Duncan McNeil MSP  
Convenor, Health and Sport Committee  
T3.60  
The Scottish Parliament  
Edinburgh  
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O 1 MAR 2012

Minimum Pricing

Thank you for letter of 6 January to the Health Secretary regarding a minimum price for alcohol. Your letter has been passed to me as the Secretary of State responsible for alcohol pricing.

The Government recognises that binge drinking is a significant issue and one that must be addressed. We believe that the availability of cheap alcohol is a significant contributing factor to the social harms that are caused by binge drinking. The Government is therefore firmly committed to ending the sale of cheap alcohol.

As you will know, there are a number of different ways in which to achieve this aim, including the option to introduce a minimum unit price for alcohol. However, there are complex policy issues and challenges which need to be considered carefully for each approach. The wide range of action that we are taking, and the new steps that we will take, will be set out in the Government’s forthcoming Alcohol Strategy.

Your letter refers to the legal competency of the approach being taken forward by the Scottish Government in respect of the Alcohol (Minimum Pricing) (Scotland) Bill. As you are aware, the Scotland Act specifically allows the Advocate General or Attorney General (or the Lord Advocate) to refer a Bill, or any provision of a Bill, to the Supreme Court to question the legislative competence of the Scottish Parliament. Accordingly, the legislative competence of Bills is kept under consideration as they progress through the Scottish Parliament. The power to refer a Scottish Parliament Bill to the Supreme Court is a discretionary power and the courts have confirmed that Scotland’s competence cannot be questioned without a reference to the Supreme Court.

I trust this answers the queries raised in your letter.

Yours sincerely,

The Rt Hon Theresa May MP