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Clare Adamson MSP
Convener
Constitution, Europe, External Affairs and Culture
Committee
The Scottish Parliament
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10th May 2022

Dear Clare,

I am writing to you in accordance with the Scottish Government's obligations under Part 1 of the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021.

In accordance with section 7(1) of the Act, a revised policy statement will be laid in Parliament on 10 May explaining the approach, factors to be taken into account and process to be followed when considering use of the regulation making power under section 1 of the Act. This document takes into consideration the representations from the Constitution, Europe, External Affairs and Culture and Rural Affairs, Islands, Natural Environment Committees on the draft policy statement laid in Parliament on 29 October 2021.

I am also writing to note that a finalised report on how the Continuity Act has been considered for use over its first year and how it is planned to be used over the subsequent reporting year will also be laid on this date in accordance with section 10(1).

These are accompanied by a document setting out how the Scottish Government has considered the representations received from these two committees regarding the drafts laid. This document fulfils the Scottish Ministers obligations in relation to the policy statement under section 7(4) and in the report under section 11(5).

I would like to thank the committee for its helpful consideration of the draft documents. I believe that the comments received will improve the effectiveness of Ministers' consideration of the use of the Continuity Act power and the overall alignment policy.

The revised policy statement includes revisions in respect of a number of key areas, all designed to improve transparency. These include a commitment to provide regular information on our legislative intentions that will assist parliament, stakeholders and the people of Scotland to better understand and scrutinise how Ministers will approach decisions about alignment.

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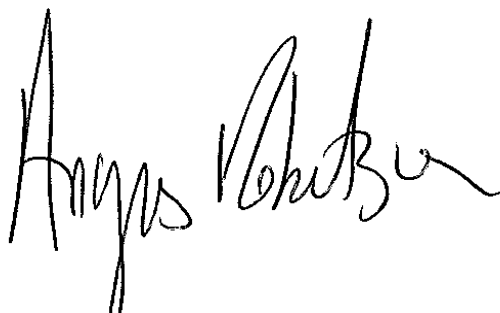
The revised statement also provides further detail on monitoring developments in the EU and assessment of the implications of the post-Brexit landscape on policy proposals and our approach to consultation.

The explanatory document also addresses a number of points raised in the Committees' scrutiny of the draft statement and report, and provides further clarification.

As you know Scotland's commitment to remain close to the EU underpins the Scottish Government's policy to maintain alignment with the EU where appropriate – that is where it is possible and in Scotland's interest to do so, and in a manner that contributes towards maintaining and advancing standards across a range of policy areas. The alignment policy does so to protect the health and wellbeing of people in Scotland, maintain our international reputation, and ease the process of Scotland's future return to the EU following the UK Government's disastrous policy of Brexit which continues to negatively impact Scotland's people and businesses.

I look forward to the committee's consideration of these finalised documents and to continuing to work with the committee. In this regard my officials remain committed to their ongoing work with their parliamentary counterparts to support consideration of the parliament's approach to scrutiny, to share information and to support delivery of the commitments made in this revised policy statement.

Best wishes,



ANGUS ROBERTSON

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