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Gillian Martin MSP
Convener of the Environment, Climate Change &
Land Reform Committee
Scottish Parliament
Edinburgh
EH99 1SP

12 December 2018

Dear Gillian

THE WASTE (MISCELLANEOUS AMENDMENTS) (EU EXIT) (NO. 2) REGULATIONS 2019
EU EXIT LEGISLATION – PROTOCOL WITH SCOTTISH PARLIAMENT

I am writing in relation to the protocol on obtaining the approval of the Scottish Parliament to
the exercise of powers by UK Ministers under the European Union (Withdrawal) Act 2018 in
relation to proposals within the legislative competence of the Scottish Parliament.

As you know, the Cabinet Secretary for Government Business and Constitutional Relations,
Michael Russell MSP, wrote to the Conveners of the Finance & Constitution and Delegated
Powers and Legislative Reform Committees on 11 September setting out the Scottish
Government’s views on EU withdrawal. That letter also said that we must respond to the UK
Government’s preparations for a no-deal scenario as best we can, despite the inevitable
widespread damage and disruption that would cause. It is our unwelcome responsibility to
ensure that devolved law continues to function on and after EU withdrawal.

I attach one notification which set out the details of the above named SI which the UK
Government proposes to make and the reasons why I am content that Scottish devolved
matters can be included in it.

Please note, we are yet to have sight of the final SI and it 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 it is in keeping with the terms of the notification.

I am copying this letter to the Convener of the Delegated Powers and Law Reform Committee.
I look forward to hearing from you in due course.

Yours,

ROSEANNA CUNNINGHAM