

Minister for Agriculture and Connectivity
Ministear an Àiteachais agus Ceangal
Jim Fairlie MSP
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Finlay Carson MSP
Convener
Rural Affairs and Islands Committee
Scottish Parliament
Edinburgh
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By email: rural.committee@parliament.scot
Copied to UKSIs@parliament.scot

30 October 2025

Dear Convener,

The United Kingdom Internal Market Act 2020 (Exclusions from Market Access Principles: Glue Traps) Regulations 2025

I am writing in relation to the protocol on obtaining the approval of the Scottish Parliament to proposals by the Scottish Ministers to consent to the making of UK secondary legislation affecting devolved areas arising from EU Exit.

That protocol, as agreed between the Scottish Government and the Parliament, accompanied the letter from the then Cabinet Secretary for Government Business and Constitutional Relations, Michael Russell MSP, to the Conveners of the Finance & Constitution and Delegated Powers and Law Reform Committees on 4 November 2020 and replaced the previous protocol that was put in place in 2018.

The following Type 1 notification sets out the details of the above Statutory Instrument (SI) which the UK Government propose to make and the reasons why I am content that Scottish Ministers consent to these proposals being included in this SI.

In accordance with section 10(9) of the United Kingdom Internal Market Act 2020 ("UKIM Act"), Baroness Hayman of Ullock, Parliamentary Under Secretary of State, (Defra), has asked the Scottish Government for its formal consent in respect of the above SI, which will apply to the United Kingdom and is due to be laid on 01 December 2025 and come into force on 22 December.

The Wildlife Management and Muirburn (Scotland) Act 2024 ("the 2024 Act"), which was passed by the Scottish Parliament on 21 March 2024, includes provisions to ban the use, supply and possession of rodent glue traps. Unfortunately, the previous UK Government's stance regarding the Internal Market Act 2020 ("the IMA") inhibited the Scottish Government from taking steps to commence the relevant provisions to proceed with the ban on the supply

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of glue traps in Scotland. Indeed the UK Government's letter of 26 March 2024 did not provide Scottish Ministers with market-based rationale regarding their decision not to proceed with an exemption under the Internal Market Act 2020.

However, the UK Government carried out a statutory Review of the IMA, and following this, made a public commitment on 12 December 2024 to grant approval for the glue trap sale exclusion.

My officials have therefore met with their Defra counterparts to discuss this matter in detail and the UK Government is progressing the necessary steps to make the necessary legislative changes to implement the IMA exclusion. Section 10(9) of the IMA requires UK Ministers to seek the consent of devolved governments where they intend to give effect to an exclusion by amending Schedule 1 of the Act. The United Kingdom Internal Market Act 2020 (Exclusions from Market Access Principles: Glue Traps) Regulations 2025 will create an exclusion from the market access principles in Part 1 of the UKIM for legislation so far as it prohibits the sale of glue traps. This means that the market access principles will not apply to, nor affect the operation of, any legislation so far as it prohibits the sale of glue traps in any part of the UK.

I am copying this letter to Stuart McMillan MSP, the Convener of the Delegated Powers and Law Reform Committee, and to Graeme Dey, Minister for Parliamentary Business and Veterans.

I look forward to hearing from you by Thursday 27 November 2025.

Yours sincerely,



JIM FAIRLIE

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NOTIFICATION TO THE SCOTTISH PARLIAMENT

Name of the SI(s) (if known) or a title describing the policy area

The United Kingdom Internal Market Act 2020 (Exclusions from Market Access Principles: Glue Traps) Regulations 2025.
(attached as a separate annex)

Is the notification Type 1 or Type 2

This is a Type 1 notification.

Details of the provisions that Scottish Ministers are being asked to consent to.

