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07 July 2025

Dear Convener,

### **Private International Law (Implementation of Agreements) Act 2020 – Renewal of Powers**

Thank you for your letter of 18 June 2025. You indicated that the Committee was content for the Scottish Government to give consent to UK Ministers making regulations in this area. I will advise the Committee when the final SI is made and whether it is in keeping with the terms of the original notification.

You also asked for further information on the consultation process informing Private International Law agreements and the extent to which the Scottish Government engages with the expertise we have in Scotland.

The notification in relation to this particular SI outlined the consultation process which we and the UK Ministry of Justice carried out: [uk-si-private-international-law-implementation-of-agreements-act-2020-27-may-2025.pdf](#)

The Scottish Government very much agrees with the Committee that there is considerable Private International Law expertise in Scotland. As well as the Faculty of Advocates and the Law Society of Scotland, there is also significant academic expertise at a number of Scottish universities. We plan to do two specific things to ensure we work closely with this expertise.

First of all, we will provide information to key bodies and academics when steps are taken in relation to PIL agreements. For example, we have just written to them to advise that the Hague Convention of 2 July 2019 on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters [HCCH | #41 - Full text](#) has come into force in the UK as a whole, including Scotland, from 1 July 2025. We will continue to provide information of this nature.

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Secondly, we will ensure that Private International Law academics in Scotland, the Law Society of Scotland, the Faculty of Advocates, and the Family Law Association are fully consulted in relation to any Private International Law proposals.

I agree with the point made at Committee that issues in this area are more complex and nuanced following Brexit. For example, much of the work of the Scottish Government's Central Authority Unit, in areas such as international child maintenance and international child abduction, is now carried out under the Hague Conference Conventions rather than, as would often have been the case previously, under EU measures.

Finally, we will keep the Committee informed in relation to any consultations or steps in relation to Private International Law agreements.

Yours sincerely,

**SIOBHIAN BROWN**

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