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Richard Leonard MSP
Convener
Public Audit Committee
The Scottish Parliament
Edinburgh
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By Email: publicaudit.committee@parliament.scot

15 October 2024

Dear Convener,

New Vessels for the Clyde and Hebrides: Arrangements to Deliver Vessels 801 and 802.

Thank you for your letter of 27 September 2024 regarding Caledonian Maritime Assets Ltd (CMAL) and Shareholder Authorisation.

As you are aware following my response letter to the Committee in July, Transport Scotland officials are working with colleagues to review the CMAL governance arrangements. That review is continuing. Transport Scotland officials will consider Ferguson Marine's recently revised Framework Agreement as part of the CMAL framework review.

In regard to the specific question that has been asked by the Committee on the matter of Shareholder Authorisation. This appears to relate to instances where the Scottish Ministers have the ability, as shareholders, to give instructions to the directors of their companies. I can confirm that, in the case of CMAL, the Scottish Ministers, as shareholders, already have a reserve power under the company's Articles of Association, which may be invoked, where appropriate, by special resolution to direct its directors to take, or refrain from taking, specified action. Scottish Ministers are not responsible for the day-to-day operational matters of CMAL.

I also note from your letter that the Committee recently raised the issue of Shareholder Authorisations with the First Minister and wrote to the Permanent Secretary to seek clarity on how the Scottish Government's future approach to the transparency of Shareholder Authorisations will be managed. I am aware the Deputy First Minister and Cabinet Secretary for Economy and Gaelic informed the Committee in July that the matter of whether to publish details of all shareholder authorisations and approvals remains under consideration and that the DG Economy is engaged in an initiative in this connection.

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I can confirm that, if appropriate and required, Transport Scotland officials will take forward any actions that may emerge from the DG Economy's work to ensure CMAL's alignment with other public bodies.

I hope this helps to clarify matters. Please let me know if the Committee requires anything further.

Yours sincerely,

FIONA HYSLOP
Cabinet Secretary for Transport

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