Mairi Gougeon MSP  
Minister for Rural Affairs and the  
Natural Environment  

By email only

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The Scottish Parliament  
Edinburgh  
EH99 1SP

(RNID Typetalk calls welcome)  
Tel: 0131 348 5240  
ecclr.committee@parliament.scot

Dear Minister,

The Import and Trade of Animals and Animal Products (Amendment etc.)  
(EU Exit) Regulations 2018

Thank you for your letter, dated 11 December, with the consent notification for  
the above proposed SI.

The Committee intends to consider the notification at its meeting next Tuesday  
18 December and would appreciate some further information to assist this. The Committee would appreciate a response, therefore, by 12 noon on Monday 17 December.

The notification indicates, in the list at the foot of page 1, a number of changes  
the proposed SI will make. For example, it indicates that a new definition of  
“third country” is to be inserted, and that the references to “various certificates”  
are substituted. Further information about what the effect of the new definition  
of “third country” would be helpful? What certificates are these? The notification should go on to explain what the effects of the changes, listed by bullet points, are.

How has it been decided when a legislative or administrative function is for  
Scottish Ministers, and when it is for the Secretary of State with the consent of Scottish Ministers?

Can further details of these legislative functions be given?

How will the legislative functions be exercised? Would the powers be  
exercisable by regulations, and, if so, what Parliamentary scrutiny procedure  
would apply?

In the cases where this proposed instrument will confer legislative powers on  
the Secretary of State with consent of Scottish Ministers, do these concern
devolved matters? How will the Scottish Parliament scrutinise the decision? Has it been considered whether joint procedure at Westminster and Holyrood could apply?

I am copying this letter to the Convener of the Rural Economy and Connectivity Committee for his information.

Yours sincerely,

Gillian Martin MSP
Convener
Environment, Climate Change and Land Reform Committee