

Cabinet Secretary for Transport

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Convener of Net Zero, Energy and Transport
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Scottish Parliament
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18 March 2026

Dear Convener,

The Heavy Goods Vehicles (Charging for the Use of Certain Infrastructure on the Trans-European Road Network) (Revocation and Consequential Amendments) Regulations 2026

EU EXIT LEGISLATION - PROTOCOL WITH SCOTTISH PARLIAMENT

The Scottish Parliament agreed on 15 November 2023 that it was content for Scottish Ministers to give their consent to The Heavy Goods Vehicles (Charging for the Use of Certain Infrastructure on the Trans-European Road Network) (Revocation and Consequential Amendments) Regulations 2023 including Scottish devolved matters, as set out in the notification to the Parliament.

As you will be aware, the SI was due to be laid in the UK Parliament in December 2023. However, the SI's laying date was delayed in order to allow for scrutiny by all devolved governments and to extend its application to Northern Ireland. Subsequently, as a result of the General Election called in May 2024, the UKSI programme was paused. A letter was issued to you on 14 October 2024 advising of this delay.

The Heavy Goods Vehicles (Charging for the Use of Certain Infrastructure on the Trans-European Road Network) (Revocation and Consequential Amendments) Regulations 2026 ("the revocation Regulations") were made on 9 March 2026 under sections 14(1) and 20(1)(b) of the Retained EU Law (Revocation and Reform) Act 2023. I can now confirm that this SI varies in some minor respects from the original proposal but that the variation is not so significant as to need any further process. These changes include an amendment to the Procurement Act 2023 (Consequential and Other Amendments) Regulations 2025 to remove an amendment made by those regulations to the Heavy Goods Vehicles (Charging for the Use of Certain Infrastructure on the Trans-European Road Network) Regulations 2009. There was a similar amendment in the previous version of the instrument to the Public

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Procurement (Amendments, Repeals and Revocations) Regulations 2016 which are the predecessor to the 2025 Regulations. This is accordingly consistent with the instrument originally notified to the Scottish Parliament. The revocation Regulations now also revoke in their entirety The Heavy Goods Vehicles (Charging for the Use of Certain Infrastructure on the Trans-European Road Network) (Amendment) (EU Exit) Regulations 2018. This is in consequence of the revocation of The Heavy Goods Vehicles (Charging for the Use of Certain Infrastructure on the Trans-European Road Network) Regulations 2009. Revocation of those 2009 Regulations was a principal purpose of the instrument notified to the Parliament in 2023 and accordingly this consequential amendment is also consistent with that original notification.

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

Yours sincerely,

FIONA HYSLOP
Cabinet Secretary for Transport

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