



Stuart McMillan MSP
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By email

13 March 2023

Dear Stuart,

Thank you for your letter 8 March 2023 with regards to the Moveable Transactions (Scotland) Bill and Scotland Act Order process.

In your letter, you requested clarity on the timescale and whether the section 104 order will be made in time to align with the Scottish Government's plans to bring provisions of the Act into force. As I outlined in my previous letter of 24 November 2022, section 104 orders, made under the Scotland Act 1998, follow a well-established process before being made, with each request being considered carefully and on its own merits.

I can confirm that, as Tom Arthur MSP, the Minister for Public Finance, Planning and Community Wealth in the Scottish Government set out in his letter to you, officials at the Scotland Office and the Office for the Advocate General have completed their initial assessment of the Scottish Government's proposal for a section 104 order. By way of update, the proposal is now being considered by UK Government departments with a policy interest. It is important that ministers in all relevant departments are in a position to provide their agreement in principle before drafting would begin on an order. We will continue to work closely with the Scottish Government to understand the timing of their legislation and its implementation. I would like to assure you that my officials continue to work across the UK Government and Scottish Government to ensure good progress is being made.

I hope this letter helps clarify the process and addresses the questions you outlined in your letter.

Yours sincerely,

JOHN LAMONT MP
PARLIAMENTARY UNDER SECRETARY OF STATE FOR SCOTLAND

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