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Claire Baker MSP
Convenor
Economy and Fair Work Committee
The Scottish Parliament
Edinburgh
EH99 1SP

1 November 2024

Dear Claire,

I am writing in response to actions arising from my committee appearance on 9 October 2024 in relation to the Public Procurement (International Trade Agreements) (Miscellaneous Amendments) (Scotland) Regulations 2024. These were to clarify if any businesses from the countries specified in the instrument (Ukraine, Moldova, Georgia, Kosovo, North Macedonia and Albania) currently provided health care services in Scotland, and which health care services are being removed from the Trade Agreements.

We have looked at both contracts awarded to and spend with suppliers in these countries over the past three years. We have not been able to identify any relevant contracts awarded during that timeframe and have only been able to identify a small amount of spend classified as 'social care and services', which was with a Ukrainian-registered supplier for just over £6,000.

The services removed from the international trade agreements are:

- Human health services
- Administrative healthcare services; and
- Supply services of nursing personnel and supply services of medical personnel

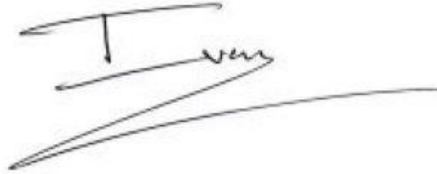
At present, suppliers from these countries are afforded treatment no less favourable than UK suppliers in respect of the service categories mentioned above. The removal of these categories from the scope of the Trade Agreements does not prevent suppliers from these countries seeking to bid for these types of contracts but it does remove the 'no less favourable' treatment, including the rights to a domestic judicial remedy.

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I hope you and your committee find this helpful.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Ivan McKee', with a long horizontal flourish extending to the right.

Ivan McKee MSP

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