



The Scottish Parliament
Pàrlamaid na h-Alba

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Stuart McMillan MSP
Convener
Delegated Powers and Law Reform Committee

By email: DPLR.Committee@parliament.scot

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Dear Stuart

Thank you for your letter of 10 September 2025 regarding the delegated powers in the Ecocide (Scotland) Bill.

This response seeks to address your question regarding the delegated power in section 10(4) which provides a power to modify the list of persons that must be consulted by the Scottish Ministers when preparing the report on the operation of the Act. You have asked why it is considered necessary to take a power to amend the list of mandatory consultees, given that there will be only one consultation, and Scottish Ministers already have discretion to consult such other persons as they consider appropriate.

As set out in the Delegated Powers Memorandum the intention of this regulation making power is to enable the list of mandatory consultees to be kept current and to enable any new or other bodies or persons with relevant expertise to be added. The power would also allow Ministers to remove any of the statutory consultees or amend the description as needed.

The inclusion of the power seeks to provide flexibility on the basis that it will be a number of years before the report is produced and there may be changes in the regulatory landscape and thus relevant consultees during that period.

Nevertheless, given this is a one off reporting obligation and subparagraph (3)(a)(viii) provides some flexibility in terms of additional consultees, I would be happy to carefully consider any recommendation from the Committee in relation to this power.

Yours sincerely

Monica Lennon MSP
Member of the Scottish Parliament for Central Scotland