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6 October 2022

Dear Convener

## **THE EUROPEAN UNIVERSITY INSTITUTE (EU EXIT) REGULATIONS 2022 EU EXIT LEGISLATION – PROTOCOL WITH SCOTTISH PARLIAMENT**

I am writing in relation to the protocol on obtaining the approval of the Scottish Parliament to proposals by the Scottish Ministers to consent to the making of UK secondary legislation affecting devolved areas arising from EU Exit.

That protocol, as agreed between the Scottish Government and then Parliament, accompanied the letter from the then Cabinet Secretary for Government Business and Constitutional Relations, Michael Russell MSP, to the Conveners of the Finance and Constitution and Delegated Powers and Law Reform Committees on 4 November 2020 and replaced the previous protocol that was put in place in 2018.

I attach a Type 1 notification which sets out the details of the SI which the UK Government propose to make and the reasons why I am content that Scottish devolved matters are to be included in this SI. Please note, we are yet to have sight of the final SI as it is not available in the public domain at this stage. We will, in accordance with the protocol, advise you when the final SI is laid and advise you as to whether the final SI is in keeping with the terms of this notification.

In May 2019 an earlier draft of this SI was previously notified to the Committee under the Protocol. At that time the Education, Children and Young People Committee of the Scottish Parliament wrote to the Scottish Government to give their approval to consent to the SI but the legislation was not then taken forward. The previously notified draft SI did not include the provisions which now preserve certain existing rights and immunities of European University Institute staff. Given the passage of time and the change to the draft notified, the SI is now being notified a second time.

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It is, nonetheless, important to note that the Scottish Government's overall position remains the same regarding future partnerships with the Institute: we believe that fostering international links between Scotland and our European neighbours is of the utmost importance, and would like to see the UK remain involved with the EUI in the future. My officials will continue to liaise with UK Government officials on this matter.

I am copying this letter to the Convener of the Delegated Powers and Law Reform Committee.

At this point it is unclear when the SI will be debated in Westminster, but will confirm in due course.

**JAMIE HEPBURN**

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