	<a href="#">L 322 9.12.2009 p.14-16</a>		N/A	N/A
<b>Passenger Name Records (PNR) Data</b>	-	-		
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	<a href="#">L 119 4.5.2016 p.132-149</a>		N/A	Latest: 28 April 2017
<b>Applicable Law in Contracts and Non-Contractual Obligations</b>	-	-		
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)	<a href="#">L 177 4.7.2008 p.6-16</a>	<a href="#">Consolidated: 24.7.2008</a>	N/A	N/A
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)	<a href="#">L 199 31.7.2007 p.40-49</a>		N/A	N/A
<b>Legal Mediation - Cross-Border</b>	-	-		
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	<a href="#">L 136 24.5.2008 p.3-8</a>		N/A	N/A
<b>Civil and Commercial Law - Jurisdiction, Recognition and Enforcement</b>	-	-		
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	<a href="#">L 351 20.12.2012 p.1-32</a>	<a href="#">Consolidated: 26.2.2015</a>	N/A	Latest: 26 November 2014
Council Regulation (EC) No 1346/2000 of 29 May 2000 on insolvency proceedings: date of end of validity 26.6.2017	<a href="#">L 160 30.6.2000 p.1-18</a>	<a href="#">Consolidated: 12.10.2016</a>	Repealed and Replaced by Regulation (EU) 2015/848: Article 91	N/A
Regulation (EU) 2015/848 of the European Parliament and of the Council of 20 May 2015 on insolvency proceedings	<a href="#">L 141 5.6.2015 p.19-72</a>	<a href="#">Consolidated: 9.1.2022</a>	N/A	Latest: 4 June 2019
<b>Family Law - Jurisdiction, Recognition and Enforcement</b>	-	-		
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	<a href="#">L 338 23.12.2003 p.1-29</a>	<a href="#">Consolidated: 1.3.2005</a>	Repealed and Replaced by Council Regulation (EU) 2019/1111: Article 104	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	<a href="#">L 178 2.7.2019 p.1-115</a>		N/A	N/A
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	<a href="#">L 7 10.1.2009 p.1-79</a>	<a href="#">Consolidated: 31.12.2018</a>	N/A	N/A
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	<a href="#">L 181 29.6.2013 p.4-12</a>		N/A	Latest: 2 September 2014
<b>Legal Aid - Cross-Border Cases</b>	-	-		
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	<a href="#">L 26 31.1.2003 p.41-47</a>	<a href="#">Consolidated: 31.1.2003</a>	N/A	N/A
<b>Service of Documents &amp; Taking Evidence</b>	-	-		

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	<a href="#">L 324 10.12.2007 p.79-120</a>	<a href="#">Consolidated: 1.7.2013</a>	N/A	N/A
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	<a href="#">L 174 27.6.2001 p.1-24</a>	<a href="#">Consolidated: 4.12.2008</a>	N/A	N/A
2001/470/EC: Council Decision of 28 May 2001 establishing a European Judicial Network in civil and commercial matters	<a href="#">L 174 27.6.2001 p.25-31</a>	<a href="#">Consolidated: 1.1. 2001</a>	N/A	N/A
<b>Civil and Commercial Law - Small Claims, Enforcement and Order for Payment</b>	-	-		
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	<a href="#">L 341 24.12.2015 p.1-13</a>		N/A	N/A
Regulation (EC) No 861/2007 of the European Parliament and of the Council of 11 July 2007 establishing a European Small Claims Procedure	<a href="#">L 199 31.7.2007 p.1-22</a>	<a href="#">Consolidated: 14.7.2017</a>	N/A	N/A
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	<a href="#">L 143 30.4.2004 p.15-39</a>	<a href="#">Consolidated: 4.12.2008</a>	N/A	N/A
Regulation (EC) No 1896/2006 of the European Parliament and of the Council of 12 December 2006 creating a European order for payment procedure	<a href="#">L 399 30.12.2006 p.1-32</a>	<a href="#">Consolidated: 14.7.2017</a>	N/A	N/A
<b>Child Sexual Exploitation - Minimum Standards Measures</b>	-	-		
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	<a href="#">L 335 17.12.2011 p.1-14</a>	<a href="#">Consolidated: 17.12.2011</a>	N/A	N/A
<b>Mutual Recognition of Criminal Court Judgments - Cross-Border Cooperation</b>	-	-		
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	<a href="#">L357 5.12.2008 p.27-46</a>	<a href="#">Consolidated: 28.3.2009</a>	N/A	N/A
Directive 2011/99/EU of the European Parliament and of the Council of 13 December 2011 on the European protection order	<a href="#">L 338 21.12.2011 p.2-18</a>	-	N/A	N/A
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	<a href="#">L 294 11.11.2009 p.20-40</a>	-	N/A	N/A
Council Framework Decision 2005/214/JHA of 24 February 2005 on the application of the principle of mutual recognition to financial penalties	<a href="#">L 76 22.3.2005 p.16-30</a>	<a href="#">Consolidated: 28.3.2009</a>	N/A	N/A
Council Directive 2004/80/EC of 29 April 2004 relating to compensation to crime victims	<a href="#">L 261 6.8.2004 p.15-18</a>		N/A	N/A
<b>Procedural Rights - Minimum Standards</b>	-	-		
Directive 2012/13/EU of the European Parliament and of the Council of 22 May 2012 on the right to information in criminal proceedings	<a href="#">L 142 1.6.2012 p.1-10</a>		N/A	N/A
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	<a href="#">L 280 26.10.2010 p.1-7</a>		N/A	N/A
<b>Legal Services - Provision</b>	-	-		
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	<a href="#">L 77 14.3.1998 p.36-43</a>	<a href="#">Consolidated: 1.7.2013</a>	N/A	N/A
Council Directive 77/249/EEC of 22 March 1977 to facilitate the effective exercise by lawyers of freedom to provide services	<a href="#">L 78 26.3.1977 p.17-18</a>	<a href="#">Consolidated: 1.7.2013</a>	N/A	N/A
<b>Sentencing - Accounting for Convictions</b>	-	-		
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	<a href="#">L 220 15.8.2008 p.32-34</a>		N/A	N/A
<b>Victims Rights - Minimum Standards</b>	-	-		
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	<a href="#">L 315 14.11.2012 p.57-73</a>		N/A	N/A
<b>PUBLIC HEALTH</b>	-	-		
<b>Public Health Protection</b>	-	-		
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	<a href="#">L 293 5.11.2013 p.1-15</a>	<a href="#">Consolidated 5.11.2013</a>	N/A	Commission Implementing Decision (EU) 2021/858, (EU) 2021/1212

