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Finlay Carson MSP
Convener
Rural Affairs, Island and Natural Environment
Committee
Scottish Parliament
EDINBURGH
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13 June 2023

Dear Finlay

**EU EXIT LEGISLATION – PROTOCOL 2 WITH SCOTTISH PARLIAMENT
THE PLANT HEALTH AND PHYTOSANITARY CONDITIONS (OAK PROCESSIONARY
MOTH AND PLANT PESTS) (AMENDMENT) REGULATIONS 2023 – “PH/043”**

The Plant Health and Phytosanitary Conditions (Oak Processionary Moth and Plant Pests) (Amendment) Regulations 2023 were subject to the negative procedure and were laid in the UK Parliament on 2 May 2023. The Scottish Parliament agreed on 26 April 2023 that it was content for Scottish Ministers to give their consent to these Regulations, which include Scottish devolved matters, as set out in the relevant notification to the Parliament.

PH/043 was made in exercise of the powers conferred by Articles 8(5), 17(1), 28(1) and (4), 37(5), 48(5), 105(6) of, and Annex 2 to, Regulation (EU) 2016/2031 of the European Parliament and of the Council on protective measures against pests of plants on 2 May 2023 and will come into force on 24 May 2023

PH/043 has now been laid and I can confirm that the SI is consistent with the consent granted by the Scottish Government on 26 April 2023.

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

Kind regards



LORNA SLATER

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

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