

Edward Mountain MSP
Convener of the Net Zero, Energy and Transport
Committee

23 November 2022

Dear Edward,

EU EXIT LEGISLATION – PROTOCOL WITH SCOTTISH GOVERNMENT

This letter updates the Committee on recent UK Statutory Instruments relating to devolved matters to which Scottish Ministers gave their consent after consideration by the Committee, as per the agreed protocol between the Scottish Government and the Scottish Parliament on EU Exit Statutory Instruments.

The Scottish Parliament agreed on the 4th October that it was content for Scottish Ministers to give their consent to both **The Persistent Organic Pollutant (Amendment) (EU Exit) Regulation** and **The Biocidal Products (Health and Safety) (Amendment) Regulations 2022**, including Scottish devolved matters as set out in the notification to the Parliament.

The Biocidal Products (Health and Safety) (Amendment) Regulations 2022 and **The Persistent Organic Pollutant (Amendment) (EU Exit) Regulation** were made on 17th October and 19th October, respectively. I can confirm that their content was consistent with the proposals considered by the Scottish Parliament.

In addition, on 5th October I wrote to inform you that Scottish Ministers had consented to **The Control of Mercury (Amendment) (EU Exit) Regulations 2022** including on Scottish devolved matters, as set out in the Type 2 notification to the Parliament.

The Control of Mercury (Amendment) (EU Exit) Regulations 2022 was made on 19th October. I can now confirm that this SI is consistent with the consent granted.

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

MÀIRI MCALLAN