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	<a href="#">L 142 30.4.2004 p.1-11</a>		N/A	N/A
<b>Blood Safety &amp; Quality</b>	-			
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	<a href="#">L 33 8.2.2003 p.30-40</a>	<a href="#">Consolidated 7.8.2009</a>	N/A	N/A
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	<a href="#">L 91 30.3.2004 p.25-39</a>	<a href="#">Consolidated 9.1.2015</a>	N/A	N/A
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	<a href="#">L 256 1.10.2005 p.32-40</a>		N/A	N/A
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	<a href="#">L 256 1.10.2005 p.41-48</a>	<a href="#">Consolidated 15.8.2016</a>	N/A	N/A
<b>Organs, Tissues and Cells</b>	-			
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	<a href="#">L 207 6.8.2010 p.14-29</a>	<a href="#">Consolidated 6.8.2010</a>	N/A	Latest: 9 October 2012
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	<a href="#">L 275 10.10.2012 p.27-32</a>		N/A	N/A
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	<a href="#">L 102 7.4.2004 p.48-58</a>	<a href="#">Consolidated 7.8.2009</a>	N/A	N/A
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	<a href="#">L 38 9.2.2006 p.40-52</a>	<a href="#">Consolidated 17.12.2012</a>	N/A	N/A
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	<a href="#">L 294 25.10.2006 p.32-50</a>	<a href="#">Consolidated 29.4.2015</a>	N/A	N/A
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	<a href="#">L 327 27.11.2012 p.24-25</a>	-	N/A	N/A
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	<a href="#">L 93 9.4.2015 p.43-55</a>	-	N/A	N/A
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	<a href="#">L 93 9.4.2015 p.56-68</a>	-	N/A	N/A
<b>Reciprocal Cross-Border Healthcare</b>	-			
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	<a href="#">L 88 4.4.2011 p.45-65</a>	<a href="#">Consolidated: 1.1.2014</a>	N/A	Latest: 15 July 2020

<b>TRANSPORT</b>	-			
<b>Aviation - Compensation Public Service Obligation</b>	-			
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	<a href="#">L 293 31.10.2008 p.3-20</a>	<a href="#">Consolidated: 18.12.2020</a>	N/A	N/A
<b>Bus Franchising Rules</b>	-			
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	<a href="#">L315 3.12.2007 p.1-13</a>	<a href="#">Consolidated: 24.12.2017</a>	N/A	N/A
<b>Charging of HGVs</b>	-			
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	<a href="#">L 187 20.7.1999 p.42-50</a>	<a href="#">Consolidated: 24.3.2022</a>	N/A	N/A
<b>Electronic Road Toll Systems</b>	-			
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	<a href="#">L 166 30.4.2004 p.124-143</a>	<a href="#">Consolidated 20.4.2009</a>	Repealed and Replaced by Directive (EU) 2019/520: Article 33	N/A
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	<a href="#">L 91 29.3.2019 p.45-76</a>	<a href="#">Consolidated: 24.3.2022</a>	N/A	Latest: 28 November 2019
<b>Ports Services/Facilities</b>	-			
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	<a href="#">L57 3.3.2017 p.1-18</a>	<a href="#">Consolidated: 28.5.2020</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	<a href="#">L 332 28.12.2000</a>	<a href="#">Consolidated: 9.12.2015</a>	Repealed and Replaced by Directive (EU) 2019/883: Article 22	N/A
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	<a href="#">L 151 7.6.2019 p.116-142</a>	-	N/A	Commission Implementing Regulation (EU) 2022/89, (EU) 2022/92, (EU) 2022/90, (EU) 2022/91
<b>Intelligent Transport Systems</b>	-	-		
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	<a href="#">L 207 6.8.2010 p.1-13</a>	<a href="#">Consolidated: 9.1.2018</a>	N/A	Commission Delegated Regulation (EU) 2022/670
<b>Road Infrastructure Safety Mangement</b>	-	-		
Directive 2008/96/EC of the European Parliament and of the Council of 19 November 2008 on road infrastructure safety management	<a href="#">L 319 29.11.2008 p.59-67</a>	<a href="#">Consolidated: 16.12.2019</a>	N/A	N/A
<b>Trans European Transport Network</b>	-	-		
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	<a href="#">L 348 20.12.2013 p.1-128</a>	<a href="#">Consolidated: 6.3.2019</a>	N/A	Latest: 27 June 2019
<b>Maritime - Public Service Contracts/Obligations</b>	-	-		
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)	<a href="#">L 364 12.12.1992 p.7-10</a>	<a href="#">Consolidated: 1.7.2013</a>	N/A	N/A