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24 July 2025

Dear Edward,

THE PERSISTENT ORGANIC POLLUTANTS (AMENDMENT) REGULATIONS 2025
THE PERSISTENT ORGANIC POLLUTANTS (AMENDMENT) (NO. 2) REGULATIONS 2025
THE PERSISTENT ORGANIC POLLUTANTS (AMENDMENT) (NO. 3) REGULATIONS 2025

EU EXIT LEGISLATION – PROTOCOL WITH SCOTTISH PARLIAMENT

The Scottish Parliament agreed on 13 May 2025 that it was content for Scottish Ministers to give their consent to the Persistent Organic Pollutants (Amendment) (No. 3) Regulations 2025 including Scottish devolved matters, as set out in the notification to the Parliament.

I am writing to confirm that the Persistent Organic Pollutants (Amendment) (No. 3) Regulations 2025 (“the No.3 Amendment Regulations”) were made on 20 May 2025 under Article 15(1) of [Regulation \(EU\) 2019/1021](#) of the European Parliament and of the Council on Persistent Organic Pollutants (recast) (“the UK POPs Regulation”) and came into force on 21 May 2025. I can confirm that this SI is consistent with the consent granted.

You will remember that this SI amends provisions put in place by two preceding instruments earlier in 2025. The Persistent Organic Pollutants (Amendment) Regulations 2025 (“the 2025 Amendment Regulations”) added three new POPs, including UV-328 and Dechlorane Plus, to the list of substances in Part A of Annex I of the UK POPs Regulation in order to prohibit their use; and the Persistent Organic Pollutants (Amendment) (No. 2) Regulations 2025 (“the No.2 Amendment Regulations”), added various necessary exemptions in relation to the listing of UV-328 and Dechlorane Plus to allow continued use of the substances in limited circumstances. The No.3 Amendment Regulations, however, then remove those entries for UV-328 and Dechlorane Plus.

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The Scottish Parliament had agreed on 25 June 2024 in relation to the 2025 Amendment Regulations and on 18 February 2025 in relation to the No.2 Amendment Regulations that it was content for Scottish Ministers to give their consent to those two previous instruments including Scottish devolved matters, as set out in the notifications to the Parliament. Both instruments were subsequently made and were also consistent with the consent granted.

I wrote to you at the end of May to answer some specific points the Committee made in relation to these No.3 Amendment Regulations. I understand that the UK Government is still considering when it will be appropriate to re-list the two POPs that the No.3 Amendment Regulations removed from the UK POPs Regulation, and I will let you know when this becomes clear.

I am copying this letter to the Convener of the Delegated Powers and Law Reform Committee.

Yours sincerely,

GILLIAN MARTIN

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