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Gordon Lindhurst MSP  
Convener  
Economy, Energy and Fair Work Committee  
The Scottish Parliament  
EH99 1SP

23 February 2021

Dear Gordon,

**RENEWABLE ENERGY, ENERGY EFFICIENCY AND MOTOR FUEL EMISSIONS  
(MISCELLANEOUS AMENDMENTS) (EU EXIT) REGULATION 2021**

**EU EXIT LEGISLATION – PROTOCOL WITH SCOTTISH PARLIAMENT**

I am writing in relation to the protocol on obtaining the approval of the Scottish Parliament to proposals by 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 Parliament, accompanied the letter from the 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.

I attach a Type 1 notification which sets out the details of the SI which the UK Government propose to make and the reasons why I am content that Scottish devolved matters are to be included in this SI. Please note, we are yet to have sight of the final SI and it is not available in the public domain at this stage. We will, in accordance with the protocol, advise you when the final SI is laid and advise you as to whether the final SI is in keeping with the terms of this notification.

Scottish Ministers are being asked to consent to a UK statutory instrument relating renewable energy, energy efficiency and motor fuel emissions. This SI aims to fix deficiencies in the statute book following the UK's exit from the EU by removing references to EU law, references to the UK being a Member State, and the reporting requirement to the EU and European Commission.

The UK Government intends to lay this SI for sifting on 18 March 2021. I request that you report back to me as soon as possible, but no later than 24 March 2021.

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See [www.lobbying.scot](http://www.lobbying.scot)



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

*Kind regards*



**Paul Wheelhouse**

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