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Claire Baker MSP
Convener
Economy and Fair Work Committee
Scottish Parliament

19 April 2023

Dear Claire

Electronic Trade Documents Bill

Many thanks for your letter dated 11 April 2023 on the Electronic Trade Documents Bill. Please accept my sincere apologies for not getting in touch with you on the matter directly given the significant delay in lodging a Legislative Consent Memorandum (LCM).

You will have been following the progress of the Bill through Westminster and in doing so, will no doubt have noticed that the wording of the Bill failed to respect the devolution settlement as it would grant UK Ministers sole powers that were unilaterally exercisable in devolved areas. This, of course, is part of a pattern of behaviour from UKG that has been found unacceptable by the Scottish Parliament.

As soon as the wording of the Bill was known to the Scottish Government (last Autumn, corresponding with my letter to the Presiding Officer) officials immediately engaged with their UK counterparts to seek to negotiate suitable amendments with the UK Government. That process, while constructive, has taken longer than anticipated and as such has created a further delay.

We hope, however, to be in a position to update Parliament and lodge an LCM in the near future.

I fully recognise that this is an unfortunate position to be in, particularly given this is a Law Commission Bill and is therefore progressing on a truncated timeline.

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Let me stress that I, and my officials, recognise the role that Parliament and your committee must play in scrutinising the Bill as part of the legislative consent process.



GEORGE ADAM

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