



The Scottish Parliament
Pàrlamaid na h-Alba

Rebecca Pow MP
Minister for Environmental Quality and
Resilience
Department for Environment, Food
and Rural Affairs
UK Government

**Net Zero, Energy and Transport
Committee**

c/o Clerk to the Committee
Room T3.40
The Scottish Parliament
Edinburgh
EH99 1SP

By email only

netzero.committee@parliament.scot

30 March 2023

Dear Rebecca,

**THE REACH (AMENDMENT) REGULATIONS 2023 EU EXIT LEGISLATION
– PROTOCOL WITH SCOTTISH PARLIAMENT**

I'm grateful for your response of 27 March on the above. It was helpful to be able to consider this as part of our scrutiny of the proposed Regulations. The Committee noted that the response had been provided within the necessarily tight deadline for Parliamentary consideration of the Regulations, for which we are also grateful.

The Committee agreed to write to the Scottish Government to signal our acceptance the Scottish Government's proposal to give consent to UK Ministers in making regulations on its behalf for this UK Statutory Instrument. I should make clear that, in doing so, we took the view that extending the submission deadlines in the Regulations was not the most optimal approach but that we recognised and accepted the reasons for this being done.

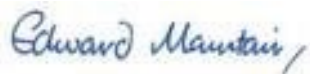
In agreeing to write to the Scottish Government in this way, the Committee also agreed to raise a number of issues with the Scottish Government, two of which we also agreed should be raised with the UK Government:

1. The Committee was interested to hear of plans for the development of an Alternative Transitional Registration Model. As this is likely to involve work across devolved and reserved competencies, the Committee would welcome a more detailed outline of the work being done to develop the new Model, including any timescales and an explanation of how you are partnering or consulting to develop the model with other UK administrations, experts, NGOs and industry stakeholders.
2. In your letter, we note your assurance (referring to EU and UK REACH) that the UK Government wishes to keep "unnecessary divergence to a minimum". It would be helpful to have your perspective on what would

constitute 'necessary' as opposed to 'unnecessary divergence' from EU REACH (for instance by reference to any set of principles the UK Government may be applying in this area) and on how effectively the Chemicals and Pesticides Common Framework is functioning to facilitate agreement between the UK and devolved Governments on this issue.

The Committee would be very grateful for a response on these issues by 10 May if possible.

Yours sincerely,

A handwritten signature in blue ink that reads "Edward Mountain". The signature is written in a cursive style.

Edward Mountain MSP
Convener
Net Zero, Energy and Transport Committee