Summary of the proposals

In accordance with section 10(9) of the United Kingdom Internal Market Act 2020 ("UKIM Act"), Baroness Hayman of Ullock, Parliamentary Under Secretary of State, (Defra), has asked the Scottish Government for its formal consent in respect of the above SI, which will apply to the United Kingdom and is due to be laid on 01 December 2025 and come into force on 22 December. The SI amends the UKIMA, and does not itself contain provision within the Scottish Parliament's legislative competence.

The Wildlife Management and Muirburn (Scotland) Act 2024, which was passed by the Scottish Parliament on 21 March 2024, includes provisions to ban the use, supply and possession of rodent glue traps. Unfortunately, the previous UK Government's stance regarding the Internal Market Act 2020 ("the IMA") inhibited the Scottish Government from taking steps to commence the relevant provisions to proceed with the ban on the supply of glue board traps in Scotland.

However, the UK Government carried out a statutory Review of the IMA, and following this, made a public commitment on 12 December 2024 to grant approval for the glue trap sale exclusion.

The SI is to be made by the Secretary of State under section 10(2) of the UKIMA. It amends schedule 1 to the United Kingdom Internal Market Act 2020 (c. 27) ("the 2020 Act") to insert a further exclusion from the market access principles set out in Part 1 of the 2020 Act in respect of glue traps. The effect of the amendment is that the market access principles will not apply to, or affect the operation of, any legislation so far as it prohibits the sale of glue traps in any part of the United Kingdom. Without the SI, the market access principles will apply to glue traps and so any ban on supply of glue traps in Scotland would not function as intended until legislation to the same effect had been introduced in all four UK nations.

The passing of the SI will enable the Scottish Government to draft its own SSI to commence the glue trap provisions (ban on use, supply and possession) in the Wildlife Management and Muirburn (Scotland) Act 2024.

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The Statutory Instrument is due to be laid before the UK Parliament on 1 December 2025 and come into force on 22 December.

Does the SI relate to a common framework or other scheme?

No

Summary of stakeholder engagement/consultation

Stakeholders were consulted during the passage of the Wildlife Management and Muirburn (Scotland) Act 2024 in relation to the proposal to ban the use, possession and sale of glue traps in Scotland.

A note of other impact assessments, (if available)

A full impact assessment has not been produced by Defra for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.

Summary of reasons for Scottish Ministers' proposing to consent to UK Ministers legislation

The Internal Market Act 2020 is reserved to the UK Government. In order for the ban on use, possession and sale of glue traps contained in the Wildlife Management and Muirburn (Scotland) Act 2024 to be commenced and have full effect, it is necessary for an exclusion to be granted for glue traps from the market access principles contained in the IMA. Therefore, this SI is necessary in order to implement the exclusion and allow Scottish legislation to be brought into force and operate as intended.

Intended laying date (if known) of instruments likely to arise

01 December 2025

If the Scottish Parliament does not have 28 days to scrutinise Scottish Minister's proposal to consent, why not?

Information about any time dependency associated with the proposal

The instrument is due to be laid in the UK Parliament on the 1 December 2025. We would therefore like the Scottish Parliament to confirm whether they are content with the consent as proposed before this date.

Are there any broader governance issues in relation to this proposal, and how will these be regulated and monitored post-withdrawal?

N/A

Any significant financial implications?

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No

SI NOTIFICATION: SUMMARY

Title of Instrument
The United Kingdom Internal Market Act 2020 (Exclusions from Market Access Principles: Glue Traps) Regulations 2025
Proposed laying date at Westminster
Monday, 1 December 2025
Date by which Committee has been asked to respond
This should be 28 days from the date Jim Fairlie, Minister for Agriculture and Connectivity, issued the notification to the Scottish Parliament.
Power(s) under which SI is to be made
Section 10(2) of the United Kingdom Internal Market Act 2020
Categorisation under SI Protocol
Type 1
Purpose
To grant an exclusion from the market access principles in the Internal Market Act 2020 for glue traps.
Other information
SG Policy contact:
Jonathan Young (email: Jonathan.Young@gov.scot)
Nature Division
ENFOR Directorate

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