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Edward Mountain MSP
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Committee
Scottish Parliament
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9 December 2025

Dear Edward,

THE CONTROL OF MERCURY (AMENDMENT) REGULATIONS 2025 EU EXIT LEGISLATION – PROTOCOL WITH SCOTTISH PARLIAMENT

The Scottish Parliament agreed on 18 November 2025 that it was content for Scottish Ministers to give their consent to the above named UKSI including Scottish devolved matters, as set out in the notification to the Parliament.

The Control of Mercury (Amendment) Regulations 2025 were made on 1 December 2025¹ under Article 20(1) of Regulation (EU) No 2017/852. I can now confirm that this SI ***is consistent with the consent granted.***

I am also writing in relation to the questions posed by the NZET Committee to the Scottish Government following the scrutiny of the Scottish Government's consent to the UK SI. The Committee noted that the EU has gone further than required by the Minamata Convention and asked whether the Scottish Government plans to align in that respect. By means of Regulation (EU) 2024/1849, the EU has amended Annex II of Regulation (EU) 2017/852 ("the EU Mercury Regulation") to introduce two additional mercury-added products to the EU Mercury Regulations: dental amalgam and high-pressure sodium vapour lamps. The additional mercury-added products which are not agreed at the Minamata Conference of Parties (COP) to Regulation (EU) 2017/852 of the European Parliament and of the Council on Mercury ("the UK Mercury Regulation") could not be included in regulations made under Article 20(1) of the UK Mercury Regulation as it provides powers only to amend Annex II to align with decisions adopted by the Conference of Parties to the Minamata Convention. Additionally, my understanding is that high-pressure sodium vapour lamps are not widely used in the UK. Further action on dental amalgam was also recently agreed at Minamata COP 6 and we are working with colleagues from England and Wales on next steps.

¹ [The Control of Mercury \(Amendment\) Regulations 2025](#)
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The UK Mercury Regulation is GB wide and changes to this and Minamata Convention updates are discussed on a 3-Nation basis. Under the Windsor Framework, Northern Ireland adheres to the EU Mercury Regulation. This GB basis for enacting Minamata Convention changes ensures there is a consistent approach across GB.

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

Yours sincerely,

GILLIAN MARTIN

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